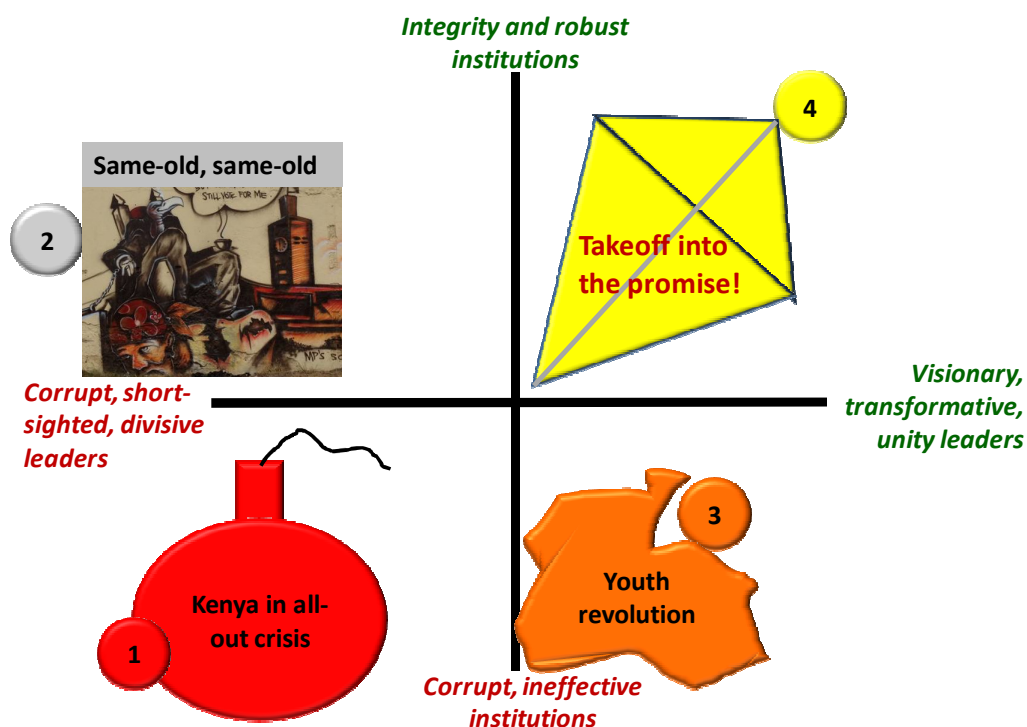


Citizens Pathway Group scenarios for Kenya

Part II: The Kenya we might end up in

After a review of the state of Kenya as at 2012 compared to 2008 as set out in Part I, we have come to the conclusion that Kenya stands at an important junction as a nation and could take any one of four pathways, with attendant implications to the lives of Kenyans and whether or not they will realize the promise of the Constitution and Vision 2030.

The four different pathways are illustrated in the diagram below.



They include (1) - an explosion into a deeper crisis than that experienced in 2008, (2) – same old leaders winning power and continuing to ride roughshod over Kenyans, (3) – the youth realizing the power they possess and organising themselves to take power or (4) a take off into the promise of the Constitution and Vision 2030 based on integrity and robust institutions and Kenyans electing transformative leaders.

Each pathway is described as a separate story in the subsequent pages. Ultimately, it is Kenyans who will decide which story they want to live in. Turn the page, read on, and decide for yourself which story you want to live in, what you will do to ensure that story is realized, and what you will do to ensure that the more negative stories do not turn into reality.

Story 1: Kenya in all-out crisis



Three elements, in particular, are conspiring to create uncontrollable violence before and into March 2013:

Unbridled political competition: The first is unbridled political competition dominated by people who operate with few principles or scruples. The political rivalry between Prime Minister Raila Odinga and Deputy Premier Uhuru Kenyatta has gotten particularly bitter. Each camp takes the competition almost as a matter of life and death and are mobilising supporters that way.

Weak institutions: The second element that may create uncontrollable violence in the run up and during the elections are weak institutions. The *Independent Electoral and Boundaries Commission (IEBC)* is a frontline institution in the elections agenda. The collapse of the tendering process for biometric voter technology exposed the IEBC as politically vulnerable and possibly even corrupt.

