



Surprising Results: The Presidential Election in Kenya

The Uplifting Africa Program

10/10/2022



William Ruto, right, shakes the hand of outgoing president Uhuru Kenyatta, left, as Ruto is sworn into office on September 13, 2022. Photo: Xinhua

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Kenyan General Elections: From Contention to Resolution



Kenyans wait in long lines for their turn to cast a vote in the General Elections, held August 9th. Photo Credit Reuters

The 2022 Kenyan general elections were held on August 9th, with four candidates vying for the presidency. On August 15th, the Chairman of the Electoral Commission announced that current Deputy President William Ruto had won the Presidential election. The winner must get 50% plus one of the votes cast and at least 25% of the votes in twenty-four out of forty-seven counties, according to the Kenyan Constitution. Ruto only very narrowly defeated his main opponent, Raila Odinga, taking 50.5% of the vote compared to Odinga's 48.8%. The announcement of Ruto's victory was delayed amidst allegations of vote rigging and fraud against Ruto by the Odinga campaign, as well as scuffles and indications of the potential outbreak of violence.

The Chairperson of Independent Electoral and Boundaries Commission (IEBC), Wafula Chebukati, declared the results of the presidential election in accordance with the Kenyan Constitution. However, four out of the seven total IEBC commissioners were absent at the time of this announcement, leading to criticism by the absent parties of "irregularities" as well as of the conduct of the Chairperson. This criticism from several IEBC commissioners contributed to

Odinga's petition filed at the Supreme Court to challenge the outcome of the dramatic election. Odinga claimed that the figures announced were "null and void and must be quashed by a court of law." The seven Supreme Court judges had fourteen days to make a final and binding ruling on the results of the election. There were three possible outcomes regarding the court decision. First, the Court could have invalidated and nullified the election results and ordered a fresh election within 60 days. Second, the Court could have criticized the process but concluded that evidence was not substantial enough to overturn results and ordered swearing in to take place within fourteen days of the initial results announcement. Third, the Court could have upheld the election results if it found that the elections were held in line with the Constitution.



Raila Odinga walks through a crowd following his address to the nation on August 16th, one day after Ruto's victory was confirmed by the Supreme Court. Photo Credit: ABC News

On September 5th, the Supreme Court unanimously confirmed Ruto's victory, and all eight petitions challenging election results were dismissed. The Court found that much of the evidence presented by the petitioners calling for annulment of the election was based on forged documents and "sensational information," according to Chief Justice Martha Koome. Odinga used the dissents of the four absent electoral commissioners to bolster his case; however, the Court said that such claims of irregular conduct by the Chairman were not enough to undermine the election and

overturn results. The Court also reprimanded the lawyers and petitioners who filed falsified documents in hopes of deterring future spurious petitions.

Odinga had twice previously petitioned the Court. In 2013, the Court found that elections were conducted in compliance with the Constitution and Odinga accepted these results. In 2017, the Supreme Court claimed the existence of irregularities and nullified the election, and Odinga withdrew from the October rerun citing mistrust of election credibility. Odinga has now lost five elections, and at seventy-seven years of age, it remains to be seen if he will remain politically active, although he has stated intentions to continue the “struggle for transparency, accountability and democracy.”

Outgoing President Uhuru Kenyatta supported Odinga’s candidacy over that of Ruto, despite Ruto’s role as Deputy President in Kenyatta’s administration. In a recorded message, Kenyatta congratulated the victorious parties without mentioning Ruto by name, yet also stated his intentions to oversee a smooth transition to the next administration. Following the Supreme Court decision, Ruto praised the Court for “upholding the will of the people.” Ruto also pledged to extend a hand to his political opponents and called for unity amongst Kenyans. Ruto won the elections after campaigning as a “hustler” and a “village boy” who challenged the attempts of two dynasties, those of Kenyatta and Odinga, to hang onto power. He promised citizens a “bottoms-up” approach to tackling economic issues and the high unemployment rate amongst young people, and also promised to improve quality of life for the country’s poorest citizens.



William Ruto, right, shakes the hand of outgoing president Uhuru Kenyatta, left, as Ruto is sworn into office on September 13, 2022. Photo: Xinhua

The Supreme Court ruling in Ruto's favor prompted celebrations across Ruto's home area of the Rift Valley and in Odinga's home area of the Central Province; the streets of Kisumu, however, were glum as citizens mourned Odinga's loss. On September 13, Ruto was sworn in as Kenya's fifth president. Though eight people were reported to be injured following a crush, as many pushed into the stadium to witness the occasion, spirits were high as tens of thousands of citizens happily cheered across Nairobi. Approximately twenty heads of state from across Africa attended the event. Odinga was notably absent, citing "serious concerns" about his opponent's victory despite the unanimity of the Supreme Court decision. Kenyatta, who only officially congratulated Ruto on his victory one day before his swearing in, shook Ruto's hand during the occasion.



Violence erupted following the 2007 Kenyan general elections, the worst seen in the country since gaining independence in the 1960s. Photo Credit: AFP

Following the 2007 elections, over 1,100 people were killed and over 500,000 were displaced amidst intense post-election violence. The 2022 elections have importantly proven that Kenya can resolve election disputes without outbreaks of violence and civil unrest, as seen in the past. Kenyan elections and leadership are highlighted within the focus of the Uplifting Africa Program. Prior to the elections, the Uplifting Africa Program was arranging for both candidates, Ruto and Odinga, to visit the United States through its Uplifting Africa Business Coalition.

The Uplifting Africa Program continues to analyze elections and leadership across the African continent in an effort to highlight the best leaders who will Uplift Africa in the near future!

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