

PUBLIC INTEREST SCENARIOS

The possible impact of BBI and
the 2022 elections on Kenya by 2025

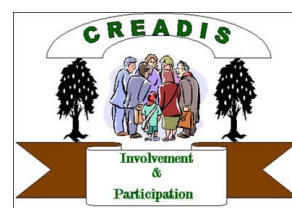


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PEN, Civil Society Reference Group (CSRG), Ujamaa Center
& Community Research in Environment and Development Initiatives (CREADIS)

Public Interest Scenarios

The possible impact of BBI and the 2022 elections on Kenya by 2025

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Foreword

Every election in Kenya is viciously contested and brings with it heightened uncertainty. It is envisaged that the 2022 elections will particularly be complicated by the fact that various incumbents, at the national and at the county level, are serving their last terms, which historically in Kenya, breeds the most violent elections. The Building Bridges Initiative, which proposes to amend sections of the 2010 constitution adds another layer of issues to this complex battle field. These issues are worth unpacking before rather than after the fact, to understand possible future outcomes for Kenya in the next five years. That is why in September 2020, the Civil Society Reference Group, PEN, Ujamaa and CREADIS came together to commission a scenarios exercise.

The aim of the work was to have a conversation starter with key institutions on possible events that lie ahead and hold discussions with them on how they can strategically prepare for different eventualities. We are keen to emphasize that these scenarios are not about predicting future events but their value lies in understanding the structural changes that could occur – to avert the bleak aspects of each possible future while enhancing the good outcomes. We therefore caution that whatever scenario the framework produced, a presidential personality was chosen as a place holder for the story and that any other person operating under the described circumstances in each scenario would most likely realize similar results. We therefore implore all stakeholders to use this work as a basis for building more scenarios, to challenge various assumptions, provoke strategic thinking, test preparedness and enable tactical responsiveness based on these and other changes that lie ahead. In our view, the important reflections for the groups that will engage with this report include the following questions.

- What are the other possible scenarios?
- What would you do if any of these realities were to occur?
- What are the opportunities in each scenario?
- What are the threats in each scenario?
- What strategic options do you have?
- What long term decisions do you have to make to survive in any of these worlds?

I would like to thank my co-partners in this journey: Suba Churchill, Presiding Convener of Civil Society Reference Group (CSRG); Gladys Nabiswa, Executive Director of Community Research in Environment and Development Initiatives (CREADIS); and Patrick Ochieng, founder of Ujamaa Centre who also worked as the liaison person for the project. We are deeply indebted to the working group which acted as a sounding board, the regional teams that discussed their specific concerns, the key informants for giving their analytical view, and the scenarios building team for collating all the information together, making sense of it and coming up with the plausible stories. My sincere appreciation goes to Dr. Katindi Sivi, one of Africa's top futurists and Executive Director of LongView consult for ably leading this elaborate foresight process together with her co-consultant Michael Orwa.

We welcome you to peek into the future with us!

Chris Mbiti,

Executive Director,

PEN.

Executive summary



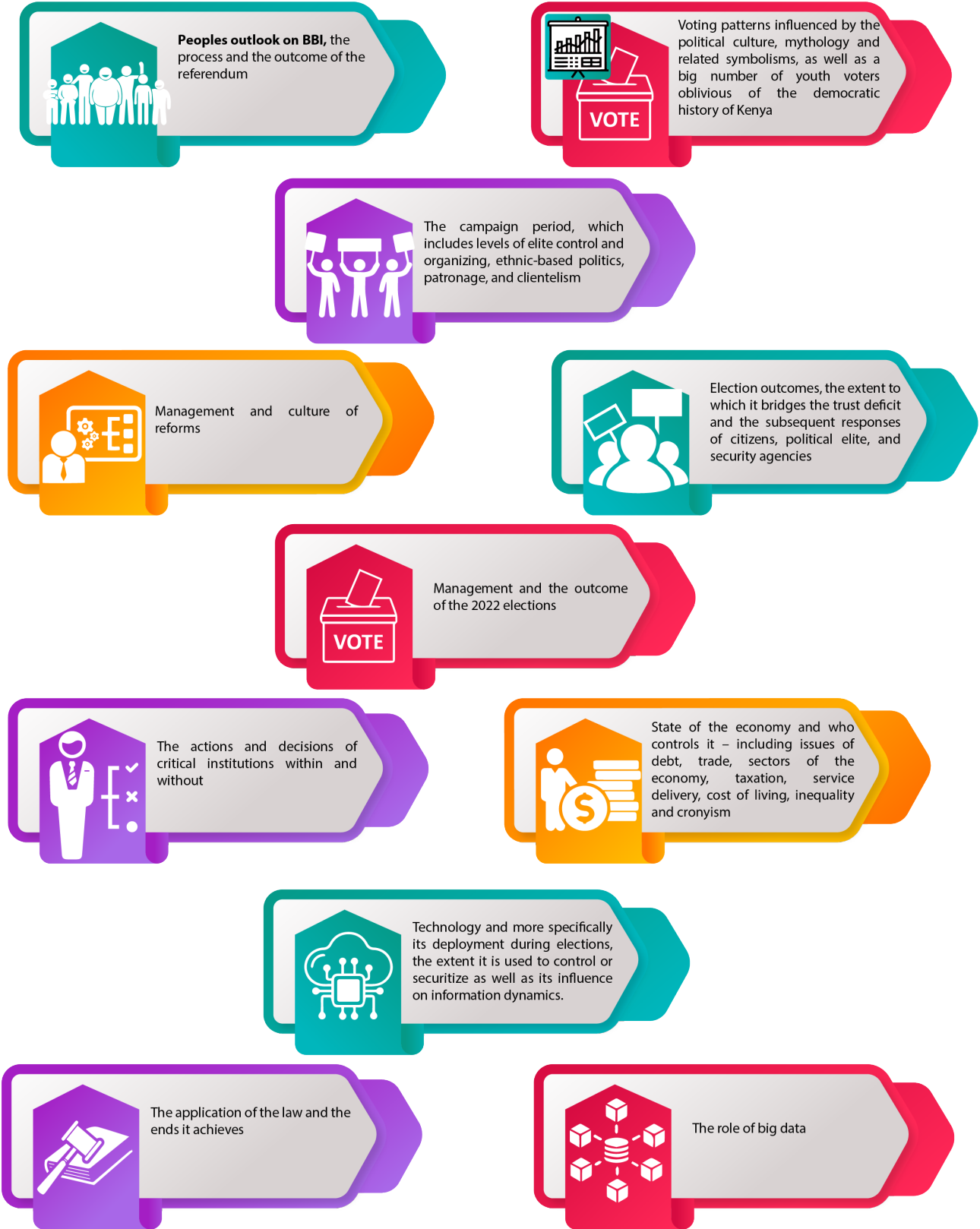
Every election in Kenya is viciously contested and brings with it heightened uncertainty. It is envisaged that the 2022 elections will particularly be complicated by the fact that various incumbents, at the national and at the county level are serving their last terms, which historically in Kenya, breeds the most violent elections. The Building Bridges Initiative, which proposes to amend sections of the 2010 constitution adds another layer in this complex battle field. These issues are worth unpacking before rather than after the fact, to understand possible future outcomes for Kenya in the next five years. The aim of the work was

to have a conversation starter with key institutions on possible events that lie ahead and hold discussions with them on how they can strategically prepare for different eventualities. We are keen to emphasize that these scenarios are not about predicting future events but their value lies in understanding the structural changes that could occur – to avert the bleak aspects of each possible future while enhancing the good outcomes.

Key driving forces

Through a dynamic process of: reviewing relevant literature; countrywide regional consultations¹; Key Informant Interviews²; and a scenarios building workshop – participants identified key driving and

restraining forces that will determine how the political and governance space might evolve. In our view, these driving forces include but are certainly not limited to:



1 Machakos, Nyeri, Mombasa, Nakuru, Kisumu, Garissa, and Nairobi;

2 With leaders in civil society, the private sector, in think tanks, academia, media, donors and members of the diplomatic core, politicians, religious leaders, union representatives, and representatives of various interest groups like women, youth and pastoralist groups;

The scenarios stories

In addition to these factors, the decisions key stakeholders will make, and the circumstances under which these decisions will be made, are critical in shaping the possible outcomes of the next five years. 'System ta matapeli' meaning, a system of scammers; 'Uta do?' meaning, what can you possibly do?; and 'Wajinga nyinyi' meaning, you foolish ones are the three stories that were identified as plausible. The titles of the stories originate from common Kenyan phrases and titles of songs previously sang by Kenyan artists to contextualize the content of each story.



“System ya matapeli” scenario is a story of class exceptionalism where continued hegemonic control perpetrates ‘peace at all cost’ narratives that privilege the economy over politics and legality over legitimacy.

This system initially escalates the long simmering secessionist plots and threatens to abort the ‘People’s Republic’ from the ‘Central Republic’ because of ‘politics of cyclical betrayal’. The government weaponizes fear in the name of maintaining law and order to categorically deal with these dissenting voices in both the civic and the cyber spaces. Under these acrimonious circumstances, COVID and debt become the easy excuse to justify an indefinite postponement of the elections. In the meantime, the merchant politicians quickly reorganize to avoid a political crisis and to buy their ‘legitimacy’. A cleverly executed sham election that is held in 2025, the use of data to camouflage the state of affairs as well as a weak economy and the use of technology for privatized delivery of services presents the illusory veneer of efficiency and effectiveness. These easily hoodwink the younger population and the ‘middle

class’ into receptivity of the status quo on account of accessing the tokens that satiate their ‘grandeur’ illusions. In the end, a passive and apathetic citizenry stand trapped on the margins of an economy dominated by merchant politicians. Indeed, all that glitters is not gold, because when rats bite they blow some breeze.

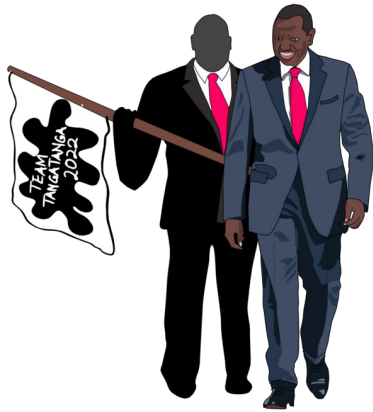
“Uta do?” scenario is a story of ethnic chieftaincy and elite pact politics driving a highly indebted bandit economy. The system undertakes a successful coup against the peoples 2010 Constitution by opening up a floodgate of changes that undermine the Bill of Rights, devolution as well as checks and balances hence burning all the bridges to meaningful citizen participation. Government is characterized by overriding personality cults where patrons stand out as protectors or guarantors of what their support bases consider ‘ours’. The dominant **“ber biro irwa** – goodness has come our way” and **“Bururi ni witu** – the country is ours” political sentiments are used to manipulate the law to achieve nefarious political ends including populating political positions with ethnic cronies in the name of ‘inclusion’. The security sector, the electoral process, devolution, judiciary and legislative decision making are captured by the executive, invariably subverting the law to manipulate and compromise independent institutions.



The BBI government continues with debt-binging amid diminished accountability and rise in state-led corruption, precipitating a situation where citizens have very low trust in these institutions and regard them as highly illegitimate. They resort to actively using technology to enhance access to information and engage in public accountability matters which

includes spewing outrage, online. Five years later, the more things changed, the more they remained the same. Indeed, leopards cannot change their spots!

The “Wajinga nyinyi” Scenario is a story of total collapse of the country that is led by a demagogue and his egg-head courtiers who abrogate the constitution at will and plunder what is left of the country's economy.



The state has a dyed in the wool antipathy for order and the rule of law and therefore illegality is the new modus operandi. Technology is deployed for surveillance to curtail freedoms and disinform citizens who in turn become complicit crooks, actively abetting the illegal goings on with the primitive adage that “If you can't beat them, join them”. Citizens therefore embrace alternative coping mechanisms like illicit businesses dealings within the black market, tax evasion and tax avoidance to survive. In this mad world, only the mad are sane.

We caution that whatever scenario the framework produced, includes actual events and people as well as projected events and situations that have not yet occurred. For example, the presidential personalities chosen for each story are people currently contesting for that position.

So what?

These scenarios are not predictions but possibilities, the individuals are place holders in each story, and any person operating under the described circumstances in each scenario would most likely realize similar results. We therefore implore the readers not to get caught up in the events level type of discussions but to put more emphasis on the underlying patterns and evolution of the system in the stories to challenge various assumptions, provoke strategic thinking, test preparedness and enable tactical responsiveness based on these and other changes that lie ahead. In our view, the important reflections for the groups that will engage with this report include the following questions.

- What are the other possible scenarios?
- What would you do if any of these realities were to occur?
- What are the opportunities in each scenario?
- What are the threats in each scenario?
- What strategic options do you have?
- What long term decisions do you have to make to survive in any of these worlds?

The scenarios are also placed here as conversation starters, and using this framework, groups can consider building many more possibilities to deepen discussions and help with preparedness.







1. Introduction

PEN is a national NGO established in 2001 to contribute towards the eradication of absolute poverty in Kenya, through building and strengthening the institutional capacity of civil society organizations and other not-for-profit organizations and institutions (NPOs). The Civil Society Reference Group (CSRG), on the other hand, is a membership organization that brings together Community-Based Organizations (CBOs), national as well as international NGOs and other citizen formations like social movements established in 2009, with the vision of a conducive and enabling civic environment for CSOs with a role to inform, unite and amplify the voice of Kenyan society. CSRG and PEN are the two principal partners who have teamed up with Ujamaa Center based in Mombasa and CREADIS based in Bungoma as a Consortium to implement the joint project dubbed 'expanding the scope for PBOs and citizens to engage with the BBI Report for the continued transformation of Kenya's economic, political and institutional governance'.

1.1 Background

On the 9th of March 2018 H.E. Uhuru Kenyatta and his challenger H.E. Raila Amolo Odinga unveiled a rapprochement hitherto now famously known as the 'handshake' that gave birth to the Building Bridges to a New Kenyan Nation Initiative in a manner and style that surprised all Kenyans bearing in mind the antagonistic relationship they had during previous elections. In an effort that gave the clearest indication that the two protagonists were keen to move the country away from destructive politics - the scourge of debilitating cyclic electoral violence - in a bid to facilitate inclusive reforms of both the economy and institutions, the two leaders formed a taskforce on Building Bridges to Unity Advisory and mandated it to consult citizens, leaders, institutions, civil society, the private sector, the religious sector and other stakeholders to recommend solutions to the various social, economic and political problems afflicting the country.

The Task Force has since finished its assignment, and presented a report to the two principals making a raft of recommendations that will have far-reaching consequences on the governance architecture of the country and pacify some of the causal factors that have led to the cycle of violence every five years. A fierce and unrelenting political campaign has erupted following the launch of the BBI Report and the subsequent regional validation rallies at which politicians seem to be stoking with alarming alacrity identity politics exposing in the process our frail, weak and politicized rule of law institutions and state's monopoly of force. Consequently BBI is struggling for objectivity and legitimacy a situation which jeopardizes the vigor with which the principals were engaged in the pursuit of the ultimate goal of Kenya's elusive 'Nationhood Project' whose aim is to spare future generations of Kenyans the deadly cyclical electoral violence.

BBI Report for the continued transformation of Kenya's economic, political and institutional governance. The project aims to: build the momentum for the continued electoral, economic and institutional reforms and expand the choices available to Kenyans; and hold political leaders, government and the BBUI reform initiative to account.

1.2 Rationale of the project

In keeping with PEN-CSRG and its partner's belief that citizens should drive and influence an important national process such as BBI the rapprochement's, lack of representation and participation that reflects the diversity of Kenya's people on the whole may fail to produce inclusive reforms and a lasting political settlement if all major actors are not engaged.

As institutions that continue playing an increasingly



With support from USAID's Safeguarding Democratic Space in Kenya (SADES-K) project funded through FHI360 the PEN/CSRG Consortium has been implementing the project whose thrust is to expand the scope for PBOs and citizens to engage with the

visible role in Kenya's socio-economic and political development including the important role of expanding and protecting the country's democratic space, no group is better placed than Civil Society Organizations (CSOs) to spearhead reflections to

interrogate and engage the BBI report with a view to hold the political leadership to account.

Flowing from the need to ensure relationships of power within the broader political community meet the needs of citizens a perfect opportunity presented itself for a bottoms up citizen agenda for change with credible choices formulated from a public interest scenario building with probable pathways for Kenyans to exercise their citizenship and build their resilience. A foresight exercise was necessary to ensure Kenya's continued transformation largely depends on the capacity and ability of citizens to engage meaningfully with the state and that: tinkering and quick fixes does not dominate our preferred mode of delivering reforms; a deepening of the spiral of decline and decay does not preface 2022 elections; the implosion of electoral conflict witnessed in 2017 does not recur to visit untold damage to the economy from defiance, resistance and boycotts; citizens are afforded a tool for proactive planning and decision making as well as resilience; a worst case scenario is constructed to manage risk given the history of violence that characterizes our elections, the impending succession with an incumbent serving his final term, the possibility of realignment due to a declining economy and intense voter involvement in 2022; and a referendum, a problematic election or a volatile political environment are not isolated possibilities.

1.3 Our Journey

A working group made up of eleven (11) individuals with representations from civil society, the legal fraternity, the human rights and development sectors as well as the womens' movement and Faith Based Groups was constituted to provide project oversight. A quick literature review was conducted to understand the facts and trends that indicates the state of affairs to enhance our common understanding. This was very useful because the BBI documents kept changing quite often. Twenty key informant interviews were conducted with leaders in civil society, the private sector, think tanks, academia, media, donors and members of the diplomatic core,

politicians, religious leaders, union representatives, and representatives of various interest groups like women, youth and pastoralist groups, to get expert opinion in areas of governance, elections, politics, development, the economy and social matters. Seven regional consultations were held in Machakos, Nyeri, Mombasa, Nakuru, Kisumu, Garissa, and Nairobi with community leaders to test assumptions of what knowledge, beliefs, prejudices, mindsets, and interests exist on the subject. The knowledge collected from the four processes was collated and through a scenarios building exercise, three mutually exclusive scenarios were built with accompanying implications for each scenario. Proposed considerations and dialogue points to key stakeholders like Government of Kenya, IEBC, civil society groups, the religious fraternity, independent institutions, political parties, private sector, the media and the donor community are in-built into the report.

The implications of COVID-19 pandemic, BBI and the envisaged referendum, 2022 elections, transitions/succession and threats to devolution require a concrete well researched analysis and body of data to inform, educate and advocate for the common good of citizens. The threat that parliamentarians may short circuit popular reforms by choosing a parliamentary process and following from the standoff witnessed in the Senate regarding the sharing of resources among counties gives us indicators that it will be unfortunate to leave this important reform agenda entirely to politicians. It is therefore our hope that the report will bring out key discussion points and contribute to the agenda setting for the sector.





2. Analysis Framework - Scenarios Building

2.1 About scenarios

In order to produce this report, the scenarios building methodology was used. Scenarios are stories about possible futures we may have to face whether we like it or not. The process involves careful scoping of the main issues by scanning the internal and external environment to determine how past, present and future trends have been and are likely to evolve over time. In addition to this robust data analysis process, expert opinion and intuitive scenarios conversations are held with a multi-stakeholder group to help surface key determinants of how the future will pan out. Scenarios are therefore not predictions about the future but pictures of different and possible paths into the future. Each scenario also considers the context of decisions key stakeholders make, and the circumstances under which these decisions will be made, and weaves in the driving forces to shape different possible outcomes that are plausible in the next five years.

Scenarios offer an opportunity to stimulate fresh thinking about an issue based on the wider systems perspective which goes beyond the linear limits of project plans, and deliverables. By placing important policy issues in imagined but probable settings, we illuminate today's strategies from the vantage point of future outcomes. They also form important conversation starters of evaluating current strategies in the political landscape and to catalyze new strategic ideas, guided by the possible outcomes depicted in the scenario stories. In contrast to traditional political analysis conversations or strategic planning processes, this approach allows participants to take inspiration from both predictable or conventional outcomes as well as unpredictable or unconventional but plausible versions of the future, then back cast into the present to figure out preparedness strategies and plans. This is in addition to shaping the future from a point of view of likely events but also hopeful visions while avoiding the bleak futures we may have to face whether we like it or not.

2.2 Benefits of Scenarios Building

In this work, PEN and its partners would like to draw five benefits of scenarios thinking for the political discourse.

Widen focus to different future possibilities

This work, typical of any scenarios exercise, acknowledges that there are various and different possible futures that could occur in the next five years. The work is therefore not giving a prescribed future but it seeks to widen the focus, particularly through evaluating different ways in which drivers of change could evolve in the future.

Anticipate and influence change

In the different evolutions of the driving forces, these scenarios help identify surprises and interruptions in anticipated trends that will shape these futures. By being able to recognize various signals, surprises can be minimized, signs of change recognized and the responses of various actors can be more effective

thus helping relevant organizations to prepare better for these eventualities.

Be more prepared

The use of scenarios can help the government, citizens, private sector, media, international actors and civil society groups as well as other actors better determine the impact of certain actions before they are actually taken. Through these insights, major actors can identify pitfalls, provide opportunities to influence new direction, and provide robust strategies.

Lead to new ways of thinking

The scenarios encourage thinking beyond traditional approaches to problem solving and exploitation of opportunities. There are therefore invaluable in breaking stereotypes, they can catalyze radical changes, and bring new dimensions to ongoing conversations on the problems and issues facing the country. They also provide invaluable insights and points of reference when evaluating current strategies or formulating new ones.









3. A Literature Review of Dominant Perceptions, Positions and Narratives of BBI

3.1 Introduction and Context

A quick scan of publicly available information on the ***Building Bridges to Unity Initiative***, (hereinafter referred to as BBI) was done to establish the dominant ideas and perceptions of the initiative and its objectives. As Kenya moves closer to the 2022 transitional general elections, observers across both divides see the BBI process and its outcomes as critical to these elections. The Building Bridges to Unity Initiative (BBI) came out of the “handshake” between Uhuru Kenyatta and Raila Odinga (the two principals) who were the main protagonists during the 2017 general election in Kenya. The

“handshake” restored calm in the country after a particularly divisive electioneering period that saw the Supreme Court nullify the first results of the presidential elections, a parallel swearing in of the opposition candidate as the “people’s president,” civil unrest brought about by demonstrations, a fairly effective economic boycott (#Resist) movement and high handed police response in areas predominantly inhabited by populations from opposition parties.³

The review finds that the handshake between Uhuru Kenyatta and Raila Odinga played a momentous role in restoring peaceful coexistence amongst Kenyans after divisive elections in 2017 that saw loss

3 Safeguarding Democratic Space in Kenya (2018): Report on select proceedings of the Co-creation Workshops. Nairobi.

of lives, abuse of human rights, and significant disruption of the economy. The proposed initiative to build bridges towards a more inclusive and prosperous Kenya received support from a cross section of sectors in Kenya, development partners and international community. The support and goodwill have steadily waned as the BBI has proposed changes to the constitution as a means to addressing the 9 challenges identified as impeding Kenya's progress. The BBI task-force which formally became the steering committee on implementation of the Building Bridges to a United Kenya task force is preparing the final report on constitutional, legal, policy and administrative reforms from the BBI taskforce. When this report is published, it will be clear what recommendations are proposed to rid the country of among other ills, disruptive and violent elections every five years.

“...the public discourse has been reduced to those who want to change the constitution of Kenya, 2010 and those who argue for full implementation of the constitution and its promise.”

Literature from 2018 is for most part supportive of the BBI issues, in contrast of material from 2019 onwards. This can be attributed to contentious proposals that have come out of the BBI report and county fora that sought to amend sections of the constitution. The progression from support to questioning to outright resistance and rejection has been steady from 2018 to 2020 with more and is expected to intensify if such proposals are to remain in the final report that has had many false launches to-date. Although generally unexpected by many, the handshake played a role in calming political temperatures and rising economic jitters. A review of literature reveals two dominant public sentiments and narratives, namely those driven by the support for, and those driven by opposition to both BBI as an idea and BBI as the process. Subsequently, the public discourse has been reduced to those who want to change the

constitution of Kenya, 2010 and those who argue for full implementation of the constitution and its promise. As expected, there are those who stand in the middle. This swing group carries the traditional 'undecideds' and those who genuinely see some merits in both sides of the debate.

