




Chapter 20

Democracy, Governance, and Peacebuilding in Africa: Technology, Cybercitizens and Kenya's Post-2022 Election Jitters

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Introduction

There have been genuine concerns in public debates regarding the questions of democratic transition, democratic installations, and democratic consolidation in Africa, with varied responses. Of course, it appears that there are two dichotomies, driven by specific epistemic positions regarding ways of being African and attendant democracy in Africa or African democracy (Bah 2020; Ajulu 2022; Chitanga 2023; Ogenga 2021; Bah & Ogenga 2020; Maweu & Mare 2021). On the one hand, views that champion Pan-African positions in this debate are not in short supply. On the other, some align with the Western narratives that are still influenced by coloniality that seek to see democracy 'flourish' in Africa the Western way (Kobuthi 2023.) The latter view has taken centre stage by celebrating liberal democracy. This can always be fingered for the problematic trajectory that democracy in Africa has assumed in the recent past. Nyere (2022) and Chitanga (2023), for example, demonstrate how democratic institutionalisms thrive on institutions that project coloniality of power *par excellence*, influencing the universal epistemic frames of global power configurations with those on the receiving end being



those in the Global South. Abubakar Bah, in his book *Post-conflict Institutional Designs*, observes that,

Since gaining independence from colonial rule, most African countries have been struggling to build democratic and peaceful states. In most cases, this has not yet been achieved. Too often, African countries have been plagued by dictatorship or multi-party politics that generate major political violence, and in worst cases, civil war...while those multi-party-political systems may be viewed as democratic systems of governance they were beset by ethnic and regional political grievances that made meaningful democracy very problematic (Bah 2010:2)

Bah further argues that early democratic countries in West Africa, such as Nigeria, were plagued with ethnic violence. There were incidences of political violence, coups, and one-party regimes in countries like Sierra Leone, with similar problems in Ghana and Liberia. In Eastern and Central Africa, ethnic politics (leading to political violence) was witnessed in countries such as Rwanda (leading to genocide) and Kenya (over control of the state and land issues), with similar problems experienced in Uganda and Burundi. Sudan and Ethiopia experienced separatist wars due to regional politics and secession, and problems persisted even after the secession of Eritrea and Southern Sudan (Bah 2010). Clan politics in Somalia has led to instability and created a breeding ground for one of the most sophisticated terror groups in the world (Al-Shabaab). In South Africa, race has been a central driver of oppression and political violence. In Zimbabwe, ethnic politics led to a deadly ethnic massacre through Operation Gukurahundi (Chitanga 2023) and political chaos through events such as state-sponsored *jambanja* (intensive invasion of White-owned land) and or Operation Murambatsvina (Get rid of filth/slums') in urban centers, which was a strategy to disenfranchise the followers of the Movement for Democratic Change (MDC) – the opposition party – in the urban centres.

This chapter argues that, before the dust settles on the right path that democracy should take in Africa, problems of ethnicity/racism, regional politics, secession, and political violence have

been compounded by digital systems. Social media platforms have transformed natives into digital subjects unaware of their digital rights but ready to exploit these platforms without caution, thereby inciting violence. Further, electoral technologies adopted by many aspiring democracies in Africa have transformed these digital citizens into zombies whose voting rights have been hijacked by foreign integrated electoral management systems (IEMS) such as Kenya Integrated Electoral Management System (KIEMS) – a technological import. The latter has successfully installed autocratic leaders and led to the rise of illegitimate authority in Africa, sanctioned by a politicised judiciary (such as the Supreme Court of Kenya), the judicialisation of elections, and many other parts of the so-called leading democracies (Chomsky & Polychroniou 2023; Mutua 2023).

Nevertheless, technology through social media platforms, for example, has widened citizen's participation and the democratic space. However, it has also led to controversial elections polarised around ethnic cleavages online, spilling into offline violence due to the rise of misinformation, disinformation, and fake news in the context of ethnic political competition, calling for social media literacy programmes to depolarise ethnic divisions both online and offline (Ogenga 2021). Drawing from Kenya's 2022 elections, this chapter asks whether the 'peaceful' electoral transition was an opportunity for democratic consolidation in Africa or whether democracy was, indeed, on trial.

