PRESS BRIEF
OFFICIAL LAUNCH OF PUBLICATION:

“NEW CONSTITUTION, SAME OLD CHALLENGES: REFLECTIONS ON KENYA’S 2013 GENERAL ELECTIONS”

Venue: Nairobi Safari Club
Date: 2nd December 2015
Time: 7:30 a.m. – 1:00 p.m.

Attn: News Managers/News Editors

The Society for International Development (SID) is honoured to invite you to the official launch of the “New Constitution, Same Old Challenges: Reflections on Kenya’s 2013 General Elections” which reflects on the 2013 General Elections and draws lessons that could inform future election cycles. The Book will be launched by Professor Yash Pal Ghai, a scholar in Constitutional Law.

This book follows up on the publication Tensions & Reversals in Democratic Transitions published by SID and Institute for Development Studies after Kenya’s 2007 Elections.

The key insights from the book captures lessons learnt from Kenya’s 2013 General Elections and interrogates the actors and factors involved. In depth, the book paints a picture of an electoral environment which, buoyed by far-reaching institutional reforms driven by the newly promulgated Constitution of Kenya 2010, raised high expectations among Kenyans that the 2013 elections would not only be peaceful but also a lot more credible than those held in 2007.

However, the manner in which the 2013 General Elections were conducted did not show evidence of any remarkable departure from what was experienced previously, despite the raft of legal and institutional reforms carried out. The book attempts to explain why things went the way they did and explores what needs to be done differently in future to ensure more free, fair and credible elections.

The chapters are divided into four thematic areas: Credibility of the Election, Formal Institutions in Electoral Management, Actors and Factors in the Election and Other Auxiliary Actors. The thematic cover electoral issues generally but with particular reference to how each of them played out during Kenya’s 2013 General Election.

The first chapter provides the context of the 2013 elections, with focus on democratic transition and consolidation. The second chapter, assesses the model of the post 2007 state-building that
Kenya embarked on with support from the international actors and explanation of the international election observers’ acquiescence to an arguably flawed electoral outcome.

Subsequently, chapter three, focuses on the question of credibility of elections bringing out the argument that local public assessments and international standards ought to be reconciled considering that it is the local opinion which actually matters and which legitimizes elected governments.

In chapter four the book delves into the conduct of election observers. Here, the authors pose the contradictions that have characterized the work of observers—a fairly nascent strategy in democracy promotion. The chapter pegs its assessment of the observer missions involved in Kenya’s 2013 election on recent statistically robust theories on determinants of observers’ behavior.

Consequently, chapter five assesses the role of Kenya’s reformed judiciary in electoral dispute resolution by analyzing selected election petitions filed in different courts. The chapter argues that realization of the progressive values and abstract ideals contained in Kenya’s new Constitution require judicial activism.

The security sector reform processes that emerged after the 2007 post-election violence specifically the conduct of security sector in the 2013 General Elections are analyzed in chapter six are analyzed in depth in chapter six. Key insights arising reveal that the power-sharing arrangement, though helped promote security sector reforms, created a competitive political stage in which the reform process, particularly police reforms were ensnared in disputes before the 2013 General Election.

Furthermore, the notion of the ‘Deep State’ is espoused as a useful lens with which to wade into the post-election diagnosis of the promise of the formal institutions established before the 2013 elections. The chapter questions the dominant assumption within Kenya’s democratization discourse that only formal institutions play a role in the management of elections and that by clarifying the rules that govern those institutions, the desired accountability will be achieved in relation to the management of elections.

Chapter Eight focuses on political parties, partisan identities and mobilization strategies in the 2013 election. Here, a conceptual framework for understanding how voters acquire the kind of partisan orientation that enabled them to identify with certain political parties and candidates. The chapter shows that while ethnic identity significantly accounts for party support, it does not provide a complete explanation of party support.

In Chapter Nine, an assessment of the performance of women in the 2013 General Election is looked at against a background of a new constitutional dispensation that held promises of increasing number of women in political representation. The chapter argues that half-hearted
commitment by various duty bearers to implement the Constitution might explain the dismal performance of women in the 2013 election.

Chapter Ten focuses on youth and the 2013 General Elections. The chapter observes a fairly improved performance by the youth in the election explained by other factors not the buzzy digital rhetoric which did not necessarily translate into gains for the youth.

In Chapter Eleven, the question of election campaign financing is brought out by attempting a broad critique that includes contextualizing election campaign financing within the nature of the fiscal state and implications to national, regional and international economy. The chapter finds evidence of an unprecedentedly expensive but extremely opaque election campaign under a new constitution.

Chapter Twelve examines how Kenya’s print and broadcast media applied the concept of peace journalism in the coverage of the 2013 general election. It argues that the coverage fell short of peace journalism as an advocacy and interpretative approach that creates opportunities for society at large to consider and to value nonviolent responses to conflict.

Chapter Thirteen primarily highlights the important involvement of civil society in areas of voter education, peace messaging and election observation while also providing a critique of the involvement of civil society in the elections. The chapter documents a number of critical interventions made by CSOs towards the election but suggests that they could have been better with electoral cycle approach programming, clear synergies and sustained funding.

The final chapter examines the internationalization of 2013 elections orchestrated by the ‘ICC factor’. This chapter opines that despite the foreign policy debates that arose out of the internationalization of the 2013 election by the ICC factor Kenya, it is still firmly in the orbit of the West even though the Chinese interest in Africa dating back before ICC involvement in Kenya could change things in future.

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