3.2 In Support of BBI and Constitutional Change

As principals, President Uhuru Kenyatta and Hon. Raila Odinga are presumed to be the strongest supporters of BBI.⁴ In their **Joint Communique** delivered on the steps of Harambee House on the day of the announcement of the handshake in 2018, the two principals identified 9 issues that – in their opinion – needed to be addressed if Kenya is to rid itself of disruptive elections every five years, including: ethnic antagonism and competition; lack of national ethos; inclusivity; devolution; divisive elections; safety and security; corruption; shared prosperity and responsibilities versus rights.⁵ The communique states the greatest justification for the handshake, the BBI and the eventual referendum by admitting that while Kenyans have achieved a lot in their efforts to build a nation that is responsive to the urgent need for prosperity, fairness and dignity for all, a lot still remains to be done. And because of these deficits, the Kenyan people are crying out for leadership that shows the path to dignity, prosperity and security. Subsequently, the statement “...**There are changes that are required in our system of governance for us to succeed...**” perhaps reveals a premeditated commitment by the two principals to a raft of constitutional amendments to cure what in their view were the basis of the national problems.

Although the actual handshake came as a surprise to the nation, there had been calls for dialogue between the two protagonists of the 2017 elections.⁶ Thus, the spirit of the handshake was roundly applauded and accepted across non-state actors, the faith community, private sector, development

4 R. Otieno (2020). BBI Will Create Equal Chances for All. Available at: <https://bit.ly/3639sfP>

5 The Presidency (2018). Joint Communique on Building Bridges to a New Kenyan Nation. Available at: <https://bit.ly/3iallC1>

6 NARC KENYA Party (2019). Submitted Memorandum to BBI Taskforce. Nairobi. Kenya

partners and other friends of Kenya. The impact was almost immediate. Kanyungi and Gudda⁷ found that there was a marked positive impact of the handshake on the Nairobi Stock Exchange and that the reconciliation (or ceasefire) resulted in political stability which in turn created a conducive business environment, restored investor confidence and led to increase in investment.

Obure⁸ observes that the handshake brought about a 'sense of representation and inclusivity' in the nation by settling the rivalry between the Kikuyu and the Luo, two ethnic groups with one of the fiercest political rivalries in Kenya. Like many other countries, Kenya has ethnic and religious diversities that can occasionally result in tensions among the population. Arguing that lessons from the BBI model can add value to governance in Africa and globally, Obure adds that the compromise exhibited by the two protagonists and which birthed the BBI can enable achievement of greater diversity and address exclusion and marginalization. In this regard, the BBI model presents a template that other nations can learn from to reconcile in the face of deep political/social cleavages and deepen inclusivity and representation.⁹

The youth, a significant population in Kenya, also welcomed the cessation of hostilities that came from the handshake. Most of those who lost lives or businesses or were imprisoned during the period were youth either protesting or operating businesses that were disrupted. In collaboration with more than thirty youth groups and associations across national and grassroots, Siasa Place' **Sauti Ya Vijana (Youth Voices)**, is a compilation of youth perspectives on the implementation of the constitution of Kenya 2010, ten years since its promulgation. The report indicates that the youth appreciate the space for dialogue as provided by BBI and thus robustly engaged the taskforce. However, one of the most consistent concerns of the youth was on the question

of effective representation at all levels of government, including demands to ringfence one of the deputy prime minister positions for youth should the proposal go through.¹⁰

In its submission to the BBI taskforce, the NARC Kenya party reminded the taskforce that long before the handshake when it was politically incorrect, the party's top leadership had made a public call urging the president and the ODM leader to meet and talk in the interest of the country. For this reason, the party applauds and supports the spirit of the handshake and its contribution in returning the country to normalcy after an extended, tumultuous and divisive election.¹¹ Subsequently, the party add:

... we also acknowledge that it is the handshake that gave birth to the Building Bridges Initiative (BBI) to give life to the ideas espoused by the two leaders at the steps of harambee House, making BBI a public interest and public funded initiative.

Additionally, the party hoped that the political goodwill generated at the time the handshake would extend to the fight against corruption, and that BBI could rally political support to strengthen accountability institutions, deepen oversight over counties and ensure recovery of assets and funds lost through corruption.

Overtime, Kenya has undertaken multiple governance and specifically electoral reforms, including promulgating a new progressive constitution in 2010, all aimed at improving the conduct of elections to ensure elections safeguard the right of Kenyans to elect their chosen leaders on the one hand, and that electoral outcomes reflect the popular and true will of the people. Despite these efforts however, elections have become harbingers of violence and disruption every few years. While others have pointed to the zero-sum nature of electoral competition in Kenya as the main cause of electoral violence, Peter

7 G.E. Kanyungi, P. Gudda (2019): Dynamics in the Business Environment: Effect of the Building Bridges Initiative on Performance of Nairobi Securities Exchange, Kenya. Maasai Mara University. Kenya. Available at: <https://bit.ly/308JZxF>

8 C. Obure (2019). Silver Bullet to national unity in Kenya, or just another missed opportunity? Available at: <https://bit.ly/3j2PJ3f>

9 Ibid

10 Siasa Place (2020). Sauti ya Vijana Report: Youth Perspectives on implementation of the Constitution of Kenya. Nairobi. Kenya.

11 NARC Kenya Party (2019). Submission to BBI Taskforce. Nairobi. Kenya

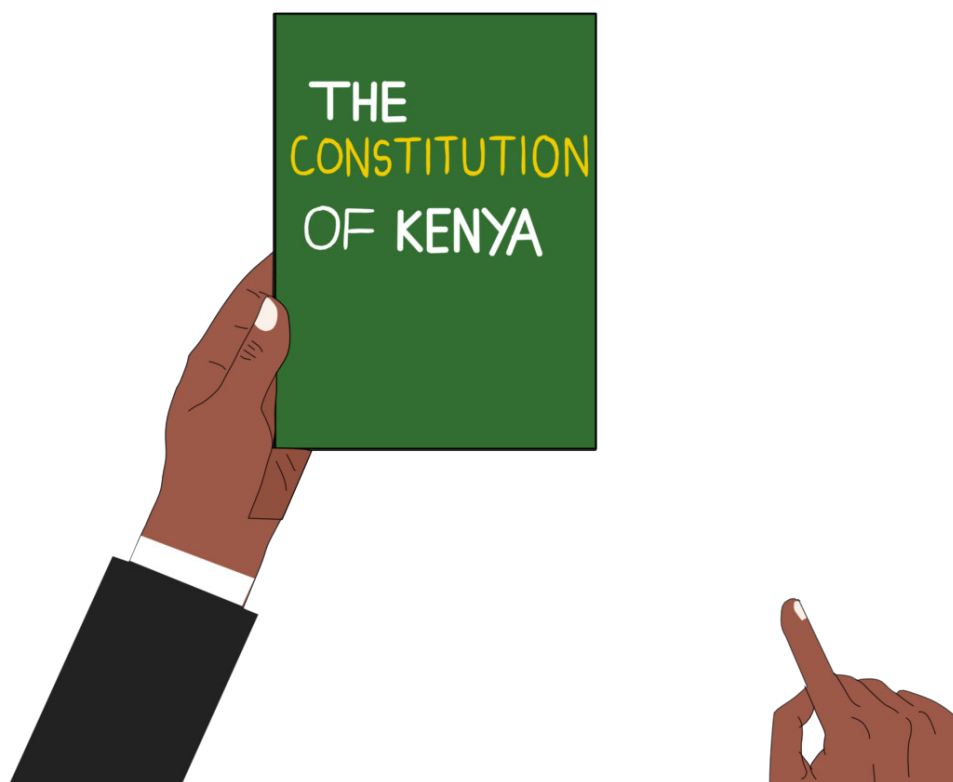
Kagwanja¹² notes that globally, the idea of consensus democracy is emerging as an alternative to winner-take-all kind of politics. In this regard, the handshake signifies a bold experiment in a political system that accommodates as diverse range of political opinions as possible. According to Kagwanja, a new social contract is in the offing that will puts out the violent eruptions that naturally follow from zero sum political competition.¹³

3.3 In support of faithful implementation of COK 2010

Also known as the pro-Katiba voices, this second dominant narrative has argued that what the BBI process seeks to cure is already covered exhaustively within the current CoK2010, and that what ails elections and Kenya's politics is not a lack of legal instruments and standards, but deepened impunity and a lack of political will to adhere to and faithfully implement the constitution.

elections would take a significance of place in the discussion. At the same time, one can argue that given the historical tensions and strained relationships among Kenyan ethnicities, elections have often provided the perfect trigger for heightened animosity and sometimes violence against perceived 'others.' In its submissions to the BBI taskforce, the Judicial Service Commission¹⁴ states that divisive elections are not the main governance challenge per se but that the issue is a lack of integrity in elections that causes episodic violence. While there is a convergence among the literature that the conduct of elections in Kenya needs to improve dramatically, the point of divergence is in 'how and what' the best way to do this could be.

The BBI process also faces allegations of exclusivity, that despite having broader goodwill across actors at its formation, the exercise has failed - many months later - to transform itself from the private conversations between Jubilee and ODM parties to reflect the face



The handshake and the subsequent BBI process came out of a fiercely disputed election, and so it is understandable that the conduct and nature of

of Kenya.¹⁵ At the same time, those opposed to the BBI argue that there is little evidence to show that the

12 P. Kagwanja (2020). Consensus Democracy can Cure Kenya's Politics of Covid-19 Crisis. Available at: <https://bit.ly/3mQCNjk>

13 Ibid

14 Memorandum of the Judicial Service Commission (JSC) the Building Bridges Initiative (2019). Available at: <https://bit.ly/2RWJXof>

15 NARC KENYA Party (2019). Submission to BBI Taskforce. Nairobi. Kenya

development of the initial 9-Point agenda contained in the founding communique benefited from any consultation outside of the inner circle of the two principals.¹⁶ In this regard, some have argued that the BBI taskforce is run like a tight deep state ship, and lacking in transparency and meaningful public consultations.¹⁷

Although BBI was presented as a national consultative process whose outcome recommendations were not pre-determined, others have argued that the process has not only been anything but inclusive, but that the BBI dialogue has since collapsed into rushed efforts to amend the constitution through a referendum, as exemplified by, among others, the Orange Democratic Party (ODM) leadership's demands that the BBI process be quickly concluded to enable the referendum that will change the constitution.¹⁸

Recognizing the need for stricter processes through which the constitution can be changed, a petition¹⁹ has been filed in the high court seeking the establishment of a more rigorous framework through which proposals to amend the constitution can be assessed for validity. The petition wants any such proposals be audited by the high court to ensure they are not flimsy, expedient and are necessary changes to improve the supreme law.

Non-state actors and Civil Society organizations highlight the trend by government to ignore laws that have undergone robust consultations and public participation. Non commencement of the PBO Act that would provide a guiding legal regime for the NGO sector is one such example. They doubt the government's trustworthiness in taking on more amendments yet failing to implement already existing laws. They observe that the constitution is already a good enough law that can ably address

the 9 challenges in the BBI report without need for amendments. Most citizens are in a state of confusion as to the details, purpose and benefits of the BBI. What is the deal behind the deal? And what does the BBI mean (or should mean?) with regard to historical injustices? 20

The People's Popular Initiative Convention,²¹ convened at Limuru on the occasion of the commemoration of the 30th anniversary of the iconic #SabaSaba, called the BBI "a fraudulent collection of views from Kenyans," terming its intentions and propositions escapist, coming from a leadership that has not only failed to implement the Constitution of Kenya 2010 but has **turned the State into a fully-fledged criminal enterprise**. The organizers of this platform argued that there is evidence globally that constitutional amendments have been used to entrench dictatorships.

Access to information challenges with regard to the BBI report, proceedings and process has been cited as evidence of exclusionary action and a lack of transparency and honesty by the pro-BBI brigade. **Sauti ya Vijana Report**²² by Siasa Place and other youth organizations cite the challenge of access to the BBI report and processes for youth in Mombasa. Juxtaposing the BBI and earlier Kilifi and Wako drafts of the constitution which were used to educate the public ahead of the 2010 referendum, the public has struggled to get both hard and soft copy versions of the report. In the same vein, access to information requests on the BBI process by civil society actors have been ignored by the government. Such civil society actors including the ICJ-Kenya, MUHURI and Katiba Institute have argued that state refusal to comply with or honor clear constitutional provisions show that BBI is driven by the same logic of defiance and impunity that has undermined CoK2010.²³

16 Ibid

17 A. Aketch (2019). Building Bridges or Walls? BBI Charades Masquerading as "Public Consultations." Available at: <https://bit.ly/3kJTRFW>

18 P. Onyango (2020). ODM Wants BBI Fast-Tracked to Pave Way for Referendum. Available at: <https://bit.ly/340KqLw>

19 J. Mireri (2020). Our Aim is to Cure Political Mischief not Switch off BBI Reggae. Available at: <https://bit.ly/3j3YBpB>

20 Safeguarding Democratic Space in Kenya (2018): Report on select proceedings of the Co-creation Workshops. Nairobi.

21 People's Popular Initiative Convention Activation Concept Note (2020). Tekeleza Katiba, Boresha Maisha. Limuru. Kenya

22 Siasa Place (2020). Sauti ya Vijana Report: Youth Perspectives on implementation of the Constitution of Kenya. Nairobi. Kenya.

23 Request for Information by CSOs Regarding BBI and the Building Bridges Advisory Taskforce (2019). Available at: <https://bit.ly/3j7MlyQ>

In ***Constitutional Moment Must Involve All Citizens***,²⁴ Martha Karua underscores the exclusionary approach of the BBI, arguing that calls for constitutional change are premature in the absence of any meaningful effort to implement the existing constitution. Illegal actions, disobedience of court orders, failure to implement the not-more-than-two-thirds gender rule, as documented lack of commitment to the implementation of Chapter Six on leadership and integrity points to a government that is intent on reversing constitutional gains made over decades. Additionally, the fact that the ruling party has itself imploded due to lack of accommodation of divergent views on BBI indicates the lack of tolerance around the process.

Noting the most prominent paradox of BBI, Rawlings and Winfred observe that while the handshake was premised on bringing reconciliation and greater social and political harmony to the nation, the BBI has sowed deep divisions not only within the ruling Jubilee Party, but also resulted in increased tensions, intolerance and violence across the country.²⁵ The State of the Nation address by President Kenyatta in April 2019 signified the incredible opposition to the president's move from within his own party, they add.²⁶ Concerns have been raised about the manner in which the public forums held in 2020 in the counties were being implemented that excluded politicians who voiced opposition to the BBI process.²⁷

Comparing the BBI process with the constitution making process for CoK2010, former Chief Justice Dr. Willy Mutunga notes that the making of the constitution intentionally undertook a more robust public participation and went to great lengths to ensure ownership of every article by Kenyans.²⁸ Any process to amend the constitution ought to likewise achieve the same standard of popular participation and ownership.

Reinforcing this view is Waikwa Wanyoike²⁹ who says that in contrast to the participatory nature of the CoK2010, the BBI is an initiative driven by narrowly defined interests of a small political elite bent on birthing a political dispensation that favors those interests, and in the process subverting the sovereignty of the people of Kenya as guaranteed in the 2010 Constitution. The Judicial Service Commission³⁰ in its submission to the BBI taskforce was categorical that there exists enough within the Constitution 2010 and other reports including Waki Report, Kriegler report, to effectively address all the 9 issues listed in the BBI communique and task force report. What is missing is an honest discussion about why the nation has failed in implementing and entrenching for instance the national ethos enshrined in Article 10 (2), 232 (1), the Leadership and Integrity Act and the Public Officers Ethics Act to mention a few. This view is reiterated by the Kenya National Commission on Human Rights (KNCHR) whose Advisory to the BBI asserts that there exists within CoK2010 and the statutes enough to instill national ethos.³¹

3.4 Key contentions and thoughts

In reconciling and putting the needs of the nation above personal and party competition, Uhuru Kenyatta and Raila Odinga put an end to a short period of tension, division and violence that threatened to tear the nation apart. The call to national unity and desire to craft a better political culture away from the cycle of violent elections every 5 years was widely supported across the country and beyond.

This review finds that if the BBI abandons the effort to increase the size of government by creating more elective positions through constitutional amendments, there would be more support for the

24 M. Karua (2020). *Constitutional Moment Must Involve All Citizens*. Available at: <https://bit.ly/3kRulPf>

25 Winfred and Rawlings (2019). *How Kenya Politics have changed since "Handshake,"* Available at: <https://bit.ly/36EGqDq>

26 Winfred and Rawlings (2019). *How Kenya Politics have changed since "Handshake,"* Available at: <https://bit.ly/36EGqDq>

27 Ibid

28 W. Mutunga (2020). *People Power in the 2020 Constitution: A Reality or an Illusion?* Available at: <https://bit.ly/3mRpOOr>

29 W. Waikwa (2019). *Why it is Unlikely the Constitution can be Amended before 2022.* Available at: <https://bit.ly/3kL0iZo>

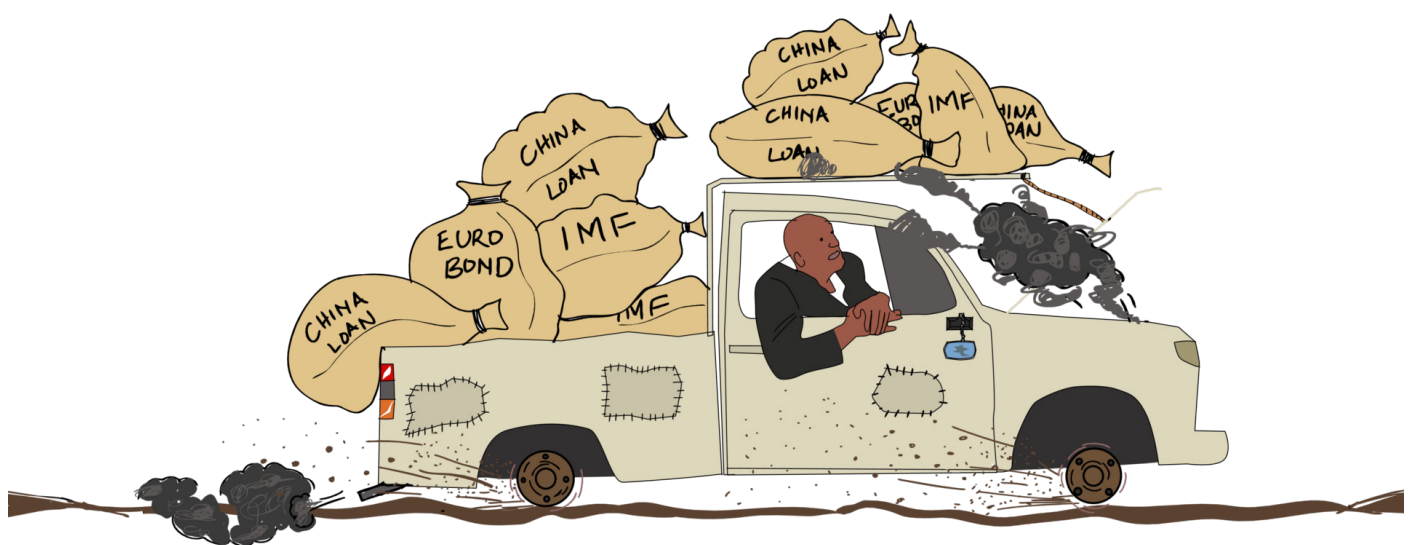
30 Memorandum of the Judicial Service Commission (JSC) the Building Bridges Initiative (2019). Available at: <https://bit.ly/2RWJXof>

31 Kenya National Commission on Human Rights Advisory Memorandum to the Building Bridges Initiative (2019). Available at: <https://bit.ly/3i3c3J5>

dialogue on economic inclusion, devolution and good governance in general that it generated at the start. While there is convergence of thought that the BBI process can add value to the national dialogue on how to improve governance in Kenya, there is growing resistance against the BBI being the vehicle through which constitutional changes can be made. Evidence has been cited to support the fact that the 9 issues listed in the BBI joint communique' can be addressed within current provisions of the Constitution 2010, existing law and statute.

(probably will be) deployed to ensure a win for the government in the event of a referendum reinforced this thought.³² Yet as lessons from the defeat of government in the 2005 referendum show, the opposing voices have an equal chance at marshalling popular support and defeating government especially when public trust in government is significantly eroded.

However, until the final report of the BBI taskforce is published, one cannot determine what the final



The BBI can add value if it is made inclusive of divergent voices, transparent and accountable in its use of public funds, departs from being implemented as a product of a clique and abandons the call for constitutional changes. The BBI task-force work is found to be heavily scripted, pre-determined and incapable of facilitating robust participation of the public. That the ruling party has been significantly destabilized because of a lack of agreement on BBI is a signal of its inability to midwife consensus towards constitutional changes. The youth have faulted the taskforce for lacking a member seen to represent the youth voice and interests.

The political class should not underestimate the will of the people to protect the constitution. Kenyans are alive to political mischief and are seeing the BBI as exemplifying such. That the state machinery can be

recommendations will be. Until then, arguments on what net value the BBI will have or not cannot be fully expended. The same must be held in abeyance until the report reveals the full recommendations of the BBI process.

3.5 Major issues defining public discourse and sentiments about the BBI

In the meantime, it is important that stakeholders on both sides of the political divide note the 7 major issues that seem to define public discourse and sentiments about the Building Bridges Initiative – and their implications in the event of a referendum:

- i. That in general, many actors and constituencies welcomed the handshake and credit it with

³² G. Warigi (2020). Ruto Can't Afford to Lose this Referendum. Available at: <https://bit.ly/3cHckjT>

restoration of political calm as well as helping to halt the economic ruin.

ii. That, other than the two principals and their respective parties, no other actor seems interested in constitutional overhaul as a means to addressing the 9-Point agenda.

iii. That subsequent to the handshake, the Building Bridges Initiative has not managed to shed off the exclusivity test, and seems to have acted to deepen rather than bridge social and political schisms across the country.

That despite its centrality as a leading cause of electoral strife, there has been very little if any focus on the question of electoral justice including protecting the electoral management body from political manipulation and partisanship in the conduct of elections, how to ensure accountability at individual

and institutional levels and how to secure the integrity of the vote to ensure electoral outcomes reflect the true will of the people.

iv. That there is a strong perception that BBI will expand the size of government – particularly the Executive but also elective posts – so as to accommodate the periodic disagreements and appetites of the political elite.

v. Broad-based legitimacy of the BBI process and goals, both in terms of whether it is necessary to amend the constitution to achieve those objectives, and the manner in which the process has been conducted.

vi. Whether the CoK2010 has failed or the political class/leadership has failed in faithfully implementing the promise of CoK2010.







- Rules
1. Time keeping
 2. Phones on silent mode
 3. Respect each other's opinion
 4. Active participation
 5. Start off and end strong
 6. Minutes improved
 7. Hear more at all times, keep good relations



4. Unearthing narratives, knowledge, mindsets, and prejudices towards BBI

Civil society organizations in Kenya have not optimally played their role effectively for various reasons that range from constricting civic space to diminishing funding for the sector. As such, opportunities for proactive organizing and acting among citizens in the ongoing efforts to bring about fundamental transformation of Kenya's democratic infrastructure and protection of human rights, have been severely challenged. Possibilities of a divisive referendum, a troubling transition election in 2022 and the unprecedented impact of COVID - 19 added

another layer of complexity and presented a worrying future for Kenya particularly in further crippling effective multi-sectoral engagement for Civil Society groups on electoral, economic and institutional/governance reforms. It was therefore vital to unpack the narratives, the knowledge, the mindsets and the prejudices of civil society organizations and the citizens they represent in seven regional forums. Outcomes from the regional forums are as follows.

4.1 Mombasa

BBI is generally good but the lack of clarity on some of the proposals, particularly the place of citizen engagement is very concerning. As much as civil society oppose BBI, it will go through and therefore CSOs need to get involved, but not on the peripheral issues but to engage with the main content and provide meaningful input because the 'train has left the station'. Government has machinery to ensure that BBI goes through 'whether we like it or not'.



Where is the place of public participation? The BBI was for 2 individuals. Is the place of mwananchi important? Does public participation mean agreement or just presence? With the President appointing the Prime Minister, it remains a winner takes it all system. From the trend BBI will shut doors to any other discussions.

What is in the BBI proposals for us – the people? Ward Fund may reduce marginalization and improve things at the local level. However, MCAs are the ones to manage the fund and therefore success depends on how they use the money effectively. Additionally,

the ward fund is one of the main reasons why they are supporting BBI.

Are there losers and winners? BBI won't solve Kenya's main problem e.g. the issue of inclusivity. Only the executive seems to have been considered. Women for example loose in the BBI as the document is not clear on two-thirds gender rule. The 47 women in senate will not solve the issue of representation as such. Are women being told to leave contested positions for men so as to be nominated? If women

are not performing in the National Assembly, will they perform at the senate? In any case, one cannot generalize and say that women representatives are underperforming in parliament as some suggest. There are many men who have also been underperforming. Women are also not talking about the top 5 positions (President, DP, PM and 2DPMs). They seem to be excluded. The Ombudsman for the Judiciary is critical but he or she being a presidential appointee is a big problem. History shows that such a system opens room for abuse. With Member of Parliament being cabinet ministers, chances of inclusivity reduces since as in the current system, the

president can appoint minorities into the cabinet. The (wage) burden is already high and therefore adding new officers and their staff, and the existing debt will multiply the finance burden. BBI will also bring the police under politician's control. BBI is not talking about jobs for the youths and better livelihoods for communities. BBI does not also talk about dignified healthcare, where the real concerns of Kenyan citizens lie.

