The Greater Horn of East Africa in Perspective

The Choice...

Why they matter

Kenya’s Existential Elections
1. Introduction

If there is a single event that could be marked down as a pivotal point for East Africa and one that sets the tone for the rest of 2013 it would have to be the Kenyan elections. All of East Africa will be watching closely as Kenyans head to the polls. Two dates have been circled for the past few months; March 4 (Election Day) and April 11 (the date for the election run-off should a clear winner not emerge on March 4). For the Greater Horn of East Africa (GHEA) this election represents a case of collective anxiety. The 2007 general election in Kenya and the political fallout remains fresh in the minds of East Africa’s citizens, politicians and businesses. If there was ever an instance of an entire region suffering from post-traumatic stress disorder (PTSD), the GHEA would be a primary example when the post-election violence erupted in Kenya between December and January 2007 and 2008 respectively.

The post-election violence and political crisis that ensued in Kenya marked the beginning of transcendent changes to the country that culminates on March 4. The irony of Kenya’s previous election is that it showed how integrated the region truly is despite the skepticism expressed by some. The 2007-2008 post-election crisis and violence showed the extent to which the region is intertwined. Each partner state of the East African Community (EAC) felt the consequences of a Kenya in turmoil. Landlocked countries, specifically Rwanda, Uganda and Burundi were in dire straits as their main trade arteries with Mombasa port were closed off. Tanzania’s Dar es Salaam port was overwhelmed with the diverted traffic.
The region has passed a certain threshold and now when anything major happens domestically in one country has a direct impact on all the countries in the neighbourhood. This is why the 2013 Kenyan election is as much a regional issue as it is a national one. It is why, for the lead up to this year’s election, there is an all hands on deck approach to Kenya by the EAC partner states.

This GHEA Outlook places Kenya’s elections in a regional context. It identifies the key players and themes throughout the elections and provides some analysis on a few certainties in a situation where there is a lot of uncertainty. This Outlook provides a snapshot of what is at stake from a regional perspective and also look beyond the elections, the morning after. As Aly Khan Satchu, CEO of Rich Management and well-known economist in the region, explained to this Outlook in answering a question posed to him on what is at stake for the EAC and regional integration on March 4, he responded, “Kenya remains the anchor state and the geopolitical pivot of the EAC.” Translation? Everything is at stake! Which leads this Outlook to believe that Kenya’s future. Their actions could either strengthen Kenya’s institutions that were created as a result of the fallout from 2007 or completely undermine it. For Kenya, its future as a unitary state is at stake. At the most dramatic level, the outcome of this election will affirm or undermine this unity. Bold and courageous leadership will be needed to oversee the consequences of a devolved government and its implementation while simultaneously keeping the country’s fiscal house in order. This type of leadership will be essential in preventing misuse of funds, quarrels over jurisdiction and resource allocation. Without it, we will see more marginalized communities.

Finally, for the entire region this election is significant. As Mr. Satchu stated, Kenya is a regional economic anchor state. The region needs a dynamic, confident and engaged Kenya for its own long-term welfare and prospects. Will the election outcome lead to an outward or inward looking Kenya? Will the country be too bogged down on understanding devolution and implementing it to focus on issues outside its borders? No matter what happens it is quite clear that this election will be critical to all parties involved demonstrating why Kenya’s elections matter not only to Kenyans themselves but the entire region and continent.

2. The Players

This is much more than just a presidential election. Each Kenyan voter is choosing six representatives, of which the president is only one, compared to three previously. That means six different campaign positions, ideologies and policies to follow and understand.

These are the names this Outlook feels the region should watch throughout the electoral process:

Prime Minister Raila Odinga: The Prime Minister is one of two candidates who have everything to gain and everything to lose from this election. Mr. Odinga ran for president in 2007 under the Orange Democratic Movement (ODM) when he lost a closely contested election. After weeks of political turmoil and violence, Mr. Odinga and President Mwai Kibaki formed a coalition government that resulted in Mr.
Odinga becoming Prime Minister and the two parties coming to a truce. Not long ago the 2013 election was supposed to be a shoe-in for Prime Minister Odinga. Like many of the players, Mr. Odinga stems from the Kenya African National Union (KANU), which he left to join the National Rainbow Coalition (NARC) after President Moi anointed Mr. Uhuru Kenyatta to be the KANU presidential candidate. The Prime Minister is currently running on the Coalition for Reform and Democracy (CORD) ticket with his running mate Mr. Kalonzo Musyoka, the Vice-President of Kenya.

