

# The 'Handshake' Politics in Post-Independence Kenya: The Long Search for Elusive National Unity

*Mr. Edwin Omari Nyagaka*

*PhD Student in Political Science & Public Administration at Moi University, Kenya*

*Received: 15.05.2025 / Accepted: 19.05.2025 / Published: 20.05.2025*

**\*Corresponding Author:** *Mr. Edwin Omari Nyagaka*

Email: [edwinomari2014@gmail.com](mailto:edwinomari2014@gmail.com)

DOI: [10.5281/zenodo.15476144](https://doi.org/10.5281/zenodo.15476144)

## Abstract

## Original Research Article

This paper examines the handshake politics in post-independence Kenya. In a nutshell, the paper examines the truce between Kenya African National Union (KANU) and the opposition parties: the Kenya African Democratic Union (KADU) and African Peoples Party (APP). It also discusses the truce between KANU and National Democratic Party (NDP) and the subsequent folding up of the NDP in 2002. The paper also analyses the handshake between National Rainbow Coalition (NARC) and the opposition parties after the failed referendum in 2005. Thirdly, the paper also discusses the truce between the Party of National Unity (PNU) and Orange Democratic Movement (ODM) in 2008 and the subsequent formation of the Government of National Unity. The paper also examines the truce between Jubilee Party and ODM in 2018 which gave birth to the Building Bridges Initiative (BBI). Finally, the paper discusses the handshake between ODM party and the Kenya Kwanza government in 2024 following the successful anti-finance bill 2024 protests. The objectives of the paper are; to trace the historiography of political handshakes in the post-independence period. Secondly, to examine the reasons behind the political handshakes among the political elite in post-independence Kenya. Finally, the paper analyses how the handshake politics has shaped the political landscapes in the Kenyan post-independence period. This paper is anchored on Rational Choice and Liberal Democracy theories. A historical research design informs the methodology of the study. Likewise, the study adopts the use of both primary and secondary sources of data for the purposes of data collection. Primary data was collected from archival records such as speeches, newspapers and television interviews while secondary data was collected through the use of published journals, books, theses, periodicals and internet resources. These sources are supplemented by personal observations and reflections by the author. The collected data was analysed in a thematic manner. The paper argues that political handshakes have not been vehicles for achieving Kenya's national unity. Rather, they are backdoor deals among political elite aimed at protecting their political and economic interests. Thus, these political co-operations are all about bringing on board rival political elite into the government for rent-sharing so that they are dissuaded from antagonizing the state.

**Keywords:** Handshake, Political Transition, Majimboism, Rational Choice, Political Marriages, Liberal Democracy.

**Citation:** Nyagaka, E. O. (2025). The 'handshake' politics in post-independence Kenya: The long search for elusive national unity. *GAS Journal of Arts Humanities and Social Sciences (GASJAHSS)*, 3(3), 129 -142.

## 1.0 INTRODUCTION

The handshake politics in post-independence Kenya have revolved around a contest of power between different groups of political elites. Kenya attained independence in 1963 under Kenya African National Union (KANU) leadership led by Mzee Jomo Kenyatta as the Prime Minister and after amendment of the Independence Constitution in 1964, Jomo Kenyatta became the President of the Republic of Kenya (Hakes, 1970).

Following the loss of the independence elections in 1962, Kenya African Democratic Union (KADU) led by Ronald Ngala and African Peoples Party (APP) led by Paul Ngei became the opposition, whose main role was thus to check the government of Mzee Jomo Kenyatta. In 1964, through persuasion and as a matter of rational choice, the government of Jomo Kenyatta dangled a carrot to the opposition leaders who folded up their political parties and subsequently joined the government of Mzee Jomo Kenyatta (Wanyande, 2003). And this marked the beginning of the handshake politics in post-independence Kenya.

Prior to independence, there were serious disputes between KANU and KADU at the second Lancaster House Conference of 1962 on the type of the constitution that Kenya should adopt. The push and pull between KANU and KADU made KANU to cede to a compromise for its push for a centralized system of government purposely to hasten the march towards independence against the federal system of government as pushed by KADU (Hornsby, 2012). According to Nyangira (1986), KADU was paranoid of the Kikuyu-Luo détente, as it was perceived as a hegemony of the big communities (Luo and Kikuyu) at that time, over the small communities (Mijikenda, Kalenjin, Maasai and the Abaluhya).

The reason why KADU advocated for a federal system of government was to help distribute the national cake equitably to all communities in Kenya while KANU was against federalism because of the following two reasons. First, KANU was perturbed that decentralization was a recipe for disunity and secondly, KANU was of the view that federalism would undermine consolidation of political power and the formation of a stable centralized Kenyan state (Nyong'o, 1989).

### 1.1 The Ramifications of KANU-KADU/APP Truce in 1964

As observed by Odhiambo-Mbai (2003), when KANU and KADU were formed, KANU exhibited sharper factional divisions than KADU. Generally, all KADU members were conservative while the larger KANU faction represented radicalism. The radical faction in KANU was led by Oginga Odinga, Pio Gama Pinto and Bildad Kaggia. This radical faction in KANU threatened the hold on power over the weaker faction headed by Jomo Kenyatta and Tom Mboya (Throup and Hornsby, 1998).

As a matter of rational choice, Jomo Kenyatta initiated the amalgamation of KANU, KADU and APP. And these members from the opposition parties strengthened the weaker faction of

KANU headed by Jomo Kenyatta, eventually tilting the balance of power against the radical faction led by Oginga Odinga. By 1965 the Kenyatta-Mboya faction had become a political juggernaut ready to neutralize the Oginga Odinga-Pio Gama Pinto-Bildad Kaggia faction (Leys, 1975). Finally, Oginga Odinga's faction was neutralized during the Limuru Conference of 1966 where KANU had convened to elect its new leaders with the major aim of isolating Oginga Odinga (Nowrojee, 2007). Having been alienated, Oginga Odinga resigned from KANU and formed a new political outfit called the Kenya Peoples Union (KPU).

The authoritarian leadership of Jomo Kenyatta subsequently orchestrated the greatest marginalization of Oginga Odinga and the Luo community by extension from power. This is after Jomo Kenyatta fell out with Oginga Odinga over matters of policy on the land question and his socialist orientation. To ensure Oginga Odinga was completely alienated, Jomo Kenyatta put Oginga Odinga under house arrest in 1969 and banned KPU (Kanyinga, 2003). This is after Jomo Kenyatta was pelted with stones and rotten eggs in Kisumu when he went to open the New Nyanza General Hospital formerly known as Russia Hospital, which had been funded by the Russian government.