A Pan-African Approach to Democratic Institutionalism

This approach looks at relations between democracy, governance, and peacebuilding, with a contention that they are complexly related. This implies that democracy in Africa does not emerge from a vacuum, but in a political and economic system that determines how African society is organised. While African political systems have been adulterated by colonialism, postcolonial realities injected new lifelines into Africa's politics and economy and allowed them to adapt democracy in a manner

that pays attention to African realities, ecology, and context. Therefore, the assumption that the best and tested versions of modern societies and how they are structured are found in democracy should not be taken for granted. The latter are more likely to exploit the strength of civic liberty through encouraging participation in creating united federations that shun conflict through working together and, therefore, are bound to be more peaceful (Ogenga 2023).

The African political-economy landscape harbours this reality, but it has often been dotted with pockets of violence around political transitions or democratic transitions, leading to shaky paths toward democratic installations due to the 'winner takes it all' system of governance. This is where the work of civil society and pressure groups come to the fore, evidenced in peacebuilding efforts that would restore the rapidly eroding public trust in democratic governance in Africa due to consequences of misgovernance that have led to other widespread problems such as violent extremism, corruption, and marginalisation. This approach, therefore, explores the centrality of multiple actors and institutions (institutional designs) in this context. The Pan-African approach to democratic institutionalism presents the possibility of thinking differently by generating local knowledge (the local turn) that would be supportive of peaceful democratic transitions in Africa. This is achievable through interventions championed by critical stakeholders (a civil society that includes human rights groups, faith actors, policymakers, and academics) and institutions of democracy (electoral bodies, judiciary, legislature, law enforcers, and the media/technological companies) (Ogenga 2023).

Democracy, Governance, and Peacebuilding

Therefore, this chapter uses the theory of democratic peace or liberal peacebuilding and the Kantian concept of perpetual peace in the context of the local approach to peacebuilding to argue for a homegrown democratic transition system. Democratic peace posits that societies are more peaceful if they are democratic. This view largely emerged after the end of the Cold War, when democratic governance became broadly accepted as the central

political framework for post-conflict peacebuilding, with a central presumption that democracies are more peaceful both domestically and internationally. The United Nations Secretary-general Boutros Boutros-Ghali embodies this thinking in his *An Agenda for Democratization*, observing that,

Because Democratic Governments are freely chosen by the citizens and held accountable through periodic and genuine elections and other mechanisms, they are more likely to promote and respect the rule of law, respect individual and minority rights, cope effectively with social conflict, absorb migrant populations and respond to the needs of marginalised groups (Bouros-Ghali 1996).

In the latter, minimalist democratic principles found in democratic institutionalism that allow for periodic elections through civic participation, respect for constitutionalism, the rule of law, human rights, and civic liberties allow individuals to subscribe to the ideas of a federation voluntarily. This is in a manner where they feel part and parcel of the system, as opposed to the Hobbesian ‘man in the bush’ arrangement characterised by conflict and survival of the fittest taking centre stage. In this context, humans are self-driven by their will to achieve peace as an end and not a means to an end (perpetual peace). The latter, although idealistic, is considered non-utopian, for it can be practically realisable if a deliberate effort is made towards its actualisation. This effort then becomes a spiritual/personal duty that can be practically used to that ideal end. Nations or societies that are democratic and liberal are less occasioned by conflict because they can collaborate and negotiate themselves out of possible conflict since they see themselves as collaborators and not competitors in the balance of power (Wolff 2022; Crane 2022). They therefore embody the aspect of collective security (Wolf 2022; Crane 2022).

The theoretical approach, however, does not romanticise liberal peace, especially in the Pan-African contextual reality. The approach adopted in this chapter recognises the shortfalls of the minimalist contentions to peacebuilding that often emphasise peaceful electoral power transitions, constitutionalism, and

human rights where the civil society is given a safe space for active participation in political processes leading to peaceful elections and democratic installations (Chitanga 2023). The shortfalls are occasioned by the periodic violence that characterises democratic transitions in Africa, often leading to death, destruction of property, and economic downturn. These call for the need to adopt a transitional maximalist view of democracy that accommodates other historical and contextual variables embedded in Pan-African cultural traditions (values), which help midwife democratic transitions through periodic elections (Chitanga 2023). This is particularly found within certain approaches that speak to 'the local turn' (Wolff 2022) in peacebuilding, such as mediation, dialogue, and power sharing to move the conversation to critical postcolonial questions of inclusivity, especially economic inclusivity, and to address marginalisation, ethnicity, and questions of citizenship and belonging.