Deputy Prime Minister Uhuru Kenyatta: Mr. Kenyatta has been running for President for a decade. Many political pundits believe that he also has everything to gain and everything to lose in this election. The son of Kenya’s founding President, Jomo Kenyatta, the stars seemed to be aligned for Mr. Kenyatta to have a smooth race to victory. He began the decade with the KANU where he was anointed President Daniel Arap Moi’s candidate and successor. He then joined the Party of National Unity (PNU) under President Kibaki. He later joined the National Alliance Party (TNA) and consequently, when he joined forces with Mr. William Ruto, created the Jubilee Alliance in for whom he is the presidential candidate.

Things got very complicated when he and Mr. Ruto, were indicted by the International Criminal Court (ICC) on allegations of orchestrating the post-election violence that happened after the elections in 2007-2008. Uhuru Kenyatta vehemently denies these allegations and has stated he would fully cooperate with the ICC, even if he becomes President, presenting an awkward predicament for Kenya, its allies and the international community.

Mr. Kenyatta’s alliance with Mr. Ruto seemed to be a powerful combination since they represent two ethnic groups that have historically committed violence against each other, especially in 2007-2008. Ironically, this ticket may mitigate the chances of violence, while the ICC issue has raised the stakes and polarized the country. According to the International Crisis Group (ICG), “the stakes for Kenyatta and Ruto, in particular, are high. If Kenyatta fails to win the presidency they may be facing trail in the Hague, with little, if any support from a new government that might be eager to sideline former rivals by supporting the ICC process.”

But what if he wins? How will things play out for the region if one of the EAC partner states is led by an ICC suspect that eventually gets convicted?

Martha Karua: Known as the Iron Lady of Kenya, Martha Karua is the only female candidate running for President. She has a very popular following but many pundits ruled out her victory due to the lack of funds and the relatively small size of her campaign operation. Despite the perceived lack of resources, Ms. Karua has been able to influence and
affect the elections by addressing hard issues and not shying away from attacking her former cabinet colleagues, specifically Mr. Odinga and Mr. Kenyatta. She served as a Minister of Justice, National Cohesion and Constitutional Affairs from November 2005 to April 2009. She was part of the group that originally formed NARC that essentially ended the reign of KANU. Ms. Karua has a very tense history with Mr. Odinga. During the height of the political crisis that occurred in 2007-2008, when she represented the government in negotiations with former Secretary-General of the United Nations, Kofi Annan, she accused Mr. Odinga's ODM party of pre-planning mayhem if they lost and continued that she did not expect “the magnitude of the violence and for it to be ethnic cleansing.” Ms. Karua resigned from her post as Minister of Justice due to frustrations with the executive in undermining her authority.

**Peter Kenneth:** Mr. Kenneth has been a Member of Parliament (MP) for Gatanga since 2002, he is also the Assistant Minister in the Ministry of State for Planning, National Development and Vision 2030. He is running on the Eagle Alliance presidential ticket. For many followers of Kenyan politics, especially outsiders, Mr. Kenneth seemed like a breath of fresh air that would contribute substantive issues to the political discourse. He released his manifesto and put his hat in the presidential race much earlier than his colleagues. His greatest asset has been to push for an issue-based agenda and from the outset many of his policies have been quite sound. He has argued that the elections should be a race between performers and non-performers and that Kenyans should choose their leader based on merit and record.

Many Kenyans believe that Mr. Kenneth is a viable candidate and presents many good policies. However, they also believe that he may have run too early. He should have considered running for the Governor of Nairobi, which they believe he would have won easily. He then would have made his mark and run for the presidency in the next election.

**James Ole Kiyiapi:** Mr. Kiyiapi is a former university professor and served in a number of positions in the civil service. He is running on the Restore and Build Kenya presidential ticket. Prior to his presidential run, he served as Permanent Secretary in the Ministry of Education and Local Government. Mr. Kiyiapi is well informed about Kenya’s education sector and has tailored his campaign to focus on national unity and economic empowerment.