In 1963, Kenya just like the other former British colonies, adopted a parliamentary system of government. Under the Independence Constitution, the Executive authority was vested in the monarchy—the Queen (Odhiambo-Mbai, 2003). However, these powers were supposed to be exercised on behalf of the Queen by the Resident Governor-General based in Kenya and the Prime Minister who was the Head of Government (Maganda, 2012). The Prime Minister was to be appointed from the leader of the political party with the majority seats in parliament. In this parliamentary system of government, the Prime Minister and Cabinet were to sit in parliament and answer questions from the backbench. Therefore this system guaranteed parliamentary supremacy in Kenya as one of the basic tenets of liberal democracy (Odhiambo-Mbai, 2003).

The Independence Constitution also created a bi-cameral legislature consisting of the Senate and the House of Representatives. Further, the Independence Constitution devolved state power to local levels by making Kenya a quasi-federal state. This led to the creation of seven regional governments based in the seven provinces of the country, while Nairobi was retained as a 'Special District'. Moreover, the Independence Constitution provided for a multi-party democracy in Kenya. In addition, the constitution delineated Kenya into 117 constituencies (CKRC, 2005) while providing for creation of 12 'specially elected seats.' It is clear from the foregoing that Kenya's Independence Constitution had laid a foundation for the establishment of a liberal democratic state and the practice of liberal democracy (Kariuki, 2015).

On assuming the presidency, Jomo Kenyatta began deliberate constitutional changes that were aimed at centralizing power around him. First and foremost, he enacted the constitution of Kenya (Amendment) Act No. 38 of 1964, which dismantled the

regional governments and provided that the regional governments were to be dependent on the central government grants. This marked the beginning of the deliberate effort by Mzee Jomo Kenyatta to dismantle the federal systems of government (Moywaywa and Nyagaka, 2023). In 1966, another constitution of Kenya (Amendment) Act of No.18 was enacted where the president was given powers to order the detention of persons considered as a threat to state security without trial. The most affected by these changes were persons who were considered critical to the reign of Mzee Jomo Kenyatta. The same amendment also removed the exercise of emergency powers from parliament and passed them to the President (Aquino, 2014). This amendment thus undermined the enjoyment of personal liberties of Kenyans, which were the pillars of liberal democracy as a political thought.

The constitution of Kenya (Amendment) Act No. 16 of 1968 abolished the Provincial Councils and repealed all past laws regarding Regional Assemblies marking the end of *Majimboism* (Federalism). The Constitution of Kenya (Amendment) Act No. 5 of 1969 removed the powers to appoint members of the Electoral Commission from the Speaker of the National Assembly and allocated those powers to the President (Moywaywa and Nyagaka, 2023).

In addition to enactment of draconian laws, this handshake government alienated the leftists in the government and *Kikuyunized* the Kenyan state. Further, the tenure of Mzee Jomo Kenyatta was characterized with political assassinations of Pio Gama Pinto in 1965, Tom Mboya in 1969 and Josiah Mwangi Kariuki fondly known as JM Kariuki in 1975. By the time Mzee Jomo Kenyatta died in 1978, Kenya was a de facto state. Thus Jomo Kenyatta left an illiberal democratic state to Daniel Arap Moi as the second President of Kenya (Nyagaka, 2021).

## 1.2 The Return of Multi-Party Politics.

Political transition following the death of President Jomo Kenyatta to Daniel Arap Moi in 1978 was seamless. On ascending to the presidency, President Moi embarked on consolidating his power. To achieve this objective, he instituted three reforms; first, he disbanded all ethnic-based political organizations. Secondly, he released all political prisoners and thirdly, he activated massive KANU party membership recruitment with the intention of making KANU a vibrant political organization (Nyagaka, 2021). Some of these actions breathe a sigh of relief to many Kenyans as a departure from Jomo Kenyatta's dictatorial tendencies (*The New York Times*, 13 December 1978). However, the attempted coup by the junior military officers from the Kenya Airforce in August 1982, completely transformed President Moi from a cautious, insecure leader into a tough autocrat (*Citizen Digital*, February 4, 2020). Having been tremendously shaken by the foiled coup, President Moi initiated an amendment in section 2A of the constitution of Kenya and made Kenya a one party state by law (Munyae and Korwa, 2001).

More amendments followed that emasculated the Kenyan state as a liberal democracy. For instance, the Constitutional Amendment Act No. 14 of 1986 removed the security of tenure

of High Court Judges, Auditor General, Attorney General and the Controller of Budget. Technically, these amendments sought to undermine the very legal architecture that protected the civil liberties of the Kenyan people and Kenya as a liberal democracy (Katumanga, 2004). Thus, Kenya remained a contested political space in the 1980s. The climax of this contested political space happened following the alleged rigging of the 1988 general elections, famously known as the *Mlolongo* (queuing) elections. This sparked a wave of protests across the country that later forced President Moi to accede to constitutional reforms (ibid).

## 1.3 The Repeal of Section 2A of the Constitution of Kenya in 1991

The wind of political change in Kenya in the 1990s revolved around many factors; ranging from the success of pluralistic politics in Zambia and Togo, KANU's Review Committee Report on the need to allow pluralism politics in Kenya and suspension of financial aid by donors. These factors among others forced President Moi to accede to constitutional reforms demand (Barkan, 1998). Consequently, section 2A of the constitution of Kenya was repealed and once again multi-party politics were reinstated. Furthermore, the repeal introduced term limits in the office of the President.

The opening of the political space following the repeal of section 2A of the constitution of Kenya led to the formation of Forum for Restoration of Democracy (FORD) movement, and FORD was later registered as a political party (Ndegwa, 1997). Other political parties that were registered include the Democratic Party (DP). Soon, cracks emerged within the ranks of FORD. One faction led by the Luo and Luhya political elite on one hand and the other led by the Kikuyu political elite. The Luo and Luhya political elite named their political outfit as FORD-Kenya while the Kikuyu elite named their political outfit FORD-Asili. FORD-Kenya picked Oginga Odinga as their flag bearer while FORD-Asili named Kenneth Matiba as their leader (ibid).

In the 1992 general elections KANU won the presidential vote with 36%. The loss of the opposition to KANU brought into bear the daunting task the opposition had in dislodging KANU from power and the reluctance of President Moi in supporting pluralism. According to Throup and Hornsby (1998) leadership struggles in FORD as to who should be the flag bearer of FORD probably contributed to its fragmentation.

After the multi-party elections of 1992, the opposition was exposed to a new political reality that it was a daunting task to win elections in an opaque and semi-competitive political environment. Because of the winner take it all electoral system, the Presidents of Kenya have always resorted to patronage, where they reward their support base while punishing the opposition constituents (Kitching, 1980). In the last six decades, the Kenyan state has been controlled by the Kikuyu and the Kalenjin communities. Thus the leaders at the helm of power from these two communities have utilized repressive patronage machinery where the core ethnic constituencies enjoy the state largesse while the rest of the other ethnic communities are left

economically alienated. According to Throup and Hornsby (1998), for the first time, the Agikuyu nation was exposed to this economic reality when Moi ascended to power in 1978.

