



# Three Critical Questions Will Determine the Kenyan Election

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Kenyans have known for some time that the 2022 presidential election would be a two-horse race between Deputy President William Ruto and President Kenyatta's favoured successor and long-time opposition leader, Raila Odinga. What some might not have anticipated is that with just a few weeks to go till the 9 August polls, the election remains too close to call. So how did we get here, and what will determine who emerges victorious to take up their position in State House?

Barring any last minute shocks, the outcome will depend on three main questions. First, how successful will Ruto's *Kenya Kwanza* and Odinga's *Azimio La Umoja* prove to be in winning over the undecideds and potential swing voters, and at maximising the turnout of their supporters? Second, can George Wajackoyah, a surprise third candidate, succeed in getting enough votes to prevent either Ruto or Odinga from securing 50% + 1 of the vote in the first round, pushing the election to a run-off? Third, how even will the playing field prove to be?

Taking each of these points in turn suggests that this election is more uncertain than any since 2007 and that any outcome remains possible.

## The presidential race

Ruto entered the campaign period with a healthy lead over Odinga in a number of [opinion polls](#), but

that has now evaporated. Almost every month, Odinga and his *Azimio La Umoja* alliance - whose campaigns have been invigorated in recent months by the selection of Martha Karua as Odinga's running mate, the addition of new alliance members, and a more active meeting schedule - have added a significant proportion of votes to their tally. On the whole, Odinga appears to have done this, not by making inroads into Ruto's support base, but by winning over some of the formerly "undecided" and "refuse to answer". Thus, while 38 per cent of respondents said that they would vote for Ruto and 27 per cent for Odinga in [TIFA's](#) February 2022 opinion poll, by the end of June 2022 this had shifted to 39 per cent saying that they would vote for Ruto and 42 per cent for Odinga. Over the same period, the proportion of "undecided" and "no response" fell from 20 per cent and 11 per cent respectively in February to 10 per cent and 5 per cent in June.

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Opinion polls always have some room for error - not all who say that they will vote are registered to, or will vote, and it is possible that some people change their mind at the last minute. Given Odinga's marginal lead, this means that the election is too close to call. In such a situation, small things can make all the difference. So what might determine how the elections play out on August 9?

### **Getting the vote out**

With everything to play for, *Kenya Kwanza* and *Azimio La Umoja* are focused winning over any remaining undecided voters and maximising turn out in their areas. In order to understand how they are doing this, it is important to recognize that there is not so much one national campaign as a number of sub-national battles taking place in the country's former regions, each of which is shaped by local dynamics. In other words, while the [state of the economy](#) and the credibility of the candidates is significant everywhere, the balance of power, and the nature of the contest, is different in every area.

In terms of strongholds, while Odinga is dominating his home area of Nyanza, and Ruto has a lead in his Rift Valley backyard, the rest of the country will likely split their vote. While the majority of citizens in Nairobi, North Eastern and at the Coast appear to be backing Odinga, competition remains fierce in both areas. Similarly, while Ruto retains a lead in Central Kenya, the vote in Eastern is divided between the two candidates, and both alliances know that they can secure significant votes in all of these areas.

The difference this makes in the strategies candidates use is profound. Confident of victory in their homelands, Odinga and Ruto are relying on existing structures to mobilise a high turnout in these areas, and devoting more of their attention to key battlegrounds. This is demonstrated by the furious campaigning in Central Kenya. One of the most populous and economically influential regions, and home to the Kikuyu community of President Uhuru Kenyatta, Central is the region that appears to have [been the most visited](#).

Despite Kenyatta backing Odinga, Ruto appears to have [maintained the lead](#) that he has held in the region for many months. His success reflects a combination of popular frustrations at the country's current economic challenges and long-term planning, including sponsoring allied leaders in the region in the 2017 elections to build a strong base independent of Kenyatta's influence.

Odinga's failure to win over Central after many years in which the region's leaders demonised the former opposition leader as a destabilising force is perhaps the biggest weakness of his campaign. Had Odinga secured a dominant position in Central, it would have been extremely difficult for Ruto

to build a large enough support base to be a serious contender for the presidency. Much will now depend on whether Odinga, with Kenyatta and Karua's backing, can eat into Ruto's support base in Central, or whether continued economic difficulties will rally voters to *Kenya Kwanza's* call for change.

The second most visited region appears to be [Western](#), which along with North Eastern Kenya, is split fairly evenly between the two candidates. Thus, while both favour Odinga, the gap appears to be [under 10% per cent](#). Western's relatively large population, and the fact that Odinga has historically polled well here, while Ruto has co-opted prominent Western leaders in Musalia Muvadi and Moses Wetangula, means that the campaign is likely to be fierce right up to polling day.

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Much will depend on which party has built the most effective infrastructure for getting the vote out. It is one thing to attract support in an opinion poll and another to get those people to the polls. While it is normally safe to assume that the ruling party has an advantage in this regard, given greater access to resources and state equipment, the situation is complicated in 2022 by two factors. First, there is no real "opposition candidate", with Ruto, the "outsider", having been Deputy President since 2013. Second, the effective mechanisms of political mobilization developed in traditionally "ruling party" areas such as Central Kenya may not benefit Odinga, even though he has the support of Kenyatta, because a majority of voters there are not planning to back *Azimio*.