**Deputy Prime Minister Musalia Mudavadi:** Mr. Mudavadi is running for President under the Amani Coalition. He was previously with Odinga’s Orange Democratic Movement and before that KANU. During the campaign, Mr. Mudavadi has consistently sold himself as a “safe pair of hands”, a compromise candidate and has tried to keep above the fray. The hope is to be a key broker in the second round of the elections. He has been consistently polled at number three after the two juggernauts of Odinga and Kenyatta. Prior to running a presidential campaign of his own, Mr. Mudavadi allied himself with Uhuru Kenyatta where he initially agreed to a 20% share of available slots in government. While this coalition was short-lived many suspect Mr. Mudavadi has some form of post-election agreement with Mr. Kenyatta’s camp.

Critiques of Mr. Mudavadi call him “laid back, indecisive, lacks the passion or drive to get things done, a fence sitter and an uninspiring pro-establishment politician.” Some of this may be harsh considering how many pro-establishment politicians are running for high office. It is no surprise that it is his supporters that call him “a sober, moderate non-combative politician, or a safe pair of hands.” Previous surveys have
shown that Mr. Mudavadi is the next best thing for voters if their candidate is not chosen. He is a chameleon, however, because he has been associated with various individuals from President Kibaki to Mr. Kenyatta to former President Moi. No one is quite sure where he stands and it seems as though he is hedging more than anything else.

Mohamed Dida: Mr. Dida is a former teacher running on the Alliance for Real Change ticket. He is unknown in the Kenyan political field and is relatively new to politics. He is now best known for his performance during the presidential debates where he asked tough questions to his counterparts, specifically Mr. Kenyatta and Mr. Odinga.

Paul Muite: Mr. Muite is running on the Safina Party ticket for President. He is a lawyer by profession and was part of the struggle to push for a multi-party system and democracy in Kenya that challenged President Moi's stronghold on the country. Mr. Muite served as vice chairman of the Forum of the Restoration of Democracy when it was headed by Raila Odinga's father, the late Oginga Odinga.

Chief Justice Willy Mutunga: The Chief Justice (CJ) Willy Mutunga represents the new and reformed Judiciary. The Judiciary, led by the CJ will be critical in the next few months since the election is expected to be very close and there will be many legal cases contesting election results and outcomes. This will not only be limited to the presidency but the gubernatorial, MP and local government races. The CJ will also be the person swearing in the new President-elect. In many ways, since the Parliament has already been dissolved, he is one of the most important individuals in the country second to President Kibaki. The Judiciary as well as CJ Mutunga has received broad-based confidence from the people due to the reforms made as a result of the new Constitution. Surveys have shown that the Judiciary is the most trusted institution in the country. “Its effective independence could persuade politicians to take their grievances to the courts rather than the streets.”

This is important since “judicial independence was a major trigger of violence, as the losing presidential candidate Raila Odinga and his allies did not trust courts to resolve disputes fairly or in a timely manner.” Mr. Mutunga has previously had tense exchanges with Mr. Kenyatta in the press since he is on record stating that the Judiciary would ensure leaders who fail to meet the threshold of integrity set by the Constitution are not considered for public office. The expectations and stakes are very high for the Judiciary and CJ Mutunga. This was evident when the CJ indicated that there were attempts to threaten and intimidate the Judiciary, including himself.

IEBC: The Independent Electoral and Boundaries Commission (IEBC) of Kenya is the newly created authority that will be overseeing the entire electoral process. It was formed as a result of the new Constitution and has been given the necessary powers and independence that its predecessor, the Electoral Commission of Kenya (ECK), did not have. Between the Chief Justice and the Judiciary and President Mwai Kibaki, IEBC is the third most important player in making sure the election runs smoothly, peacefully and fairly. Electoral disputes will have to be solved by either the Judiciary or IEBC. IEBC enjoys countrywide support from the people despite some hiccups, especially during the registration period. An estimated 14.4 million Kenyans were registered, fewer than the 18 million that was initially targeted. This election will be very complex for the voters but it will just be just as difficult for IEBC, who will be running new software, mostly electronic, and any glitches, even if they may not be at the fault of the staff, may backfire. There are also concerns with the management and team in their capacity to both oversee the process and train 120,000 temporary workers to staff 29,000-40,000 polling stations.