In the meantime, the civil society, lawyers and the clergy started to agitate for constitutional reforms in order to level the electoral playing field in preparation for the 1997 general elections. Through violent mass protests, President Moi acceded to minimal electoral reforms pending the 1997 general elections. These reforms included the formation of an electoral commission that had a representation from all the major political parties, abolishing of laws that curtailed civil liberties and registration of all unregistered political parties (Harbeson, 1998).

Just like the 1992 general elections, President Moi used the state machinery to his advantage. Furthermore, KANU campaigned along ethnic lines and election related violence marred the entire electoral process. It is at this point that the opposition realized that despite the minimum electoral reforms, the reforms had come too late and therefore they could not lead to any meaningful change in the electoral process. Again, President Moi won the 1997 general elections with 41% albeit with a simple majority in parliament of only 4 parliamentary seats (Odhiambo-Mbai, 2003). This made it difficult for the government to pass essential bills and thus they resorted to carrot and stick politics.

The 1997 general election was a unique one. First, a new political party emerged in Luo Nyanza called the National Development Party (NDP) led by Raila Odinga. And the NDP whitewashed the fortunes of FORD-Kenya in Luo Nyanza. Secondly, Kenneth Matiba's FORD-Asili boycotted the general elections arguing that there was no reason to participate in an election whose election winner had been determined by the powers that be. Thirdly, Democratic Party led by Mwai Kibaki gained immense political support in lieu of FORD-Asili's boycott of the 1997 general elections in Central Kenya (Khadiagala, 2010).

#### **1.4 Toward 2002 Handshake between President Daniel Arap Moi and Raila Odinga.**

Even though DP had called for rejection of the 1997 general election outcome, none of the opposition parties bought the idea. Cowen and Kanyinga (2000) rightly observed that in Central Kenya, DP was the most popular political outfit, just like NDP in Luo Nyanza. Despite the fact that President Moi was now serving his last term following the introduction of the term limits to the office of the President in the 1991 constitutional amendment, President Moi was concerned with his dwindling parliamentary control.

In order to bolster the dwindling KANU fortunes in parliament and to revamp KANU in preparation for 2002 general elections, and as a matter of rational choice, President Moi extended an olive branch to the NDP leader, Raila Odinga in March 2002. This was because the NDP was the most popular political party in Luo Nyanza. And secondly, President Moi, wanted to form a formidable outfit that would bring the Luo and the Kalenjin together if KANU were to win the 2002 general elections. The

merger between KANU and NDP led to the emergence of new KANU. In the handshake, President Moi promised a share of the government positions to Raila Odinga, if he were to accept to work with him. Finally, a merger took place in June 2001 and Raila Odinga was appointed into the Cabinet alongside with other members of the NDP (Khadiagala, 2021). Eventually NDP and KANU dissolved in March 2002, in order to consolidate the political gains.

The leadership of the new KANU was also re-organised. President Moi retained the position of the party leader of the new KANU and Raila Odinga became the Secretary General. Four positions of the Vice-Chairmen were also created to accommodate regional and ethnic interests. As a result, those positions were to be shared among the Agikuyu, Akamba, Abaluhya and the Coastal communities. The opposition leader, Mwai Kibaki also responded in an equal measure by forming the National Alliance for Change which brought together small political parties from Western, Nairobi and Eastern regions of Kenya (ibid). The National Alliance later changed to the National Alliance Party of Kenya.

The political marriage between KANU and NDP did not last for long. This is because of competing political interests between President Moi and Raila Odinga. Whereas President Moi as a rational thinker wanted to cunningly mediate his succession, Raila Odinga was positioning himself to succeed President Moi in 2002. Consequently the new KANU was dissolved in July 2002, after President Moi unilaterally picked Uhuru Kenyatta as his preferred successor to the dismay of many political octogenarians in the new KANU including Raila Odinga. Having been alienated, in October 2002, Raila Odinga walked out of the new KANU with other disgruntled Cabinet members and took over the little known party called Liberal Democratic Party (LDP) (Kanyinga, 2003). Raila Odinga thereafter teamed up with the National Alliance Party of Kenya and this gave birth to the National Rainbow Coalition (NARC).

Having declared Kibaki *Tosha* (Kibaki it is) in a rally held in Nairobi, Raila Odinga and Mwai Kibaki entered into a pre-election agreement that were to govern a government they would form, if they won the December 2002 general elections. This political détente between the Kikuyu and Luo nations gave Mwai Kibaki a clean win in the 2002 general elections.

#### **1.5 The NARC Win in 2002 and After**

Oyugi (2006) rightly argues that political dishonesty within the ranks and file of the NARC coalition generated a lot of friction. For instance, with the elections won, President Kibaki killed the summit which was the highest policy making organ. Secondly, the NARC parliamentary meetings were also thrown out of the window, explaining why the NARC backbenchers behaved like the opposition, leading to the defeat of many government bills in parliament. Barely five months after the NARC government was inaugurated, Raila Odinga started to accuse President Mwai Kibaki of scuttling the pre-election agreement that formed the NARC coalition (Steeves, 2006). Owing to marginalization of LDP within the NARC



government, by 2004, Raila Odinga had led the disgruntled ministers aligned to LDP from the NARC coalition.

The walk out of NARC by Raila Odinga and LDP aligned ministers coincided with the release of the report by the Constitution of Kenya Review Commission (CKRC) that had been formed by President Moi in 2001. The findings of CKRC recommended that power be devolved to district governments, besides stripping the president some powers by disbursing them to other state institutions and creation of the office of the Prime Minister as a remedy against imperial presidency. This even emboldened Raila Odinga whose promised position of the Prime Minister had been reneged by President Mwai Kibaki following the pre-election agreement leading to December 2002 general elections (Khadiagala, 2021).

The disagreements in the NARC coalition even became acrimonious following the Bomas Conference that had been convened to adopt the CKRC proposed constitutional Draft. Although the Bomas Conference adopted the CKRC Draft famously referred as the Bomas Draft, the government honchos led by the Attorney General, Amos Wako engineered revision on the Bomas Draft at Kilifi Kenya and this draft was nicknamed Wako/ Kilifi Draft (Lynch, 2011).

The Wako Draft whittled down the clauses in the Bomas Draft that had reduced the powers of the President. It also watered down the powers of the office of the Prime Minister as it were in the Bomas Draft and the provisions on devolution of power to districts. Following this acrimonious disagreements in the NARC Coalition and the contention over the Wako Draft, the stage was set for a contested constitutional referendum in 2005.