Where is BBI meeting CSOs?/Other Voices?

The voices of the urban poor who wanted a welfare state to cushion the poor, are generally missing, and therefore this group is opposed to BBI even if '95%' of them have not laid an eye on the document. Tax holidays are only beneficial to big corporations and not to youth with small businesses because they lack capital to start those businesses in the first place. The BBI conversation therefore looks like a contest between 'hustlers and dynasties'. CSOs feel helpless because no matter what they view is, the BBI document will pass.

Is succession the elephant in the room? The BBI document in expanding the executive seems to be providing the opportunity for politicians to negotiate with others for positions. We also need to admit that Kenyans make decisions on which way to vote based on the direction taken by their top political leadership. Ruto's supporters, for example, oppose BBI to support Ruto while Raila and Uhuru's supporters endorse the BBI not so much because they agree with the content but because of their political affiliation. As a result, it looks like CSOs can do little to change the fundamental outcome of people's views based on objectivity of the content.

Can the reggae be stopped? Already 30 governors were present during the signature launch meaning that the chances are slim. Civil Society doesn't have a publicly clear position as a sector. CSOs need a solid agenda achieved by better understanding and reading of the document. Winning is not enough, being on the right side of history is very crucial. CSOs need a voice of reason that does not rely on



The quagmire is that whatever opinion we hold, even if it is not meant to support any political side, the association is made. Any opposition to the content for example, is associated with supporting Ruto. It becomes very difficult to engage while maintaining neutrality.

the Yes/No positions but this is difficult to achieve when individual positions keep shifting. Some also oppose BBI to express their dissatisfaction with the government but our reasons have to be deeper than that.

Assumptions regarding the future of BBI

It is the year 2025. We are gathered at Royal Court

Hotel to reflect what happened between 2020 and 2025. Discuss what you think happened in the following areas.

Table 1: Projections of the future in Coast region

Issue	Opportunities		Threats
	Yes vote for BBI		
BBI Referendum	<p>Those who lacked representation opportunities got it</p> <p>Other areas will also be represented</p> <p>Old guards will still remain relevant</p> <p>Opportunity to vie for a different position (e.g. MP to become PM)</p>		<p>There shall be competing interests</p> <p>Increased wage bill due to expanded legislature and Executive</p> <p>New interests will lead to calls for more referenda</p>
Electoral System and 2022 Elections	<p>Peace and stability since we have been able to include more people/opposition</p>		<p>Election challenges because of proximity between referendum and the general elections, and new commissioners with limited time to prepare for 2022 elections</p> <p>Confusion at the ballot with more candidates at the ballot</p>
State of the Economy	<p>Stable economy due to peace. Investors likely to invest.</p> <p>Easy collaboration with government on various economic issues</p> <p>Youth will be able to access more opportunities</p>		<p>More borrowing thus a debt burden to the citizens</p> <p>Wage bill is high due to creation of more positions</p> <p>Corruption will still exist</p> <p>Tax likely to go up because of the high expenditure on wage bill</p>
State of Institutions	IEBC	<p>Public trust and political goodwill within the country</p> <p>Provide opportunity to strengthen the electoral processes in the country.</p>	
	County Governments	<p>Better service delivery at the counties due to increased resources</p>	<p>Tug of war between Ward Development Fund and the National Government Constituency Development Fund</p> <p>Increased corruption at the counties</p>
	Judiciary	<p>Good checks and balances at the judiciary with introduction of ombudsman</p>	<p>Likely to be weakened with the Ombudsman</p>
State of Institutions	Anti-Corruption	<p>Empowerment of EACC with proposals for new penalties and time taken to conclude cases</p> <p>Witness protection will lead to more reporting by the public</p>	<p>EACC will have lots of confusion and delays due to inherited cases and huge workload especially with the time limits</p> <p>Managing the expectations has become problematic</p>
	Security Agencies	<p>Reformed police</p>	

Issue	Opportunities		Threats
	No vote for BBI		

BBI Referendum	<p>The young will be able to get in</p> <p>It will be an opportunity for some politicians to get publicity</p> <p>We will be able to see our hidden potential as a country</p> <p>We can use it as an opportunity to strengthen the presidential system</p> <p>We get an opportunity to dialogue again and start afresh. The current system supporting BBI will oppose such conversation</p>	<p>Old guard will retain their seats</p> <p>There is a likelihood of violence</p> <p>The incumbents may want to cling to power (2007, Ivory Coast, etc.)</p>	
Electoral System and 2022 Elections	<p>If no wins, it will confirm that Wanjiku still holds power</p> <p>The No team can regroup to win the 2022 elections</p> <p>Presidential system will be strengthened</p> <p>The decision making power will be with the people</p> <p>More dialogues on the electoral systems reforms</p>		
State of the Economy	<p>Corona is an opportunity to have local investments</p> <p>Wage bills remains the same</p>	<p>Recession due to referendum + Covid-19 + other factors</p> <p>Persistence of corruption</p>	
State of Institutions	IEBC		IEBC shall be disbanded with the current commissioners going
	County Governments		The county government will receive less resources as compared to current disbursement
	Judiciary	Opportunity to interrogate why ombudsman was needed in the first place	
	Anti-Corruption	Opportunity to dialogue for Anti-corruption reforms	More corruption and weaker investigations and prosecution systems
	Security Agencies	Opportunity to further negotiate for accountability in the police service	

4.2 Kisumu

Citizens don't know what they don't know: People are asking what they are signing. Referendum on what? In the last referendum booklets were delivered early but on BBI the DC, sub-DDC and assistant chiefs have been given forms and 3 days to have them complete. For a region that leads in terms of fighting for human rights how can we allow this to happen? No matter how few we are we should stand up and say something. The moral question is important. Why are voters being intimidated to sign or lose benefits for senior citizens?



Process is as important as the product: In Homa Bay County when the BBI taskforce came to collect submissions, it did not amount to public participation. The meeting was not publicized, its agenda was not shared prior and participants spoke about devolution instead of the 9-point agenda introduced. Even then the submissions at that meeting do not appear anywhere in the final report.

Politicians set the agenda: The BBI push is highly emotive and many in the region believe that Ber Biro Irwa (BBI) a coinage of the acronym to mean glad tidings are ahead for us is swaying people to support BBI. When the tune is changed the dance style changes as well, so if the two leaders part ways

it is conceivable that the dance will tilt again. Some believe that the BBI referendum will be different from the 2005 or 2010 referendums. The public in Nyanza is being mobilized to go and sign the BBI forms in Bondo with the misinformation that the signing will make Raila *aka* Jakom President. The same mobilization is taking place in churches, among women groups etc.

The BBI content is poisonous: Women by losing the Woman Representative position will be losing 49 million and 44 employees for Kisumu County alone. Migori and Homabay with a combined population that is 100,000 less than Kiambu gets no additional

constituency but Kiambu gets 6. With these 6 the County gets an additional CDF vote of 654 million. How can anyone justify this? But for speaking out against this seeming injustice, proponents of this logic have been banned from contributing to media debates citing that *Baba's* project is being opposed.

“... The Midas touch that is associated with Baba seems to have run out, and the Canaanites will be aggrieved if the BBI plan falls apart...”

What will people lose if BBI passes? We must re-shape the conversation and prepare people for what they will lose in the future if BBI passes. The difficulties ahead include the fact that oversight

in a county like Kisumu which is wholly ODM, will collapse completely.

What should CSO' do? - Should they remain outside and pee inside or go in and pee outside?

CSOs have lost out and are playing catch up. CSOs will be condemned whether they support, oppose or remain neutral on BBI. People also do not trust CSOs but we can play the role of shaping debate, promoting the truth and intervening between the politicians by taking a clear position. Even if we cannot stop reggae, we can influence how it is developed in the best interest of the people. Unfortunately, citizens are not clear on what they want. Some believe Counties will be strengthened but many more are apprehensive about an expanded legislature.

Is this Raila's final gasps of redundancy: A popular radio presenter was reported to have said, **“loko ohand dhano tek”** which literally translates to “trading in humans is such an uphill endeavor” and which is taken to mean that human endeavors are very complex. Even though people know BBI is not a magic bullet for solving all the problems citizens have, they still believe the repeated lies that it will

fix things. People still believe their ethnic lords will protect them and they still fall for the fear peddling rather than logic. They still have faith in elections and the election management body that rigged their vote. In the region BBI is selling like hot mandazi and it needs no signatures to pass. The BBI messenger is believed without question. Opposing BBI is therefore seen as support for Ruto. However, a keen look at tone, wording and body language from each region is necessary to ascertain that BBI will mark the end of an era in Luo politics. In the best case scenario Raila becomes President and in the worst case he loses BBI either to Uhuru's betrayal or Ruto's popularity but either way his reign comes to an end because there is an eminent shift. The Midas touch that is associated with Baba seems to have run out, and the Canaanites will be aggrieved if the BBI plan falls apart.

Assumptions regarding the future of BBI

It is the year 2025. We are gathered at Victoria Comfort Inn to reflect what happened between 2020 and 2025. Discuss what you think happened in the following areas.

Table 2: Projections of the future in Nyanza and Western regions

Issue	Opportunities	Threats
Yes vote for BBI		
BBI Referendum	<ul style="list-style-type: none"> Increased allocation of funds to the counties President will run the government smoothly More money at the Ward level Stability of the country More representation through increased constituencies Accountability by cabinet ministers – they can account to parliament Constitution will be strengthened on national values Strengthen electoral justice system from 14 to 30 days for the presidential election petition 	<ul style="list-style-type: none"> High wage bill Level of empowerment of PwDs will be minimal

Electoral System and 2022 Elections		Official opposition will be back There will be a prime minister and two deputies	
State of the Economy		The economy will improve thus more taxes There will be increased productivity in the tea, sugar cane and rice sectors Counties to account on how they have utilized their budgets/expenditures via the bill of rights angle?	Public finance not attended to
State of Institutions	IEBC	Very transparent and accountable No political violence Baba's victory is secured BBI addresses issues in an inclusive manner	More impunity might be witnessed with possibility of dishing out victories
	County Governments	More resources will be given to the counties	Weak oversight Late disbursements of resources Others will be denied opportunities Civil strife People will turn against Jakom
	Judiciary	Protect our thieves (interest) since the BBI passed Government will control the bench Backlog of cases will be reduced	Executive is supreme No independence of the judiciary
	Anti-Corruption	Naming and shaming of those involved in corruption and will be managed by the locals	Impunity Shoddy investigations Manipulation by 'tenderpreneurs' EACC used to manipulate the locals
	Security Agencies	State security will be used by politicians The Nyanza region will be protected as they will be part of 'deep state.' There will be safety	Police brutality will increase Political manipulation of the security agencies Shoddy investigations of crimes

Issue	Opportunities	Threats	
No vote for BBI			
BBI Referendum	<p>Explore more constitutional avenues and implement the constitution in totality</p> <p>People's voices will be heard. Fair process involved</p> <p>Implementation of things without political pressure</p> <p>More funding for CSOs since they will have a voice and also enabled the voices of the people.</p>	<p>Lack of implementation leading to a clamor for another referendum due to unresolved issues</p> <p>Threats to our social and economic development</p> <p>Government will be hard on CSOs because BBI did not pass</p>	
Electoral System and 2022 Elections	<p>Transparent electoral system</p> <p>Look into the gaps that exist and correct them</p> <p>New team may come in and ensure a better turnout for the 2022 elections</p>	<p>Electoral commission cannot conduct an election sustainability</p> <p>Rigging claims and election credibility</p>	
State of the Economy	<p>Investors will have more confidence in the country</p> <p>Recovery of the economy</p> <p>No extra staffing costs</p>	<p>Increased public debt</p> <p>Blame games will continue</p> <p>Rising inflation as a result of the debt burden</p> <p>Time wasted and money wasted of elections and referendum</p> <p>SMEs will not develop as much if the tax holiday is not implemented</p> <p>No long term economic growth since more focus will be on foreign investors rather than local investors</p>	
State of Institutions	IEBC		
	County Governments	<p>Able to show how the 15% is put into use in the counties so that more funds can be disbursed</p>	<p>Lack of projects implementation</p> <p>Increased corruption the counties</p> <p>Uneven development in the counties because of lack of equal distribution of funds</p>
	Judiciary	<p>Independence of the judiciary retained</p>	<p>Lack of implementation of laws/court orders</p> <p>Interference from the executive</p>
	Anti-Corruption	<p>Improvement can be made and loopholes filled</p>	<p>There may be escalation of cases of corruption</p> <p>DCI may take over much of anti-corruption cases with a feeling that EACC is not sufficiently dealing with corruption cases</p> <p>Corruption cases not dealt with</p>
	Security Agencies	<p>Status quo maintained</p>	<p>Status quo maintained</p>

4.3 Nakuru

Civil society in the region have been considered either missing or fence sitters, at a time when communities want some form of direction from the people they consider their change agents. People are desperate for an honest view about the good and the bad in the document. It was noted that BBI had issues both in its process and the content. Like the 2010 referendum the pro and anti-reform groups have laced BBI messages with propaganda and the noise is confusing as well as unbearable, especially if one has not read the document. It is therefore imperative for civil society to analyze, organize and engage.

solve our problems.

- What are the concerns with the content? Some of the proposals contained are contentious from gender equality, structure of government with its mixed arrangement; distortions of separation of powers; unaccountable system of government proposed; interference in the judiciary by the executive through proposed Ombudsman appointment; the additional 70 new constituencies; reforms to the elections management body, referendum financing and purported strengthening of devolution.

- Are we too late on process issues? How do we safeguard fundamental constitutional principles? There is some level of intolerance and bravado in statements such as “nobody can stop reggae, the

“...We must re-shape the conversation and prepare people for what they will lose in the future if BBI passes...”



- BBI has produced 3 groups: the YES, NO and undecided camps. It is also worth noting the process concerns.

- Is the process constitutional? It is certainly packaged as a popular initiative but at the core of it, it has too much government machinery driving it with minimal engagement from citizens.

- Is the process inclusive? Who has been left behind and why? There is a group of people that strongly feels that the process has been going on for two years so anyone who was interested should have participated.

- Is the timing right? Do we have a constitutional moment? How can we change the constitution in the midst of a crisis? There are those who argue that constitutions are ceasefire documents and should

train has left the station” etc. which suggest that there is nothing one can do to have their concerns considered.

Plenary discussions

Citizens don't know what they don't know. We have left the constitution to politicians yet we all have a right to initiate a popular initiative, we need to engage actively but are we too late? We need to open up this reform debate and even pose the question; do we need all the 47 counties? Given the failure of devolution. Many have not read the draft and the 9 issues have mutated to 78 issues. If we read and civil society was active we would make a difference.

Covid-19 scatter. The CSO forum in Nakuru

convened and analyzed the 9 issues when they were first mooted and did a memorandum. The group agreed to be proactive but with the entry of Covid we all scattered. This network needs to be strengthened to undertake sustained civic education on BBI. Prof. Kibwana has gone to court to challenge the process, may be this will slow the process a little. Boniface Mwangi and Jerotich Seii have started a campaign and politicians are realizing the CSOs are active.

Ethnicity ruling the BBI debates: The BBI debate has taken an ethnic angle as most people in the region associate it with Raila and thus confess cannot vote for it. It however appears no one is doing anything about the process to the extent that it is likely to pass. In Kericho 'we can't do much. People are saying let us not even think about this, because of the need to support their Kingpin, DP Ruto'

Fence-sitting has never been our talent: CSOs have not been fence-sitting rather BBI is led by two politicians. CSOs must shun the feeling that we are 'cornered' because the referendum process will go to County assemblies and parliament where we can influence them to stop it. We must start a campaign against two time governors who may support because term limits for them will be removed or MCAs who are eyeing the ward fund or youth who will be swayed by the youth commission as folks pursuing self-interest. "If things don't turn out well, it will be worse than the 2007 post-election violence"

“ The civil society lacks the political mettle to engage the two main political leaders in addition to their diminishing oversight roles since 2013. At the national level the sector does not have credible leadership.

Politicians are setting the agenda: Politicians seem to understand the citizens and are playing them against each other. They are taking advantage of mob psychology, apathy and our knack for associating with a kingpin in each region. Those who don't align with the current kingpin seem to be benefitting more. We cannot however ignore politics that determines everything. BBI's communication is convincing

people that all their problems will be solved with BBI.

CSOs have lost ground: The civil society lacks the political mettle to engage the two main political leaders in addition to their diminishing oversight roles since 2013. At the national level the sector does not have credible leadership.

Of crocodiles and who will be eaten last - "He who protects the crocodile will be eaten last". These issues boil down to which crocodile do you want to eat you? Raila, Kibwana, Uhuru or Ruto. Where in Africa has the opposition beaten an incumbent? We have been called evil society by this regime. Education reforms were forced despite opposition by teachers. The country is captured. The sooner Kenyans internalize this and do the right thing the better. Two people are bent on determining the fate and direction of the country - "**nchi imetekwa nyara**" (the country is held hostage).

Kenyans lack patriotism: BBI claims to be intent in solving the 'winner takes it all' syndrome but the larger problem may be to fight the 'politicians takes it all' behavior. Politicians have found a way around public participation. BBI is not pro-people and majority never gave their views. The few views gathered were ignored and the process went on to include what suits the political class. Are we therefore sure that when we do public participation that our issues will be taken into consideration? Kenyans therefore do not lack patriotism, but the leaders are not patriotic to their country and do not certainly work for the common good of others.

Civic space is crucial: The PBO act would have opened civic space. Politicians don't want it to be implemented on this ground. We need honest people to lead civic space and to ensure its independence.

Assumptions regarding the future of BBI

It is the year 2025. We are gathered at Hotel Waterbuck to reflect what happened between 2020 and 2025. Discuss what you think happened in the following areas.

Table 3: Projections of the future in Rift valley region

Issue		Opportunities	Threats
Yes vote for BBI			
BBI Referendum		<p>Gender agenda discussion will be restarted</p> <p>Winner takes it all challenge will be resolved</p> <p>More resources via the 70 extra constituencies</p> <p>Fairness of representation</p> <p>Parliament to enact laws on popular initiative</p>	<p>More cycles to amend the constitution</p> <p>Lack of implementation of promises</p> <p>Legislation of on some of the issues</p>
Electoral System and 2022 Elections		<p>Sanctity of votes will be offered</p> <p>Legitimacy and integrity of electoral process</p> <p>Transparent elections</p> <p>Strengthened political parties and coalitions</p>	<p>Weeding out of small parties</p> <p>Independence of the commissioners is at the whim of political parties</p>
State of the Economy		<p>Shared prosperity with the bigger cake to share</p> <p>Inclusivity</p> <p>Investor confidence leading to jobs</p> <p>Economy will start to pick up with the government support to MSMEs</p>	<p>Ballooning wage bill</p> <p>Debt burden</p> <p>Less funds for development</p> <p>35% of what for the counties?</p>
State of Institutions	IEBC	<p>Building a more credible institution</p> <p>Commissioners to be varied</p>	
	County Governments	<p>More resources for development</p> <p>More opportunities for jobs</p> <p>Ward funds will trickle down resources</p> <p>Increase in county allocation from 15% to 35%</p>	<p>Level of education of CECs may be low since some will be appointed from the Assembly</p> <p>Poor oversight by the Assembly</p>
	Judiciary		<p>Interference by the executive. Judiciary ombudsman may influence judgements thus loss of judicial independence.</p> <p>Less funding may inhibit service delivery</p>
	Anti-Corruption	<p>Corruption cases to take a maximum of 2 years</p> <p>Increased government accountability since cabinet ministers will also be in Parliament</p>	<p>What happens when the case is not handled within 2 years?</p>
	Security Agencies		<p>Involvement of security agencies in the signature collection is already a backward sign with possibility of more political inference in the security agencies</p>

Issue		Opportunities	Threats
No vote for BBI			
BBI Referendum		<p>Strengthened our constitution</p> <p>Empower independent institutions</p> <p>Counties would still get more allocation if the constitution is adhered to</p> <p>We would have reclaimed our country in terms of dynasties vs hustlers</p> <p>Full implementation of the constitution</p> <p>Reclaim the issue of losers in election</p> <p>Amendment of some clauses in BBI for whoever wins the elections</p> <p>Rejecting the referendum question will further empower the citizens</p>	<p>Another referendum on electoral system</p> <p>Blame game starts</p> <p>Face a threat on the two thirds gender rule</p>
Electoral System and 2022 Elections		Build a credible and manageable system	The cycle of referendum then elections might interfere with the next electoral process
State of the Economy		<p>Once the constitution is strengthened, the economy will be better</p> <p>Current wage bill will be maintained as no extra positions will be created</p> <p>The economy will start to pick up if the government supports MSMEs</p> <p>The president will focus on his Big 4 Agenda as a legacy point</p>	<p>Too much debt by 2025</p> <p>Tough economic times after referendum and elections</p>
State of Institutions	IEBC		<p>A weak IEBC which will slow down the country's stabilization process</p> <p>Manipulation can happen if the referendum passes</p>
	County Governments	<p>Supports the independence of county governments</p> <p>MCA's have held County Governments at ransom</p> <p>Currently, counties are less funded</p>	We will have a state that is angry with its citizens

County Governments	Structures at the county government will be intact and will only be strengthened by 2025 There will be changes in leadership which may bring better leaders	We will have a state that is angry with its citizens
Judiciary		Less funding which hinders service delivery
Anti-Corruption	After politicians after losing elections will be prosecuted and the issues of 'mtu wetu' will arise	
Security Agencies		There current involvement in the collection of signatures might lead us back to the colonial era. BBI will pass if this the way.

4.4 Nairobi

We are facing an uncertain future. The state is polarized and captured, while families, national and regional cohesion is disintegrating. Covid-19 has made it worse and citizens are unable to take charge. With a forced constitutional moment, the future of Kenya seems so uncertain. We must find solutions despite the resistance from the political class. We cannot afford to stand aside while Kenya is in a crisis that must be stopped.

In one participants view, BBI proponents were listening to the public. For example, the public has always made the case that Women representatives are doing nothing and this call has been heeded through the proposed amendment. People said they want more money in the counties and this has been included. Some changes resonate with Kenyans, such as the proposed tax relief for young people. On the flips side the number of representatives is too high and even the current number should be reduced to 100. The likelihood that these proposals will pass is high and there is need to discuss how we should navigate the implications.

BBI is packaged with sweeteners to appease different people and garner wide support: There are various provisions that appease some people such as ward fund to appease MCAs and expanding the executive to allow politicians to negotiate for positions in the inner circle.

BBI's political goodwill can be extended to achieve more: We can utilize the goodwill arising from the BBI process to achieve many of these reforms without changing the constitution. Why offer a 7 year tax holiday instead of dealing with the barriers that inhibit many from getting their livelihoods. For example, the gender question can be solved by dealing with political parties, shunning the tokenistic approach and getting the political leaders to commit to this.

The electoral injustice question has morphed into an overhaul: Kenyans are being shortchanged because what was a handshake to sort out electoral violence has ultimately morphed into a con game and fraud to change the constitution widely. We know the causes of violence in our elections since pre-2002 era. Earlier when it was pre-election violence, competition was geared towards destabilizing the voters to block certain candidates, but lately the contention has shifted to results which then speaks to management of elections. This does not require an overhaul of the constitution but an amendment on that specific issue.

The content has challenges: Why are we changing the governance structure? Why is BBI complicating the gender question? The disbursements to counties are set as minimum which has hit 16% without any amendment to the constitution. The problem to solve is delay in disbursements rather that increase in allocations at a time the country is broke.

On representation if the one man one shilling one vote was the desire then the two member constituency which raised controversy and as abandoned would have been the way to go.

Citizens don't know what they don't know: We have left the constitution to politicians yet we all have a right to initiate a popular initiative, we need to engage actively but are we too late? We need to open



The 73 constituencies are an offensive suggestion.

The people appear powerless: There is a suggestion that we cannot change the report and thus will have to live with it. Can over 20 amendments be made by any of the houses of parliament during debate? Should Kenyans reject the whole document if only 2 amendments of 20 irk them? Or pass it if only 3 of the amendments out of 20 work for them?

BBI is not everything: BBI's main agenda is political power and CSOs must not load everything to it but they can utilize it to push its agenda. That BBI may sail through is almost given, it's not our process but we can use it to extract our agenda e.g. the commencement of the PBO act.