The challenge here, just like for the Chief Justice, is the enormous pressure to make sure the process goes on according to plan and to live up to high expectations.

President Mwai Kibaki: President Kibaki leaves Kenya with a mixed legacy on social and political cohesion in the country. However, he does leave Kenya's economy in a strong position. Many talk of what the legacy of Mr. Kibaki will be and point to the economy and significant infrastructure developments that have transformed parts of the country. The bold decision to send the Kenyan army to Somalia will also be seen as a decision that cemented a positive legacy for Mr. Kibaki. Neutralizing al-Shabaab in Mogadishu was a watershed moment for Somalia. Despite all this, Mr. Kibaki does not want to leave his presidency the same way he entered his second term, in a state of chaos and disunity. We leave the last word on President Kibaki by Ms. Ory Okolloh, Google Policy Manager for Africa, who tweeted the following:
@KenyanPundit: Shouldn’t Kibaki be touring the country promoting peace? Or Something?

3. The Issues in the Manifestos

Four presidential aspirants unveiled election manifestos outlining their priorities and promises of what they would do as President of Kenya - Raila Odinga, Uhuru Kenyatta, Peter Kenneth and Musalia Mudavadi. This Outlook focused on examining the extent to which the manifestos of the two largest alliances – Odinga’s CORD and Kenyatta’s Jubilee - paid attention to the needs of Kenya’s poor, vulnerable and marginalized citizens. It also assessed the degree to which East African regional integration featured.

CORD P.R.O.M.I.S.E.S:

Prime Minister Odinga offered a 10-point manifesto whose primary focus was on job creation, poverty reduction and equal distribution of resources. The manifesto is called “Unleashing Kenya’s Potential” and focuses on the following:

- Jobs
- Poverty and cost of living
- Food security
- Quality education
- Healthcare
- Infrastructure and land

However, while Kenya may have achieved the Millennium Development Goals (MDGs) on universal access to primary education based on enrollment rates, the consistent delivery of good quality education remains a challenge that will most likely dog the provision of free secondary education. It was not immediately clear how the CORD Manifesto would ensure that all students learn adequately.

On the major issues of food security, poverty and social equality CORD plans to “transform the agriculture, livestock and fisheries sectors to ensure food for everyone.” It proposes a Komesha Umaskini (Stop Poverty) initiative that would invest in the expansion of productivity and job opportunities. Furthermore, the manifesto proposes to tackle the high cost of living by ensuring the annual headline inflation is below 5% (the inflation rate in January 2013 was 3.2%). It also proposes to review Kenya’s minimum wage to help low-wage earners.

The impressive ambition of the CORD manifesto to reduce Kenya’s poverty incidence to 9% by 2030 stands out. Achieving this would mean reducing the number of Kenyans living below the poverty line from 19 million in 2010 (using a 46% poverty incidence figure on Kenya’s 2010 population) to 6 million in 2030. The manifesto expects that “accelerated growth will lead to wealth creation and more jobs,” reversing the trend of the past decade in which high economic growth rates in Kenya and East Africa have barely dented unemployment and poverty levels.

The CORD manifesto is essentially silent on the East African Community, preferring to link regional foreign policy with domestic security concerns. This is surprising given that Mr. Odinga is perceived as being strongly in favor of regional integration.

JUBILEE P.R.O.M.I.S.E.S:

Mr. Kenyatta’s Jubilee Coalition wants to transform Kenya. His party manifesto is titled ‘Transforming Kenya: Securing Kenya’s Prosperity.” The coalition is focused on addressing a number of themes organized under three key pillars Umoja (Unity), Uchumi (Economy) and Uwazi (Transparency).

The Jubilee Manifesto is quite comprehensive and touches on a wide range of issues.

It dedicates significant space to the economy and foreign policy. It discusses regional integration by specifically mentioning that it will “expedite the East African integration process to facilitate free movement of labour, goods and services and accelerate the expansion of our regional market.”