### **1.5.1 The 2005 Plebiscite and the Formation of the Government of National Unity**

In 2005, the government submitted the Wako Draft to the Electoral Commission of Kenya (ECK) led by Samuel Kivuitu to organize for a referendum and the referendum was set in November 2005. ECK gave the YES and NO teams Green and Orange colours respectively as their symbols. LDP led by Raila Odinga teamed up with the opposition leader Uhuru Kenyatta of KANU and some KANU leaders and Charity Ngilu of NPK to form the NO team. The government joined forces with DP, FORD-Kenya and FORD People to form the YES team (Andreassen and Tostensen, 2006). With the YES and NO teams in place, the battle field had been drawn. After several weeks of campaigns, the Orange team won the referendum with a 57% of the vote against the Green Team, marking the rejection of the Wako Draft.

### **1.5.2 The Kibaki-Opposition Handshake in 2005: A Case of Carrot and Stick Politics.**

The government having lost the plebiscite to the NO camp, President Mwai Kibaki dissolved the Cabinet and sent packing the government ministers aligned to the NO camp. Consequently, the casualties of this action were the LDP members of the NARC coalition. Subsequently, President Kibaki crafted a government of National Unity bringing some

leaders from the main opposition party KANU, FORD-Kenya and FORD-People of Simeon Nyachae (Steeves, 2006). As Mutua (2008) rightly observes, the loss of the plebiscite was majorly attributed to President Kibaki's promotion of *Kikuyunization* of the Kenyan state as well as his failure to implement the pre-election agreement that formed the NARC coalition and the government's mutilation of the Bomas constitutional Draft.

The NO camp later transformed into Orange Democratic Movement (ODM) and it became a political juggernaut. The defeated YES team formed the Party of National Unity (PNU) bringing together DP, KANU, NARC-Kenya, SAFINA, FORD-People and FORD-Kenya (Khadiagala, 2010). The political campaign prior to the 2007 general elections was too abrasive. The two leading presidential candidates, Raila Odinga and President Mwai Kibaki retreated to their ethnic enclaves to consolidate their support base. The entire political campaign was about 42 communities against 1-Agikuyu (Kagwanja, 2009). Indeed, the seed of violence was planted and watered by tribal vitriol. It is against this backdrop that the 2007 general elections was the turning point in Kenya's political history (Cheeseman, 2008). The two political formations tried to package their campaigns on issues ostensibly to endear voters to their side. For instance, ODM packaged her political agenda around the theme '*Kazi Ianze*' (work should start now), devolution of governance, a clean and lean government as well as equitable distribution of the national cake. While PNU campaigned on the platform of '*Kazi Iendelee*' (continuity of good work of building the nation) characterized by revival of the economy (Wanyama, 2010).

On 27 December, 2007 Kenya went to its 4<sup>th</sup> general election since the introduction of multi-party democracy. As parliamentary results trickled in, it was apparently clear that the ODM machine was headed to a clear victory. This sent panic within the ranks and file of the PNU party that they were headed for a loss. In the meantime, presidential election results were being tallied. Using the state machinery, who had infiltrated the ranks and files of the Electoral Commission of Kenya headed by Samuel Kivuitu, the PNU allied election officials started to inflate presidential results from PNU's strongholds in Central Kenya, Upper Eastern and some parts of the Rift Valley in favour of President Kibaki (Khadiagala, 2021).

In a fortnight, massive rigging in Central Kenya and Upper Eastern, in approximately 40 constituencies changed the election result matrix from the ODM to PNU, handing over victory to President Kibaki albeit with a small margin. President Kibaki garnered 4,584,721 votes against 4,352,993 votes (Cheeseman, 2008). No sooner had President Kibaki been declared the President and sworn in shortly after 8.00 PM in the night than election violence erupted spontaneously across the country. In the ensuing 4-6 weeks, over 1000 people had been killed, over 600,000 people displaced and property worth millions of money destroyed (Branch and Cheeseman, 2009). What was astonishing to many political observers was the acceptance by the Electoral Commission of Kenya (ECK) chairman Samuel Kivuitu, that he could not really tell who won the presidency between Raila Odinga and President Mwai

Kibaki. He admittedly stated that he had succumbed to state pressure to announce President Kibaki as the winner of Presidential elections (Juma and Sitienei, 2015). At the end of the final tally ODM and her affiliate parties had won 105 parliamentary seats while PNU and her affiliate parties had won 70 parliamentary seats.

### 1.5.3 The Kofi Annan-led Mediation and Kibaki-Raila Truce in 2007.

According to David Ndii, the post-election violence of 2007/8 lay squarely at the doorstep of President Mwai Kibaki. This is because, instead of honouring the political covenant that formed the NARC government, Kibaki reneged it, promoted Kikuyu hegemony and it is this politics of deceit that almost brought Kenya into the brink of a civil war (*Daily Nation*, March 31, 2016). The government having been unable to quell the political violence emanating from contested presidential elections, the international community dispatched former United Nations Secretary General Kofi Annan to Nairobi.

After several weeks of negotiations and a number of set-backs, the mediation talks bore fruit. And on 4<sup>th</sup> March, 2008, the parties to the Kenyan mediation process, also known as Kenya National Dialogue and Reconciliation (KNDR) submitted four mediation outcomes anchored on Agenda 4 items: i) ceasefire agreement to end the violence; ii) an agreement to support and allow for humanitarian access; iii) a political agreement to amend the Kenyan Constitution for power sharing; and iv) establishment of a framework for constitutional review (Wamai, 2014). Some of the reforms proposed by KNDR were divided into short and long term. Among the long term reforms that were outlined in Agenda 4 included constitutional, institutional and legal reforms (African Union, 2008).

According to the terms of the power sharing agreement, there was to be the creation of the office of the Prime Minister, who was to be the coordinator and supervisor of government functions. Secondly, each member of the power sharing agreement was to nominate one person who will be appointed as the Deputy Prime Minister. Consequently, the Cabinet was to consist of the President, Vice-President, Prime Minister, the 2 Deputy Prime Ministers and the Ministers (*Reuters*, February 28, 2008). As David Ndii rightly argues, Kibaki accepting a power sharing agreement with Raila Odinga in 2008 was quite ironical, yet it was the same arrangements he had refused to honour shortly after he was inaugurated in 2003 (*Daily Nation*, March 31, 2016).

### 1.5.4 The Kibaki-Raila Truce in 2008 and how it shaped the 2013 General Elections.

The two major outcomes of Kibaki-Raila truce were the constitutional reforms that had stalled following the failed referendum in 2005 and the formation of a Commission of Inquiry to investigate the circumstances leading to post-election violence in 2007/8 and how to punish the perpetrators of this violence (Khadiagala, 2010). On May 23, 2008, President Mwai Kibaki gazetted the Waki Commission with a clear mandate of investigating and recommending measures on how

to hold accountable the perpetrators of 2007/8 post-election violence (Orwenjo, 2014).

