



# From the Handshake to the BBI Report, Hope to Disillusionment: My Side of the Story

By David Ndi



The much-anticipated release of the Building Bridges Initiative (BBI) report two weeks ago was to be the crescendo of the detente—popularly known as the Handshake—between Raila Odinga and Uhuru Kenyatta after the failed 2017 presidential election. It underwhelmed.

Soon after its release, the rumor mill put its cost at the very unlikely figure of Sh10 billion, which the pundits calculated to be a whopping Sh64 million for each of the 156 pages of the badly drafted, poorly edited rehash of existing documents. In a satirical column, literary scholar Evan Mwangi calls it a reflection of the “low intellectual capacity of the clowns in charge of our country’s affairs,” while Wandia Njoya, another literary scholar, calls it a declaration of war by the political elite on the people. Both Mwangi’s and Njoya’s reading of the political psychology of the report leads them to a similar conclusion—it is a cynical political fraud.

**Mwangi:** “The report’s aim is to discourage us from seeking fundamental political or social change by pretending to offer avenues for transformation. It suggests that we should continue assuaging demagogues among our political class, so unlike in 2007 they don’t burn us alive in churches, stoke ethnic violence in political rallies in the run-up to the polls, or organise retaliatory attacks by youths who would then be all snuffed out to cover up crimes against humanity.”

[Njoya](#): “Statements from the government and those pundits that slavishly support it often trace the source of any disaster to the public—especially the victims—and to democracy. Government insiders and supporters portray the state as blameless, and fault Kenyans for wanting to participate democratically in the making of decisions that affect them, because by doing so, Kenyans put delays on the good work of the government. If every social challenge we face is caused by us, the people, then the response to the challenge must be to fix the behaviour, the values and the soul of the people. This “fix the people” approach to social problems is the very essence of the Building Bridges Initiative (BBI) document released by the government this week.”

A Swahili tabloid summarised BBI thus: “*Ni msitu mpya, nyani ni wale wale.*” (same monkeys, different forest). From the ivory tower to street level, the verdict is the same.

How did we get here?

In January 2018, three months into the 2017 presidential election standoff, it was rumored that the formation of a government was being delayed by behind-the-scenes power-sharing negotiations. The National Super Alliance (NASA) issued a statement and held a [press conference](#) to refute the suggestion, during which this columnist stated that:

“NASA is not interested in boardroom deals which have not delivered for Kenyans like the 2007 power sharing agreement. We don’t recognise this illegitimate government and we will not give it legitimacy . . . Our nation is deeply divided between two irreconcilable political values namely authoritarian rule and democracy. They (Jubilee) have in fact stated that a benevolent dictatorship is better than a democracy. The way out for the country is to embark on an urgent, honest and far reaching conversation sooner rather than later.”

The key words here are “boardroom deals.” Indeed, I recall belabouring the pledge by analogy, stating that NASA would not go into a “come-we-stay” marriage with Jubilee. Internally, we were developing a more elaborate negotiating strategy. Our preferred road map to a political settlement was a transitional government with a limited mandate, to be established by a constitutional instrument along the lines of the National Accord that established the Government of National Unity (GNU) after the 2007/8 failed election.

The transitional government would have spearheaded the process of building a national consensus on political reforms that would have culminated in what we hoped would be an uncontested constitutional amendment referendum, if one were required, followed by a free and fair election. We had also suggested that Uhuru and Raila commit publicly to retiring, so as to strengthen their hand as honest brokers and the midwives of a new political dispensation, and by so doing, insulate the process from succession politics. This was a reasonable proposition since Uhuru would be retiring anyway, and Raila had signed a one-term deal with the NASA co-principals.

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It therefore came as a bit of shock that Raila had gone ahead and cut a backroom deal with Uhuru, the very thing we had pledged not to do. But in the rough and tumble of politics, you learn to roll with the punches. We saw that the letter of the deal was in the spirit of the road map we envisaged, the main difference being that in place of the Jubilee-NASA institutional engagement we had prepared for, the handshake was a commitment by Raila and Uhuru in their personal capacities. In what was to be our last press release as the People’s Assembly Committee, we applauded this commitment but also pointed out the dangers:

“The memorandum is an initiative of the two leaders in their individual capacities. In the memorandum, they describe themselves not as presidents or leaders of political formations which they are, but as friends and compatriots. The two leaders have acknowledged the historical origins of our current crisis, and the many opportunities over the years that leaders have missed to right the ship. They recognise that they too have a historic opportunity to set the country on the right course, and they do not want to be remembered as another generation of leaders that did not rise to the occasion...We must commend and congratulate the two leaders for this meeting of minds. Acknowledging a problem is the first step towards solving it. The two leaders have asked us to give them an opportunity to spearhead this process. We have been assured that this initiative will be about the people, will involve the people, and will be validated and owned by the people. But we are alive to the painful history of political betrayal. We know that once [crises] subside, leaders can get comfortable and allow the issues of the people to fade into the background. That is how we have ended up where we are.”

This was the spirit as we set about implementing the handshake. But as days went by, it became evident that what was said was not what was intended. The discordance was brought into sharp relief by disagreements on whether or not to gazette the BBI Task Force. The handshake MOU was explicit that the initiative was a personal political undertaking. Gazetting the task force would make it a state project that would be bureaucratised and watered down. And as one colleague opined, it would amount to “kicking the ball into the long grass.” Those pushing for gazette could not argue a cogent case, but in one conversation, one colleague, in a fit of exasperation, blurted out: “But there is money!”. The cat was out of the bag.