Critics might observe the irony of Mr. Kenyatta’s camp devoting the least amount of attention on aspects of corruption and good governance. However, the Jubilee manifesto mentions the Devolution process,
which will be the single most challenging process to execute for whoever wins the election.

Some of the pro-poor policies that are mentioned in the manifesto include providing free primary healthcare for all Kenyans, guaranteeing free water supplies to all those living in informal settlements, increasing the reach of cash transfers to attain universal coverage for the elderly and people with disabilities.

Similar to the CORD manifesto, there is a focus on fostering economic growth based on the strong assumption that growth will translate to job creation. The Jubilee Manifesto asserts that it will “target a 7-10% growth rate in the first two years of the Jubilee Government in order to create 1 million new jobs for our youth.” The manifesto cites investing in manufacturing, reliable energy infrastructure and ‘Buy Kenya’ policies to create some of these jobs. Can you expedite East African integration with subtle protectionist policies?

For Mr. Kenyatta, this is an all-in election given the ICC indictment hanging over his head. The only way for Kenyatta to be vindicated is to win the election, which could potentially delegitimize the ICC. Many would acknowledge Kenya’s importance in the region and the broader international community and there is a subtle understanding that the international community will not allow Kenya to be a pariah state. Sanctions on Kenya will have a negative impact on the region, and may destabilize the economic make up of the EAC partner states. Kenya is a geostrategic hub for both international organizations like the United Nations and a key player and partner for counterterrorism, signified by its involvement in Somalia. Most international partners will think twice before isolating Kenya. Uhuru Kenyatta must be well aware of this trump card.

The importance of this election to the region is manifest in the number and size of observer missions deployed. The EAC Secretariat sent in observers to monitor the voter registration exercise in November 2012. In February 2013, it was reported that the Common Market for Eastern and Southern Africa (COMESA) will join in with the EAC to have a joint election monitoring unit in Kenya. The European Union is expected to have its team of observers on site for a longer period than usual and has sent representatives to monitor the voter registration process. The United States is supporting the Carter Center as an observer mission but is working closely with Kenya through the new Bureau of Conflict and Stabilization Operations at the Department of State. The African Union will also deploy observers.
The March 4th election is also an existential moment for Kenya and its institutions in particular. The recent threats to the Chief Justice Willy Mutunga are a testament to this. There may be some who will stop at nothing to ensure their candidate wins, even if it means threatening the Judiciary or circumventing the Constitution. During a meeting on Kenya’s post-election agenda, John Githongo, a prominent Kenyan activist and CEO of Inuka Kenya, quoted the ICJ Professor Yash Pal Ghai (who played a prominent role in stewarding the creation of Kenya’s new constitution). The following statements were telling:

“If this election reinforces ethnicity then the Constitution will have been abandoned.”

“March 4 is a test of the new constitution, testing Kenya as a nation first and a state second.”

“These elections are a watershed. If we don’t adhere to the Constitution the reform process goes into reverse.”

“That Kenya should be thinking of ‘surviving’ sanctions is wrong. This is 2013 we should be talking of Kenya thriving!”

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6. “It Will Not Be Like Last Time”

This Outlook broadly agrees with the sentiment that “the national poll will be peaceful and free – at least in comparison with 2007s election-but the growing devolution of power across the country will trigger, or exacerbate, more localized conflicts, particular in the east (part of the country).” Three critical things stand out that are different than the last election:

6.1. No Confusion on Who is President

On March 5 and April 12 President Kibaki will still remain President of Kenya. This is starkly different from the previous election when Mr. Kibaki was a contesting incumbent. That situation presented some confusion for the security apparatus delaying and hindering their ability to restore law and order in the country. No such confusion will exist now. The President may use the constitutional and moral authority vested in the presidency to ensure the election runs smoothly and law and order is preserved following the announcement of the results. He can guarantee a smooth transfer of power and neutralize the political disunity that was cemented in 2007-2008.