The local turn therefore brings to the fore local infrastructures for peace in support of democratic installation through institutional designs that speak to the African reality. One of these infrastructures is technology. Technology that is borrowed from outside (the West and elsewhere) has failed to do justice and deliver credible elections in countries like Kenya, Burundi, and Nigeria. Is it not time for African countries to have a national conversation on adopting locally produced integrated election management systems? The local turn in peacebuilding studies represents an explicit and important attempt to transform both the research and the practice of international peacebuilding to incorporate views, experiences, and practices from the Global South. This is in a bid to overcome the predominance of Northwestern concepts and templates in the practice and scholarship of international peace operations and democratic installations (Wolff 2022).

This means that local efforts, processes, and solutions are prioritised in democracy and peacebuilding efforts as opposed to conventional liberal peacebuilding approaches. Faith actors (religious leaders), other civil society groups, judiciary, legislature, as well as digital subjects/cybercitizens constitute the local infrastructures for peace in democratic peacebuilding.

Therefore, they ought to play a critical role in peacebuilding and governance in the context of the local turn, especially around the pursuit of Kantian's perpetual peace. The latter revolves around the moral question of human free will (spiritual question) and the agency to make the pursuit of peace an everyday duty both at the individual and collective level of spiritual commitment (*Ubuntu/Utu* or collective responsibility).

Illiberalism and Populist Authoritarian Regimes

Liberal peacebuilding is also currently threatened by the emergence of illiberalism and populist authoritarian regimes (age of the strongman) in Africa and elsewhere (Crane 2022) that lack respect for human rights and inclusivity. The latter pokes holes into Fukuyama's *The End of History and the Last Man*, which claims that Western liberal democracy is the final form of human governance. He relies on the democratic peace theory, which states that most democratic countries are reluctant to engage in armed conflict with another republic or democratic country, the key motivator being the desire for peace. This notion was largely sustained by the United Nations paradigm that lasted for over 70 years but later changed due to growing pessimism about a peaceful world, brought about by events such as the 9/11 terrorist attack in the US. It made the US more rigid and absolute in its foreign policy and domestic affairs, considering the larger picture of where the world is headed (Crane 2022).

Fukuyama considers this democratic turnaround the intellectual crisis of Western rationalism. Liberal democracy lacks the proper mechanism to defend itself as a governing mechanism. Sensing this shift, politicians around the world began to turn to nationalism and populism as alternatives to democracy. Today, liberal democracy is being challenged on all fronts by strongmen who seek a more controlled, nationalistic governance (Crane 2022). This could explain the recent wave of electoral conflicts in many countries in Africa, agitating for more rights through mass protests, especially around civil liberties and electoral justice, with uprisings in countries like Kenya, Nigeria, South Africa, Morocco, and Senegal.

Influencing Kenya's 2022 Elections

Kenyans went to the ballot on 9 August 2022 to elect their next president in a controversial election that was disputed by the opposition, contested, and upheld at the Supreme Court of Kenya (SCOK) in a familiar script like the 2017 elections, albeit with no violence. So, what happened? A few weeks before the elections, the US issued suspicious travel advisories warning its citizens to avoid Kisumu (a city in Kenya) since it is one of the known hot spots for electoral conflicts. This was in a move that was widely criticised by the public, especially the governor of Kisumu, Peter Anyang Nyong'o, and other elected leaders, prompting the US embassy in Nairobi to clarify the advisories as routine practice all over the world, and not meant in any way to profile Kisumu as a violent area. In fact, as a show of support, the US ambassador, Meg Whitman, visited Kisumu days later and paid a courtesy call to the governor in a show of solidarity, but failed to guarantee that no other such advisories would be issued against Kisumu soon. But this is how the coloniality of power operates at the mediation level, where certain epistemic frames about African elections, in this case, Kenyan elections, are given prominence by being widely circulated and supported through the media as the taken-for-granted true versions of reality. After all, elections in Kenya, like any other elections in Africa, are typically violent and are expected to be so.