Scenarios in civil society? Civil society has not been very keen to do trend analysis with the aim of understanding future possible outcomes and present strategy. CSOs cannot peg all the national issues of BBI alone. We must be strategic enough to merge politics of the PBO Act and BBI, the economy and social issues in order to get the big picture of things and the strategies we must pursue.

up this reform debate and even pose the question; do we need all the 47 counties? Given the failure of devolution. Many have not read the draft and the 9 issues have mutated to 78 issues. If we read and found an objective stand as civil society, we would make a difference.

- Can CSOs use this BBI moment to push its agenda?
- Kenya is in a crisis. What can we do?
- The Kenyan state is captured. What happens next?
- Kenyans are able to freely express their opinions but so what? Does it make a difference?
- BBI proponents are listening to the public. But, what do they accept and what do they ignore?
- The BBI, in various parts, resonates with different people
- Not all provisions are encouraging e.g. number of parliamentarians vis-à-vis wage bill
- The tax holiday and the Youth Commission are good. But, how will it be implemented?
- How practical with this proposals be? Where will we get revenue from?
- On the gender rule, why can't this apply for presidency as well any other public and elective positions?
- By removing women reps from National Assembly

to Senate, it simply is transferring roles/houses. This has nothing to do with addressing inequality

- When I see BBI, I only see men. Uhuru, Raila, Ruto. Women are not anywhere in that equation.
- Why are we forever weaponizing peace? Are the Prime Minister and the Deputy Prime Ministers positions the only means to have peace? Are we “transforming Kenya from historical blood ties?”
- Why do we need the bridges? Who needs these bridges? Who will walk across these bridges?
- Where did some of the proposals come from? who for example gave proposals around the expansion of the executive e.g. PM and 2 DPMs? Was it in the interest of citizens?
- In terms of devolution and devolving funds, it needs to be looked at keenly. Resources are disbursed two

weeks to the end of the financial year

- BBI is a bitter pill. Will we swallow it? Substantively, we cannot influence its contents.
- CSOs need to develop a basket of data to enable future scenarios
- We need to stop focusing on BBI as everything. The main agenda is political power to be gotten through BBI.
- Most BBI proposals can be achieved by following other means

Assumptions regarding the future of BBI

It is the year 2025. We are gathered at AACC to reflect what happened between 2020 and 2025. Discuss what you think happened in the following areas.

Table 4: Projections of the future in Nairobi region

Issue		Opportunities	Threats
Yes vote for BBI			
BBI Referendum		<p>Status of 2010 constitution maintained</p> <p>The previous landmark reports (Waki, Ndung'u) have been implemented</p> <p>Gender equality will be relooked at</p>	The reports, previous and BBI, may not be implemented
Electoral System and 2022 Elections		<p>New electoral team emerged to conduct elections to streamline the commission</p> <p>Boundaries reviewed as per current constitution</p>	A lot of polarization towards and after 2022 elections as a result of divisions during referendum
State of the Economy		<p>Saved cost of the wage bill</p> <p>Alternative economic proposals made</p>	<p>Donor withdrawals due to poor state of the economy</p> <p>Potential benefits of the tax holiday lost</p>
State of Institutions	IEBC	Opportunity to reflect of electoral challenges and find better solutions	Weakened IEBC
	County Governments	<p>Opportunity to solidify devolution</p> <p>Increased budget progressively</p>	<p>Reduced revenue</p> <p>Lost opportunity to increase revenue allocation to the county thus</p>
	Judiciary	Protecting gains made on judicial independence	
	Anti-Corruption		<p>More room for corruption</p> <p>Lagging corruption cases</p>
	Security Agencies	Maintained independence of the sector	



Issue		Opportunities	Threats
No vote for BBI			
BBI Referendum		<p>Creates a platform for dialogue and exchange for the people and the nation</p> <p>Opportunity to arrive at a common position since the No team is not opposed to the entire document</p> <p>Strengthening governance in the country</p> <p>Increased women participation</p> <p>Expanding representation</p>	<p>The dialogue created can be divisive</p> <p>Cost implication of the referendum will be high</p> <p>There is a likelihood of duplication of roles</p> <p>Unmanageable wage bill</p>
Electoral System and 2022 Elections		<p>Gender and social inclusion at political parties</p> <p>review and strengthening of the electoral body</p> <p>put more informed leaders in 2022 due to more choices and new energy towards 2022 leading to an emerging new leadership</p>	<p>Bigger political parties to benefit more than the smaller ones, especially as regards IEBC commissioners</p>
State of the Economy		<p>Improved economy due to the reforms implemented</p>	<p>Economy will be negatively affected if the proposals are not implemented</p> <p>Bloated wage bill due to increased positions</p>
State of Institutions	IEBC	<p>Reviewed and strengthened electoral bodies</p>	<p>Partisan body with political parties having membership as commissioners</p>
	County Governments	<p>More funds to the counties thus strengthened devolution</p>	<p>Late disbursement of funds and poor revenue collection an issue</p>
	Judiciary	<p>An accountable judiciary via Ombudsman's office</p>	<p>Weakened and less independent judiciary as a result of the ombudsman</p>
	Anti-Corruption	<p>Strengthened EACC</p> <p>Reduced corruption</p> <p>Proper utilization of funds</p>	
	Security Agencies	<p>Strengthened security agencies</p>	<p>Political manipulation within the security agencies</p>

4.5 Machakos

Participants to the forum were interested in benefiting from an appraisal of the fate of the PBO Act but also having heard about BBI, many participants were keen to know and understand much more about it with some additional depth. How BBI tackles gender issues and deals with gender parity as well as protecting the gains women had made in the 2010 Constitution is critical. The proposed amendments in the BBI document need to be conveyed with clarity and analytically. It is vital to know whether BBI speaks to disability issues and their general representation, the youth agenda, and the role of PBOs in governance.

“ The zero sum politics of winner take all is bent on affecting the referendum. The rushed effort to conduct a referendum should raise eyebrows...”

Plenary discussions

Information that Kenya had been experiencing cyclical disruptive and violent elections every five years was agreed and that the BBI's 9 issues were critical in dealing with this phenomenon. As of 2018 the public was generally supportive of BBI and the handshake but from 2019 more contention has been witnessed that has tended towards outright rejection and resistance in 2020. The many false BBI launches have not helped matters.

Two distinct groups have emerged; those in support for BBI and those opposed. The two groups anchor their narratives around the need to change

the Constitution to plug loopholes and the need to implement the Constitution 2010 fully instead of amending it. There is however a middle group that is undecided and doesn't know which way to stand. Ukambani is generally in this latter group - "undecided"

The system of government seems to be the core change in the proposed BBI Bill. Faith based organizations, private sector and development partners seem to support BBI. The youth fraternity is also hoodwinked by certain sweeteners like tax relief and a commission.

The zero sum politics of winner take all is bent on affecting the referendum. The rushed effort to conduct a referendum should raise eyebrows. It should be worrying that an exclusive process is expected to birth an inclusive outcome. While Constitutional moments involve all citizens, citizens are in a state of confusion as many still cannot access BBI information, the public is still struggling to get soft or hard copies. The minimum standards of participation in constitution making has not been met. In terms of content there are contentious issues: size of government and its impact on wage bill. It should also be noted that the Jubilee party has imploded as a result of the BBI process increasing tensions and intolerance in the process.

Assumptions regarding the future of BBI

It is the year 2025. We are gathered at Lysak Park to reflect what happened between 2020 and 2025. Discuss what you think happened in the following areas.

Table 5: Projections of the future in Eastern region

Issue	Opportunities	Threats
Yes and no vote for BBI		
BBI	More resources allocated to the counties	<p>If the BBI formula is not clear, the resources may not increase hence inequality</p> <p>There might be more taxation to the citizens to get more resources</p> <p>Government might take time to disburse the 35%</p>
	Special interest groups involved in governance and the achievement of 2/3 ^{rds} gender rule realized.	<p>An increase of an increased political elite</p> <p>High wage bill</p> <p>Women are removed from where decisions are made to where decisions</p>
	There may be a balanced system that helps with political inclusion (which is about the big 5 communities)	<p>There is a lot of appointment powers of the president i.e. imperial presidency (e.g. who appoints the Prime minister, the head of majority in parliament and who can be fired any time if they do not toe the line – an issue that dilutes the integrity of elective politics)</p> <p>The system still undermines inclusion in as far as it consistently leave out the minority groupings</p>
Electoral system and 2022 elections	<p>IEBC have been reconstituted with representation from political parties</p> <p>The electoral system adopted mixed member proportional representation in meeting the 2/3^{rds} gender rule and special interest groups</p>	<p>Partisanship in the electoral body so that 2022 elections are compromised.</p> <p>Term limit of the incumbent president is not clear and he may come back in another position</p> <p>Probability of a lot of conflict and tension in the 2022 elections.</p>
State of the economy	EAC integration might increase Kenya's GDP???	<p>Treasury borrows more to sustain the wage bill and pay the debt it has</p> <p>Effects of a slowing economy because of two major processes – elections and referendum as well as a global recession because of COVID-19</p> <p>Deepened poverty and vulnerability</p> <p>Default in payment of Chinese loans</p> <p>Increased unemployment of locals and increased employment of foreigners</p>
State of the institutions		
County governments	<p>More resources</p> <p>Opportunity for realizing 2/3^{rds} gender rule in the senate only</p>	Achievement of 2/3 rd is not guaranteed in other positions because of the language “ we shall consider ”
Judiciary	<p>Smaller periods of judging corruption cases</p> <p>Vibrant judicial process</p> <p>Better / more independent</p>	<p>No guarantee that corruption will less</p> <p>Less resources in Kenya will increase corruption</p> <p>Judiciary will be weakened by nomination of ombudsman which threatens their independence.</p>

Issue	Opportunities	Threats
Yes and no vote for BBI		
Anti-corruption	Counties with a lot of resources = more corruption which is an opportunity for anti-corruption	<p>Political interference</p> <p>No deterrent mechanism to bar corrupt people (apart prosecution) from contesting any public office</p> <p>Political leaders are not willing to be held accountable or to take political responsibility for corruption cases under his/her watch.</p> <p>Increased digital fraud by younger people will increase</p>

Issue	• Opportunities	• Threats
• Yes and no vote for BBI		
Security agencies	Beefed up security to reach the UN standard of one to 400 residents as opposed to the current ratio of 1: 1000	<p>Compromising the integrity of the police because of the police council is headed by cabinet secretary (appointed by the president hence the control of the executive) has replaced the national police service which is independent</p> <p>Increased police brutality</p>



4.6 Nyeri

The BBI report has ignored the land question which says a lot about the proponents of BBI. Responsibilities of citizens are proposed to be added to the bill of rights. A few challenges with the issues in the report revolve around: privacy which is likely to be eroded by the data requirements; IEBC to have a 7-member Commission with a 4 year term to be selected by political parties, meaning that the people managing elections are political cronies; nomination slots to be removed; Parliament to have 360 members up from 290; Women representatives to be taken to the Senate; MCAs to be eligible for election as MPs; and 12 laws proposed under BBI.

the essence of our constitution and its key pillars. We must wear thicker lenses to prevent this selfish agenda. Our actions must be guided by separating good from bad. The fear narrative that the BBI front is pushing may influence the voting to be one against rather than for us as has been experienced in the past. People are now learning that it is not right to just vote out of populism and there is a trend where people are now asking questions about specific issues that are affecting them

This is all politics framed as Constitutional reforms: Politicians have succeeded in making their talk about things that resonate with the public pass as truth and reality but do little to have the promises



Plenary discussion

The concept of sovereignty gives power to the people especially to make amendments to the Constitution. Why is this power being usurped by two people? Are we not inviting an imperial presidency once again if we allow him to appoint the expanded executive, the ombudsman and other major positions that should be independent?

The two handshakers seem interested only in reconstituting IEBC through the BBI process. This is a historical moment but if missed we may live to regret because the amendments proposed appear to attack

achieved. So each electoral cycle they moot much of the same debates for electoral campaigns. The political discourses keep the public/citizens distracted from critically examining the issues that matter such as those that concern farmers, land and why it was left out of BBI and questions regarding the state and its inability to fully implement the Constitution. Uhuru may get back to power as a powerful PM through BBI

We the people have been left out: Many people are saying 'leta BBI tuagushe' because they feel disenfranchised and left out as only two people seem to be driving BBI rather than citizens. A lot more people feel that issues they raised during the

consultations have not been captured and therefore the BBI Report is “their” document not ‘ours. This process is akin to re-writing the Constitution

The Mountain might reject BBI: Along the binaries of the hustler vs BBI supporters the region seems to be finding traction with the anti-BBI forces. For some the hustler narrative is the beginning of issue based politics and the madness in the region is only comparable to that experienced in 2015. Those who hold this view do not however explain how the anger and the issues that informed it were dropped in 2017. **If we can’t stop reggae where can we meet reggae?** What should citizens do to sustain issue-based politics? If the 2010 Constitution has not been fully implemented despite the overwhelming public

support who will implement BBI? If the citizens feel powerless, is there need for them to discuss anything? Can we negotiate the bloated wage bill that an expanded executive adds to the tax payer? On the tax relief, could we simply have the SMEs pay some taxes because the revenue is needed? Can the state allow CSOs to thrive and have a role in governance and politics?

Assumptions regarding the future of BBI

It is the year 2025. We are gathered at Westwood Hotel to reflect what happened between 2020 and 2025. Discuss what you think happened in the following areas.

Table 6: Projections of the future in Central region

Issue		Opportunities	Threats
Yes vote for BBI			
BBI Referendum		Reinforcement of PwDs at the political party level	Imperial presidency Jobs may be given to cronies CSs being MPs will reduce oversight Role of senate will be compromised
Electoral System and 2022 Elections		More positions	Conflict of interest as MPs become Ministers
State of the Economy		More job opportunities due to the new positions being created Youth will be exempted from tax	Revenue level falls with tax reliefs Increased wage bill Liquidity in the economy Wealth will lie with only a few
State of Institutions	IEBC	There will be consensus/Less petitions	Control of independent offices IEBC incl. Compromised/manipulable IEBC
	Judiciary	Harmonized judicial system Reduced corruption in the judiciary	Controlled judiciary via the ombudsman
	Anti-Corruption	Expediting of corruption cases	

County Governments	<p>More funding to the counties WDF</p> <p>More job opportunities at the county level</p> <p>Increased opportunity for either gender at the top leadership with the different genders at the Governor and Deputy Governor positions</p>	Weak senate will compromise oversight
Security Agencies	Less rogue police thus strengthen policing	Partisan police

Issue	Opportunities	Threats	
No vote for BBI			
BBI Referendum	We will have time to reflect and chat a way forward for the country	<p>Feeling of revisiting the areas that voted No in the referendum in case the yes side wins both referendum and 2022 elections thus divisive politics</p> <p>Wastage of resources in case the referendum fails.</p> <p>What has been used in the BBI process and referendum will already be massive</p>	
Electoral System and 2022 Elections	<p>Those in power will interfere with IEBC by removing the commissioners and having those sympathetic to them as commissioners</p> <p>Status quo will remain at the IEBC</p>	<p>2022 elections will not be trusted to conduct the 2022 elections</p> <p>Several and lengthy political elections</p> <p>Attempts at the two-third gender rule shall have failed and thus an illegitimate parliament</p>	
State of the Economy	Wage bill will remain the same as concerns parliament	<p>There will be marginalization of some blocks that voted No in the referendum</p> <p>Opportunities lost for the tax holiday for MSMEs</p>	
State of Institutions	IEBC	<p>Status quo will be maintained in these institutions</p> <p>These institutions will continue developing and thriving</p>	
	County Governments		Lost opportunity to receive 'at least 35% for county functions with central government potentially sticking to 15%
	Judiciary		
	Anti-Corruption		
	Security Agencies		

4.7 Garissa

BBI though controversial has made proposals whose intentions could be positive or negative. The versions seem to be multiple and it is not really clear which one is legitimate. Of the many proposals the increase of devolved sharable revenue increasing from 15% to 35% stands out even though the 15% has not been coming through. The ward fund is not practical. The proposed 70 new constituencies seem to target only one region. BBI was going to be a disaster as it would skew support for green regions at the expense of brown (dry) regions. It may be geared to reward certain people and create opportunity for a few. With a battered economy this is not attractive. Scrapping women rep positions is also a loss.

The BBI report is complicated and is undergoing changes along the way. The document and process is dividing Kenyans instead of uniting them and the whole team appears to be against one man, Ruto. He had run out of options and appears to have joined them. The dynasty vs. chicken-seller/hustler narrative is gaining traction. There was disagreement that Ruto is a hustler.

Kenyans are reading too much in BBI, the positions are open to Kenyans and the winner take all can best be dealt with this way. Constituency delimitation is a function of the law that IEBC should undertake

Plenary discussion

The hustler narrative is a lie: Ruto is not a hustler, Moi held his hands followed by Raila, he was a member of YK 92, he has taken sides to enhance his chances in political competition. This has created binaries that he is using to build his clout. ***The Reform proposals are good and bad:*** The role of women in the Senate

is not clear. Why scrap the nomination slots? Why increase numbers in representation? Who will pay? Some of the proposed changes undermine the 2010 constitution that we have not fully implemented.

Can BBI be stopped? Not with a sleeping civil society. The horse has bolted already but we can vote all politicians out with this opportunity. Linda Katiba movement can organize the sector. Majority Kenyans are youth who are intelligent. We can stop BBI if we work together with religious leaders SUPKEM, NCCK etc. Government will force signatures out but will not control the individual vote. Like Huduma number, chiefs are forcing citizens to sign.

Can Civil Society build the 3rd force? Should all politicians move to the YES side civil society has the best chance to reinvent itself by mobilizing for the NO campaigns. Kenyans are eventually very manipulatable and politicians with their deep pockets will get whatever they want. Many Kenyans vote for tribe, ethnicity and inducements.

Kenyans know little about BBI: Kenyans don't understand BBI. They know it as a political and not economic or legislative document. To them, it is about who supports it. If religious groups get involved, the BBI process may be stopped.

Need to rethink our priorities: In the midst of a pandemic focus should be on PPEs and support to healthcare workers, health, corruption, intercommunity conflicts, border conflicts not signatures.

Assumptions regarding the future of BBI

It is the year 2025. We are gathered at Lantern Resort to reflect what happened between 2020 and 2025. Discuss what you think happened in the following areas.

Table 7: Projections of the future in Northern region

Issue		Opportunity	Threats
No vote for BBI			
BBI Referendum		Implementation of the 2010 constitution Chance to improve public participation in referendum Genuine audit of the 2010 constitution Increased civic space for CSOs	Harassment from security agencies Police brutality and harassment to the public Donors with interest may pull out Shrinking of civic space for PBOs
Electoral System and 2022 Elections		Reformed constitution and IEBC systems Faith, credibility and recognition of the IEBC	Two-thirds gender rule may be overlooked Heightened political tension Disbandment of the IEBC High chances of election rigging
State of the Economy		Less expenditure on recurrent budget – economic balance Less debts	Deep state can overburden the country via corruption Trade and economic restriction Increased taxation
State of Institutions	IEBC	Reforms of IEBC Public trust in IEBC	Disbandment of IEBC
	County Governments	Functionality of IEBC Maintenance of Governance term limits	Governorship limit
State of Institutions	Judiciary	Independence of the judiciary retained Improved service delivery	Denial of funds Interference from the executive Continued clogging of court



Issue	Opportunity	Threats	
Yes vote for BBI			
BBI Referendum	Political temperatures have subsidized Inclusivity has been improved Ward Fund has been established	Tribal clashed due to No camp	
Electoral System and 2022 Elections	Free and electoral process Peaceful elections	Some IEBC Commissioners were sent packing	
State of the Economy	Improvement of the economy after a stable election due to Investors coming back Developed market for Kenyan goods	Bloated wage bill due to expanded government arms	
State of Institutions	IEBC	Revamped IEBC An Independent IEBC fully in place	Legal wars from former commissioners
	County Governments	More money pumped into the counties (from 15% to 30%)	More corruption
	Judiciary	Introduction of an ombudsman Judiciary will be funded directly from the consolidated fund Independent and free from any interference	
	Anti-Corruption	Given more powers to prosecute	
	Security Agencies	Powers reduced and discipline increased Aps and Kenya police under one arm	





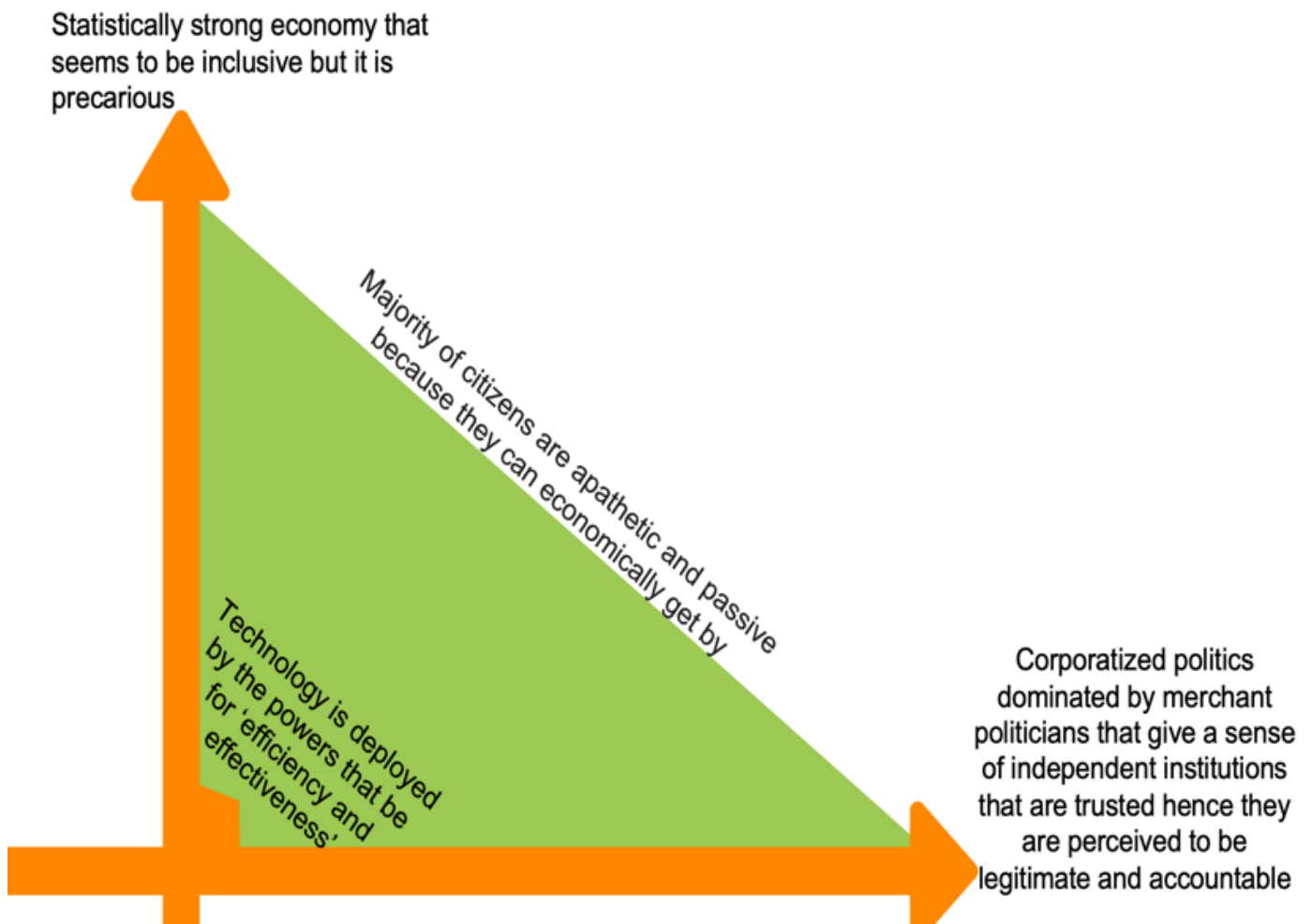


Figure 1: System ya matapeli scenarios framework

How did this happen?

Historical amnesia and internal contradictions of the BBI elite unravel, consequently leading to the handshake and the referendum aborting. Raila and Ruto join forces and build momentum on a campaign against what they refer to as 'politics of cyclical betrayal' but both steer clear of their diametrically opposed BBI positions. **Kamwana** and his 'sacred' alliance anoints Gideon Moi as the successor, a move that sparks a fierce confrontation between the two hegemonies with vicious anti-dynasty sentiments based on class exceptionalism. These sentiments morph into nationalist political narratives that rekindle regional secessionist discourses reviving Mombasa Republic Council and other radical regional formations that consolidate the clamor for the split of Kenya into the 'Central Republic' and the 'Peoples Republic' which expose the frailties of the state's monopoly of force. The secessionists

recruit young men, goons and gangs from the steady supply of jobless youth, who are confronted by heavy deployment of security apparatus by the incumbents alliance. COVID and debt become the easy excuse to justify an indefinite postponement of the elections in a bid to buy time to quell the disquiet, also citing that it would be detrimental to hold elections under such acrimonious circumstances.