Police: Recent localised violence in Mombasa, in the wake of the killing of radical cleric Sheikh Aboud Rogo, appeared to overwhelm the police. Four months to the election, comprehensive reforms to create an independent and effective police service are yet to even begin. The police will therefore have no capacity or neutrality to manage a nationwide violent crisis triggered by a political event. The new Constitution allows the military to engage internally, as a last resort, with Parliament's approval. The military is at war in Somalia and the outcome of internal military intervention is unknown.

An inflammable society: The third major element that could create irrepressible violence towards and during the elections is a disenfranchised and highly ethnicised public. These include millions of young people who only see a dim future. Many resource-related and other injustices, gripes and grudges at the local level remain unattended. These local problems are fodder for reckless political campaigns at every election. Post Election Violence (PEV) offences were hardly investigated and those who killed, pillaged and raped continue to walk free. Kenyan society is, in a nutshell, a highly inflammable one.

Path to crisis: when you see the following signs/events then we are on the path to this scenario:

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Crisis signs from Kenyans

- Sporadic violence in areas of mixed ethnicity such as Nakuru, Mombasa and Trans-mara.
- Evidence of inter-ethnic tensions which amount to dehumanizing the other person, providing fertile ground for violence:
 - intolerance even in private conversations. Negative conversations increase and are more difficult to stop. Kikuyus stop wearing orange and Luos stop wearing red and blue;
 - continued antagonism between Uhuru and Raila;
 - heightened sense of ethnicity: you walk into a pub and everyone is your tribes-mate or you feel almost tangible hostility. You start speaking vernacular in the office and your conversations increasingly limit to your own ethnic group.
- Economic shock such as food (particularly maize and sugar) prices going up. Government is broke and increases taxes on essentials which exacerbates hardships and inflames people. Note that the elections date of 4 March is just before the rains so people will be hungry. We will be paying a premium on food because of the usual corruption in food importation and an expected increase on global food price increases due to poor harvests in the world's breadbaskets.
- The youth see crisis as an opportunity to access economic power, literally wielding the power of life and death over those who they perceive to have disenfranchised them.
- Where people to go to register to vote may indicate they are choosing to vote safely or have an ethnic agenda.
- Churches follow the ethnic trends.
- When people start to move to safe ethnic areas before any violence begins, which then inflames the locals. You notice new neighbours who are your tribes-mates; which means we are all ready to go to arms.

Crisis signs from Leadership

- Politicians increasingly get away with inflammatory utterances in campaign rallies and in other conversations.
- Politicians continue to entrench tribal support and make alliances on the basis of ethnicity rather than positions on issues.
- Economy: high interest rates increasing may make certain dangerous people more vulnerable and prone to violence.
- Politicians secretly organise violence while preaching peace in public and security and intelligence organs are either unable or unwilling to deal with these politicians.

Crisis signs from Institutions

- Political parties retain a vice-like grip on certain constituencies or counties and have messy nominations.
- Police: increasing rogue police behaviour which could also be tribalised.
- Rising impunity: MPs according themselves more time before elections
- Perceived irregularities in IEBC e.g. botched voter registration or discrediting of IEBC officials create suspicion and damage the credibility of the elections.

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- The Judiciary cites Chapter 6 of the Constitution to rule that any of the local or national candidates are disqualified on grounds lack of integrity and corruption. This affects those with the capacity to mobilise and secret efforts results in their followers becoming unmanageable (No “so and so”, No peace!)

Potential triggers

- A tiny occurrence when tensions are high e.g. a grenade exploding in a bar with predominance of one ethnic group.
- One of the leading candidates refuses to accept the election outcome.
- Once the blow-up occurs, the leadership doesn't act decisively and instability spirals.

Conclusion

In the next four months any number of triggers, particularly emanating from criminal conduct among politicians, IEBC failures or determination by the Judiciary, could light a match on our inflammable society. Security agents would be overwhelmed by a nationwide violent crisis. A 2012/13 violent crisis would be more damaging for Kenya than the crisis of 2008. It is likely to be more widespread as armed victims and villains of 2008 equally take each other on. Volatile urban areas, with more disenfranchised youth, could easily turn into robbing, raping and killing arenas.

The middle classes may become despondent with a feeling of déjà vu and take cover or exit rather than rally as they did in 2008. The international community may act against Kenya's public interest to secure resource rights with an illegitimate regime. One can only fearfully speculate on the potential actions of Kenya's neighbours in the event of another crisis.