In October, 2008, the Waki Commission handed over its report to President Mwai Kibaki and later to the former UN-Secretary General Kofi Annan, who served as the head of the Panel of Eminent Personalities that mediated the Kenyan crisis. The report proposed the creation of an International Special Tribunal for Kenya to try persons with greatest culpability in regard to 2007/8 post-election violence. The authors of the Waki Report had cleverly included a self-enforcing mechanism to prevent the government from ignoring the recommendations. The report stated that failure by the government of Kenya to create a Special Tribunal, the head of the Panel of Eminent Personalities could hand over the envelope containing the persons the Commission had identified as persons with the greatest responsibility to the Prosecutor of the International Criminal Court (Brown and Sriram, 2012).

The establishment of the Special Tribunal for Kenya became a very emotive issue. Although the Kenyan legislature had initially endorsed its support for the creation of the Special Tribunal, members of Parliament from the Rift Valley and Mount Kenya voted overwhelmingly against the formation of the Special Tribunal (*ibid*). And the clarion call became; '*Let us not be vague, Let us go to Hague.*'

When the time frame elapsed, Kofi Annan handed over the envelope containing the suspects of 2007/8 post-election violence to the Prosecutor of the International Criminal Court (ICC). Subsequently, the ICC Prosecutor, Moreno Ocampo, named three senior officers from PNU namely; Uhuru Kenyatta, the Deputy Prime Minister and Minister for Finance; Ambassador Francis Muthaura, the Head of Public Service and Secretary to the Cabinet and Major General Mohammed Hussein Ali, the Police Commissioner as the suspects who carried the greatest responsibility for the 2007/8 post-election violence. On the side of ODM, the Prosecutor named William Ruto, the Minister for Higher Education; Henry Kosgey, the Minister for Industrialization and Joshua Arap Sang, the Radio Presenter at Kass Radio (Hodgins, 2015).

When Uhuru Kenyatta and William Ruto returned from a court hearing in The Hague, they received a hero's welcome at the Jomo Kenyatta International Airport (*Reuters*, April 11, 2011). Before attending the International Criminal Court (ICC) hearing, in their meet the people rallies across the country, they had accused Raila Odinga for taking them to The Hague so that he can eliminate competition in the 2013 presidential elections (*Citizen Television*, March 27, 2011, 9.00 PM).

The immediate outcome of the ICC process was the formation of electoral coalitions. Uhuru Kenyatta formed The National Alliance (TNA) while William Ruto formed the United Republican Party (URP). After a series of rallies in Central Kenya, Upper Eastern and some parts of the Rift Valley, TNA marshalled immense support. William Ruto also retreated to his Kalenjin community and popularized the URP party. The two parties later merged alongside the Republican Congress and NARC to form the 'Jubilee Coalition' (*Daily Nation*, August 10, 2016).

Raila Odinga of Orange Democratic Movement (ODM), Kalonzo Musyoka of Wiper Democratic Movement-Kenya (WDM-Kenya) and FORD-Kenya leader Moses Wetangula and other 11 small parties also teamed up to form the Coalition for Reforms and Democracy (CORD). Subsequently, the Jubilee Coalition nominated Uhuru Kenyatta and William Ruto as the presidential candidate and the running mate respectively. On the other hand, CORD picked Raila Odinga as the presidential candidate and Kalonzo Musyoka as his running mate. After the formal nominations by the Independent Electoral and Boundaries Commission (IEBC), the political dwell shaped into a two horse race (*BBC News*, March 4, 2013)

During the campaigns, Uhuru Kenyatta castigated Raila Odinga for taking them to The Hague and termed the ICC indictments as a political witch-hunt. Compounded with the ODM's rejection of the deferral of the ICC cases, the supporters of Uhuru Kenyatta and William Ruto got convinced that indeed Raila Odinga had a hand in the conspiracy of taking the duo to the ICC (Mwangi, 2015). This generated sympathy votes for the ICC duo, consequently contributing to Raila Odinga's loss for the third time in the 2013 March presidential elections (Onguny, 2020).

Despite the declaration of Uhuru Kenyatta and William Ruto as the President-elect and Deputy President-elect respectively by the IEBC, Raila Odinga refused to concede and instead declared that he was proceeding to the Supreme Court to contest the presidential election results as the electoral exercise was marred with malpractices. He called upon his supporters to be calm as they awaited for a judicial determination. His lead counsel, Senator James Orengo opined that CORD had a watertight case and they were assured that the Supreme Court would overturn IEBC's declaration of Uhuru Kenyatta and William Ruto as the winners of the presidential elections. (*The Guardian*, Sunday March 10, 2013).

On March 30, 2013, Chief Justice Willy Mutunga read a unanimous decision of the Supreme Court to uphold the election of Uhuru Kenyatta and William Ruto as the President-elect and Deputy President-elect respectively (*Citizen Television*, March 30, 2013, 9.00 PM). In response to the verdict, Raila Odinga expressed his dismay at the conduct of presidential elections. He stated that although he never agreed with the Court's verdict, he fully respected the decision (*BBC News*, March 30, 2013). In July, 2014, CORD proposed a plebiscite on what it considered as important national issues and they named the movement '*Okoa Kenya*' (Rescue Kenya). *Okoa Kenya* set out to collect a million signatures in a bid to amend the constitution through a Popular Initiative. Among the issues they listed included; increasing revenues to the devolved governments, strengthening the role of National Land Commission, electoral reforms to strengthen the IEBC and enactment of provisions to enforce ethnic inclusivity among others (*The Star*, May 9, 2015).

After verification of the signatures, on March 22, 2016, IEBC chair Ahmed Issack Hassan declared that *Okoa Kenya's* bid to amend the Constitution had flopped, for failure to marshal the threshold of a million signatures. This came just a day after

CORD leaders led by Raila Odinga, Kalonzo Musyoka and Moses Wetangula had accused IEBC for conspiring with the Jubilee government to undermine the proposed referendum (*Daily Nation*, March 22, 2016).

Following the frustration of the proposed *Okoa Kenya* plebiscite, and the dismissal of CORD's petition in parliament against the removal of IEBC commissioners on gross mismanagement of public finances as filed by Wafula Buke, the ODM's Director of Political Strategy and the disregard of the Public Accounts Committee report that found IEBC chair Issack Hassan, and fellow commissioners, Thomas Letangule and Mohammed Alawi guilty of interfering with the procurement of voter electronic devices, Raila Odinga called protests for the removal of IEBC commissioners (*Citizen Digital*, May 15, 2016).

Following violent protests that culminated to loss of many lives, destruction of properties and injuries to the protesters, President Uhuru Kenyatta acceded to the removal of the IEBC commissioners, pending the preparation of 2017 general elections through a new commission. On December 6, 2016, the IEBC commissioners successfully bargained for their exit from the IEBC (*Business Daily*, December 6, 2016).