With the help of a UN and an AU mediation process, a broke Kenya secures a grant to manage the 2025 elections under stringent conditionalities among them engaging a foreign 'independent' company - Charade Inc. to run the elections. The move evinces the prospect of a fair and transparent election and an assurance that may assuage citizens who are angry and have lost all confidence in elections to turn out and vote. Charade Inc. cleans up the voter register and admits new voters in record time with their efficient tech-systems. Procurement of voting material is done on time as they are the sole suppliers. Election day operations and logistics are executed with

unparalleled precision, while the counting and results transmission is uneventful. Kenyans are happy that the process seemed credible, with the defeated side returning to 'normalcy' grudgingly. With time, snippets of information emerge suggesting that Charade Inc. is connected to the political elite and their offshore business partners. Politicians from both sides also encouraged the use of tech since they own shares in the supplying companies and would further use the profits for their own political ends. People learn the outcome is no different from the 2017 "Vifaranga vya Computer" situation that gets Gideon Moi declared as the new President of Kenya.

The 2025 political outcome reignites debates about Cambridge analytica types of operations. Investigative reports can finally reveal that Charade Inc. apparently used government databases at their disposal to segment voters through a social media interface app and using data augmentation techniques, subjected the data to a psychographic analysis to predict voter patterns including turnout, likelihood and direction of voting. This information was used to create subliminal messages that predetermined low voter turnout in opposition areas while pre-creating spiked turnout in government friendly zones.


sway their stance in certain ways. Proxy companies deployed by the incumbents party and its affiliates, did microtargeting on both government friendly and opposing candidates to assist with the outcomes at national to ward levels. By the time elections were over, many candidates came to realize, that elections were just an event and a formality because the outcome was properly fixed- **kweli mtajua hamjui, mmepangwa, mkapangika**'. Realizing **'wamecheswo'** Kenyans pour onto the streets but these protests are quickly neutralized when the two Coalitions sign another elite pact to work together in a Government of National Unity **aka** handshake two reloaded. The handshake was necessary to sanitize their actions and institutionalize the triumph of a 'negotiated democracy' over the spectacle of elections, having manufactured consent by controlling the civic and cyber space with mis/information, surveillance to actively counter opposing views with official narratives or by trolling and bullying opposing sentiments.

Cut from the cloth of mediocrity, Gideon is concerned with the survival of the corporate state and their self-interests. He embarks on a continuation of his predecessor's state-led reform agenda that seeks to selectively implement the 2010 Constitution



The fence sitter counties were actively messaged to

especially provisions that accrue the greatest political and economic benefits to them. Independent



“Independent institutions are hamstrung and denied funding to only exist for the optics...”

institutions are hamstrung and denied funding to only exist for the optics. With the aim of de-regulating the economy and asset stripping the country of public resources, MDAs are sabotaged and pillaged then offered for private acquisition. The irresistible popularity of the devolved system saves the Counties but term limits for Governors are removed to pacify the regional Kingpins from the nationalist balkanization narratives that had been mobilized against what was billed the 'coronation of a monarchy'. Effectively this move expands the oligarchy and, in the process, consolidates the elite unity government. Counties are promised resources conditional to "efficient and effective delivery of services" enabled through public private partnerships with national private sector bodies, big pharma, big data and big technology corporations. The government also increases internet access countrywide and encourages IT use through tax incentives of IT products - which hugely profit merchant politicians and keep citizens 'happy'. To escalate legitimacy, the government also takes a procurement-driven 'trophy projects' approach that don't reflect peoples' priorities and aspirations to appease opposition strongholds and reward supporter bases. There are also short lived tokenistic welfare packages to help relieve people confronting adverse effects of COVID.

Financial experts peddle happy illusions in GDP terms to claim that the economy is doing well. A plethora of non-beneficial aid to trade policies to ***mwananchi*** are signed and fully implemented. Captains of industry are particularly involved in leading high level trade negotiations that are skewed in favor of their private and foreign interests. Sections of the public are dissatisfied with the lack of political engagement, mainly because the trade agreements are not publicly transparent and are not fully participatory. However, because of increased trade volumes and high foreign direct investments that improve our global ratings (in terms of ease of doing business) and increase the tax base despite the fact that the capital flight is even higher, recalcitrant voices are ignored. Mainstream donor funding increases tremendously but to their own private sector companies involved in mega-projects.

Private sector through Public Private Partnerships (PPPs), and Multi-national Corporations (MNCs) enabled by their diplomatic missions in Kenya pretty much control public affairs in collaboration with government in the name of 'development'. Government also works with International Financial Institutions (IFIs) to implement austerity measures (which are eased on us because of the PPP and FDI arrangements) and also because the look to the East policy is not only increasingly unsustainable but also cutting ties with them is a prerequisite to gaining Western 'support'. Debt re-scheduling enables Kenya to rack up more debt to meet recurrent expenditure in the name of 'transparent' use of resources using technology and 'we are still below the required debt to GDP threshold'.

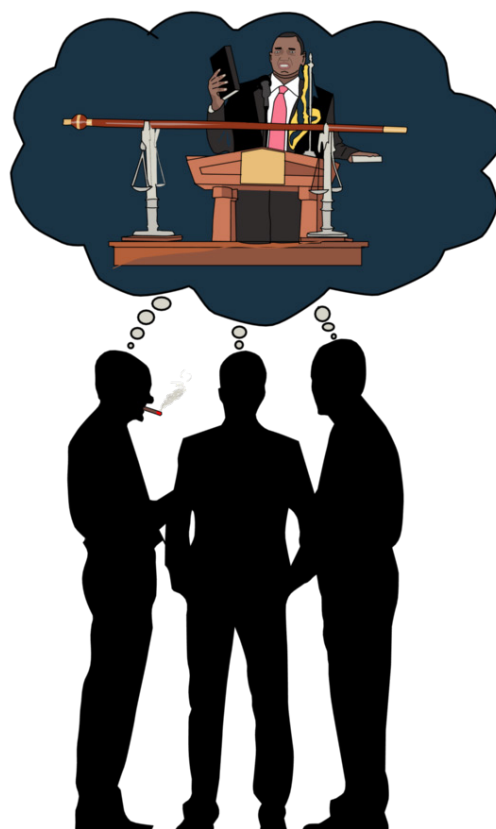
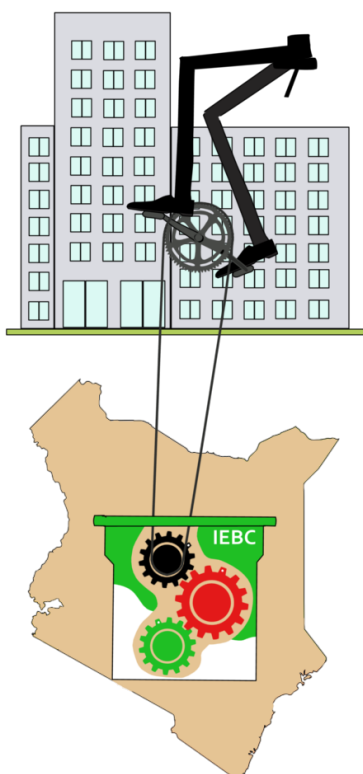
Despite inflation and therefore high cost of living, people generally get by because of 'investor confidence' which increases economic activities. Income generation opportunities are increasing because SMEs, cottage industries, the tech, the gig and the informal sectors are functioning relatively well but the available jobs are not sustainable should a catastrophic event happen. Rising consumerism enabled policies including availability of cheap personal loans help to sustain the cash flow necessary to keep the economy somewhat steady. The massive technological infrastructure roll out to the rural areas, gives the masses, the illusion of a working government because of improved but private service delivery. Subsistence agricultural production increases thus improving the rural economy and no one goes hungry – except during environmental disruptions caused by drought, pests or floods. However, the multinational control of manufacturing, the service industry, and the export market continues to rip off the country's natural resources and peasants profits. Other contradictions in the economy include availability of clean energy in both urban and rural

areas such as solar technology but government policy deters their wide adoption and use because of their shareholding interests in less clean energies which are made cheaper. The tax burden is also great for the majority because of effective deployment of technology to collect taxes, even from micro informal business that barely make any huge profit margins.

To escape scrutiny the government weaves scare narratives and symbolism to dissuade citizens from questioning their decisions. A state of permanent war is painted replete with mythology that sells the idea of the quest for peace at all costs and deifying the current leadership as 'coming from God' which buttresses the sense of entitlement by the politico-economic elites. The suggestions of the inevitability of dynastic politics makes citizens angry but remain peaceful to sustain their livelihoods.

The inter-generational gap encourages government to be able to camouflage its inadequacies by continuous ignorance of historical issues as well as masking injustice through 'efficient' government operations.

It is imperative for youth not to make a connection between politics and public service delivery by tokenizing them through 'youth led initiatives (like kazi mtaani, ajira, youth fund, Y-AGPO, etc.) to 'keep them busy'. This has kept the youth appreciative of what the government is doing for them and they act out of gratitude, also because access to internet keeps them hooked online. In fact they adore and aspire to building the business empires they see among government officials by any means necessary and therefore support the enterprise government, including its corrupt dealings 'as long as you are not caught'. Civil society basically collapses in this scenario with no funding for programs and projects as well as low citizen support for their work. Some turn themselves into corporates for profits to align with the environment, otherwise they are among the ostracized.



5.2 “Uta do?” scenario

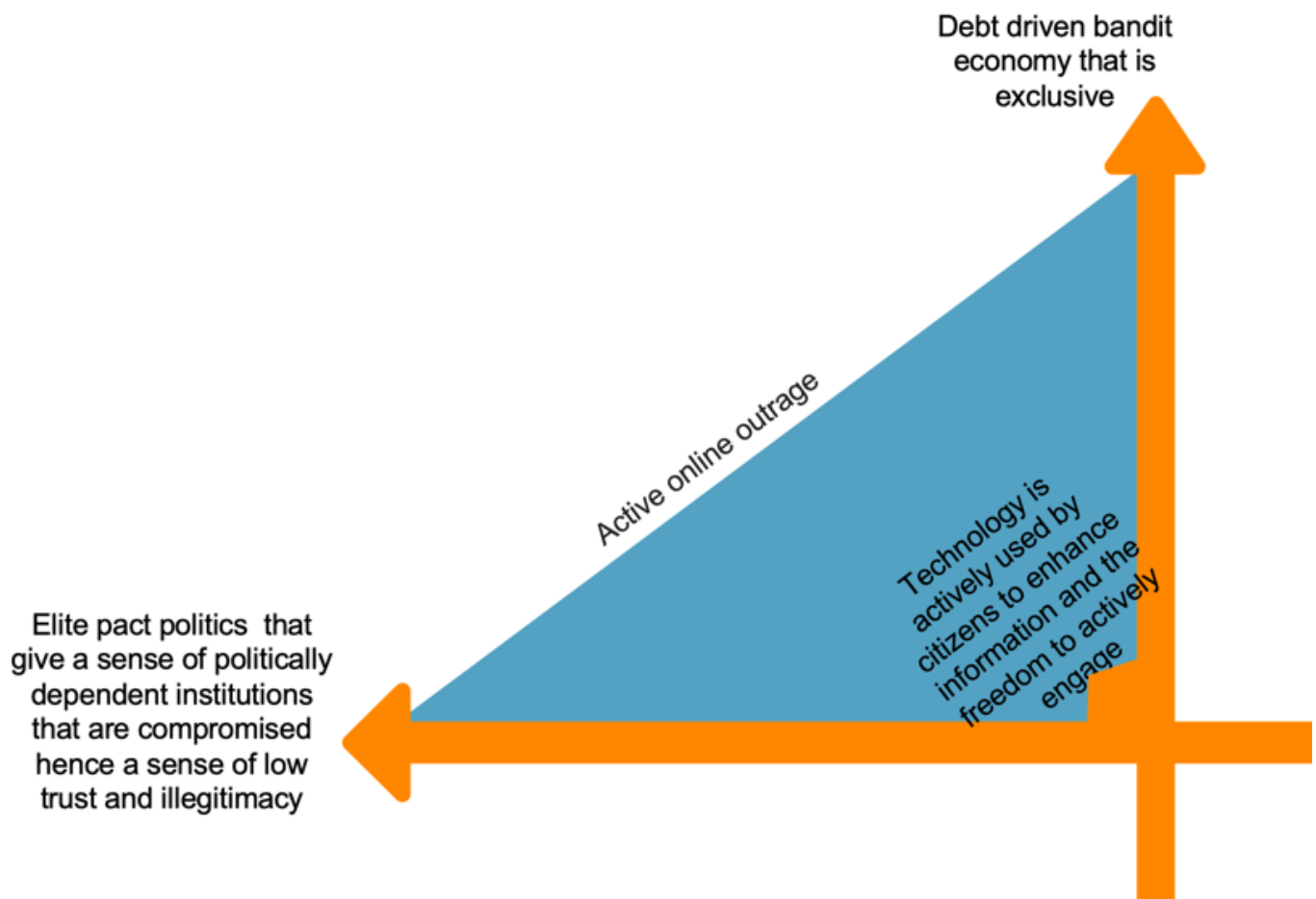


Figure 2: Uta do? scenarios framework

“Uta do?” scenario is a story of ethnic chieftaincy and elite pact politics driving a highly indebted bandit economy. The system undertakes a successful coup against the peoples 2010 Constitution by opening up a floodgate of changes that undermine the Bill of Rights, devolution as well as checks and balances hence burning all the bridges to meaningful citizen participation. Government is characterized by overriding personality cults where patrons stand out as protectors or guarantors of what their support bases consider ‘ours’. The dominant “*ber biro irwa* – goodness has come our way” and “*Bururi ni witu* – the country is ours” political sentiments are used to manipulate the law to achieve nefarious political ends including populating political positions with ethnic cronies in the name of ‘inclusion’. The security sector, the electoral process, devolution, judiciary and legislative decision making are captured by the executive,

invariably subverting the law to manipulate and compromise independent institutions. The BBI government continues with debt-binging amid diminished accountability and rise in state-led corruption, precipitating a situation where citizens have very low trust in these institutions and regard them as highly illegitimate. They resort to actively using technology to enhance access to information and engage in public accountability matters which includes spewing outrage, online. Five years later, the more things changed, the more they remained the same. Indeed, leopards cannot change their spots!

How did this happen?

Cyber wars erupt about the weak and discredited IEBC as an institution incapable without targeted reforms to deliver on its mandate. Fearful that these loud murmurs about IEBC dysfunction could taint or color the impending referendum and the elections that are to follow in 2022, the government directs Treasury to fund IEBC in preparation for both plebiscites.

The state staffs the Commission with intelligentsia while ensuring that each of the main elite political players populate the Commission with their cronies, what the BBI report describes as 'inclusion'. The BBI duo manage to force a referendum in late 2021 that intimidated, coerced and bribed voters to endorse, albeit marginally, due to a spectacular low voter turnout. The central theme of the referendum is **Ber Biro Irwa** euphemism for 'goodness is coming our way' a campaign plank of electoral mobilization in the run up to the 2022 elections.

Conferring of eldership, oathing and related activities, symbols, and ceremonies of ethnic loyalty allegiance increase. Bandwagon politics often characterized by overriding personality cults where patrons stand out as protectors or guarantors of what their support bases consider 'ours', and aided by dysfunctional parties that rely on private funding also dominate the scene. These determine which way people vote as regional kingpins push for BBIs to promote politics of cooptation and sharing the national cake. The anti-Kikuyu sentiments and Kikuyu-bashing is lit online alongside counter-narratives bashing RAO and Luos as enablers or guarantors of Kikuyu hegemony. 'Other' ethnicities use community media (especially the regional TV and radio stations) to escalate the debates of skewed distribution of resources and employment opportunities in top government positions. With the government banning physical campaigns due to Covid-19 young people effectively use the online space to campaign or politically engage. As a result of this, strong youth organizing emerges and sees a big percentage them in elective positions.

The political interference that ensues in 2022 is palpable as procurement scandals, identity/registration, campaign, balloting and results conflicts dog the elections. The IT system like all systems remains morally neutral but serves the interests of those who control it so that the register has numerous ghost voters, the register seemingly only captures new voters from 'friendly' vote-rich regions

of the incumbents as well as counts and tallies that guarantee the ideal political outcome for its controllers. Voter bribery is visible and old tactics and election malpractices like voter bribery, stuffed ballot boxes, sloppily executed election day operations and logistics are all back.

“ The political interference that ensues in 2022 is palpable as procurement scandals, identity/registration, campaign, balloting and results conflicts dog the elections....

The resulting patron-client relationships vitiate class consciousness to the extent that peace and/or violence are dependent on appeasement of elite interests with persistent peace campaigns urging citizens to 'accept and move on' as the price for peace. Military is deployed in places considered opposition strongholds as Raila is declared President and Uhuru is named Prime Minister - a situation akin to Russia's Putin - Medvedev tandemocracy³³ between 2008 and 2012. Like killer bees that pursue their victim and attack their prey persistently in groups, Kenyans on twitter (KOT) actively engage in **twars**³⁴, obviously jolted by the election results, claiming that the outcome does not fully reflect the true will of the people. It is however not as spirited as others before it because of the **Ber Biro Irwa** and the **Bururi ni witu** factors. Majority of Kenyans are also grateful that the election is without as much violence as was predicted by analysts, who purported that elections are most vicious when incumbents have reached the end of their term limits. The virtual campaign fizzles out in a matter of days as many realize that their online noise doesn't amount to much, so they accept and move on to other musings as the winners keep chiding them.

The imposition by the citizens on the elite through the 2010 Constitution is slowly unravelling. A bid to open the floodgates for all manner of changes through

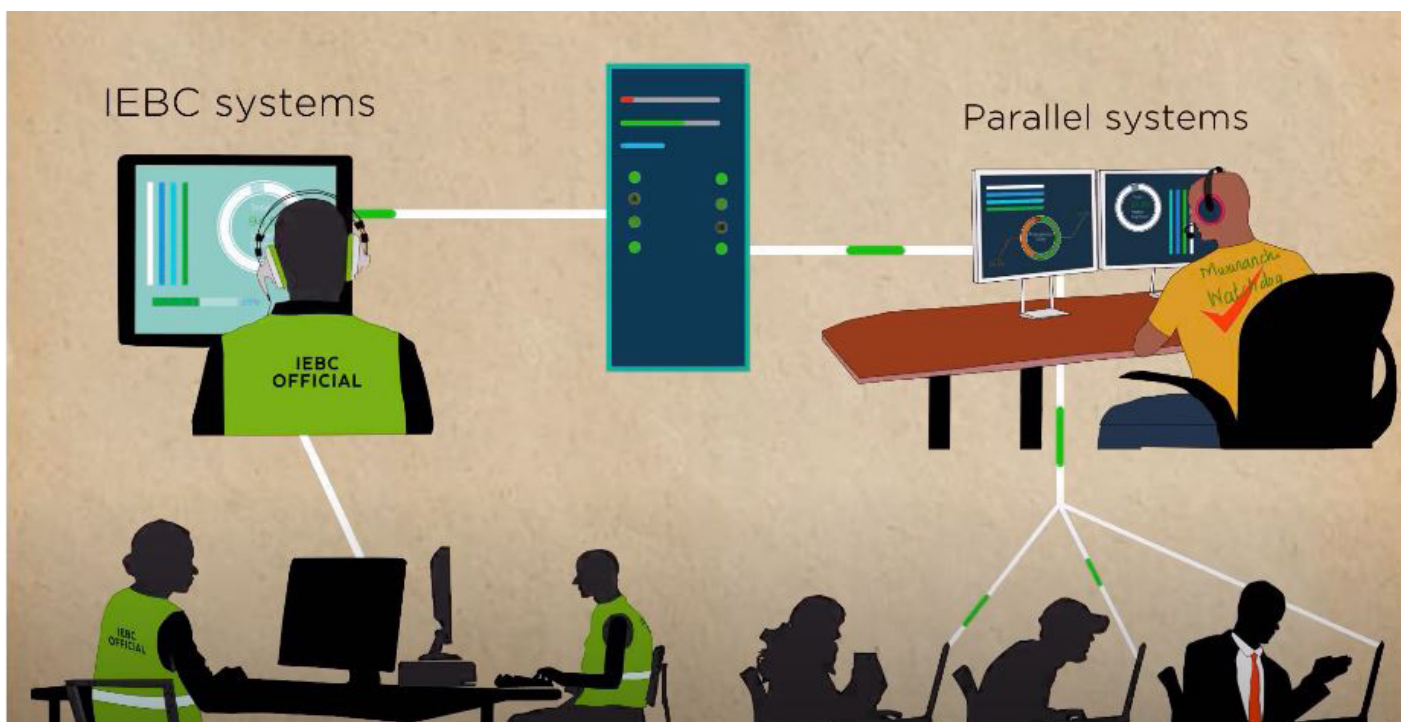
³³ Interfix rule or an issue involving alternation of offices in an allegedly democratic context.

³⁴ Twitter wars

the Building Bridges Initiative (BBI) - most of which undermines the Bill of Rights, devolution and checks and balances - burns all the bridges to meaningful citizen participation. In this Coup, the centrists and federalists who compromised willy-nilly to meet in the middle by making a constitution that was a halfway house arrangement, have now resurrected their demand to further re-centralize using the cost argument, nation building and shared prosperity rhetoric. They are using this window to root for a boundaries review that seeks to consolidate the 47 Counties into the 8 former provincial administration units and constituencies expanded by 70. These changes become a basis for getting the 35% county allocation, CDF, and WDF resources. Although there is outright imposition of executive overreach and tyranny, the government promises many sweeteners to tactfully charm all the stakeholders. The BBI government continues with debt-binging amid diminished accountability and rise in state-led corruption as critical institutions are delegitimized in the process.

asset seizures for debt collateral such as the port. This provokes discontent mainly expressed on social media platforms that opens the way to xenophobic attacks against the foreigners.

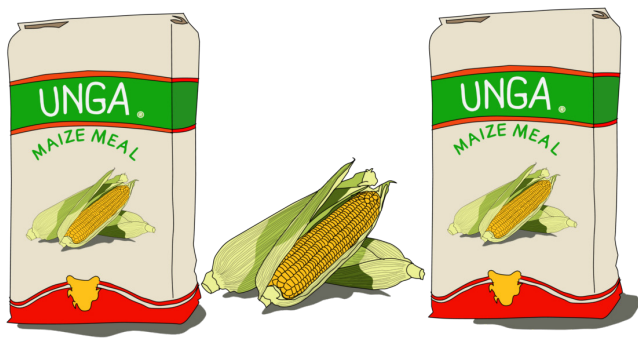
The fourth and fifth COVID-19 waves as well as numerous natural disasters that have not only worsened people's economic situations but are conveniently blamed by the government as the source of the miserable state of affairs. Having lost their means of livelihoods because of the massive collapse of informal and small businesses as well as medium enterprises, people are barely surviving. Most eat one meal a day while a few can only afford basic goods meaning that their low purchasing power affects economic outcomes and welfare indicators. There are rising GBV and suicide cases among particularly among youth and middle-aged men, with hospitals reporting spiking cases of mental illnesses. Citizens are outraged by the compromised institutions that continue to undermine the economy. Their access to internet and the avid use of social



There is a push for more debt financing and the elite continue to accumulate unsustainable debt levels at very expensive interests for mega projects that are conduits for budgeted corruption. Crony capitalism increases the plundering of state assets in concert with foreign capital. On the other hand, lenders start invoking terms of the loan agreements which include

media platforms make them amplify the gaps in governance and escalate discontentment especially the issue of high cost of living and the hounding by KRA officials to pay taxes on non-existing incomes to pay off unsustainable domestic and foreign debt. There are now thousands of economic migrants fleeing to the rural areas and to foreign labor markets

in the UAE, which lead to crowding, depletion of forests and other natural habitats in rural areas as well as domestic worker abuses abroad.



The bad economic situation has sparked anger and numerous unga or fuel revolutions online but the government has institutionalized the BBI bravado of 'reggae is unstoppable' or 'train has left the station' to a '*mta do*' attitude that bolsters state authorities to constrict civic space. They have taken complete control of traditional media which is predominantly used to disinform. KOT therefore take to the online platforms and enhance their citizen vigilance and participation aggressively.