A 2012/13 national crisis would plunge the country into a long and extremely damaging conflict with an unpredictable outcome. We foresee huge loss of life and property, the economy would come to a standstill and normal life would be suspended for some time. Because of the disappointments with last negotiated settlement, this crisis would take much longer to resolve and the country could very well degenerate into tribal Bantustans. It would be the end of the country as we know it.

Possible actions to avoid the crisis pathway

1. Kenyans in all corners of the country must take peace building efforts seriously. Wherever possible change negative conversations around by pointing out how easily Kenya can go back into chaos and how we must learn to live together.
2. No Kenyan should take the law into his/her own hands no matter the grievance.
3. We must all remain vigilant and throw the spotlight on any action that is designed to incite violence. Partnership with the media will be critical.
4. Insist that law enforcement institutions do their work without fear or favour. Reform of the police is a priority and early action must be taken on any officer, at any level, who appears to condone violence.

Story 2: Same old same old – Viongozi ni wale wale, maisha ni ile ile!

2



Leaders succeed in their pursuit of self-interest: Kenyan politicians have been in this game for a long time and despite the talk of reform and change in leadership, they are masters at self-preservation. On the one hand, they embrace the call for peaceful elections and genuinely go around the country calling on Kenyans to live peacefully amongst each other and to elect the right leaders. They position themselves as the most suitable to change the lives of Kenyans and are continually touting their reform credentials.

On the other hand, all their organising is focused on the pursuit of power. They are doing the maths and have seen which communities they need to align with to win power. As a result, they are building alliances with tribal chiefs and former government officers who are seen to have local sway with the communities. Over the last four years, the leaders have accumulated considerable wealth through corruption and patronage. More contributions are coming in from foreign interests on the assurance of being given access to economic interests once they come to power. As far as the leaders are concerned, all the ducks are in a row and no talk of reform and integrity can overcome their financial muscle over largely poor Kenyans, especially women and youth.

Key institutions are on a leash: With alliances and coalitions formed, the next battlefield to secure power is the control of key institutions. This has already been achieved to some extent as Parliament has watered down the Leadership and Integrity requirements. Through key positions, recent appointments and interference with some key processes at IEBC, the old guard are assured of an election outcome that is in their favour. Whilst they have been preaching peace by day, they have been secretly organising for their opponents campaigns to be disrupted and certain sections of the population to be displaced. Intelligence forces turn a blind eye to these but the police are called in to quell the skirmishes. There will be intermittent clashes of this kind but because the leaders want to be seen to be promoting peace, they will not last long.

Kenyans capitulate to their leaders' pursuit of power: We passed a new Constitution in 2010 and four months before the elections in March 2013, we come to the realisation that not very much has changed in Kenyan society. We are still divided along tribal and religious lines and our lives have not improved as a result of our own people being in the coalition government or since the passing of

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the new Constitution. Our lives are still as impoverished as ever and we have an overwhelming sense that all we want is some degree of stability to enable us to go on with our lives and to earn our daily keep. We do not need very much, we just need to afford our food, send our children to school and stay alive.

Above all, we do not want the ghost of 2007/08 post-election violence to recur and are prepared to do anything to maintain peace. However, we have recently seen flare-ups in North Eastern Kenya and the coast region which indicate that the spectre of violence remains alive. The only people we can turn to are the leaders we know, they have the power and resources to stop the violence and we beg them to. Rather than provoke them into inciting violence, Kenyans choose to let them have their way.

Pathway to same old, same old: This is appears to be the default path and any of the following signs will confirm that Kenya is indeed set on this scenario:

“Same Old Same Old” signs from Kenyans

- Kenyans remain largely disengaged despite concerted efforts at civic education
- The events of 2007/08 were so devastating that Kenyans would rather let the leaders have their way than challenge them for power.
- There is little enforcement of Leadership and integrity requirements and despite on-going court cases, history of corruption and lack of declaration of wealth, all the leaders are allowed to contest for the positions of their choice. Kenyans do nothing to challenge this.
- The tribal identity carries the day and Kenyans associate themselves with the same old leaders
- Kenyans are dismissive of any new contestants
- Money continues to drive the conduct of Kenyans and their decisions on who to vote for.
- Kenyans remain passive after the elections and are not enthusiastic in holding leaders to account.
- There is little improvement in the quality of life years into the elections and the clamour for change begins again
- Kenyans either revert to violent ways or now organise and head into the promise.