## 1.6 Uhuru-Raila Handshake in 2018 and 2022 Political Transition: The Kikuyu-Luo Dalliance?

In the meantime, President Uhuru Kenyatta orchestrated the merger of The National Party (TNA) and United Republican Party (URP) in 2016 to form the Jubilee Party. After successful interviews, on January 18, 2017, President Uhuru Kenyatta appointed Wafula Chebukati as the new chair of the IEBC following the exit of the Issack Hassan led commission. Consolata Nkatha, Boya Molu, Roselyn Akombe, Paul Kurgat, Margaret Mwachanya and Abdi Guliye were also appointed as commissioners respectively (*Capital News*, January 18, 2017).

Kenya's 2017 presidential elections had 8 candidates, but only two that counted. In a nutshell, it was a two horse race. That is President Uhuru Kenyatta and Raila Odinga. President Uhuru Kenyatta and his running mate William Ruto ran on a Jubilee party ticket while Raila Odinga and his running mate Kalonzo Musyoka ran on a National Super Alliance (NASA) ticket. During the campaign trail, NASA kept accusing President Uhuru Kenyatta and his Jubilee party for their intention to manipulate the general election (Cheeseman et al., 2019).

On the Election Day, August 8, 2017, the electoral process was seamless and peaceful. However after the closure of polls, many polling stations were unable to transmit presidential election results electronically. Compounded with the high number of rejected votes, Raila Odinga gave a press conference, where he dismissed the election results as invalid since the IEBC servers had been hacked (*Daily Nation*, August 9, 2017). In a rejoinder press, the IEBC chair Wafula Chebukati gave an inconsistent response on the result transmission anomaly. On August 11, 2017, IEBC declared Uhuru Kenyatta as the winner of presidential elections, something that Raila Odinga vehemently



opposed and promised to lodge a petition against the declaration of Uhuru Kenyatta as the winner of Presidential elections (Cheeseman et al., 2019). In one of the press conferences, Raila Odinga dismissed the duo as '*Vifaranga wa Kompyuta*' (Computer generated leaders) (Maweu, 2020).

In a historic ruling, on September 1, 2017, the Supreme Court annulled the re-election of President Uhuru Kenyatta citing many incidents of illegalities and irregularities in the presidential elections. Consequently, the court ordered a new vote within 60 days (*New York Times*, September 1, 2017). The nullification of presidential elections by the Supreme Court gave Raila Odinga credibility over his alleged electoral malpractices in 2013 and 2017 general elections (Cheeseman et al., 2019). In the re-run elections ordered by the Supreme Court, Raila Odinga boycotted the exercise, terming it as a coronation. Instead, he demanded that the IEBC be reconstituted and minimum electoral reforms be initiated before a re-run could take place. True to his words, in Raila Odinga's backyard of Luo Nyanza, no re-run elections took place.

To increase the political stakes, Raila Odinga swore himself at Uhuru Park as the Peoples' President. In the meantime, the NASA supporters started to agitate for secession owing to political and economic marginalization and the oscillation of the presidency between the Agikuyu and Kalenjin communities since independence. To quell the anxiety that had gripped the nation, Raila Odinga and Uhuru Kenyatta met secretly in March 2018 and entered into a political agreement (Khadiagala, 2021).

As captured by Khadiagala (2021), Raila Odinga and Uhuru Kenyatta set out a reconciliation body called the '*Building Bridges Initiative (BBI)*.' The BBI was tasked to collect views on how to address ethnic antagonism, rampant corruption and how to strengthen devolution. The BBI was later transformed into a state funded constitutional review commission aimed at collecting views from the public on how to address the challenges that had ailed Kenya as a liberal democracy since independence.

In November, 2019 the BBI report was released to the public. Among its recommendations addressing ethnic antagonism, the report recommended the creation of the position of the Prime Minister in order to disburse the presidential powers. On strengthening devolution, the report noted that the County Governments should be given at least 35% of the last audited budgetary allocation. Finally on corruption, the report recommended privatization of government services. The report also recommended a leaner Cabinet which reflected the face of Kenya (BBI Report, 2019). In October, 2019, the BBI Task Force, unveiled the provisions of the constitution that needed to be changed. In support of the BBI, President Uhuru Kenyatta and Raila Odinga hailed the proposed changes as the cornerstone and the missing link for Kenya's long search for national unity (*Daily Nation*, April 22, 2020)

## 1.7 Uhuru-Raila Truce of 2018 and 2022 Political Transition

Even though Uhuru-Raila truce of 2018 was desirous in putting closure to the contested presidential elections of

2017, their attempts to amend the Kenyan constitution through the BBI process was quashed by the Judiciary. Following the fall out within Jubilee, and Uhuru Kenyatta's promise to endorse Raila Odinga, and the subsequent alienation of William Ruto from the government, the ruling party Jubilee splintered. Subsequently, William Ruto's supporters acquired a new political outfit called the United Democratic Alliance (UDA) (*The Star*, January 8, 2021).

During the campaigns to popularize UDA, William Ruto castigated the attempts to amend the constitution as a civilian coup. He also condemned Raila Odinga for derailing Jubilee's agenda by misleading President Uhuru Kenyatta into focusing on amending the constitution instead of focusing on delivery of the big four agenda as espoused in Jubilee's manifesto (*Citizen Television*, February 4, 2021).

The new found political dalliance between Uhuru Kenyatta and Raila Odinga signaled a new political realignment. All indications from the onset were clear that Uhuru Kenyatta was going to endorse Raila Odinga's bid for the 5<sup>th</sup> stint at the presidency. While speaking to Nyeri residents, President Kenyatta had declared that his pick for the 2022 presidential elections would shock some people (*Daily Nation*, November 1, 2018). The Kenyatta-Odinga detente managed to marshal the political rearrangement of dynasties, more so with the enrolment of Gideon Moi, Kalonzo Musyoka and Martha Karua into the alliance and this birthed the *Azimio*-One Kenya formation. William Ruto castigated this political realignment and termed it as a constellation of dynasties whose major aim was to stop him (William Ruto), the son of a peasant '*hustler*' from becoming the President of Kenya (*The Star*, August 8, 2022).

Whereas Raila Odinga was seen as a pro-establishment candidate, William Ruto presented himself as a son of a peasant, '*hustler*' and thus an alternative to the dynasties. Despite the political marginalization of William Ruto in the government, he was able to consolidate the political support they enjoyed together with Uhuru Kenyatta in Mount Kenya and the Kalenjin regional blocs (*East African Newspaper*, July 28, 2022).