6.2. No Element of Surprise

While few anticipated the post-election violence nearly five years ago, everyone seems to be prepared in 2013 for any eventuality. In a conversation with this Outlook, Abdullahi Boru, an independent regional analyst, stated, “there are plenty of democracy tourists in Kenya.” Mr. Boru noted that Kenya has had elections since independence and that the 2007 conflict shouldn’t warrant this type of overt attention. “Some of it has been blown out of proportion.”

6.3. The UhuRuto Ticket

In what is now perceived as an x-factor, the alliance between Uhuru Kenyatta and William Ruto has provided an interesting dynamic to the entire election. Mr. Kenyatta represents the Kikuyu ethnic tribe while Mr. Ruto represents the Kalenjin, two groups that have historically been at loggerheads most notably during the last election. While it is not clear how these two candidates will react if they lose, a victory for them may just prevent an outbreak of serious unrest. The irony of the ICC is not lost
here, Mr. Boru believes that because the Rift Valley has always been an area that has experienced electoral violence, “counter-intuitively, these two working together will bring tension down.” However, Mr. Boru warns that reducing tension between the Kikuyu and Kalenjin on the one hand may “...open up another fault line targeting Odinga supporters in the Rift Valley...let us remember that the Rift Valley and Nyanza are neighboring provinces.”

7. Insights - The Morning After The Day Before

In trying to structure the exploration of what may happen in the Kenyan elections and addressing the most common questions: “Who will win?” or “Will there be violence?” one could do worse than quote former American Secretary of Defense Donald Rumsfeld:

“There are things we know we know. We also know there are known unknowns; that is to say we know there are some things we do not know. But there are also unknown unknowns -- the ones we don’t know we don’t know.”

More than a decade on, this quote remains relevant, if somewhat of a mouthful. We do not know who will win the election but we do know the presumed frontrunners. We do not know whether there will be violence, but we do know that the entire region is on edge and there could be areas that have pockets of violence.

There is a high probability that the elections will go to a runoff because neither candidate has enough votes to garner 51% of the electorate. If that is the case, the period between March 3 and April 11 will be just as tense as the days leading up to the election. It is in this period that two individuals will be the most important people in Kenya and two people we must closely watch, President Mwai Kibaki and the Chief Justice Willy Mutunga.

However, in the midst of this uncertainty about the election conduct and results, there are certain things that we know will happen the day after everything is said and done.

7.1 Devolution will happen and it will not be easy or cheap

The implementation of the devolution process is expected to radically change service delivery and government-citizen relations in Kenya. Devolution is critical in trying to promote equity and social development by decentralizing representation and government through the reduction of central authority. This process has to be managed effectively and this is a challenge the next President will have to address from the first minutes in office.

One of the key questions that Kenyans will have to address is how the implementation of devolved governance will be paid for. Analysts foresee a slow down in Kenya’s economy in the second half of 2013, coupled with rising inflation. As Aly-Khan Satchu put it to this Outlook, “the devolution process is the equivalent of economic shock therapy. Questions around
economic capacity at the devolved level, around duplication and even multiplication of functions means that I am certain we will have an inflationary burst at the outset." The elections will just be the beginning of a long and difficult process for Kenyans. Two outcomes may result from Kenya’s execution of the devolution process as mandated by the constitution. "If devolution is successful, it could help promote economic and social development since the government will be closer to the people and be able to better cater to the different needs of the counties." This is if everything goes according to plan. Things could easily go the other way and backfire, "devolution could create some unexpected negative consequences, such as exacerbate regional inequalities and marginalize minority ethnic groups in some communities."  

Ms. Katindi Sivi-Njonjo, Program Director for the Society for International Development and an expert in scenarios and the devolution process, highlighted some the key challenges the Kenya and Kenyans will have to face the morning after the elections. She warns that devolution will result in some marginalization of ethnic groups and bring about new minorities. Specifically she talks of a “likelihood that ethnic groups that have ancestral inheritance in a particular county will want to control all instruments of governance and development to the exclusion of other ethnic migrants to that county in the recent past.” This will weaken national cohesion and increase ethnic nationalism. There is also a question of how much these local leaders will consolidate or undermine the President’s new authority depending on his/her political and ethnic affiliation. Ms. Njonjo warns of new frontiers of ethnic conflicts within counties if devolution is not implemented properly. This would be intensified with country corruption as she points to “experiences with past devolved funds indicates that almost one third of resources were unaccounted for.” To top it all of, the devolution system is incredibly complicated and Ms. Njonjo worries about the capacity to implement and understand the devolution process, risking a severe blowback to the country.