Before the dust had settled on the first advisory, the Supreme Court of Kenya was set to rule on a petition by the opposition regarding who won the elections (judicialisation of elections) when the US embassy in Nairobi issued yet another travel advisory. In this latest advisory, Kisumu was singled out as a violent hot spot that US citizens should avoid. Many Kisumu residents thought that the advisories either amounted to dangerous ethnic profiling of the city and its predominant Luo community as violent, or signalling a bigger threat that many city dwellers did not understand, such as terrorism, as has often been traditionally the case with their past advisories, often centred on Nairobi. What later emerged, though, was the fact that Kisumu residents were seemingly already tired of the post-election violence tag in Kenya every electoral cycle, and were

silently determined to rewrite the script to shame US intelligence (Alal 2022).

Supreme Court Presidential Petition Blockbuster: Episode III

As it would have been least expected, on Monday 15 August 2022, the chairman of the Independent Electoral Boundaries Commission (IEBC), Wafula Chebukati, announced William Ruto as the president-elect (Lynch, 2022). Ruto had a slim margin of victory on live TV amidst chaotic scenes of violence at the National Tallying Center in Nairobi (Bomas of Kenya). This was punctuated by dramatic choruses by the choir invited to entertain guests on the day. Paradoxically, they were singing patriotic songs that would make a keen observer wonder whether it was a coincidence or a well-calculated propaganda procedure. It was obvious that things went wrong with the elections.

Moments before the announcement of the winner, a breakaway faction of the IEBC, consisting of four dissenting commissioners led by Juliana Cherera (some have since been sacked by the president and others resigned), called a press conference disowning the results announced by their co-staff and chairman of the IEBC, Wafua Chebukati, in a different location. These happenstances marked the beginning of yet another contested election in Kenya that seemed to unfold like a familiar Hollywood movie. You may want to call it: *Kenya's Supreme Court Presidential Election Petition Episode III Blockbuster*, starring Wafula Chebukati (IEBC), Raila Odinga (Azimio la Umoja or Declaration of Unity), William Samoei Ruto (One Kenya Alliance), Marther Koome (Supreme Court of Kenya) and others (Wangui 2023). Episodes one and two featured in 2013 and 2017 respectively (Okoth 2023). Indeed, in Kenya, all presidential elections are usually controversial by nature, fitting into the colonial tag that 'nothing good ever comes from Africa'.

The opposition Azimio La Umoja or Declaration of Unity, which is a coalition of many affiliates' political parties, rejected the verdict of the Supreme Court that upheld William Ruto's victory and subjected the Supreme Court, the IEBC, William Ruto,

and Chebukati to the court of public opinion currently christened People's Public *Barazas* or dialogues. The dialogues have been exercised through political rallies across the country, dovetailing into mass protests in major cities. The dialogues led to bipartisan talks between the government and the opposition that included – among many contentious issues – an audit of the 2022 elections. Before the bipartisan talks, the countrywide mass protests or actions conducted every Monday and Thursday were largely about the cost of living, christened the *Unga* Revolution or maize meal revolution. The *barazas* largely called for electoral reforms, dubbed electoral justice, and suspension of the recruitment process of new IEBC commissioners. Interestingly, the demand for the reduction of the cost of living that entailed lowering the cost of basic food commodities such as *unga* or maize meal (the *Unga* Revolution) did not feature in the agenda of the talks as both parties failed to reach a consensus over the rising cost of living, which is a paradox given that the cost of living seemed to be what led to street protests.

Nevertheless, the opposition remained adamant that results in the IEBC servers were doctored, and they therefore called for the resignation of William Ruto as president on illegitimacy grounds. It is important to observe that the same concerns were recently witnessed in the Nigerian 2023 elections where similar accusations of vote rigging using electronic electoral infrastructure were made. Electoral peace or the absence thereof in African elections not only demonstrates the lower threshold ascribed to democratic standards applied in Africa, but also the abuse of the idea of peace through misplaced desire for peace. This is pursued through political blackmail, which is then further used to create anxiety and scare people into silence, therefore going against their fundamental freedom of expression through the vote (coloniality of power).