Political commentators interpreted President Uhuru Kenyatta's endorsement of Raila Odinga, as an attempt by the Kenyatta family and the Agikuyu community to pay the political debt they owed the Odinga family and the Luo community by extension. History has it that in the sunset days of the colonial rule in Kenya, Odinga Odinga had refused to form the government when he was asked by the colonial authority to do so. Instead, he opined that as long as Jomo Kenyatta remained incarcerated, there would be no *Uhuru*-independence. In a similar occurrence, Odinga Odinga's son Raila Odinga, sacrificed his presidential ambition and declared Kibaki *Tosha* in 2002, an endorsement that made Mwai Kibaki trounce KANU in a historic presidential elections (*People Daily Kenya*, January 26, 2021). Owing to this historical fact, business oligarchs like the Mount Kenya Foundation argued that Raila Odinga's candidature was long overdue. In their endorsement of Raila Odinga, the Mount Kenya Foundation stated that Raila



Odinga's presidency would protect property rights of the Mount Kenya people across the country, besides safeguarding their investments and continuing with President Uhuru Kenyatta's legacy (*Capital News*, December 8, 2021).

Politically speaking, whereas Uhuru-Raila truce was initially seen as a political co-operation aimed at addressing simmering tensions every electoral cycle, as a matter of rational choice, it turned out to be an electoral co-operation. On February 11, 2022, President Uhuru Kenyatta endorsed Raila Odinga's candidature, while addressing a group of youth he had hosted at State House, thanks to the handshake. However, it cannot go without saying that even though Uhuru-Raila truce managed to bring national stability following the hotly contested presidential elections of 2017, the handshake did bring to an end the Uhuru-Odinga romance (*The Elephant*, February 28, 2020).

In his final rally on Saturday August 9, 2022, at Kirigiti, Kiambu, William Ruto castigated Raila Odinga for bungling Jubilee's plan through the handshake. He appealed to the voters to vote for the *Kenya Kwanza* coalition so that they can address the economic challenges facing Kenyans. He promised that he will put money in the pockets of Kenyans, if he wins the presidency (*Aljazeera*, August 7, 2022). On his part, Raila Odinga endeared himself to Kenyans from Kasarani Sports Centre that he was not merely running to win the presidency, but he had an agenda. His agenda was one of making Kenya a first-class global democracy and economy. He promised if elected, he would build Kenya of hope and opportunity for all. He also promised that once he wins the presidency, he would continue to embrace reconciliation and that he would continue with the handshake doctrine. He applauded the handshake between him and President Uhuru Kenyatta, and the former presidents, Mwai Kibaki and Daniel Arap Moi. He stated that he would not mind embracing statesmanship and shaking the hand of William Ruto if need arose (*Saturday Nation*, August 6, 2022).

On Tuesday August 9, 2022, Kenyans went to the ballot to elect their 5<sup>th</sup> President, new legislature and members of the County Assemblies. On August 15, 2022 William Ruto was declared the winner of the presidential elections amidst rejection of the presidential election results by the 4 IEBC commissioners. The commissioners led by the vice-chair Juliana Cherera stated that they could not own the presidential results as announced by the chair, Wafula Chebukati. They termed the process leading to collation of presidential elections as opaque (*The Guardian*, August 15, 2022). From this contestation, it is apparently clear that the electoral management had been infiltrated by both *Kenya Kwanza* and *Azimio-One Kenya* operatives (*The Elephant*, February 28, 2023).

On August 22, 2022, Raila Odinga lodged a petition in the Supreme Court, challenging the presidential election results as announced by the chair of IEBC Wafula Chebukati. In his petition, Raila Odinga cited fraud, voter suppression and the impunity of the IEBC chair Wafula Chebukati on his fellow commissioners, where he announced presidential election results unilaterally (*The Guardian*, August 22, 2022). Having listened to all the parties, on September 5, 2022, the Supreme

Court dismissed the petition and upheld William Ruto and Rigathi Gachagua's victory, setting up the stage for inauguration (*The Guardian*, September 5, 2022).

## 1.8 Raila-Ruto Parliamentary Driven Truce: 2023 and Beyond

Following the disputed 2022 presidential elections, and the confirmation of William Ruto's victory by the Supreme Court and his subsequent inauguration, four petitions were lodged in the legislature for the ouster of the 4 IEBC commissioners on the account of gross misconduct, incompetence and violation of the constitution. As the petitions underwent processing by the Justice and Legal Affairs committee of the National Assembly, Juliana Cherera moved to court to quash the committee's summons (*The Standard*, November 24, 2022).

While in Kisumu, Raila Odinga told the press that he would start mega rallies across the country to protest the ouster of the 4 IEBC commissioners. He stated that the ouster was politically motivated, yet the 4 commissioners had chosen to stand for the truth (*The Star*, November 27, 2022). In response, President William Ruto, rubbished Raila Odinga's planned demonstrations over the ouster of the 4 IEBC commissioners (*Daily Nation*, November 29, 2022). Nevertheless Azimio protests took place as planned albeit with a lot of suppression from the police. Owing to the immense destruction of property, injuries and death of protesters in Nairobi and Kisumu, the church appealed to President William Ruto and Raila Odinga to consider giving peace a chance.

In the meantime, as the demonstrations against the ouster of the 4 IEBC commissioners intensified, three of the besieged commissioners; Juliana Cherera, Julius Nyang'aya and Francis Wanderi opted to resign than face the parliamentary committee. In their resignation letters, addressed to the president, the three commissioners stated that they had acted in good faith in the last general elections. However, their actions had not only been misjudged but also been misinterpreted and misconstrued (*The Star*, December 5, 2022).

Motivated by the resignation of the three of the besieged four commissioners, Raila Odinga increased the protests to twice a week. Compounded with the declaration of the vacancies for the IEBC chair and commissioners, Raila Odinga warned President William Ruto that he was playing with fire by planning to reconstitute the IEBC unilaterally. Meanwhile anti-government protests continued to engulf the country following the *Kenya Kwanza's* intention to unilaterally reconstitute the IEBC and the acrimonious enactment of the Finance bill of 2023 that hiked taxes. In a quick turn of events, while addressing the press from State House, President William Ruto pleaded with Raila Odinga to call off the demonstrations as he was open to dialogue. He however, maintained that the talks had to be within the framework of the rule of law (*The Star*, April 2, 2023).

In regard to reconstitution of the IEBC panel, Raila Odinga suggested a bi-partisan parliamentary process. In the interest of

national unity, President Ruto stated that he had decided to back down on his hardline position having listened to the voice of *Azimio* leadership (*The Star*, April 2, 2023). In a rejoinder, Raila Odinga acknowledged the olive branch extended by President Ruto. While addressing the press from his Capitol Hill office in Nairobi, he called off the bi-weekly anti-government demonstrations. He stated that *Azimio*-One Kenya was ready for dialogue that would address the key issues they had initially raised among them reconstitution of IEBC, increased cost of living and over taxation of Kenyans. In the meantime, he called for the release of all protesters and termination of protest-related prosecutions (*Citizen Digital*, April 2, 2023).