In the corridors, the conversation was dominated by talk of an impending cabinet reshuffle. Indeed, within no time at all, Raila Odinga’s Capitol Hill office had become a beehive of activity with, so I gathered, people bringing their CVs, others seeking help with tenders, pending bills and corruption cases. By end April, the frenzy had reached fever pitch. Week after week, confident predictions were made that the reshuffle would be announced on Thursday, then Monday, then Thursday again. My vehement protestations about these under-the-table dealings elicited a quiet word of advice that I should tone down as my name was on the appointments list.

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There were two other issues that I found troublesome. The first was the anti-corruption crusade that was mounted immediately after the handshake. My concern was that corruption cartels were the last adversary that the BBI needed, especially as it appeared to be a one-sided assault on Deputy President Ruto’s patronage network. Secondly, I was persuaded that the country was headed into an economic crisis (that is now unfolding). By embracing Uhuru Kenyatta, Raila Odinga was in essence sanitising Jubilee’s economic delinquency, and jumping into a sinking ship. In fact, I postulated that by the time of his departure from office, Uhuru Kenyatta would be more unpopular than Moi was in 2002.

Raila dismissed both concerns. I was particularly bemused by his prognosis that an economic crisis would not hurt because Zimbabwe’s Mugabe seemed to have survived a much more severe one (Mugabe was still in office then). It was not long before it became apparent that an economic storm was brewing and an urgent discussion was convened. At the end of my presentation, Raila came back with what to me was a bolt from the blue: he wanted to know how the president could be helped and went as far as to request that I write a paper that he would discuss with Kenyatta. That is the moment it dawned on me that, in his mind, Raila was already in government, or, as we say in

Swahili, *tumewachwa kwa mataa* (we had been abandoned at the traffic lights). I did not respond and needless to say, no such paper was forthcoming. Looking back, Kenyatta had all along been banking on a personal deal with Raila. Two anecdotes will suffice to illustrate the point—they are by no means the only ones.

On the eve of the declaration of the official results of the August 8 presidential election, the NASA presidential campaign team was holding a quiet vigil of sorts when a muted drama, that went unnoticed by most of the people in the room, played out. A wheeler-dealer known to have business links with the Kenyatta family walked up to Raila and said that “mama is waiting.” Although spoken in low tones, colleagues within earshot became curious and sought to know who “mama” was. The awkward silence that ensued gave the game away. A statement unequivocally rejecting the election results was quickly drafted for Raila to issue; it had not been on the evening’s agenda. It is unlikely that we will ever know whether Raila was in on the plan to meet “mama” and what the rendezvous would have engendered. History oftentimes turns on chance.

The second one was in late November, shortly after we launched the protest movements that included a consumer boycott of Brookside Dairy products, among others. I received a call from a colleague alerting me that he had directed to me a “foreign journalist” who was frantically looking for Ida Odinga (she was out of the country at the time). The name of the “foreign journalist” was Christina Pratt (née Kenyatta). It would seem Ms. Pratt had presumed name recognition as she did not see fit to introduce herself or give her reason for calling and so, not recognising the name, my colleague had brushed her off for a couple of days; he responded once I told him who the caller was. Such was the urgency that Ms. Pratt even sought to know whether she could travel to where Ida Odinga then was, which proposal was declined. I gather that contact was eventually made and a home visit, of the kind we call *itega* in Gikuyu (gift giving), was arranged.

As observed, the point of these anecdotes is that Kenyatta had been banking on resolving the election impasse privately with Odinga, *kinyumbani* (domestically) as we say in Swahili; the handshake was the actualisation of Kenyatta’s desire. But by having chosen to personalise a political crisis, Uhuru and Raila would seem to have overestimated their personal power and underestimated their adversaries.

Uhuru and Raila seemed not to realise that refusing to categorically rule themselves out of the 2022 contest was guaranteed to frame the BBI initiative as succession politics. It did not help that the anti-graft war was increasingly being perceived as a political takedown of William Ruto. Economic hardship also began to bite, making the ground less than enthusiastic, particularly in Kenyatta’s central Kenya political base. Raila’s contention, as cocky as it was self-serving, that Kenyatta’s political clout would shrug off the economic distress has not aged well. Week after week, no sooner would the joint nationwide meet-the-people engagements they had promised be announced but they would fizzle out.

The BBI Report is the product of these missteps. What many Kenyans will not know is that the BBI task force was not constituted to produce a technical report. Rather, it was initially envisaged as a team of political advisors to the two principals, in line with the principals’ commitment that they would be personally leading the engagements with the people. It would seem that once the ground became hostile, the task force was repurposed to collect views and write a report—a task that it was clearly neither suited for nor prepared for. Suffice it to say that, given the depth and wealth of talent and experience in governance reform that we have gained in our two-decade constitutional reform struggle, the BBI task force is not in the country’s first or even second eleven.

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In the midst of the debate about the flaws of the report, we risk losing sight of the fact that the handshake was a product of a failed presidential election. The real problem is one of incumbents who, sensing defeat, monkey-wrench the election to the point where it is impossible to get an outcome. Without a clear outcome, a power-sharing settlement is negotiated and the incumbent gets to stay in power. This model of retaining power was invented by the Mwai Kibaki administration in 2007 and has quickly gained currency, being copied in Zimbabwe, Madagascar and Togo to name a few countries.

How does the BBI report propose to end this? It makes no mention of the problem, let alone offering proposals; there is, in fact, no mention of free and fair elections in the entire report. There is perhaps no greater indictment of the handshake than the fact that we are now hurtling towards another toxic, high-octane, do-or-die election. Had Uhuru and Raila stuck to the path of honest brokers committed to midwifing the new political dispensation that they had promised instead of the political intrigues and self-aggrandisement that we are now witnessing, *things on the ground could have been very different.*

A while back, this columnist enumerated [four critical historical junctures](#) at which nation-building opportunities were squandered through a failure of leadership. Make that five.

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