They become so effective that they are naming and shaming, as well as forcing online responses from politicians on certain accountability questions.

of social media taxes and slowing down the services so that even loading a tweet is a long arduous task. The political elites cornered by creditor countries negotiate to exchange debt relief with citizens data (data for debt swap) as a clever way out of this citizen 'harassment'. Citizens in turn adopt encrypted apps that enable them to conceal their personal data and communication behavior so that it is not appropriated by the government and foreign companies. The invasive Huduma Namba becomes conditional to accessing numerous government services to increase this data appropriation agenda.

Multi-national corporations are relocating to more stable or business friendly countries while the ones still in operation are linked to politicians. The signed trade deals are hardly beneficial to the country and the money, including what the MDAs make, is looted anyway. Traditional CSO strategies shift predominantly online, to join the unorganized, organically growing opposition movement now led by young people online – which government largely ignores.



The state tries to control KOT through and introduction

5.3 “Wajinga nyinyi” Scenario

The “Wajinga nyinyi” Scenario is a story of total collapse of the country that is led by a demagogue and his egg-head courtiers who abrogate the constitution at will and plunder what is left of the country’s economy. The state has a dyed in the wool antipathy for order and the rule of law and therefore illegality is the new modus operandi. Technology is deployed for surveillance to curtail freedoms and disinform citizens who in turn become complicit crooks, actively abetting the illegal goings on with the primitive adage that “If you can’t beat them, join them”. Citizens therefore embrace alternative coping mechanisms like illicit businesses dealings within the black market, tax evasion and tax avoidance to survive. In this mad world, only the mad are sane.

life and institutions is a particularly sore spot for the unvarnished outrage and passion against the referendum proponents. This anger and the deaths of some actors by the police during the catalytic event unites strange political bedfellows. The **Tangatanga / dynasty** movement appropriates the resulting victory in a coalition with other political forces, a move that lends them some virtue and thus traction. The state feels threatened by a possible Ruto win in 2022 and activates chapter 6 against him, to ensure that he is barred from contesting. This move catapults an unlikely demagogue candidate from one of the coalition members who replaces him as the flagbearer of the movement. The atmosphere is awash with fear, heightening insecurity, and pockets

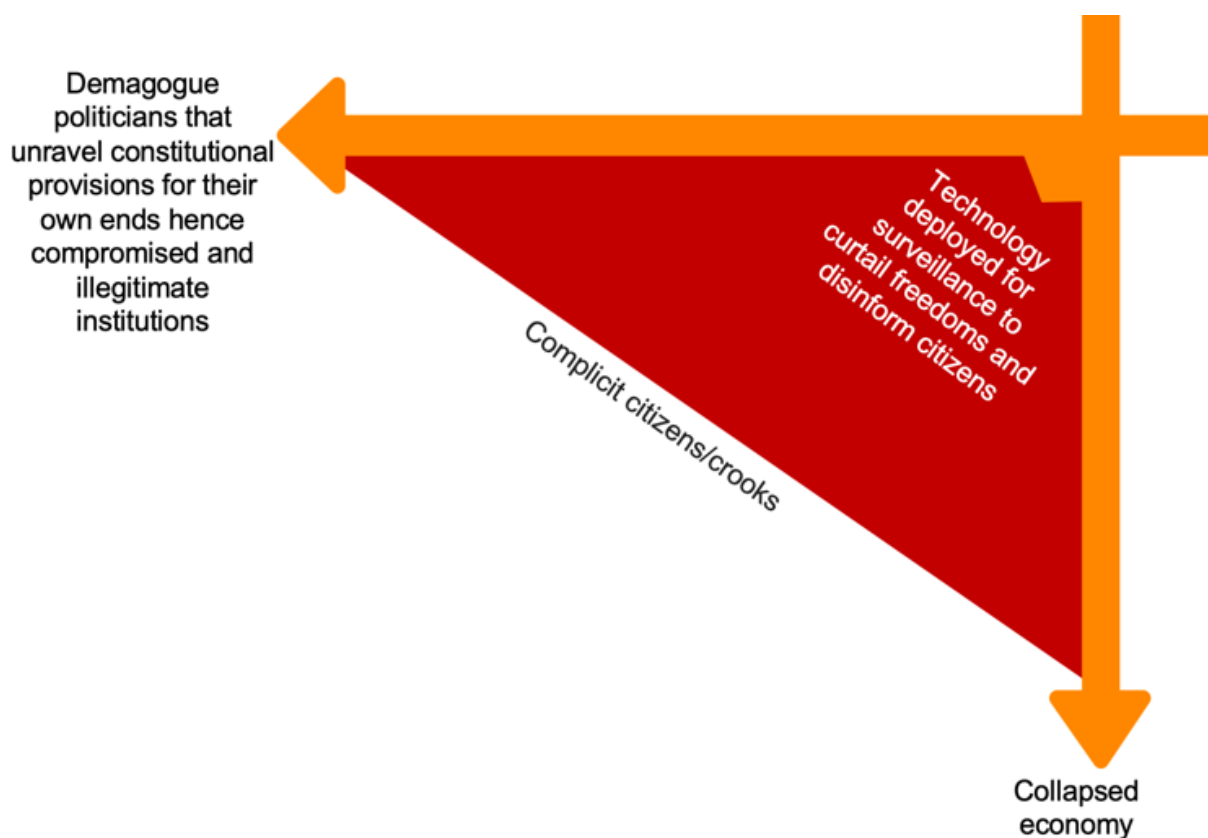


Figure 3: Wajinga nyinyi scenarios framework

How does this happen?

In 2021, a huge unprecedented catalytic event unleashes a strong public outcry that coalesces into a protest vote to defeat the BBI referendum. Kikuyu exceptionalism and dominance in public

of violence but the ICC factor acts as a deterrent for outright conflict.

In the run up to the election, IEBC is reconstituted with commissioners nominated by political parties. These nominees in character in turn populate regional and constituency offices & returning officers with their cronies. Their benefactors, the parties, give them a pre-determined list of preferred candidates who

should be cleared to contest majority of the seats unopposed. Quite a number of strong opposition candidates are railroaded with imaginary omissions using the electoral law to disenfranchise them. On the election day, the opposition side, keen not to accept the outright gerrymandering of the elections by the state, mobilizes rowdy youth to police every polling station. The military personnel deployed were hitherto unprepared for this kind of watchfulness particularly in government friendly zones from a largely barefoot, rag tag, unarmed citizen 'army'. There is also word that the security forces are divided. Citizens discontent has surprisingly reached a crescendo; they physically help the officers to count the votes and using rudimentary tools like cell phones to record and tally the votes at all the polling stations. They are prepared for any government tricks in the book including offering alternatives for any blackouts, parallel and numerous online tallying centers that are livestreamed, as well as motorbike escorts to submit the results to main centers. A few of the officers who dared give different numbers survive near death experiences. With the people overpowering even the military, it is clear, a vote against the government has been cast.

“ Ill-equipped to formally run government, a situation made worse by the sheer baggage inherited from the defeated regime, a load whose quality or quantity the new rulers cannot construe, the new government starts off by flip flopping and knee jerk reactions that border on abrogation of the constitution to stay on top of things...”

Majority of the candidates affiliated to the incumbents, suffer humiliating defeat due to the bitter rivalries precipitated by the referendum fallouts, causing opposition candidates to floor their competitors. The election events also raise to prominence the unexpected wild card candidate who rides on

this revolt against the status quo, out of extreme anger at the state of affairs to become Kenya's fifth President. A renewed belief in the power of citizens and participatory democracy is palpable. Citizens at first are very optimistic and hold high expectations for the future having defeated the BBI in the referendum and the 'dynasties' in the general election, as well as having a non-traditional politician in power. The win is however short lived as the deep state quickly re-groups and re-organizes to re-capture the vestiges of power. The pain of losing control causes the defeated lot to precipitate actions that serve to undermine the legitimacy, discredit and instigate superficial crises to sabotage the winners.

Ill equipped to formally run government, a situation made worse by the sheer baggage inherited from the defeated regime, a load whose quality or quantity the new rulers cannot construe, the new government starts off by flip flopping and knee jerk reactions that border on abrogation of the constitution to stay on top of things. The new government is so cash strapped that it instrumentalizes COVID and other natural disasters to attract emergency funds in order to operate. The new government also militarizes and securitizes domestic politics to safeguard their rule. All the populist promises made during the campaigns like revisiting past injustices through the TJRC, full implementation of the Constitution and other reports such as Ndung'u, Kriegler, and Waki Reports fall through the cracks as stark reality of statecraft materializes. Politics of rewards and appeasement takes center stage in this unstable coalition of convenience. A revival of ethnic and resource nationalism starts gaining traction leading to a clamor for further fragmentation. High unemployment and frustrations oils this recruitment machinery of youth into criminal gangs, terrorist groups, and militias that really terrorize people, thus dramatically heightening lawlessness. Without money to offer the factions, the government promises more counties to appease the secessionists, who are now in control of various strategic national resources in the areas they dominate.

The new state is largely fighting for legitimacy in

an economy that is on its knees, without investor confidence and degraded public services. The demagogue is beginning to appropriate the few national natural resources like oil in Turkana to get foreign capital and support including arms. There is rampant capital flight in the name of trade. Media is highly controlled to legitimize exclusion of the majority from the economy but given the state of affairs, the Communications Authority shuts down internet and ethnic media arbitrarily citing security concerns. Only the government has access to intensely surveil the country or grossly misinform people.

Life is unbearable, and citizens become complicit crooks abetting the illegal goings on to survive the chaos. Everyone for themselves and God for us all mantra takes root as citizens live like no government exists. Kenyans on Twitter (KOT) resort to VPN to bypass the government internet restrictions which

increases tech fraud, cybercrime, and other forms of extortion, thus reducing investor confidence. The black market thrives, with smuggling of goods across the border killing local industries and depriving the state of customs duty. There is an increase in counterfeit goods, money laundering, land speculation and fraud as well as the provision of public services like health and education slowly becoming non-existent. There is increasing lack of trust as authorities suppress enterprise and other freedoms. Tax revenue is at its lowest, with many circumventing tax through the informal system. Corruption is at its worst, and institutions are most inefficient including the security apparatus which is unable and unwilling to restore order. Big formal and foreign institutions relocate from the madness of the lawless society Kenya has become. The rest operate in the informal spaces to survive.



5.4 Scenarios stories re-cap

Table 8: Scenarios stories re-cap

	“System ya matapeli” scenario	“Uta Do?” Scenario	“Wajinga Nyinyi” Scenario
Referendum	No referendum	YES win	NO win
How is the Constitution and constitutionalism defined or perceived in this scenario	The Constitution is selectively implemented to benefit private actors	2010 was a peoples constitution imposed on the elite, BBI is the ruling elites imposition on the people	Abrogate the constitution all together
2022 elections Who wins How they win Implications of win	Coronation of ‘monarchies’ as power is conferred to Gideon Moi through one Kenya alliance/ niachie. It is an elite pact to sustain the hegemony	RAO and UHURU “win” the elections in the classic Putin – Medvedev tandemocracy scenario Through the BBI referendum coercion and state resourcing	Surprise winner amidst political prisonship of Ruto The contradictions of the accidental coalition show immediately. The deep state re-groups to undermine legitimacy, discredit and form other crises.
Impact of COVID-19	Profitable for political elite owning companies that procure vaccines and other COVID merchandise	High militarization of COVID to enforce mitigation but also enable borrowing	Emergenci-zation of COVID to get relief resources.
Citizens	Citizens are pacified from contesting election outcomes through handshake 2 re-loaded (aka Government of National Unity). They are also pacified from political engagement by some semblance of economic progress and the “efficiency and effectiveness” lingo	Citizens actively engaged in the resistance against outright authoritarianism online	Citizens are complicit crooks abetting the illegal goings on including being bought to survive
Economy	High economic growth but a very vulnerable economy, very high inequalities, rising investor confidence, renegotiated debt	Highly indebted, increasingly deep vulnerabilities	Collapses



Technology	Cleverly executed to win elections, advance private interests and advance 'efficiency and effectiveness' narratives	Technology is actively used by citizens to enhance their freedom to actively engage in public matters	Technology is deployed for surveillance to curtail freedoms and disinform citizens
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In conclusion, these scenarios are not about predicting future events but their value lies in understanding the structural changes that could occur in the next five years. They are meant to be conversation points about how different groups can strategically prepare for these eventualities including the upcoming elections – to avert the bleak aspects of each possible future while enhancing the good outcomes. We implore you to use this work to challenge various assumptions, enable all stakeholders to have responsive strategic thinking and to test preparedness based on these

and other changes that lie ahead

Important reflections include:

- What would you do if any of these realities were to occur?
- What are the opportunities in each scenario?
- What are the threats in each scenario?
- What strategic options do we have?
- What long term decisions do we have to make to survive in any of these worlds?6. Comparing the scenarios stories





6. Comparing Scenario Stories

Table 9: Comparing scenarios stories

GROUPING ISSUES	
“System ya matapeli” scenario	Kenya in 2025 is a statistically strong economy, that is somewhat inclusive with corporatized politics that are dominated by merchant politicians who give a sense of independent institutions that are trusted hence they are deemed legitimate and accountable. Technology is deployed for ‘efficiency and effectiveness’ and where those who critique government are ostracized meaning that the majority are apathetic, and passive citizens. Indeed, when rats bite, they blow
“Uta do?” scenario	Kenya in 2025 is a debt driven exclusive bandit economy that is run through elite pact politics that give a sense of politically dependent institutions that are compromised hence a sense of low trust and illegitimacy. Technology is actively used by citizens to enhance information and the freedom to actively engage and therefore citizens frequently spew online outrage. Indeed a leopard can’t/ doesn’t change its spots
“Wajinga nyinyi” scenario	Kenya in 2025 has a collapsed economy led by demagogue politicians that unravel constitutional provisions for their own ends hence compromised and illegitimate institutions that have low trust. Technology is deployed for surveillance to curtail freedoms and disinform citizens who are complicit crooks, actively abetting the illegal goings on. If you can’t beat them, join them
Predominant modus operandi in the scenario	
“System ya matapeli” scenario	Use the law to legitimize illegalities - The merchant politicians instrumentalize the law to de-regulate the economy and asset strip the country of public resources
“Uta do?” scenario	Subvert the law to achieve nefarious political ends - The elites use legal means to manipulate electoral politics and legislative bodies to get their way as they loot public resources
“Wajinga nyinyi” scenario	Doing illegal things - The ruler abrogates the constitution all together and absolutely plunders economic resources
Elections	
“System ya matapeli” scenario	The handshake and the referendum abort. Raila and Ruto join forces and they build momentum on a campaign of cyclical betrayal without getting into their different BBI perspectives while the Kamwana brigade which includes the ‘sacred’ alliance anoints Gideon Moi as the successor. This sparks a confrontation between the two hegemonies including vicious anti-dynasty sentiments based on class exceptionalism. Emergence of radical regional political parties/formations e.g. MRC increases their leverage in secession conversations. The clamor for a split of Kenya between Central republic versus the People’s republic also re-emerges. Heavy deployment of security apparatus and concurrent militia groups, goons and gangs emerges but COVID is weaponized to buy time to quell the disquiet leading to a postponement of the elections (also citing that it would be detrimental to hold elections under such acrimonious circumstances). A vifaranga vya computer scenario happens in 2025 and Gideon is declared the President of Kenya. There are protests but they are nipped in the bud when the two sides sign a pact to work (aka eat) together.
“Uta do?” scenario	Precipitate a referendum victory (hence the Ber Biro Irwa – ‘goodness is coming our way’ factor) determines the 2022 election outcomes of Raila as President and Uhuru as the Prime minister (Russian experiment). People are grateful that there is no violence, but KOT take their anger online. Many perceiving that there is nothing they can do, accept and move on.

<p>“Wajinga nyinyi” scenario</p>	<p>The referendum is defeated on account of a protest vote instigated by a catalytic event that unleashes a strong public outcry. The kikuyu exceptionalism and dominance in public institutions is a particular rallying call that brings unusual political characters together. The Tangatanga, movement appropriates that win in coalition with other political forces and as it gains traction. The state feels threatened by a possible Ruto win in 2022 and activates chapter 6 against him, to ensure that he is barred from contesting. An unlikely demagogue candidate from one of the coalition members emerges to replace him and the people euphorically elect him/her as a protest candidate against the state.</p>
<p>Electoral management and electoral justice</p>	
<p>“System ya matapeli” scenario</p>	<p>Kenya gets a grant to manage the 2025 elections under stringent conditions like using a foreign independent company to run the elections. The government accepts the offer because it is broke but also to give as sense of assurance that there will be fairness and transparency, unlike before which helps cool people's anger. The company cleans up the voter register and registers new voters in record time with their efficient systems, procurement of voting material is done on time as they are the sole suppliers. Election day operations and logistics are impressively executed, while the counting and results transmission seems to be transparent. Kenyans are happy that the process seemed credible only to realize later that the shareholding of the company is connected to the people in power through their foreign business partners. People realize when it is too late that 'walicheswo'.</p>
<p>“Uta do?” scenario</p>	<p>IEBC is funded by treasury in preparation for 2022 and is staffed with intelligentsia to entrench patronage. The political interference of IEBC amidst procurement scandals, a register filled with ghost voters, an effort that only registers new voters from 'friendly' regions, visible voter bribery and other election malpractices like stuffed ballot boxes, sloppily executed election day operations and logistics as well as a clearly compromised IT system to guarantee the ideal political outcome. Military is deployed in places considered opposition strongholds A faction of Kenyans are unhappy because they are not sure if the outcome fully reflects the true will of the people and so they vent online. After a while, the noise dies out and KOT moves on to other online musings</p>
<p>“Wajinga nyinyi” scenario</p>	<p>IEBC is reconstituted with commissioners nominated by political parties who in turn populate regional and constituency officials & returning officers with their cronies. They are given a pre-determined list of preferred candidates who should be cleared to contest the seats unopposed. Opposition candidates are railroaded with imaginary omissions using the electoral law but these are defeated because of the bitter rows rising countrywide. The ICC factor is a deterrent of outright conflict and this kind of malpractice is quickly corrected by IEBC, hoping to introduce sinister tricks later. On the election day, the opposition side, keen not to accept a stolen election again mobilizes rowdy youth to man every polling station. The military personnel were not prepared for this kind of watchfulness particularly in government friendly zones. Citizens discontent has surprisingly caught traction, with them physically helping the officers to count the votes and using rudimentary tools like phones to record and tally the votes at all the polling stations. They are prepared for any government tricks in the book including offering alternatives for any black outs and motorbike escorts to submit the results to main centers. A few of the officers who dared give different numbers had near death experiences. With the people overpowering even the military, it is clear, a vote <u>against</u> the government has been cast. It leads to the emergence of a wild card candidate who rides on this wave to win. A renewed belief in the power of citizens and participatory democracy is palpable.</p>
<p>Political culture and voting patterns of Kenyans</p>	

<p>“System ya matapeli” scenario</p>	<p>The company (a Cambridge analytics type) apparently used voter data at their disposal to segment voters through a social media interface app and using data augmentation techniques, they subjected the data to a psychographic analysis to predict voter patterns including turnout, likelihood and direction of voting. They used this information to create subliminal messages that predetermined low voter turnout in opposition sides while pre-creating spiked turnout in government friendly zones. The fence sitter counties were actively messaged to sway their stand a certain. Using proxy companies deployed by the incumbents party and its affiliates, microtargeting was done on both government friendly and opposing candidates to assist with the outcomes at national to ward levels. By the time elections were over, many candidates came to realize, that elections were just an event and a formality because the outcome was properly fixed- <i>kweli mtajua hamjui, mmepangwa, mkapangika</i>. Besides the warring sides quickly formed a GNU (Government of National Unity) in handshake 2 re-loaded. It is time we accepted the institutionalization and normalization of ‘negotiated democracy’ as an emerging way of politics, with elections remaining a mere a formality.</p>
<p>“Uta do?” scenario</p>	<p>Ethnic political culture, and chieftaincy persist, aided by dysfunctional parties that rely on private funding. These determine which way people vote as regional kingpins push for BBIs to promote politics of cooptation and sharing the national cake. The anti-Kikuyu sentiments and Kikuyu-bashing is very alive online alongside counter-narrative bashing of RAO and Luos as enablers/guarantors of Kikuyu hegemony. ‘Other’ ethnicities use traditional media (especially the regional TV and radio stations) to escalate the debates of skewed distribution of resources and employment opportunities in top government positions.</p>
<p>“Wajinga nyinyi” scenario</p>	<p>A citizens revolt against the status quo out of extreme anger at the state of affairs – it was a vote against the ‘dynasties’ but the win is short lived as deep state re-organizes to re-capture the unexpected turn of events by undermining legitimacy, discrediting and instigate other superficial other crises.</p>
<p>Management and culture of reforms</p>	
<p>“System ya matapeli” scenario</p>	<p>State-led reform agenda leads to a self-serving interests of the corporate state who succeed themselves (Uhuru 2 in Gideon). Following the constitution is not an obligation</p> <p>but a selective duty depending on the political benefits accrued, which subtly undermines independent institutions (they are now there for the optics) and sabotages MDAs to pave way for private acquisition. Given peoples loyalty to counties, these remain but term limits of governors are removed so that the high table effectively regulates the regional tables to form a new oligarchy. The initial negative ethnicity and threats of balkanization at the seeming coronation of a ‘monarchy’ is quickly pacified by handshake 2 re-loaded and a GNU (Government of National Unity) is fostered.</p> <p>Conditional resources are given on “efficient and effective delivery of services” with accompanying militarization of civilian spaces and institutions in the name of keeping law, order and accountability. The grand coalition government is ruling without opposition and is the main source of information. Data is therefore effectively used to whitewash the real state of affairs and reflect a sense of order, efficiency, growth etc.</p>

<p>“Uta do?” scenario</p>	<p>2010 was a peoples constitution imposed on the elite, BBI is the ruling elites imposition on the people – to burn all the bridges of meaningful citizen participation. The changing of the 2010 Katiba opens floodgates for all manner of changes most of which undermine the Bill of Rights, devolution and checks and balances. Centrists demand further re-centralization using the cost argument, nation building rhetoric and shared prosperity. A boundaries review process proposes counties to consolidate into the former provincial administration units of 8 but the constituencies expand by 70. This becomes a basis for getting the 35% county allocation, CDF, WDF et al. Although there is outright imposition of executive overreach and tyranny, the government does many things to tactfully charm all the stakeholders and give a sense of inclusion</p>
<p>“Wajinga nyinyi” scenario</p>	<p>Ill equipped to formally run government, which is made worse by the inherited baggage of debt and economic crisis, the new government abrogates the constitution all together. Government is so cash strapped that it instrumentalizes COVID and other natural disasters to get emergency funding to operate. The government also monopolizes security apparatus to safeguard their rule. All the populist promises made during the campaigns like revisiting past injustices through the TJRC, full implementation of the Constitution and other reports such as Ndungu, Kriegler, and Waki Reports have to be forfeited. A revival of ethnic and resource nationalism increases and the idea of secession starts gaining traction leading to a clamor for further fragmentation. Without money to offer the factions, the government offers more counties for recognition and appeasement.</p>
<p>Patronage, cronyism and clientelism</p>	
<p>“System ya matapeli” scenario</p>	<p>To improve legitimacy, the government takes a procurement-driven ‘trophy projects’ approach that don’t reflect peoples’ priorities and aspirations to appease opposition strongholds and reward supporter bases.</p>
<p>“Uta do?” scenario</p>	<p>Continuation of debt-binging amid diminished accountability and rise in state-led corruption. Critical institutions are delegitimized.</p>
<p>“Wajinga nyinyi” scenario</p>	<p>Politics of rewards and appeasement among key actors in the coalition of convenience.</p>
<p>Mythology e.g. falling of mugumo tree; earthquakes and related symbolisms as well as peoples general responses (peace at all costs and apathy)</p>	
<p>“System ya matapeli” scenario</p>	<p>Idea of ‘leadership comes from God’ picks momentum combined with an increased sense of entitlement by the politico-economic elites.</p> <p>The inevitability of dynastic politics makes citizens angry but remain peaceful to sustain their livelihoods. The peace at all costs narrative is very rife in this scenario – it privileges economy over politics and legality over legitimacy. Kenyans are politically apathetic and disconnected to national issues and discourses.</p> <p>Efficiency and effectiveness lingo as well as some semblance of economic progress pacifies citizens from political engagement – why rock the boat.</p>
<p>“Uta do?” scenario</p>	<p>Continued dominance of personality cults as protectors / guarantors of ‘what is ours – hence “ber biro irwa” and “Bururi ni witu” political sentiments are dominant.</p> <p>Oathing and related activities/ symbols /ceremonies of ethnic loyalty allegiance increase to protect ‘what is ours’.</p> <p>Peace & violence is dependent on appeasement of elite interests with persistent peace campaigns urging citizens to ‘accept and move on’ as the price for peace</p> <p>Like killer bees that pursue their victim and attack their prey persistently in groups Kenyans on twitter (KOT) actively engage in twars (twitter wars) against outright authoritarianism by spewing online outrage against this entitlement and exceptionalisms. There is absence of physical war but divisions are clear in online spaces where citizens have formed various groupings for political mobilization against the system.</p>