The construction of the discourse of peace during and after elections in Africa and using it as the only yardstick for determining freeness and fairness of elections deserves a deeper inspection. The discourse of peace is often constructed irrespective of open electoral malpractices orchestrated by state agents, electoral commissions in Africa, and technological

service providers that oversee voter biometric registration. These malpractices, coupled with electoral offences such as bribery, voter suppression and intimidation, ballot stuffing, and electronic vote tampering, are the reasons behind democratic retrogression in Africa. The malpractices are designed to breed new dictators in Africa. Mutua (2023) calls these the populist illiberal authoritarians who masquerades as democrats but are authoritarians opposed to freedom of thought and behaviour, and acting on the behest of the West and other foreign powers.

Even though views on freeness and fairness of elections are given by internationally recognised or Western-backed institutions, commonly known as electoral observer missions (EOMs), such as the Commonwealth, the African Union (AU), and the European Union (EU), electoral happenstances in Africa paint a gloomy picture of the future of democracy in the continent. Observer missions' views that could be sympathetic to Western interests about the health and future of elections in countries like Kenya are done at the expense of local agencies. They are also meant to safeguard foreign interests with the sole purpose of controlling and exploiting resources on the continent, both human and natural. For example, in whose interest is the introduction of genetically modified organisms in Kenya, if it is not for foreign multinationals' desire to expand their market share at the expense of the health of Kenyans?

Model of Democracy

Now that the 2022 elections are concluded in one of Africa's 'models of democracy', it remains to be seen whether these elections mark a turning point in Kenya's democratic consolidation – and, by extension, Africa's democracy – or if they will follow the familiar pattern of flawed elections that characterise many African countries. If the latter is true, it would further support the myth that 'there can never be anything good from Africa', a juicy catchphrase for international media reporting of events in Africa, especially elections that must be rejected explaining why villagers in Kisumu were mocking the CNN and BBC that had no report or news on violence.

While it is worth celebrating the fact that Kenya shrugged off the tag of a country burdened by post-election violence, emerging as a more tolerant society that respects its democratic institutions, it should be noted that Kenya's foreign friends, like those who issued the suspicious travel advisories, had expected a violent election. After all, it is 'un-African' to hold peaceful elections anyway. Indeed, the only meaningful impact that such travel advisories had in Kisumu and Kenya at large was the creation of anxiety and risk, which disturbed the prevailing peace prevalent in the lakeside city to date. This fear came to pass since Kisumu has been rocked by violent protests recently as the opposition mounts pressure on the government, demanding the opening of the election technology servers and an audit of the results of the 2022 elections, among other demands such as reducing the cost of living, reinstating the 'Cherera Four' and revoking ethnic appointments in public service.

Self-appointed Custodians of Liberal Democracy

Issuing suspicious travel advisories without consulting local intelligence is akin to playing God in the lives of others (coloniality of power *par excellence*), a reality that often evokes bad vibes about the West's self-appointed role as custodians of global liberal democracy and human rights. The West also believes that they indeed have the moral authority to export peace, human rights, and democracy to other parts of the world that lack these 'universal' values. In the case of Africa, the West did not understand how such actions would work against their 'good' intentions locally. Of course, it is such beliefs that give credence to the understanding that election is a process rather than a means towards achieving higher standards of morality on the questions of human dignity and the good life. The mere fact that the 2022 electoral process in Kenya was peaceful does not call for celebration, as done by EOMs, until the products of the electoral process become materially and morally useful. This is determinable through genuine representation, inclusivity, respect for human rights, participatory governance, and development that would advance the welfare of ordinary *wananchi* (citizens) (maximalist approach to democratic institutionalism).

Elections in Kenya – being what they are – attracted more than 70 observer missions who ‘observed’ the ‘peaceful process’, but apparently the product of the process was beyond the scope of their mandate. As a result, the conclusions drawn were primarily based on visible aspects, highlighting the significance of critically evaluating reports that overlook unseen factors. Often, these reports tend to oversimplify or distort the electoral process, emphasising the need for a deeper and more nuanced perspective. Of course, reports from the many observer missions that witnessed the 2022 elections were taken for granted and, therefore, disputing those electoral results for the third time in a row at the Supreme Court of Kenya was in fact ‘hot air’ as the court erroneously observed (politicisation of the judiciary).