What this suggests is that the election could remain extremely close right up until polling day, increasing the prospects for other factors to influence the outcome.

### **Will Wajackoyah spoil the party?**

The presidential election has clearly been complicated by the late entry of George Wajackoyah, a 61-year old university professor. Minor candidates tend to struggle for media coverage and public attention. However, Wajackoyah's [manifesto](#), which calls for the legalisation of marijuana, the prioritisation of snake farming, the (clearly illegal) suspension of parts of the constitution, and (worryingly xenophobic) promise to "deport idle foreigners", and his populist and unconventional style, have earned him significant [media attention](#) and captured the imagination of a significant number of Kenyans (mainly disgruntled young people in urban areas).

Wajackoyah - who polled 4 per cent of the popular presidential vote in [TIFA's June poll](#) - has no chance of winning the election. His support base may also be exaggerated. Many of the young people to whom he is appealing may not even be registered to vote, and some who say that they will vote for him may decide not to "waste" their vote on a third candidate when they get to a polling station. Nevertheless, Wajackoyah - who is currently gaining ground - may seriously upset the election if, with say just 2 to 5 per cent of the vote, he prevents either of the main candidates from securing an absolute majority in the first round.

Wajackoyah has [said](#) that "a victory for either" Odinga or him would "be a win", but it is unclear whether he would be able to direct his largely anti-establishment support base to swing behind Odinga in a second round. The current political uncertainty may therefore last for longer than many are expecting: Kenya has never before experienced a presidential run-off.

## How “free and fair” will the election be?

The closeness of the race also means that the evenness of the playing field – from media coverage to the free and fairness of the election itself – will prove critical. This will place even greater pressure on the Independent and Electoral Boundaries Commission (IEBC) – at a time when the national press [has cast doubt](#) on whether this body is ready to manage these complex elections. In the run-up to the 2022 polls, there have been questions raised both about the IEBC’s handling of the thorny question of whether leaders accused of corruption and criminality should be allowed to run, and about important decisions about how the elections will be run. In particular, the IEBC’s decision to only produce an [electronic voters register](#) – with no “manual” copy – and not to have a “[live](#)” tally of overall results available online for all to see during the counting process, has led to controversy.

Public concern has been amplified by a damaging war of words with the Director of Criminal Investigations that – puzzlingly – has been escalated by the [IEBC itself](#). Following the arrest of [Venezuelan nationals](#) at Jomo Kenyatta International Airport, apparently [on the basis](#) that they were carrying election materials in an unconventional manner, had out-of-date passports, and were not met by IEBC officials, Chebukati released a [statement](#) highly critical of the police, alleging that they were harassing IEBC contractors working for [Smartmatic](#), a multinational elections company helping the IEBC to manage election technology. This triggered an ongoing public spat that has seen the DCI raise serious questions about IEBC protocols and credibility, accusing the “[the elections agency of misrepresenting facts, lying and laxity in the management of this year’s General Election](#)”.

Such public spats are particularly unfortunate given that the IEBC was already struggling with a significant credibility challenge due to the fact that its chair, Wafula Chebukati, presided over the 2017 general election that was [nullified](#) by the Supreme Court. The IEBC also faces the challenging task of running high-tech elections across the country for six elective posts – President, Senator, Governor, Women Representative, Member of Parliament, and Member of County Assembly – on a single day. In a close contest, any logistical issues, intentional or not, could quickly be interpreted as manipulation by a mistrustful electorate.

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These concerns mean that the ability of both coalitions to protect the vote by deploying party agents comprehensively across the country will be particularly important. Here, too, there will be a difference with [previous elections](#). When one coalition or another was dominant in most of the country’s regions, it was very hard for the less popular coalition to post party agents. They would often be intimidated or quietly co-opted by the much larger coalition in that area. In 2022, there are far fewer “one-party zones”, with both *Kenya Kwanza* and *Azimio* competitive, if not winning, across much of the country. This means that it will be more feasible to deploy party agents consistently across the country. That should mean that malpractice is less likely, although it might also mean that – if there are attempts to rig the ballot – we see more explicit and blatant evidence of this than in the past.

It also seems clear that the closeness of the election and the fact that both candidates have been ahead in the opinion polls at some point, means that both Ruto and Odinga are confident they will win. Given that they have already also [raised concerns](#) about the performance of the IEBC, and in Ruto’s case the “[deep state](#)”, this means they are likely to dispute the outcome if they lose by a small margin – especially if there are logistical problems. In turn, this will make it harder to persuade all Kenyans that the electoral process was free and fair – even if it was – which in turn will have

implications for the legitimacy of the resulting government.

Close elections, it turns out, create particular headaches for everyone involved. Only by watching how these three issues develop can we understand how they are likely to play out.

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