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# Kenya's first presidential election debate: Tackling the ICC, party politics, tribalism and corruption

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Kenya's politics have been marred by corruption, impunity and bitter ethnic rivalries, often exploding into widespread violence during contested elections. As millions of Kenyans look forward to a new dawn after the upcoming presidential elections in March, millions more fear for what might happen before, during and after the said election. The East African country was engulfed its most serious post election violence in 2007. In the wake of this violence 1 300 people were killed and hundreds of thousands were displaced internally and externally. As the world and Kenyans intently watched the first ever presidential election debate on the 11 February 2013, unresolved issues seemed to come up, leaving lingering questions as to whether this election will be conducted differently and more responsibly than the last. Questions around the ICC indictment involving Kenyan politicians who are currently presidential candidates were raised. Issues of politicised ethnic violence, impunity, security, resource conflicts, food shortage, corruption as well as questions of democracies of compromise were raised.

The Kenyan presidential candidates for 2013 who participated in the debate were **Martha Karua** of NARC Kenya (MP Gichugu Constituency), **Peter Kenneth** of KNC (MP Gatanga Constituency), Professor **James Ole Kiyiapi** of RBK (former Permanent

Secretary, Education Ministry), **Uhuru Kenyatta** of TNA Jubilee (Deputy Prime Minister), **Raila Odinga** of CORD (Prime Minister), **Musalia Mudavadi** of UDF (Deputy Prime Minister), **Muhamed Abduba Dida** of ARK and **Paul Muite** of Safina (former MP Kikuyu Constituency).

The debate was of importance to the Kenyan people because it broke away from the usual practice of political rallies where issues are politicised and personalities become the main subject of discussion. It provided an opportunity for the candidates to equally present their visions for the Kenyan people and gave an opportunity to the Kenyans to actually ask questions about issues that affect them and how the candidates undertake to address them.

Issues of interest to the Kenyan people in terms of the debate included matters of governance, healthcare and education. Kenyans expectations from these candidates revolved around an improved economy, which should in turn translate into a better standard of living. Kenyans were also concerned about reduction of unnecessary taxes, resolving issues of shortage of food and matters of security, considering the level of insecurity brought on by various recent attacks from Al Shaabab. Kenyans also wanted assurance over a peaceful election this time around. An election where the candidates respect the outcomes and choices made by the people and fulfil their undertakings.

### **On the issue of ICC**

The upcoming ICC case against four Kenyan figures was the main contention during the debate. Issues were raised on whether Kenyatta of Jubilee who was indicted by the ICC for instigating post election violence which resulted in the death and displacement of thousands was fit to run for presidential elections. One of the candidates, Karua of NARC Kenya, pointed out that the trial was centred on issues of ethics and impunity. That being the case, if one is a public officer in Kenya and they are criminally charged, they have to step aside pending the outcome as per the Public Officers Ethics Act and the Anti Corruption Act. Kenyatta regarded the ICC charges as a personal challenge that would not hinder his responsibilities as president if elected, and left the issue of ethics to the Kenyan voters claiming that the position he sought was elective and not an appointed position. There were implications from the debate that the ICC could have been a ploy to eliminate potential presidential candidates, but that issue was nevertheless disregarded simply as a point of argument.

### **On Party politics**

Kenya has had a culture of temporary political parties of convenience. These parties or alliances are formed conveniently shortly before elections and disbanded right after. Of the parties that were represented in the presidential debate very few had existed prior to the debate. Parliament passed Political Parties and Electoral Laws against party hopping.

These laws have prevented party shifting and other related matters. The coming into effect of some of these laws has been continuously postponed, which begs the question as to whether provision is being made for party hopping and other alliances of convenience? Kenyan parties fail to carry a long term ideology because they are constantly changing and seeking new alliances to ensure success in elections. This makes it hard for people to identify with them or their manifestos.

The consequence of such approach is limitation on party transparency in terms of how the elections are conducted and how follow ups on party undertakings can be managed. Such parties are incapable of sustainably addressing the needs of the Kenyan citizens.

Responses by the candidates to concerns over the matter failed to address the underlying reasons with a few candidates simply undertaking that their parties would be in existence longer than what is usually the case. Other candidates simply went out of their way to defend the fact that party names had changed, alliances had shifted, coalitions rebuilt but the members and parties were still the same.

### **On governance and tribalism**

During the presidential debate it was continuously pointed out that tribalism has been used as a means of allocating resources and positions and thus marginalizing others. It was further pointed out that tribalism is associated with battles for resources where people are made to believe that if their community representative is in leadership, then they as a community stand to gain. Tribalism, it was stated is an excuse for weak leadership, and poor enforcement of laws, including the latest Constitution. Politics have created insecurity among communities. These insecurities arise from socio-economic issues based on perceptions on how resources are distributed. It cannot be overlooked that these perceptions are aggravated by leadership, which in turn resorts to ethnicity as an ideology.

Perhaps most importantly, Kenya's political parties have shown little sign of shifting away from being based in ethnic identities. Although the constitution prohibits ethnically based parties, it is clear that leaders are still rallying for their co-ethnics for votes.

This is hardly surprising, given Kenya's entrenched pattern of patronage politics and alliances based on tribal lineage. Indeed, MPs likely use hate speech to drive certain groups out of their constituencies specifically so they can rely on ethnic groups to vote them into office. It remains to be seen whether or not proportional representation will moderate this strategy. With regard to the presidential contest, alliances are based at least partially on ethnic calculations. Thus, Kenyatta is counting on his co-Kikuyus (and closely allied Meru and Embu groups) for support, but by allying Ruto as his running mate he also hopes to win Kalenjin votes.

Other matters of importance raised included candidates making undertakings to address impunity; resolve the deplorable conditions of poverty and insecurity that post election

violence victims such as IDPs still find themselves in; rebuild confidence in local justice mechanisms by reforming the whole justice system, effectively implementing provisions of the new and very progressive 2010 Constitution' reform police institutions; address corruption, and strengthen leadership. As Kenyans head to the poll this March it is hoped that their choice will be respected and upheld without any rigging or call to violence. For once, we would like to see an election that does not result in court cases, or bloodshed. The second presidential debate will take place on 25 February.

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