This reveals aspects of the Kenyan elections that are not immediately apparent. There is a unique understanding or insight that only Kenyan voters know what institutions are meant to support democratic transitions in the country, which warrants close examination. If properly inspected, then there is the problematic question of ethnic belonging and rights *versus* that of trust, which includes the ability of different ethnic communities to trust one another (ethnic political competition) and their institutions (already captured by the state) such as the IEBC and the Supreme Court of Kenya. Many Kenyans have posted very nasty comments about these institutions of democracy regarding the 2022 presidential elections.

This speaks to the gains made on freedom of speech in the country, but also pours cold water on democratic transition, installation, and consolidation. Over the years, democratic freedom in Kenya has been expressed through Articles 33 and 35, which protect freedom of expression and freedom of the press, fundamental human rights that are well captured in the Bill of Rights and the 2010 Constitution. These are now under serious threat, as demonstrated by the outlawing of the ongoing post-election picketing and demonstrations, demanding the auditing of IEBC servers to determine the real winner of the 2022 elections (The Watchman 2023).

‘Peaceful’ Electoral Transition in Kenya

This sub-section uses the term ‘peaceful’ in quotemarks to signify negative peace or uneasy calm about the peace that prevailed during the electoral process. If the 2022 elections were a golden opportunity to showcase democracy in Africa or African democracy characterised by its ‘peaceful’ nature, then that opportunity could have been missed. Genuine democratic transformation should bank on the ability of the citizens to feel respected and included in an environment where their vote counts and does not need to be contested. At the same time, if it reaches a point where an election is determined through supreme court petitions, then the decision of the court should be binding and able to earn the court’s respect. Kenya’s 2022 election missed these two opportunities.

While there was no electoral violence, a conversation with ordinary Kenyans, especially those in the opposition, would highlight their tiredness of contesting Kenyan elections as every electoral cycle signals voter apathy. Cases of voter apathy were highly witnessed in the 2022 elections, which recorded one of the lowest voter turnouts in Kenya’s democratic history (Nation Team 2022). Less than 30% of young Kenyans registered as voters in the 2022 elections and only 14 million of the approximately 22 million registered voters participated in the elections (Anami 2022). It is now feared that political apathy will increase and be more worrying in the future, considering public discussions on social media where many young Kenyans indicated their intentions never to vote again, and subsequently burned their voters’ cards on TikTok videos.

There was also no violence because a concerted effort was deliberately made to prevent the conventional violence that marred Kenyan elections, through civic education, peace campaigns, and legislation. For example, The Peacemaker Corps Foundation Kenya, a local non-governmental organisation (NGO) based in Kisumu that aims to build peace through technology, in collaboration with the Center for Media, Democracy, Peace and Security-Rongo University, organised a music, art, and cultural

festival for peaceful elections¹ in Kisumu. This was one of the efforts and campaigns led by civil society organisations (CSOs) or NGOs in Western Kenya to sustain peace. This is what it takes to build democracy in Africa – allowing the active participation of CSOs in decisionmaking.

In addition, legislation like the Political Parties Amendment Bill 2021 by parliament has instilled political discipline among Kenyan political candidates notorious for their frequent party switching, often just days or hours before elections. This practice, termed political opportunism, has historically caused significant challenges. This bill is still haunting such politicians (See Collins 2022). It introduced discipline in political parties around political party funds, membership, and even capping the duration of time needed for forming coalition parties ahead of elections.

Issue-Based Ethnic Coalitions

The latter was the real game changer because political aspirants understood that no single ethnic bloc could win elections. Therefore, politicians had to shop for like-minded individuals beyond their ethnic background to form coalitions before the prescribed deadlines as spelled out in the Political Parties Act. This was good news for Kenya because, for the first time in its history, there were issue-based ethnic coalitions as opposed to empty ethnic-based coalitions. The latter was witnessed through public narratives of cost of living and the economy since the pressing issues during the 2022 elections were more economic, characterised by high cost of living, unemployment, and poverty, especially among the youth. So, both coalitions – Azimio-One Kenya Alliance and Kenya Kwanza – campaigned on an economic liberation platform, styled as hustlers *versus* dynasties. The latter, as advanced by Kenya Kwanza presidential candidate William Ruto, now the incumbent president, appealed to hustlers, predominantly youthful voters, to reject leaders who are descendants of the dynasty. Former president Uhuru Kenyatta backed his former arch-rival and veteran opposition leader Raila

1 This is called the Karibu Kanaan Music and Arts Festival for Peace.

Odinga after he broke ranks with his deputy, William Ruto, on principles. The two, Uhuru Kenyatta and Raila Odinga, are sons of Kenya's first president and vice-president respectively.