“Same Old Same Old” signs from Leaders

- The defining characteristic of the campaign is the unbridled pursuit of power by the same old leaders.
- Leaders share out positions at national and local levels – the who have been in power are the same contesting for President, Senator, Governor, Member of Parliament and County Representatives
- Alliances are formed without regard to the character and record of the individuals. People who have been dismissed in the past are now embraced and welcome into political parties because of their wealth, tribe or established constituents

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- Leaders accept donations and campaign contributions from any and everybody whether they are known criminals or have questionable standards of integrity. Money is all they want.
- Buying and bribing of voters remains widespread
- In their campaigns, leaders dismiss any new contestant as lacking
- Some new contestants are bought or swallowed into the old leader's party and made to moderate their ambitions.

“Same Old Same Old” signs from Institutions

- The media remain with the old order and refuse to give support to transformation initiatives
- Some members of Civil Society and Independent institutions throw their weight behind the same old leaders
- The institutions charged with enforcing leadership and integrity requirements are less than enthusiastic to do so. The IEBC allows below par nomination rules to pass through
- After the elections, institutions continue to be held hostage by leaders. Corruption and patronage remain alive and well in the new dispensation.

Conclusion: Whereas this scenario may avoid the national crisis, it means that Kenya continues to steadily deteriorate in important ways over the next few years. Governance standards remain low and declining, and corruption thrives which then means that we are unable to generate jobs for the youth masses. As a result, social and economic inequality dangerously increase leading to a national crisis down the road. This scenario only postpones crisis.

Possible actions to avoid the “Same old, same old” pathway

1. A campaign to ensure that all Kenyans understand that not only do we want peaceful elections, we want elections that are credible and produce capable leaders with integrity.
2. Stand up against alliances if these cannot demonstrate how they will transform the country.
3. Do not be bought! A politician buys you for KShs 500 and denies you development worth over KShs 1,000,000. It's a raw deal.
4. Support new leaders who demonstrate personal integrity, competence, and prior engagement with their constituents.
5. Do not allow anybody who does not declare their wealth to stand for any elective position at any level.

Scenario 3: Youth revolution narrative



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Kenya's large number of youth¹ presents something of a wild card. They could offer the country a sizeable demographic dividend or be a source of crisis:

Youth as a demographic dividend: Kenya Vision 2030 flagship projects on the youth are expected to fully integrate and harmonise issues affecting young people into every aspect of public policy and across all ministries and Government agencies. Under the Vision, specific policies and interventions on youth issues are to fully develop potential as well as prepare and engage them in the socio-economic development of the country.

Youth as a source of crisis: Kenya's economic growth rate has not been sufficient to create employment opportunities to absorb the increasing labour force of about a half million annually. Most of those entering the formal workforce each year are youth and only about 25% are absorbed, leaving 75% to bear the burden of unemployment. Moreover, many of those who are absorbed are still doing jobs that do not match their aspirations, and for some there is a mismatch with their education and qualifications. Many of these young people lack hope that their situation will improve to provide a life of dignity. Consequently, they are especially vulnerable to unscrupulous politicians whose rhetoric resonates with them, yet these leaders cannot offer any real hope of the jobs they need. Historically, countries with high proportions of youth are far more likely to see violent crisis than those with relatively more adults.

Either way, the coming elections could see the emergence of a critical mass of new, youthful leaders mostly at local and county level, but also some at national level.

Pathway to youth revolution: the following are signs/factors/events that could indicate we are on the path to a new crop of young people leading:

Youth revolution signs among Kenyans

- Our sizeable youth bulge: Kenyans under the age of 30 comprise 65% of the population. By sheer numbers the youth will determine which way the country goes.
- Current civic education efforts are busy engaging the youth who realise how bad their situation is, yet they have power to change things. In essence there could be a major youth awakening to the latent power they possess and stir them to compete for leadership positions.
- Youth understand their strength in voter numbers and they mobilize each other to get out the vote, particularly using electronic media. For the first time, the number of youth who will vote (i.e. the 18-35 category) is actually larger than the adults. Information among youth travels quickly and they mobilize easily.
- Initial manifestations of the youth revolution involve demonstrations countrywide against the establishment. The campaigns become defined by "youth noise" which has a degree of violence. They physically accost candidates – thereby intimidating them and older voters.

