

# Kenyan election re-run exposed as a farce

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Kenya's hotly disputed presidential election between incumbent Uhuru Kenyatta and challenger Raila Odinga has been exposed as a complete farce, plunging the country's political establishment into a deep crisis. The election was decided initially on August 8 in Kenyatta's favor, but subsequently nullified by the Kenyan Supreme Court with a new poll scheduled for today.

Odinga, however, has stated his intention to boycott the election, calling on his supporters to stay home, while supporters in Kisumu, a stronghold for Odinga and his National Super Alliance party (NASA), have declared emphatically that there will not be an election, indicating they will attempt to disrupt polling.

Last Friday, Roselyn Akombe, one of seven senior officials on the board of the Independent Electoral and Boundaries Commission (IEBC), resigned and fled to the United States, citing that she had received death threats. She expressed no confidence that the election re-run would be "free and fair."

Akombe reported that the IEBC was beset by corruption, "We need the commission to be courageous and speak out, that this election as planned cannot meet the basic expectations of a credible election. The commission has become a party to the current crisis. The commission is under siege."

In telling the BBC that she feared for her life, Akombe referenced Christopher Musando, a senior official found tortured and murdered in the days preceding the August 8 poll. She said, "I have never felt the kind of fear that I felt in my own country. You'll be suicidal to think that nothing will happen to you."

No longer able to maintain the pretense of the IEBC's credibility after Akombe's resignation, IEBC chairman Wafula Chebukati concurred with Akombe's assessment, stating that he did not think that a credible poll was possible. "Without critical changes in key secretariat staff, free, fair and credible elections will

surely be compromised."

Akombe's revelation exposes as a lie the unanimous certification by Washington and Europe that the August 8 poll was conducted "free and fair," and their claims of the IEBC's "independence."

The Western election observers, in making their bogus certifications, never uttered a word regarding the extremely suspicious incidents, such as Musando's murder, which occurred in the lead up to and during the August 8 poll.

Raising the specter of an organized campaign aimed at intimidating the country's judiciary, the bodyguard of Deputy Chief Justice Philomena Mwilu was shot by unknown assailants just before the Supreme Court was to hear a petition to postpone the election. Mwilu was one of four justices who ruled to nullify the August 8 poll.

In a scantily veiled threat to the judiciary after the Supreme Court nullified the August 8 poll, President Kenyatta had called the judges crooks, and stated ominously, "the judges should know they are dealing with an incumbent president."

On Wednesday, the Supreme Court declined to hear the petition to postpone the election, with Chief Justice David Maraga stating that the court was unable to provide a quorum for the petitioners, as only he and one other justice were available. Maraga claimed that since several judges on the seven-member court were conveniently on holiday or undergoing medical treatment the court could not be empaneled.

The petition to halt today's election was brought by representatives of several Kenyan civil organizations, stating that the election should be postponed in light of the resignation of Akombe and chairman Chebukati's declaration that he did not think that a credible poll was possible.

Harun Ndubi, the lawyer for the petitioners, stated his disbelief in the court's claim of unavailability. "I don't

buy their explanation. I don't see a credible or legitimate election happening tomorrow." Ndubi added that if the poll occurs, "it would be a farce."

Clearly illustrating the ruling government's aim at silencing political opponents, on Tuesday, the police arrested Ruth Odinga, former Kisumu deputy governor and sister to Odinga, and Kisumu senator Fred Outa, alleging that the two "incited mob attacks" in which a crowd of NASA supporters allegedly tore apart tents and destroyed blank ballots shipped in for the October 26 poll.

Odinga and Outa had gone into hiding for several days, stating that Nyanza Police Regional Coordinator Wilson Njega issued a "political directive" against the two. Keriako Tobiko, Director of Public Prosecutions, called for Odinga's and Outa's "immediate prosecution." Tobiko has not offered any evidence to substantiate the charges.

The toxic atmosphere produced by such blatant corruption in the electoral process has found expression in the reaction by state forces to mass demonstrations across Kenya, with police shooting and beating protesters. Scores of demonstrators have been killed, the majority residents from the poor districts and slums of Kisumu and Nairobi.

A joint investigation conducted by Amnesty International and Human Rights Watch found that as many as 45 people were killed by police responding to demonstrations since the initial election in August, including several children caught in police crossfire. The numbers of killed are believed to be higher, as many people are still missing and unaccounted for.

Responding to the Kenyan business elite, Interior Minister Fred Matiangi last week banned demonstrations in the business districts of the three Kenyan cities of Nairobi, Kisumu, and Mombasa, claiming that demonstrators were criminals and a threat to the Kenyan economy. In spite of the proscription against protests, demonstrations have continued to take place almost daily in the three cities in a display of defiance and contempt for the ruling government.

Overshadowing the election are the fears of Kenyan and Western capitalist elites that the unrest could explode into a large-scale insurrection by the working class independent of the current rotten political set up and in opposition to the capitalist system.

The economic prospects for East Africa's top

economy, already suffering from a significant slowdown, have dimmed considerably in the crisis-ridden weeks preceding today's poll.

Last week, the International Monetary Fund (IMF) raised Kenya's risk profile for investment in the wake of turmoil produced by the election re-run. In lowering its national economic growth prospects for Kenya to 5 percent in 2017, the IMF pointed to the historic famine sweeping the continent, caused by a persistent drought, resulting in rising prices and bringing lower crop yields. This comes amid an ongoing drop in Kenyan stocks and a sharp rise in yields of the country's Eurobonds.

Jan Mikkelsen, a Kenyan representative with the IMF, told *Bloomberg*, "The prolonged election period has increased risks for investors and traders. This in turn has led to a slowdown in economic activity." Mikkelsen added that bank lending in Kenya to businesses and individuals has stagnated due to the overall economic pessimism in the country, compounding the country's growth woes.

On Monday, organizations and envoys from several Western countries, including the US and Britain, issued a warning on the "deteriorating political conditions," and called for a postponement of the poll.

The International Crisis Group (ICG), a Washington, D.C.-based think tank which monitors global conflict, stated, "Proceeding under current conditions would deepen Kenya's ethnic cleavages and prolong a stalemate that has already claimed dozens of lives and come at a high economic cost."

US Ambassador to Kenya Robert Godec stated, "[I]f the electoral commission felt it was not ready for Thursday's poll, it should ask the courts for a delay. We would be fine with that."



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