<p>“Wajinga nyinyi” scenario</p>	<p>Pain of losing control ‘because we fought for independence’ and other liberation narratives causes the deep state to re-organize.</p> <p>Some people are killed by police during the catalytic event that unleashes the new candidate</p> <p>Citizens at first are very optimistic and hold high expectations for the future, having defeated the BBI coalition in the referendum and the elections and also having a non-traditional politician in power. With time however, citizens become complicit crooks abetting the illegal goings on to survive the chaos. Everyone for themselves and God for us all as ‘citizens will live like no government exists’</p>
<p>The economy and who controls it</p>	
<p>“System ya matapeli” scenario</p>	<p>The economy seems to be doing well (in terms of GDP numbers). Aid to trade policy is fully implemented with mainstream donor funding decreasing tremendously to governments and CSOs but increases tremendously to their own private sector companies involved in mega-projects. PPPs becomes the new modus operandi to accomplish development. The government also works with IFIs to implement austerity measures (which are eased on us because of the PPP arrangements) because the look to the East policy is unsustainable. However, we still rack up more debt (in the name of ‘we are below the required debt to GDP ratio threshold) and ask for rescheduling in order to meet recurrent expenditure. There are tokenistic welfare packages that are short lived to help relieve people from effects of COVID. SMEs, cottage industries, gig and the informal sector are relatively functioning okay particularly because of technological infrastructure fully rolled out to the rural areas and the cost of the internet made affordable</p>
<p>“Uta do?” scenario</p>	<p>There is a push for more debt financing and the elite continue to accumulate unsustainable debt levels at very expensive interests for mega projects that are conduits for budgeted corruption. Crony capitalism increases the plundering of state assets in concert with foreign capital. On the other hand, lenders start invoking terms of the loan agreements which include asset seizures for debt collateral such the port. This provokes discontent mainly expressed on social media platforms that opens the way xenophobic attacks against mainly the Chinese. COVID and other natural disasters worsen the situation for people and they are blamed for the state of affairs.</p>
<p>“Wajinga nyinyi” scenario</p>	<p>The new state is largely fighting for legitimacy in an economy that is on its knees, without investor confidence and degraded public services. The demagogue is beginning to appropriate the few national natural resources like oil in Turkana to get foreign capital and support including arms. People desperately take to the black market to survive this harsh reality.</p>
<p>Taxation</p>	
<p>“System ya matapeli” scenario</p>	<p>Taxes are quite high the privatization of public services. They are effectively collected through the deployment of technology. A sizeable group can afford it and so they pay</p>
<p>“Uta do?” scenario</p>	<p>Many people loose employment as small businesses collapse. There are economic migrants fleeing to the rural areas and to foreign labor markets in the UAE, spiking domestic worker abuses. Taxes are increased to pay the unsustainable domestic and foreign debt, which majority cannot afford to pay. Taxation without service commensurate delivery.</p>
<p>“Wajinga nyinyi” scenario</p>	<p>Populist tax reversals in the immediate period after elections when KRA ordered to reduce taxation and eradicate some altogether amid an economy on a downward spiraling.</p> <p>Tax revenue is at its lowest, with many circumventing tax through the informal system. Corruption is at its worst, and institutions are most inefficient.</p>
<p>Trade</p>	

“System ya matapeli” scenario	Trade negotiations are skewed in favor of foreign interests producing agreements that are not public and transparent and are not fully participatory. However, there is increase in foreign direct investments due to high investor confidence. Captains of industry control the economy, and lead the negotiations and although the public though is dissatisfied with the lack of political engagement, an enabling business environment with successful Kenyan enterprises rising becomes a political pacifier.
“Uta do?” scenario	Foreign interests control both the economy and accountability institutions which are non-responsive to the citizens. The judiciary for instance has no jurisdiction on trade disputes. There are more foreign nationals running businesses including retail and wholesale. There is widespread dissatisfaction and citizens express their discontent on social media.
“Wajinga nyinyi” scenario	There is rampant capital flight in the name of trade. These foreign interests use technology to disempower the citizens and coerce them into being complicit into widespread corruption. Media used to legitimize exclusion of the majority from the economy. Only a small powerful clique that uses misinformation, surveillance to deceive the citizens benefit. A flood of foreign goods kills local industry but stocks the thriving black market. There is increased cyber-crime, extortion, abductions etc. and the security apparatus unable and unwilling to restore order
Cost of Living	
“System ya matapeli” scenario	Cost of living is quite high but life is generally affordable for everyone, and they are satisfied. inflation is managed and consumerism is on the rise sustaining the cash flow necessary to keep the economy steady. Employment is high in the gig economy, SMEs, cottage industries and the informal sector but the available jobs are sustainable jobs should a catastrophic even happen. Subsistence agricultural production increases thus improving the rural economy and no one goes hungry. However, the multinationals control export market. Health outcomes are better – low maternal and child mortality, while clean energy is available in urban and rural areas but more cars imported leading to congestion and pollution.
“Uta do?” scenario	People are getting by especially after the passing of the third and fourth waves of COVID-19. People in this scenario can only afford basic goods meaning that their low purchasing power affects economic outcomes and welfare indicators. There are rising GBV and suicide cases among young people. Citizens are outraged by the compromised institutions that continue to undermine the economy. Their access to internet and the avid use of social media platforms make them amplify the gaps in governance and escalate discontentment. Certain sectors are reserved for the elite so, for example, farmers are unable to expand and add value to their products; local entrepreneurs trying to break into the industry are hounded by KRA; Investment in certain sectors is minimal, just enough to maintain the appearance of prosperity.
“Wajinga nyinyi” scenario	Life is unbearable, and citizens join the widespread corruption and looting to survive. The black market thrives, with smuggling of goods across the border depriving the state of customs duty. There is an increase in counterfeit goods, money laundering, land speculation and fraud as well as the provision of public services like health and education slowly becoming non-existent. There is increasing lack of trust as authorities suppress enterprise and other freedoms.
Technology – for access to information, mis or inform, surveillance, cyber security, and controlling civic space)	

“System ya matapeli” scenario	Government actively uses technology to disseminate government generated 'official' data that sanitizes their actions and portray them in a good light. They fund social media influencers to enhance the official narratives thus countering, trolling, or bullying dissenting voices and disinforming the masses. The government increases internet access countrywide and encourages IT use through tax incentives of IT products (because they also own the companies) to show efficiency and effectiveness.
“Uta do?” scenario	The government with their mta do? attitude has constricted the physical civic space and also taken complete control of traditional media which is predominantly used to disinform. KOT therefore take to the online platforms and enhance their citizen vigilance and participation aggressively. They become so effective that they are naming and shaming, as well as forcing online responses from politicians on certain accountability questions. The state tries to control KOT through and introduction of social media taxes, slowing down the services so that even loading a tweet is a long arduous task.
“Wajinga nyinyi” scenario	Communications Authority shuts down internet arbitrarily citing security concerns. KOT uses VPN to bypass the government internet restrictions but has to find ways to bypass intense surveillance.
Big data and other new technologies as a game-changer	
“System ya matapeli” scenario	Government in partnership with big corporates collaborate in big data collection and use of new technologies like AI, drones, robotics, block chain technology including bitcoins etc. to be able to provide efficient and targeted services like medical supplies to the masses (which hugely profit them) and keep citizens 'happy'. Data becomes the new currency;
“Uta do?” scenario	The political elites exchange debt relief with citizens data (data for debt swap). Citizens adopt encrypted apps that enable them to conceal their personal data and communication behavior so that it is not appropriated by the government and foreign companies.
“Wajinga nyinyi” scenario	Increased tech fraud and cybercrime both by government and people.
Deployment of technology in elections – does it enhance a level playing field, impact on election outcomes, extent to which it bridges trust deficit,	
“System ya matapeli” scenario	Government and political elites increases the use of technology as a key electoral determinant where they use it to gather data (Cambridge Analytica for political messaging). Government officials and politicians also encouraged the use of tech since they own the supplying companies and would further use the profits to manipulate the elections. Government operatives have infiltrated IEBC's tech platform and is manipulating the algorithm to determine the results.
“Uta do?” scenario	With the government banning physical campaigns due to Covid-19, the opposition takes its campaigns online. The Youth also find this online space as more accessible and freer for political engagements. As a result of this, strong youth organizing emerges and sees a big percentage of youth in elective and opposition politics.
“Wajinga nyinyi” scenario	With other online social media platforms shut down, and traditional media controlled, the general public remains in total darkness of what is happening. However, huge youth mobilization in all polling stations hold officers at ransom and overpower state security machinery, oversee the counting of votes using rudimentary means which ensures accurate counting of votes. The state cannot manipulate the results and therefore loses.
A generation of youth oblivious of their history; the youth bulge concern	

<p>“System ya matapeli” scenario</p>	<p>Inter-generational gap encourages government to be able to camouflage its inadequacies by continuous ignorance of historical issues / injustices as well as masking injustice through efficient government operations. People therefore do not make a connection between politics and public service delivery</p> <p>The high number of unemployed youth is instrumentalized to tokenize youth through ‘youth led government initiatives and programs (e.g. kazi mtaani, ajira digital, youth fund, Y-AGPO, etc.) to ‘keep them busy’. This has kept the youth appreciative of what the government is doing for them and they act out of gratitude, also because access to internet keeps them extremely busy, online. In fact they adore and aspire to building the business empires they see among government officials by any means necessary and therefore support the enterprise government.</p>
<p>“Uta do?” scenario</p>	<p>Tech savvy youth seize the opportunity of shrinking physical civic space, creatively critique government and form strong vigilance of public space</p>
<p>“Wajinga nyinyi” scenario</p>	<p>High unemployment and frustrations relegate them to joining criminal, terrorist, militia groups that really terrorize people. Lawlessness heightens dramatically</p>
<p>Role of different sectors of society</p>	
<p>“System ya matapeli” scenario</p>	<p>Private sector through PPPs, FDIs, MNCs pretty in collaboration with government run public affairs. Civil society basically collapses in this scenarios with no funding for programs and projects as well as low citizen support for their work. Some turn themselves into corporates for profits to align with the environment, otherwise they are among the ostracized</p>
<p>“Uta do?” scenario</p>	<p>CSO strategies shift predominantly online, to join the unorganized/ organically growing opposition movement now led by youths. Public affairs are mainly run by government which largely ignores this opposition.</p>
<p>“Wajinga nyinyi” scenario</p>	<p>Formalized institutions relocate from the madness of the lawless society Kenya has become. The rest operate in the informal space to survive</p>

7. Key messages for stakeholders

Table 10: Key messages for key stakeholders

<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p>	<p>Kenya in 2025 is a statistically strong economy, that is somewhat inclusive with corporatized politics that are dominated by merchant politicians who give a sense of independent institutions that are trusted hence they are deemed legitimate and accountable. Technology is deployed for ‘efficiency and effectiveness’ and where those who critique government are ostracized meaning that the majority are apathetic, and passive citizens. Indeed, when rats bite, they blow</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p>	<p>Kenya in 2025 is a debt driven exclusive bandit economy that is run through elite pact politics that give a sense of politically dependent institutions that are compromised hence a sense of low trust and illegitimacy. Technology is actively used by citizens to enhance information and the freedom to actively engage and therefore citizens frequently spew online outrage. Indeed a leopard can’t/ doesn’t change its spots</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p>	<p>Kenya in 2025 has a collapsed economy led by demagogue politicians that unravel constitutional provisions for their own ends hence compromised and illegitimate institutions that have low trust. Technology is deployed for surveillance to curtail freedoms and disinform citizens who are complicit crooks, actively abetting the illegal goings on. If you can’t beat them, join them</p>
<p>How is the Constitution and constitutionalism defined or perceived in this scenario</p>	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p>	<p>Following the constitution is not an obligation. They observe it selectively and grudgingly</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p>	<p>2010 was a peoples constitution imposed on the elite, BBI is the ruling elites imposition on the people</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p>	<p>Abrogate the constitution all together</p>
<p>What values are espoused in each scenario by</p>	
<p>Government</p>	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p>	<p>Undermine institutions very subtly especially independent ones</p> <p>Appoint cronies / loyalists and security apparatus</p> <p>Sabotage MDAs (Ministry department and agencies) failure so that you privatize and acquire them</p> <p>Intentional militarization of civilian spaces and institutions</p> <p>Use data to whitewash real state of affairs</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p>	<p>Re-centralization of the state (sabotage of devolution) through control</p> <p>Out rightly impose executive overreach and tyranny on social movements</p> <p>Use money (print more the Jirongo type) to give the impression that the economy is working and to bribe voters</p> <p>Merge and dilute the power of independent institutions</p> <p>Semblance of public service delivery</p>

“Wajinga nyinyi” scenario Scenario C: Reggae Defeated	Win is short lived Deep state re-organizes to re-capture the unexpected turn of events Ill equipped to formally run government including the inherited baggage of debt and economic crisis Mismanaged expectations Monopoly of security apparatus
Independent commissions and offices	
“System ya matapeli” scenario Scenario A: Reggae Abandoned	Majority are complacent and compliant Pursue alternative budgetary support
“Uta do?” scenario Scenario B: Reggae Wins	Deal with the politics of being merged Salariat classes who join to get the packs
“Wajinga nyinyi” scenario Scenario C: Reggae Defeated	They do not function because there is no money
Private sector	
“System ya matapeli” scenario Scenario A: Reggae Abandoned	Central beneficiaries of government largesse They increasingly influence public policy and actively implement public services through partnerships Advances “private solutions to public problems”
“Uta do?” scenario Scenario B: Reggae Wins	Play a big advisory role Are the key subterranean players in public service delivery
“Wajinga nyinyi” scenario Scenario C: Reggae Defeated	Private sector relocates to neighboring countries
Civil society organizations	
“System ya matapeli” scenario Scenario A: Reggae Abandoned	Human rights, governance and accountability CSOs demobilized, while service provision CSOs are displaced by private sector from their traditional role. No traction in commencement of the PBO act. Civil society increasingly doing income generating activities and rethinking their non-profit logic
“Uta do?” scenario Scenario B: Reggae Wins	CSO at the forefront of “constructive engagement” with the government are thus part of the optical illusion that they are included. The commencement of the PBO act is done to charm CSOs through amending it and appointing a compromised DG from the sector.
“Wajinga nyinyi” scenario Scenario C: Reggae Defeated	CSO sector cash starved as donor resources are channeled (currently at 180B annually) through government which they re-distribute CSOs activities curtailed because government weaponizes and instrumentalizes security and public safety
Citizens including youth	

<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p>	<p>Efficiency and effectiveness lingo as well as some semblance of economic progress pacifies citizens from political engagement.</p> <p>Initial negative ethnicity and threats of balkanization at the seeming coronation of ‘monarchies’ which is quickly pacified by handshake 2 re-loaded.</p> <p>Citizens are resigned to the futility of elections because of GNU’s (Governments of National Unity).</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p>	<p>Citizens actively engaged in the resistance against outright authoritarianism. They spew online outrage</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p>	<p>Citizens are complicit crooks abetting the illegal goings on including being bought to survive in this world.</p>

What values are espoused in each scenario by	
Government	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p>	<p>Undermine institutions very subtly especially independent ones</p> <p>Appoint cronies / loyalists and security apparatus</p> <p>Sabotage MDAs (Ministry department and agencies) failure so that you privatize and acquire them</p> <p>Intentional militarization of civilian spaces and institutions</p> <p>Use data to whitewash real state of affairs</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p>	<p>Re-centralization of the state (sabotage of devolution) through control</p> <p>Out rightly impose executive overreach and tyranny on social movements</p> <p>Use money (print more the Jirongo type) to give the impression that the economy is working and to bribe voters</p> <p>Merge and dilute the power of independent institutions</p> <p>Semblance of public service delivery</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p>	<p>Win is short lived</p> <p>Deep state re-organizes to re-capture the unexpected turn of events</p> <p>Ill equipped to formally run government including the inherited baggage of debt and economic crisis</p> <p>Mismanaged expectations</p> <p>Monopoly of security apparatus</p>
Faith based organizations	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p>	<p>They are part of the entrepreneur movement that is implementing public services</p> <p>They actively endorse the idea that “leadership comes from God”. They actively pacify people – through peacepreneurship movement to accept the coronation</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p>	<p>The sector sanitizes the politicians and their authoritarian act</p> <p>The church is complicit in the oppression of the people</p>

“Wajinga nyinyi” scenario	Citizens become more religious as non-mainstream religions flourish to give diverse versions of prosperity hope as a coping currency.
Scenario C: Reggae Defeated	The church is complicit in abetting the ills of government which are also rife in their own churches. it is also complicit with the oppression of the people e.g. “when my pastor wants a car, we change, but when I want mine, I am told to pray and plant seeds and have faith”

What values are espoused in each scenario by	
Donor community	
“System ya matapeli” scenario	Aid to trade policy fully implemented.
Scenario A: Reggae Abandoned	Mainstream donor decreases tremendously to government and CSOs but increases tremendously to their own private sector involved in the mega-project
“Uta do?” scenario	Ambivalent donor funding through government
Scenario B: Reggae Wins	Push for more debt financing
“Wajinga nyinyi” scenario	Donor flight
Scenario C: Reggae Defeated	Supporting of emergency funding Some resource the demagogue
Political parties	
“System ya matapeli” scenario	initial emergence of radical political formations to counter the coronation but they are quickly disbanded
Scenario A: Reggae Abandoned	Continue to be on the decline as the overarching two de-facto party system create the two main binaries which eventually form a government of national unity Parties are very close to capital
“Uta do?” scenario	Weakened political parties at the national level, so parties retreat to regional politics where they seek control at the county level
Scenario B: Reggae Wins	Fund parties led by younger people to co-opt them for the long-term
“Wajinga nyinyi” scenario	Influence by outside powers to support the demagogues political career including buying off political parties to increase support base.
Scenario C: Reggae Defeated	
Media	
“System ya matapeli” scenario	They are owned all traditional media houses that self-censor
Scenario A: Reggae Abandoned	Independent media sells off or are snuffed out
“Uta do?” scenario	Online media thrives and traditional media controlled by state plays catch-up
Scenario B: Reggae Wins	
“Wajinga nyinyi” scenario	Media shut-down with one major state controlled station is used to disinform
Scenario C: Reggae Defeated	Social media shutdown

2022 Succession elections	
Who wins? How they win? Implications of win?	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Power is conferred to Gideon Moi through one Kenya alliance/niachie.</p> <p>It is an elite pact to maintain status quo</p> <p>To sustain the hegemony</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>RAO and UHURU “win” the elections</p> <p>Through the BBI referendum euphoria and state resourcing</p> <p>Dynasty continues</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Surprise winner amidst political prisonship of main candidate</p> <p>The contradictions of the accidental coalition show immediately.</p> <p>The deep state re-groups to undermine legitimacy, discredit and form other crises.</p>
Economically	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Marketization of COVID seen as a way to make more money for the sector through the livelihood narratives</p> <p>Profitable for political elite owning companies that procure vaccines and other COVID merchandise</p> <p>Wet market sellers, wage laborer’s and communities of densities like slums were disproportionately affected by COVID control measures based on conditions in which they live and work</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>High militarization of COVID to enforce high mitigation measures</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Emergenci-zation of COVID to get relief resources.</p> <p>Impact of COVID lives and livelihoods and stolen resources (aka KEMSA nization) triggers a tipping point</p>
Devolution	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Conditional resources given on “efficient and effective delivery of services”</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>A boundaries review proposes to reduce the counties to 8 and to increase the constituencies by 70 but this is pegged on loyalty to the center, and agreement for counties to consolidate into the former provincial administration. The 35% county allocation, WDF et al. are not as forthcoming because there is no money. Car grants have also not been given.</p>

<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>There is no money whatsoever to the already populist expanded devolved units.</p>
Debt	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>aid to trade policy fully implemented.</p> <p>Tremendous decrease in traditional donor contribution to both GoK and CSOs, as donors shift towards own private sector involvement in the mega-project</p> <p>Rack up more debt and ask for rescheduling</p> <p>More mega projects</p> <p>Work with IFIs to implement austerity measures because the look to the East policy is unsustainable</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>Ambivalent donor funding through government</p> <p>Push for more debt financing</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Donor flight</p> <p>Supporting of emergency funding</p> <p>Some resource the demagogue</p>
Corruption	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Deterioration. State-led corruption on the ascendancy but very carefully executed</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>Deterioration. State-led corruption on the ascendancy but overtly executed</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Few high profile prosecutions and mega contract reversals/cancellations to appease popular appetite for change. In reality, nothing much changes as State-led corruption on the ascendancy especially in cahoots with foreign companies</p>
2/3rds gender rule	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Women of Kenya remain marginalized, continue agitating for implementation of the Gender 2/3 rule.</p>

<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>No significant gains for women as BBIs embark on selective implementation of the BBI promises.</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Populist cabinet with 50% women symbolizes a major shift.</p>
<p>Taxation</p>	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>More direct and indirect taxation. Kenyans are officially the most taxed people in the world.</p> <p>They are effectively collected through the deployment of technology. A sizeable group can afford it and so they pay</p> <p>Everything that can be taxed is taxed to finance debt, state-led corruption and an expanded luxury government of national unity</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>Taxation without service commensurate delivery.</p> <p>More direct and indirect taxation. Kenyans are officially the most taxed people in the world.</p> <p>Everything that can be taxed is taxed to finance debt, state-led corruption and an expanded BBI luxury government</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Populist tax reversals in the immediate period after elections when KRA ordered to reduce taxation and eradicate some altogether amid an economy on a downward spiraling.</p> <p>Tax revenue is at its lowest, with many circumventing tax through the informal system. Corruption is at its worst, and institutions are most inefficient.</p>
<p>Peace and stability</p>	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>The inevitability of dynastic politics makes citizens angry but remain peaceful to sustain their livelihoods. The peace at all costs narrative is very rife in this scenario – it privileges economy over politics and legality over legitimacy. Kenyans are politically apathetic and disconnected to national issues and discourses.</p> <p>Efficiency and effectiveness lingo as well as some semblance of economic progress pacifies citizens from political engagement – why rock the boat.</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>Peace & violence is dependent on appeasement of elite interests with persistent peace campaigns urging citizens to ‘accept and move on’</p> <p>Absence of physical war but divisions are clear in online spaces where citizens have formed various groupings for political mobilization against the system.</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Citizens at first are very optimistic and hold high expectations for the future, having defeated the BBI coalition in the referendum and the elections and also having a non-traditional politician in power. that becomes very short lived and they have to retreat to their informal spaces to survive - becoming complicit crooks, abetting the illegal goings on to survive the chaos.</p>

Unemployment	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p><i>Kazi Kwa Vijana</i> and <i>Kazi Mtaani</i> reloaded to appease increasingly restless youth</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>It is a gerontocracy: rule by the old as election losers are rewarded with plum jobs</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>Things go informal and the black market way</p>
PBO Act 2013	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Still not commenced, no political goodwill by the leadership to reset relations with the PBO sector</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>PBO Act 2013 commenced to buy some legitimacy</p> <p>Key provisions about autonomy, self-regulation and funding watered down</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>PBO Act 2013 commenced ‘as-is’ to reward sector for role in defeating ‘dynasties.’</p>

Strengths	
Government	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Government is in total control with no opposition from fellow politicians or from people</p> <p>Government is in control of the narrative and it is doing relatively well in providing services</p> <p>It has managed to negotiate a comfortable debt repayment plan</p> <p>Those in control are profiting massively</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>Dynasties are in total control, with equal influence and power between RAO and UK.</p> <p>Without strong opposition, they can do anything</p> <p>US and international lenders more than happy to provide loans</p>

<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>A win for “we the people”</p> <p>Popular support, goodwill and legitimacy</p>
Private sector	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Friendly government gives it significant access to and control of government operations</p> <p>They are profiting big time</p> <p>Their assets are safeguarded through political patronage and stabilized political operating environment including and economic growth that is looking up</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	
Civil society organizations	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>Still retains some convening and organizing capability</p> <p>pockets of legitimacy among disempowered, marginalized constituencies</p>
<p>“Uta do?” scenario</p> <p>Scenario B: Reggae Wins</p> <p>Reggae wins (YES win)</p>	<p>Desire by the BBI coalition for some legitimacy makes them open to engagement with CSOs</p>
<p>“Wajinga nyinyi” scenario</p> <p>Scenario C: Reggae Defeated</p> <p>Reggae defeated (NO win)</p>	<p>CSOs played a key role in defeat of BBI agenda/team and so has a listenership. still considered a key actor and voice.</p>
Communities/Citizens	
<p>“System ya matapeli” scenario</p> <p>Scenario A: Reggae Abandoned</p> <p>Reggae abandoned (No referendum)</p>	<p>By forcing abandonment of the BBI project, the public feels a sense of victory against the political elite</p>