¹ The Kenya National Youth Policy defines Youth as persons resident in Kenya in the age bracket 15 to 30 years. However, we commonly use the age range 15-35.

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- The turnout at the election becomes restricted to the youth, because everyone else is too afraid of the violence to come out and vote. Alternatively, the emerging young leaders so inspire their age-mates that they overwhelm the vote away from the older candidates. Either way, the result is a cohort of young people elected into leadership positions.

Youth revolution signs among Leadership

- Kenya's big leaders pay relatively less attention to grassroots politics, leaving spaces open for youth to arise to leadership at local level.
- At this local level, the popular people are the young people because of their numbers and easier capability to mobilize, so they get through the party nominations.
- This means that we can end up with some visionary, energetic, untainted leaders, but also more young, cash-spreading type of leaders with questionable sources of wealth: inexperienced, unscrupulous and volatile.

Youth revolution signs in Institutions

- The Constitution has stipulated guaranteed seats for youth which encourages some to vie for leadership. Some young women also target the guaranteed women representative seats.
- Throwing out the older folks from leadership means there is a small window of time for the institutions to become stronger (depending on who is in those institutions).
- Youth will tend to have a disdain for institutions, so they might neglect them. Over time, because of youthful arrogance, knowing they have the numbers, they begin to interfere with institutions.
- 2-3 years into this scenario, the young leaders (emulating the bad leadership role models they grew up with) begin infighting and realize that they are not attaining the level of transformation they desired.

Conclusion: the inexperience of youth and the poor leadership role models they have seen are unlikely to lead to vastly positive outcomes for the country. There could be pockets of radical change where youth are well organised, but unless there is major capacity building and mentoring of the young leaders, the result could be instability and regression.

Possible actions to mitigate risks on the youth revolution pathway

1. Mentor the youth into leadership
2. Partner with the Youth to provide the experience required for effective leadership

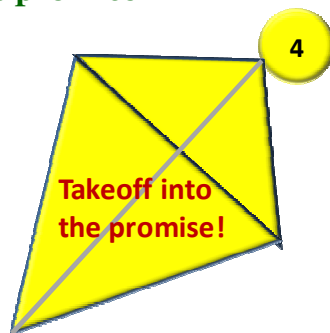
Citizens Pathway to a Transformed Kenya

Having considered the three bleak possibilities above, Citizens Pathway believes that there is still real hope for Kenya. The last scenario envisions a slate of changes which could lead to steady – not dramatic – positive change. We believe there is still a window of time – albeit slim – to influence the country's direction.

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The pathway outline below includes several actionable items – things that you and I can do to promote transformation.

Story 4: Takeoff into the promise



We believe there are two points of reference in defining the desired future outcome for all Kenyans: our **Vision 2030** aspirations and the promise we have endowed ourselves in the new **Constitution**. Together, these define the prosperity, institutional integrity, capacity & effectiveness, environmental sustainability, lasting peace and above all, the human dignity that we all desire for ourselves and our children. Our immediate priority is to have peaceful elections that deliver the leaders and institutions that will begin to build the foundation of our desired future outcome.

Pathway to transformation: This is an incremental scenario over the elections period and beyond. The change will not happen all at once. We do not expect quantum leaps, but it is possible to make significant steps in the right direction as follows:

Transformation among Kenyans

- There is a rising degree of enlightenment and understanding of civic rights and the qualities of good leaders (e.g. through initiatives such as *Uongozi*, *MKenya Daima*, *Uraia* and *Uchaguzi Bora*). These efforts substantially increase discourse that is focused on leadership qualities and issues, rather than ethnicity. **Action:** Every Kenyan can participate in these efforts.
- **Action:** Innovative leadership candidates, media and civil society promote a move towards a town hall campaign style which involves questions to candidates, rather than political rallies where there is no opportunity for back and forth interaction. This gets Kenyans to pay attention to (1) the quality of the candidate and (2) the issues.
- Through the civic education campaigns, Kenyan women in particular increasingly become aware of the fact that they bear the brunt of crisis and benefit the most from real progress. They quietly but steadily use this awareness to scrutinize leadership candidates, deciding to vote according to substance.

Leadership transformation

- Competent, credible people with integrity join the political process to contest at county level and succeed on account of the citizenry's heightened awareness. They also contribute to party strengthening by bringing with them a following into the political process e.g. registering many people into political parties cheaply. **Action:** Other credible people

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who have been previously apathetic to politics are inspired and use their networks to support these candidates.

