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“Kenya: Why The Election Was Worth Stealing”

Let us not mince words: President Mwai Kibaki and his ruling party stole Kenya’s presidential election. But that’s not all they stole: Kibaki’s clique is steeped in high-level corruption. If they stole the election, it may well have been so that they can keep on stealing the country blind.

Other governments do not publicly condemn this double steal. Understandably: they could hardly retain diplomatic entrée with President Kibaki by naming him for what he is -- the Godfather of a gang of thieves. So the European Union criticizes electoral “irregularities.” Britain’s Prime Minister helpfully suggests new elections. The United States Assistant Secretary of State for Africa urges Kibaki and the real winner of the election – opposition leader Raila Odinga – to work things out. And Ghana’s President John Kufour is in Nairobi to mediate on behalf of the African Union.

Blessings on all of them. With hundreds of Kenyans killed in the two weeks since the election, and a quarter of a million displaced by the violence, the country desperately needs a peaceful solution.

But the world should be under no illusions about what really happened in Kenya’s December 27 elections, or why. If we misread the crisis as just another outbreak of African tribal rivalries, or an electoral dustup between competing politicians, we will miss the underlying realities that threaten to destabilize what had been a relative island of tranquility in Africa.

There are few better case studies than Kenya to show the links between integrity in government, electoral democracy, and human rights. Unfortunately, Kenya teaches this lesson in the negative: it reveals how corruption leads to electoral fraud which, in turn, leads to massive human rights violations.

Kibaki was first elected in 2002, with broad support and high hopes, ending over two decades of one-man rule by former President Daniel Arap Moi.

The new President did some things well. Kenya’s economy has improved. Primary schools are now free, and Kibaki pledges to expand free education to include secondary schools as well.

But his promises to tackle Kenya’s endemic government corruption fell flat. Early on he named John Githongo, leader of Kenya’s chapter of Transparency International, to head the government’s Office of Governance and Ethics. This was a hopeful sign: Githongo is a credible, highly respected figure.

But by 2005, frustrated by Kibaki's failure to enact real reforms. Githongo quit. After his life was repeatedly threatened, he fled to asylum in Britain.

Meanwhile corruption in Kenya went from bad to worse. Transparency International's 2006 Corruption Perceptions Index gave Kenya an abysmal rating – 142 out of 163 countries surveyed. The 2006 Kenya Bribery Index found that corruption overall had increased by about 20% since the first year of Kibaki's administration.

Even from a distance, Githongo kept a watchful eye. In 2006 he issued a report documenting that corruption had reached top levels of Kibaki's government. Several cabinet ministers were forced to resign. Kibaki's Vice President was implicated as well.

How did the government follow up? By firing the chief investigator of the country's Anti-Corruption Commission, just as he was preparing a report for Kibaki detailing the extent of corruption by senior ministers.

The December 27 election threatened to end the gravy train. Pre-election polls showed opposition leader Raila Odinga well ahead of Kibaki. In the parliamentary elections held the same day, Odinga's party won three times as many seats as Kibaki's. Fourteen of Kibaki's ministers, as well as his Vice President, failed to hold their seats.

Yet even as his party took a drubbing, official results claimed that Kibaki somehow survived the slaughter. But not credibly. After early results reported Odinga with a big lead, the lights went out at the national election commission. News reporters – even the election commissioners themselves – were kicked out. Immediately afterward, the commission chair declared Kibaki the winner. The incumbent's secret for success: in some strongholds he won more votes than there were voters.

So the steal is on. Kibaki shows no signs of relenting. He rejects new elections. He treats the African Union envoy, President Kufour, not as a mediator but as a sort of high level tourist. He agrees to meet with opposition leader Odinga, but only after he has already named his own new ministers to key cabinet posts.

Why is this septuagenarian leader so keen to hold on to power? One cannot know for sure: power is seductive, and keeping it for Kibaki's tribe is a factor. But power also confers the key to the Kenyan national cookie jar. So long as Kibaki stays in power, his friends stay rich.

Grand larceny has now led to broad bloodshed. Whatever patchwork may be devised to halt the immediate violence, Kenya's financial backers and trading partners must get serious about cleaning up Nairobi. As long as Kenya remains mired in corruption, neither democracy nor human rights, let alone stability, can be assured.

Doug Cassel's commentaries are generally broadcast Wednesdays during the noon hour of the Worldview program on Chicago Public Radio, 91.5 FM, and rebroadcast at 9 PM in the evening. Views expressed are personal views of the author and not necessarily those of Notre Dame Law School, the Center for Civil and Human Rights or Chicago Public Radio.