Finally the cost of Devolution is something that needs to be addressed. Devolution will be incredibly expensive and the new administration will have to be able to pay for it without compromising or undermining national development. What is clear from both manifestos mentioned earlier is that both Mr. Odinga and Mr. Kenyatta are promising decades of big Kenyan Government. Government will solve Kenya’s social, economic and political issues. How, will these candidates propose to pay for their policies AND devolution is something that remains to be seen.

7.2 The Real Politicking Begins After The President is Elected

While the fight for Kenya’s presidency will be the most visible battle in the election, other battles will be taking place and some intense politicking. The International Crisis Group (ICG) suspects that “in some counties competition for governorship will be fierce, and the potential for violence is high, especially since many local conflicts are about access to power and resources."  It will take quite some time for all political positions to be filled and to have a full government in place. The country will have to be patient and absorb all types of shocks before the hangover of the election is fully over. In any event, and beyond the electoral process, the President’s relationship with the Governors and their interests will be crucial in ensuring successful devolved government.

7.3 A Healer-in-Chief

No matter what the outcome, all polls and analysis point to a Kenya intensely divided after the election. The next President will have to embrace a dose of pragmatism, realpolitik and serve as Healer-in-Chief. In the lead up to the election the country is already divided by internal ethnic divisions. Indeed, one of the unintended consequences of the ICC was the “exacerbation of tribal fault lines.”  When Outlook asked Mr. Aly Khan Satchu whether the country would be more divided than in 2008, he responded, “I think a lot depends on how conclusive the victory is at the ballot box. If it is too close to call of a result then I expect division. A lot will depend on the leader and the leadership he or she shows.” This emphasizes that the next President will have to spend some political capital on reconciliation.

7.4 The Somalia Question

Surprisingly missing from the campaign debates is the Somalia question. How long will KDF troops remain in Somalia? What is the end game? How will a Kenyatta
presidency unfold if the West and international partners isolate it? Can they risk isolating Kenya especially after all the progress made in Somalia by Kenya via the African Union Mission in Somalia (AMISOM)? The next President will have to navigate these rocky issues while expecting that a vengeful al-Shabaab could cause some headaches within the country. For Mr. Kenyatta, Somalia can be the trump card that prevents the Western powers from implementing sanctions because there is a clear understanding that the country is crucial to keeping Somalia stable and al-Shabaab at bay. This is probably why al-Shabaab is specifically mentioned in his manifesto, while it is not mentioned in Mr. Odinga’s.

Dealing with Somalia may be the most pressing foreign policy challenge that the next President will have to address. On February 20, 2013 The Guardian published an interesting piece that spoke to some of the unintended consequences of Kenya’s incursion into Somalia and its effects on the fishing and tourism economy. The piece discussed a Kiunga, a town in Lamu East where prior to the Kenyan operation launched in October 2011, fisherman could capture three tonnes of fish in one night, something that is no longer possible after the operation due to curfews. These limitations benefit Somali fisherman who now have no competition to capture fish. The security and stability of the rest of Kenya and Somalia came at the expense of their livelihoods:

“People cannot go about their normal business. We are living in isolation from the rest of Kenyans, as we cannot freely receive visitors or visit other people due to fear of being linked to al-Shabaab. We are at the mercy of the (Kenyan Defense) security forces.”23

Somalia and al-Shabaab may have been invisible during the political campaigns. They will reassert themselves very quickly once the President-elect takes the oath of office. There is also the expectation by the Somali population that occupying troops will depart their territory soon and therefore there will be a need to engage with the civilian Somali leadership as well and provide the necessary assurances.

End Notes

2. Ibid
6. Ibid
7. ICG (2013)
8. Ibid
10. ICG (2013)
12. To view the Jubilee Alliance Manifesto See: http://www.uhuru.co.ke/manifesto
20. Ibid
21. ICG (2013)
22. Discussion with Mr. Aly Khan Satchu with This Outlook

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