- The *Uongozi* process surfaces new leaders that begin to be perceived as credible alternatives. They might not win, but they give the usual suspects a run for their money and the dialogue among the electorate changes permanently. Even subsequent performance oversight of those elected will be issue-based.
- Good governors are elected in about 6 counties that are strategically important (Nairobi, Mombasa, Kisumu, Nakuru, Kiambu, etc), including one “forgotten” county with a new young governor who achieves a turnaround in his or her county.
- Cabinet Secretaries: promotion of credible, qualified people for parties to choose from upgrades the level of performance in Government, enhancing achievements towards Vision 2030.
- These effective Governors and Cabinet Secretaries will be beacons of excellence that raise expectations among the population and make us demand better leadership wherever we are.

Action to make it easier for good leaders: We could popularise a **template of candidate self-assessment:** you must present the following five things when you declare your candidacy:

1. Personal integrity: demonstrate personal values and character and how these align to the constitution. Clearly demonstrate that you have NEVER been involved in corruption or other illegal activities
2. Wealth declaration: demonstrate how you built your wealth
3. Leadership competence: Your leadership track record: qualifications and experience as a leader
4. Your engagement with *this* particular constituency (whether ward, constituency, county or nation)
5. The change you are going to deliver, with specifics.

For real transformation to happen, any person who doesn't do this, Kenyans should reject out of hand. Women at the grassroots organize themselves and enforce this template.

Transformation of institutions

- Due to internal pressure from the large numbers of candidates within their parties, leaders embrace (grudgingly or enthusiastically) improved democratic processes including strengthening political parties. As a result, political parties have credible nomination processes. **Action:** Enterprising individuals create a network of like-minded people belonging to one party who are willing to do the grassroots work to register and vote within the party. These people raise awareness that, because Kenyans are tribal, in most places the party nomination will be the election so people have to register within parties.
- As they try to assuage their guilt of 2008, the media comes together to make a positive contribution. They profile individual candidates to help voters make more informed decisions. Already the media have formed a group to set higher standards for reporting and commentary during this election time period.

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- Kenya's inter-faith leadership also takes a leadership role, visibly and jointly condemning attacks on the basis of religion and promoting a Kenya First message in a joint program at the pulpit across communities. Religious leaders, rather than politicising grievance emphasise the gains for economic justice made under the New Constitution and the potential for Vision 2030's realisation.
- Significant change in several institutions e.g.
 - appointment of a strong police Inspector General who is effective at changing the service terms and standards of the force;
 - improved IEBC governance and administration as they come under increasing scrutiny. For example, in the voter registration, innovative Kenyans generate a list of the performance criteria and crowdsource information from Kenyans on how the exercise is proceeding as a way of holding IEBC accountable;
 - continuing reform within the judiciary;
 - Kenyanisation of the civil service (as opposed to ethnically skewed personnel) especially in Treasury. This Kenyanisation includes the civil service appointments where officials have left to go into politics;
 - The Commission for Revenue Allocation (CRA) remains steadfast in its allocation of resources between the National and County Governments and creates mechanisms for enforcing accountability at the local level to ensure the resources deliver tangible results.
 - Parliament operations transformed through outside pressure. It means we need very well organized civil society and advocacy and accountability activities that enforces the Constitutional standards.
- Completion of training in management for the county administrations and how they are deployed will signal the path to transformation. It should be a transparent process. Once in operation, county administrations' performance improves as they get the capacity building they need plus sharing of knowledge and lessons on effective management.
- Steady continuation of the constitutional implementation process through pressure from civil society and other nations. Anything that makes current leaders have to operate on the basis of the Constitution will promote transformation.
- One of the ways of achieving better institutions is to ensure that there are meaningful thresholds for appointment to positions, consistent with Chapter 6.

These are things we can influence!

Conclusion: between the ongoing efforts and suggested types of actions we have outlined noticeable, tangible change begins to take root. Although incremental, over time the changes add up to solid, difficult-to-reverse improvements in the way we function as a country. Over time, as the improvements build upon each other, a momentum develops, accelerating transformation. Even though it may happen in fits and starts, Kenya achieves Constitutional implementation and Vision 2030.

Citizens Pathway is deliberately investing in this scenario. You can too!