Which Way Democracy?

At face value, democracy seems to have won the battle in Kenya due to peaceful elections, but when examined critically, democracy has been on trial in the country. It seems to have failed dismally due to the public rejection of decisions made by two critical institutions that should nurture and midwife democracy into becoming a culture in the country (the IEBC and the SCOK). Another concern, which is troubling for Kenyans, arises when freedom of expression loses its impact, where voiced opinions lack the power to bring about change. It appears that, in Kenya, public discourse in the media, especially in social media, allows for dissenting voices, giving an illusion of inclusivity and citizen participation in vital national discussions. However, this inclusivity often remains superficial, with no substantial action resulting from these expressions. Consequently, the existing situation persists without meaningful transformation.

What is the point of having voices without action and just in the name of liberal democracy? Ideally, legitimate dissenting voices should be those that lead to action and those that would improve the lives of ordinary citizens. Based on this assertion, the dissenting voices on the 2022 elections, including those of the four dissenting IEBC commissioners led by Julian Cherera, and Kenyans in the court of public opinion criticising the Supreme Court verdict that upheld President Ruto's electoral victory are merely allowed so that those dissatisfied can vent their frustration and eventually accept and move on, caring less about the legitimacy of their concerns in addressing the moral question of human dignity and attainment of a good life.

Institutional Designs

Currently, there are discourses on social media about the idea of a rotational presidency in Kenya to break the Kikuyu-Kalenjin presidential monotony that started in the 1970s. The fears of

dissenting regions breaking away through self-determination (cessation), calls for a parliamentary system of governance to decentralise power and introduce the office of the prime minister (the official leader of the opposition) and an electoral college in Kenya. Some of these views have now been captured by the bipartisan parliamentary team that negotiated a deal to end opposition protests, touching on electoral justice, governance, cost of living, and skewed ethnic appointment, among others. These are of course valid discussions that demonstrate how democracy in Africa should be approached. This can be achieved through the maximalist view that recognises the multi-ethnic composition of Africa, regional politics, and Pan-African approaches to dispute resolution that includes dialogue, mediation, and governments of national unity. Bah and Ogenga's (2020) compelling book chapter on 'Institutional Designs, Democracy and Peacebuilding in Africa' argues that African democratic systems should not emerge from elsewhere. They should be a product of local contestation and negotiation to the point where Africans sit and agree on how they want their democracy to work for them, by redesigning it to suit their local context, particularly due to the multi-ethnic nature of African societies.

Conclusion

This chapter presented the status of elections in Africa through the lens of Kenya. It engaged the diverse challenges of the liberal democratic and peace architectures and concluded that, for democracy in Africa or for African democracy to work, it must take a maximalist view of democratic institutionalism. This demands the adoption of a decolonial approach towards conceptualising African democracy or democracy in Africa. The chapter argued for innovative institutional designs that work for multi-ethnic societies in Africa, like Kenya. It calls for rethinking democracy beyond minimalistic underpinning to maximalist views and approaches therein. Doing so requires accommodating Africa's historicity, traditionalism, agency, and technological ambitions in democratic transitions, conflict transformation, and peacebuilding. Power-sharing in Kenya, as witnessed in 2007/08 after the deadly post-election violence and the 2023 bipartisan

talks has sought to address the ‘winner takes it all’ political system. These initiatives aim to mitigate the recurring post-election conflicts seen across Africa by fostering inclusivity and political stability. These terminologies should be actualised and institutionalised because they are critical to the operationalisation of conventional democratic institutionalism.

Moving from short-term concerns of democratic installation, peaceful power transitions, and stability to questions of democratic transition and consolidation ‘the African way’, calls for broadening the conversation beyond the winners of elections by whatever means possible, using locally available, African-centred peacebuilding infrastructures, such as the ‘African Solutions to African problems’ slogan. In the latter, African states must devise homegrown technological solutions to electoral management and devolve or decentralise the electoral process for transparency and accountability. Apart from the responsibility imposed on state governments to be proactive on electoral issues, regional and continental institutions have important roles to play in ensuring free and peaceful elections, and democratic consolidation.

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