“Uta do?” scenario Scenario B: Reggae Wins Reggae wins (YES win)	Increasing anger and frustration makes it easy to galvanize many to resist. social media as powerful tool for consolidating and directing anger and action
“Wajinga nyinyi” scenario Scenario C: Reggae Defeated Reggae defeated (NO win)	Cautious optimism Capacity to cause chaos
Faith based organizations	
“System ya matapeli” scenario Scenario A: Reggae Abandoned Reggae abandoned (No referendum)	Have a captive and trusting audience and constituency Spiritual refuge of last resort to many afflicted
“Uta do?” scenario Scenario B: Reggae Wins Reggae wins (YES win)	Widespread poverty and deprivation makes it easy to capture desperate citizenry through hope-vending
“Wajinga nyinyi” scenario Scenario C: Reggae Defeated Reggae defeated (NO win)	Played key role in defeat of BBI agenda. Retains listenership among citizens and civil society, while politicians find it difficult to isolate/ignore them

Strengths	
Donor community	
“System ya matapeli” scenario	Increased appetite for debt to maintain facade of development and strong economy gives significant leverage to donors, lenders and international financial institutions
“Uta do?” scenario	An indebted country is a weak country internationally. Donors have a free ride with conditionalities and interference in internal affairs
“Wajinga nyinyi” scenario	donor support can be critical in managing heightened citizen expectation in the initial days of electoral victory
Youth	
“System ya matapeli” scenario	Have the numbers deteriorating economic situation makes youth a critical constituency, hence can have the ear of the leadership capacity for online organizing for voice and action
“Uta do?” scenario	BBI duo's desire for 'appeasement' of critical constituencies
“Wajinga nyinyi” scenario	As foot soldiers of the 'revolution, youth have a place at the table and can negotiate esp. in the earlier stages of victory
Political Parties	
“System ya matapeli” scenario	Multi-partyism endures, so does the space for political rights and freedoms
“Uta do?” scenario	Existence of CMD-Kenya and capacity to mobilize and organize most political parties on a single platform

“Wajinga nyinyi” scenario	Fringe parties that opposed BBI find new relevance and lifeline
Media	
“System ya matapeli” scenario	Retains significant influence on news, narratives and creation of public perception
“Uta do?” scenario	Social media provides alternative source of information
“Wajinga nyinyi” scenario	Capacity to adapt quickly to existing reality, narratives and interests

Weaknesses	
Government	
“System ya matapeli” scenario	Contested legitimacy
“Uta do?” scenario	Upset that they cannot control online outrage
“Wajinga nyinyi” scenario	Chaotic approach with limited capacity to govern leads to rule-by-appeasement and populism
Private sector	
“System ya matapeli” scenario	Carries baggage of government due to perceived proximity to ruling elite
“Uta do?” scenario	Operating in an uncertain and deteriorating economic environment.
“Wajinga nyinyi” scenario	Disconnect from the politics of the day
Civil society organizations	
“System ya matapeli” scenario	Internal resistance to meaningful reforms Underfunded and under-resourced Lack of sector leadership and cohesive vision Disoriented, disjointed and defeated Diminished legitimacy
“Uta do?” scenario	CSO strategies shift predominantly online They do not lead but they join the unorganized/organically growing opposition movement now led by youths.
“Wajinga nyinyi” scenario	Those who can, especially international orgs. relocate their operations to other countries Those that remain operate underground, taking up livelihood programs
Communities/Citizens	
“System ya matapeli” scenario	Fractured along BBI-ethno-political lines Limited capacity to forge a united front
“Uta do?” scenario	Fractured along BBI-ethno-political lines Limited capacity to forge a united front
“Wajinga nyinyi” scenario	Very low levels of trust (for politicians, selves, CSOs etc.)
Faith based organizations	
“System ya matapeli” scenario	Proximity to politicians further diminishes legitimacy
“Uta do?” scenario	Perceived inability to speak truth to power
“Wajinga nyinyi” scenario	Diminished trust by citizens
Donor community	
“System ya matapeli” scenario	Alienation from citizens and civic actors due to pursuit of TRADE-not-AID policy

“Uta do?” scenario	Diminished influence over government impunity
“Wajinga nyinyi” scenario	Ineffectiveness of relying on old tools for new context realities
Youth	
“System ya matapeli” scenario	Easy to manipulate Lacks clear, coherent agenda as a constituency
“Uta do?” scenario	Impatient and propensity for instant gratification undermines capacity to organize better
“Wajinga nyinyi” scenario	Unwillingness to do the hard work leaves youth easily manipulatable
Political Parties	
“System ya matapeli” scenario	Financial vulnerability of most, as political parties’ cash goes to the biggest players
“Uta do?” scenario	Capture by ethnic lords and private interests limits capacity for public interest voice
“Wajinga nyinyi” scenario	Diminishing relevance Diminished convening power
Media	
“System ya matapeli” scenario	Structure of media ownership tied to politicians and political interests
“Uta do?” scenario	An increasingly compliant media loses authenticity as public watchdog
“Wajinga nyinyi” scenario	Reduced dominance of mainstream/traditional media
Opportunities	
Government	
“System ya matapeli” scenario	Significantly reduce runaway corruption
“Uta do?” scenario	Rebuild trust by keeping the BBI promises to various constituencies
“Wajinga nyinyi” scenario	High level of trust by citizens in the initial stages after defeating BBI
Private sector	
“System ya matapeli” scenario	Adopt and implement a more stringent anti-corruption framework
“Uta do?” scenario	Leverage continuity of good relations with BBIs to influence progressive economic policies and interventions
“Wajinga nyinyi” scenario	Hit the reset button and rebuild relationship with rest of society (civil society, faith, youth, women etc.)
Civil society organizations	
“System ya matapeli” scenario	A diverse, expanded GNU gives hope for PBO Act commencement and reforms
“Uta do?” scenario	Resetting State-CSOs relations due to BBIs desperate desire to appease ‘hostile’ constituencies
“Wajinga nyinyi” scenario	Optimism and subsequent chaos provides opportunity for rejuvenation of the sector
Communities/Citizens	
“System ya matapeli” scenario	
“Uta do?” scenario	
“Wajinga nyinyi” scenario	Assert their collective power and secure the victory over the political elite

Faith based organizations	
“System ya matapeli” scenario	Find its voice and speak truth to power.
“Uta do?” scenario	Stand in place of political opposition as defender of the people, and especially the weak and vulnerable
“Wajinga nyinyi” scenario	Provide hope, and stand in the place of disillusionment as reality of unmet expectations set in.
Civil society organizations	
“System ya matapeli” scenario	A diverse, expanded GNU gives hope for PBO Act commencement and reforms
“Uta do?” scenario	Resetting State-CSOs relations due to BBIsts desperate desire to appease ‘hostile’ constituencies
“Wajinga nyinyi” scenario	Optimism and subsequent chaos provides opportunity for rejuvenation of the sector
Donor community	
“System ya matapeli” scenario	
“Uta do?” scenario	Investment in rebuilding vibrant civil society in the absence of strong, credible political opposition
“Wajinga nyinyi” scenario	
Political Parties	
“System ya matapeli” scenario	Strengthen multi-partyism
“Uta do?” scenario	Those out of BBI-power structure have opportunity to tap into public frustrations with state of the country
“Wajinga nyinyi” scenario	Renewal and reorganization, new alliances and formations
Media	
“System ya matapeli” scenario	Increase commitment to public information on economy, politics and society
“Uta do?” scenario	Rebuild accountability reputation of the media in absence of credible political opposition
“Wajinga nyinyi” scenario	
Threats	
Government	
“System ya matapeli” scenario	Rising inequality in a ‘growing’ economy
“Uta do?” scenario	Inability to meet basic service delivery obligations breeds mass discontent and agitations
“Wajinga nyinyi” scenario	Political instability and lawlessness
Private sector	
“System ya matapeli” scenario	Debt driven economic ‘growth’ masks significant decline in manufacturing and general economy
“Uta do?” scenario	Targeted economic boycotts Perception burden as it is seen as being part of the government due to rising influence
“Wajinga nyinyi” scenario	Seen as part of Kenya’s problem. Carries associational burden of ‘defeated’ politicians (BBI etc.), hence faces hostility.

Civil society organizations	
“System ya matapeli” scenario	Increased hostility from the State makes donors reduce resourcing
“Uta do?” scenario	Cooptation by the BBI government
“Wajinga nyinyi” scenario	Erosion of influence as citizens feel the power of their collective action.
Communities/Citizens	
“System ya matapeli” scenario	State intolerance deepens the shrinking of the democratic and civic space
“Uta do?” scenario	Split between pro- and anti-BBI groups undermine collective action for better Kenya
“Wajinga nyinyi” scenario	Unmet expectations breeds mass disillusionment resulting in either widespread indifference to the state of the nation, or complicity in the emerging chaos and breakdown of rule of law
Faith based organizations	
“System ya matapeli” scenario	Diminishing relevance among citizens and faithfuls
“Uta do?” scenario	Mass disillusionment in faith community’s inability/unwillingness to speak truth to power
“Wajinga nyinyi” scenario	Further alienation from critical public sphere due to associational burden (perception of complicity with uprooted elite)
Donor community	
“System ya matapeli” scenario	Increased adoption of ‘trade, not aid’ policy leaves most donor countries alienated from civil society and related platforms
“Uta do?” scenario	Continued shrinking of civic space by an increasingly intolerant government. Government continues anti-donor policy, especially targeting human rights, governance and accountability
“Wajinga nyinyi” scenario	Instrumentalization of donor relations by the leadership. Cooperation is conditional on donors continued provision of financial resources
Youth	
“System ya matapeli” scenario	Government continues to pay lip service to the deteriorating youth situation. No serious commitment to lasting solutions
“Uta do?” scenario	Band-aid approach to the youth crisis results in proliferation of ‘youth-empowerment’ initiatives that do not address the root cause of the crisis.
“Wajinga nyinyi” scenario	Frustrations from shattered expectations and clamor for delivery of promises attract reprisal attacks from the government
Threats	
Political Parties	
“System ya matapeli” scenario	Continuous handshake and ‘GNU’ undermines meaningful competition for power based on ideology
“Uta do?” scenario	BBI victory sets stage for emergence of few ‘mega-parties,’ posing threat to Kenya’s multi-party democracy
“Wajinga nyinyi” scenario	Emerging autocracy undermines freedom of expression, association and political action
Media	
“System ya matapeli” scenario	Social and new media displacing mass/traditional media owned predominantly by political and economic elite

“Uta do?” scenario	Attempts by the victorious political class to control the narrative and public information. Media freedom undermined through legislation Safety of journalists at risk everywhere. Loss of advertising revenue from government
“Wajinga nyinyi” scenario	New media makes every interested citizen a journalist, hence traditional/mass media loses monopoly of information/news. Erosion of the idea of universal truths, hence disinformation and misinformation undermine prospects for real civic engagement

What are our strategic responses to the weaknesses and the threats	
Government	
“System ya matapeli” scenario	Manage national debt Reign in on State-led corruption
“Uta do?” scenario	Secure and strengthen devolution, and prioritize essential service delivery.
“Wajinga nyinyi” scenario	Build a broad-based coalition to govern
Private sector	
“System ya matapeli” scenario	Better engagement with public and government on fundamentals of the economy
“Uta do?” scenario	Build reputation as a principled collaborator with the government, not an arm of it.
“Wajinga nyinyi” scenario	Create partnerships beyond profits and bottom lines. Re-imagine corporate social responsibility as partnership with the people and communities.

What are our strategic responses to the weaknesses and the threats	
Civil society organizations	
“System ya matapeli” scenario	Build relationships across unlikely, new sectors, actors.
“Uta do?” scenario	Think and act political. Drop the facade of neutrality or apolitical.
“Wajinga nyinyi” scenario	De-emphasize the rights language Reframe advocacy away from the language of rights
Communities/Citizens	
“System ya matapeli” scenario	Build capacity to catalyze individual and community level organizing and action.
“Uta do?” scenario	Identify, isolate and organize around key issues
“Wajinga nyinyi” scenario	Manage expectations, de-emphasize direct private gain as pre-condition for organizing. Invest in trust-building from the micro i.e. personal belief, within local communities etc.
Faith based organizations	
“System ya matapeli” scenario	Rediscover the social justice voice of the faith community.
“Uta do?” scenario	Speak truth to power and defend human rights
“Wajinga nyinyi” scenario	Invest in trust-building Rediscover the social justice call of the faith community reclaim the moral leadership role in KE.
Donor community	

“System ya matapeli” scenario	Find a creative balance between tradition development aid and the emerging impetus for trade.
“Uta do?” scenario	Develop innovative funding mechanisms including awarding individuals, demand for reduced reports
“Wajinga nyinyi” scenario	Develop clarity on irreducible minimums as precondition to providing development support to government. Develop new, fit-for-context approaches to grant making support
Youth	
“System ya matapeli” scenario	Frame key priority issues and organize around these
“Uta do?” scenario	Consolidate youth platforms into major blocs for issue-based advocacy
“Wajinga nyinyi” scenario	Lead from the front, exercise agency and take ownership the youth agenda. Consider youth-only political party

What are our strategic responses to the weaknesses and the threats	
Political Parties	
“System ya matapeli” scenario	Legislate to expand beneficiary criteria for government funding for political parties
“Uta do?” scenario	Defend and entrench multi-partyism in Kenya’s democratic culture.
“Wajinga nyinyi” scenario	Consolidate and merge ideologically aligned and willing parties
Media	
“System ya matapeli” scenario	Invest in strengthening new/emerging media platforms
“Uta do?” scenario	Form strategic alliances with other sectors ‘under siege’ for collective response to shrinking civic space.
“Wajinga nyinyi” scenario	For mass media, embrace innovation and find new reputation as public interest defender.

Assumptions made in the story	
“System ya matapeli” scenario	Regional integration will be successful
“Uta do?” scenario	Technology is always a good thing
“Wajinga nyinyi” scenario	Kenya’s resilience from decimation has a limit

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9. The Team

In completing the assignment, we worked with a very diverse group of people. It is important to note that the report does not reflect the individual opinions of these individuals but it is a synthesis of the collective information received and analyzed by the researchers.

9.1 The working group members

Table 11: Working group members

Names	Specialization
1. Regina Opondo - Kenya Tuitakayo Movement	Gender
2. Oloo Janak – Kenya Correspondents Association	Media
3. Agostinho Neto – United Green Movement	Political parties
4. Nerima Wako - Siasa Place	Youth Representative
5. Stephanie Muchai - HIVOS	Open Governance
6. Phyllis Ombonyo, FHI360	Chief of Party
7. Caroline Watheka, FHI360	Grants Manager
8. Frankline Mukhwanja, CMD	Political Parties
9. Waruguru Kaguongo, Okoa Mombasa	Movements
10. Suba Churchill, CSRG	Civic Space
11. Francis Angila Aywa	Lawyer/Elections Expert

9.2 Regional participants

Table 12: Regional participants

Machakos meeting held on 11th November 2020		
Chresence Mutungi	Youth	Male
Chris Mbiti	Non-youth	Male
Daniel Mutunga	Non-youth	Male
Donatus Lili	Non-youth	Female
Dr. Edward Nzinga	Non-youth	Male
Dr. Jimmy Mutunga	Non-youth	Male
Dr. Katindi Sivi	Non-youth	Female
Festus Muindi Maii	Non-youth	Male
Festus Mutuku	Youth	Male
Fr. Jeremiah Mutuku	Non-youth	Male
Fred Munyao	Non-youth	Male
Jeriter Mutisya	Non-youth	Female
Josedas Muthama	Non-youth	Male
Joseph Kimeu	Non-youth	Male
Judah Kioko	Youth	Male
Justus Mutuku	Non-youth	Male
Mary Mutuku	Non-youth	Female
Philippe Sadjah	Non-youth	Male
Robert Muli	Youth	Male
Vexinah Muindi	Non-youth	Female
Victoria Philip	Non-youth	Female
Nyeri meeting held on 19th November 2020		

Alukwe Faith	Youth	Female
Beatrice Muthoni Njeru	Non-youth	Female
Boniface Ndegwa Ng'ang'a	Youth	Male
Charles Wambugu Mutitu	Non-youth	Male
David Nderitu	Non-youth	Male
Edwin Nderitu Kamau	Youth	Male
Elizabeth Muriuki	Youth	Female
Grace Ngatia	Youth	Female
Isaac Njoroge	Youth	Male
Jane Kamwaga	Non-youth	Female
Johnson Ritho	Non-youth	Male
Joseph Otieno Sing'ienda	Non-youth	Male
Justus Kyalo Mutuku	Youth	Male
Martin Muteru	Non-youth	Male
Michael Ndegwa	Non-youth	Male
Muthoni Wanjau	Non-youth	Female
Nyakeru Lydia Murage	Non-youth	Female
Paul Gatitu	Youth	Male
Regina Mwangi	Non-youth	Female
Susan Muthoni Kamau	Non-youth	Female
Timothy Kariuki	Non-youth	Male
Tirus Ndegwa Njoroge	Non-youth	Male
Wamuyu Gathinji	Non-youth	Female
Mombasa meeting held on 26th November 2020		
Amina Mohammed	Youth	Female
Bessie Sarowiwa	Youth	Female
Betty Sharon	Non-youth	Female
Bosco Juma	Youth	Male
Chamosi Mwinyihaji	Non-youth	Male
Charity Chahasi	Non-youth	Female
Doris Ojiambo	Youth	Female
Eric Mgoja	Youth	Male
Felix Otieno Obiero	Youth	Male
Halima Mohamed	Youth	Female
Hamadi madzore	Youth	Male
Jacqueline Oguya	Youth	Female
Judy Mito	Youth	Female
Kalama Jolushi	Youth	Male
Lucas Fondo	Non-youth	Male
Mercy Munga	Youth	Female
Michael Nato	Non-youth	Male
Oduor Geoffrey	Youth	Male
Oduor William	Youth	Male
Petro Okodo	Non-youth	Male
Rawago Hildah	Youth	Female
Swaleh Mohamed	Youth	Male
Zedekiah Adika	Youth	Male
Nakuru meeting held on 2nd December 2020		

Akinyi Sophie	Youth	Female
Antony kiguta	Youth	Male
Bancy Kubutta	Non-youth	Female
Ben Gathogo	Non-youth	Male
Chelal Isaac	Youth	Male
Collins Korir	Youth	Male
Cornelius Oduor	Non-youth	Male
David Ruto	Non-youth	Male
Florence Kipyas	Youth	Male
Gilbert Ngeno	Youth	Male
Irene Mukalo	Non-youth	Female
Irene Nyiva	Youth	Female
Isaiah Biwott	Non-youth	Male
Jackson Raini	Non-youth	Male
John Kamande	Youth	Male
Juddith Koech	Youth	Female
Keffa Magenyi	Non-youth	Male
Kenneth Alumase	Non-youth	Male
Kenneth Kimaiyo	Youth	Male
kioko Kivandi	Non-youth	Male
Margaret Mwangi	Non-youth	Female
Marusoi Aron	Non-youth	Male
Nael Nyamusi	Youth	Female
Orwa Michael	Non-youth	Male
Patrick Barasa	Non-youth	Male
Paul Masese	Non-youth	Male
Peter Wagutu	Non-youth	Male
Philemon Kimaiyo	Youth	Male
Philip Ng'ok	Youth	Male
Philip Tomno	Non-youth	Male
Sarah Chepkirui	Youth	Female
Tom Juma	Non-youth	Male
Winnie Koros	Non-youth	Female

Kisumu meeting held on 4th December 2020

Alice Kirambi	Youth	Female
Atiang Atyang	Non-youth	Male
Audi Ogada	Non-youth	Male
Benford Olwa	Youth	Male
Betty Okero	Non-youth	Female
Chris Owalla	Non-youth	Male
Collins Kodhek	Non-youth	Male
Elizabeth Duya	Youth	Female
Eunice Atieno	Non-youth	Female
Eunice Owino	Non-youth	Female
Francis Opande	Non-youth	Male
Fred Wanyonyi	Non-youth	Male
Japheth Ojjo	Non-youth	Male
John Hadullo	Non-youth	Male

Melanie Omedi	Youth	Female
Michael Arum	Non-youth	Male
Obure John	Non-youth	Male
Owingo Ruth	Non-youth	Female
Paul Agutu	Non-youth	Male
Peter Aduda	Non-youth	Male
Rogers Ochieng	Non-youth	Male
Thomson Mate	Non-youth	Male
William Owino	Non-youth	Male
Zack Gaya	Non-youth	Male
Zulfikar Ali Bhutton	Non-youth	Male

Garissa meeting held on 9th December 2020

Abdishukri Jelle Ibrahim	Youth	Male
Aden Awle	Non-youth	Male
Ahmed Abdi	Non-youth	Male
Ahmed Mohamed Mohamed	Non-youth	Male
Benazir Mohamed Yussuf	Youth	Female
Deborah Nyokabi	Youth	Female
Fartun Mohamed Dahir	Youth	Female
Fatuma Hakar	Youth	Female
Fatuma Maalim	Youth	Female
Feisal Warsame	Youth	Male
Harun Ngoge	Youth	Male
Hassan Abdi Abdullahi	Non-youth	Male
Hassan Ahmed Adan	Non-youth	Male
Hon. Fahaan B. Ali	Youth	Female
Hon. Fatuma Mishah	Non-youth	Female
Khalid Abdille	Youth	Male
Khasida Abdullahi	Youth	Female
Khatra Osman	Youth	Female
Maryam Hussein	Youth	Female
Mohamed Khalif	Non-youth	Male
Muhubo Idle	Youth	Female
Mukhtar Dahir	Non-youth	Male
Mursal Abdiwahrib	Youth	Male
Nasteha Ahmed Abdi	Youth	Female
Rev. Lazaro Katiso	Non-youth	Male
Wanjiku Maina	Youth	Female
Yussud Jamal Mohamed	Youth	Male
Zeitun Aden	Youth	Female

Nairobi meeting held on 11th December 2020

Albashir Mohamed Nur	Youth	Male
Dennis Waweru	Youth	Male
Esther Mukuna	Youth	Female
Jecinta Kagai	Youth	Female
John Mwaiseghe	Non-youth	Male
Josephat Mutua Waema	Non-youth	Male
Joshua Nzola	Youth	Male

Ludivicus Omollo	Youth	Male
Maxwell Mogowi	Youth	Male
Michael Mburu	Youth	Male
Patrick Ochieng	Non-youth	Male
Tom Oketch	Non-youth	Male

9.3 The key informants

Table 13: Key informants

Name	Category
Chibanzi Mwachonda	Union
Daisy Amdany	Women movement
Francis Angila Aywa	Lawyer/Elections Expert
Grace Maingi	CSO
Hon. Agostinho Neto	Political party
Hon. Martha Karua	Political party
Kwamchetsi Makokha	Media
Kwame Owino	Think tank
Mark Bichachi	Political analyst
Mucaï Kunyiha	Private sector
Nerima Wako	Youth advocate
Nyang'ori Ohenjo	Pastoralist group
Prof. Karuti Kanyinga	Academia
Sekou Nyadiero	Private sector
SG Chris Kinyanjui	Clergy
Sheikh Juma Ngau	Clergy
Stian Christensen	Donor /Diplomatic core
Suba Churchill	CSO
Wandia Njoya	Public intellectuals
Wanjiru Gikonya	CSO
Zahid Rajan	Media
Zephaniah Aura	Donor /Diplomatic core

9.4 The Scenarios Team

Table 14: Scenarios team

Name	Sector of work
William Oloo	Media
Waruguru Kaguongo	Movements
Orwa Michael	Political analysis
Frankline Mukwanja	Political Parties
Chris Mbiti	Civil Society
Patrick Ochieng	Civil Society
Ludivicus Omollo	Civil Society
Suba Churchill	Civil Society
Amos Ochieng	Media and creative sector
Cyrus Kithuva	Media and creative sector
Albashir Mohamed	Civil Society/Early Warning Systems
Dr. Katindi Sivi	Futurist, researcher and policy analyst



HEAD OFFICE

6th Floor, Sir Francis Ibiem House, AACC Compound,
Waiyaki Way, Westlands.

P.O. Box 4932 – 00200, Nairobi, Kenya.

Tel Landline : +254 20 4450656/7,

Tel Wireless : +254 20 8164164

Cell : +254 720600656/ 734450645

Email : info@penkenya.org

www.penkenya.org



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