The *Azimio* and *Kenya Kwanza* coalitions subsequently held parliamentary caucuses that unveiled their teams. The *Azimio* team proposed lawmakers Ledama Ole Kina, Edwin Sifuna, Enoch Wambua, Amina Mnyanzi, Millie Adhiambo, David Pkosing and Otiende Amollo. On their part, *Kenya Kwanza* proposed Bonny Khalwalwe, George Murugura, Essy Okenyuri, Mwengi Mutuse, Lydia Haika, Hillary Sigei and Adan Keynan. The two coalitions later picked Otiende Amollo of ODM and George Murugura of UDA as the co-chairs respectively (*Capital News*, April 11, 2023).

As parliamentary driven talks took shape, amidst push and pull by the two coalitions, President Ruto and Raila Odinga met thrice. First, they met at the funeral of Mama Mukami Kimathi. After the funeral, the two jetted to Kasarani Sports Centre for Kip Keino Classic World Tour. Again they met at Mashemeji derby (Gor Mahia vs AFC Leopards Soccer match) at Nyayo Stadium. However, Raila Odinga dismissed those meetings as coincidental and not a handshake (*The Star* May 16, 2023). President William Ruto also rebuffed a political agreement that amalgamated the opposition and the government.

For a while the country remained stable. It appears that President Ruto did not learn from the anger Kenyans had expressed over the enactment of 2023 Finance Act. In the 2024 financial year, the government once again scaled up the taxation measures in a bid to increase government revenue. The signs were there for anyone willing to read that Kenyans were not ready for another increase in taxation. Through the use of social media platforms they urged the lawmakers to reject the Finance Bill 2024.

When it became apparent that the lawmakers were determined to enact the 2024 Finance bill, hundreds of thousands of youth started organizing protests across the country to urge the lawmakers to reject the 2024 Finance bill. On the D-day when the Finance bill was supposed to be enacted in the National Assembly, the youth organized the mother of all protests across the country. Nevertheless, the lawmakers voted to enact the contentious 2024 Finance bill amidst immense protests from the Kenyan youth against the bill (*The Star*, 4 July, 2024). In the afternoon of the enactment day, the youthful protesters overwhelmed the police and stormed parliament and subsequently set some sections of parliament a blaze to teach lawmakers a lesson for ignoring the voices of Kenyans to reject the 2024 Finance bill. The following day, President William

Ruto called a presser in Kenya's State House and declared that he had conceded and therefore, he will not append his signature on the controversial 2024 Finance bill. Subsequently, he dissolved his cabinet in a bid to quell the anger of the youth who accused his cabinet of corruption and ineptitude. In order to address the grievances of the youth, President Ruto formed a 150 multi-sectoral stakeholder's engagement with the youth. However, the youth declined the invitation and instead demanded accountability from the government of President Ruto (*Daily Nation*, June 29, 2024)

Coupled with Gen Z uprising that nearly toppled President William Ruto and simmering tensions in the Kenya Kwanza government between President William Ruto and his Deputy President Rigathi Gachagua, President Ruto reached out to his political nemesis Raila Odinga. In a quick turn of events, President William Ruto unleashed a handshake with Raila Odinga in July 2024. The deal was mediated by Uganda's President Yoweri Museveni, when the two bitter rivals, now turned allies, met in Uganda at Museveni's Kisoso farm (*The Star*, 24 July, 2024).

In one of his pressers, President Ruto stated that he was a man on a mission to unite all Kenyans through inclusivity in his government regardless of political persuasions or affiliation (*Daily Nation*, 10 July, 2024). One week after meeting Raila Odinga in Uganda, President Ruto nominated members allied to Raila Odinga to the Cabinet. They are Hassan Joho, Wycliffe Oparanya, John Mbadi and Opiyo Wandayi (*The Star*, 24 July, 2024). Raila Odinga's strategists also found their way into the office of the President as President Ruto's advisers. They are Adams Oloo, Joe Ager, and Silvester Kasuku (*Daily Nation*, 20 December, 2024).

While giving a presser in Nairobi, Raila Odinga had a hard time defending his decision to join Ruto's government. He insisted that ODM was not in a handshake with President Ruto. He stated that the government showed interest in working with members of the opposition and the opposition only released them to go and help the President serve the country. He remarked that in any case members of the opposition were also Kenyans. In his defense, Raila Odinga stated that instead of the country sliding into anarchy, coming together with all Kenyans was the only way of quelling the rising tensions and bloody protests that had threatened to spiral out of control (*Citizen Digital*, July 24, 2024).

On 7<sup>th</sup> March, 2025 President William Ruto and former Prime Minister Raila Odinga formalized their political union which had been in existence since 2024 by signing a cooperation pact at the Kenya International Convention Centre (KICC). The deal sought to implement the recommendations of the National Dialogue Committee (NADCO) through a 10-point agenda. The pact emphasized on the need to promote inclusivity in budgetary allocations and public appointments, good governance, protection and strengthening of devolution, integrity by strengthening accountability to combat corruption and promoting of ethical leadership, economic investment in the youth, audit of national debt and how it was used, right to assembly, demonstration and petition, promotion of

transparency in public finance, protection of sovereignty of the people by stopping abductions, promotion of the rule of law and respect of the freedom of the press (Citizen Digital, 9 March, 2025 and Daily Nation, March 7, 2025).

All indications were clear that a handshake between Raila Odinga and President William Ruto was apparent. This was to mitigate against Raila Odinga's continued call for anti-government demonstrations as a way of advancing the opposition's political agenda. President Ruto while in Narok in 2023 had acknowledged that Azimio leaders' call for anti-government protests was meant to serve the opposition's selfish political agenda (*Daily Nation*, Saturday April 15, 2023). Meanwhile the Kenyan youth have rejected the Raila-Ruto Broad Based Government. They have argued that the Raila-Ruto truce is just a mere perpetuation of deal making among the top political elite in Kenya for political survival (*BBC News*, July 24, 2024).

The partnership between President William Ruto and Raila Odinga is keenly watched. However, it is crystal clear that should the duo stick together up to 2027 polls, then they are likely to reconfigure Kenya's political landscape as President Ruto seeks his second term as the President.

### **1.8.1 The Handshake Politics and the Lessons Learned since Independence.**

This paper observes that political realignments in every electoral cycle in post-independence Kenya demonstrate that electoral competitions revolve around loosely organized political vehicles that are elite based. These political realignments are rational based. First, the ethnic kingpins coalesce around a strong political realignment, promising to deliver votes as a bloc. In exchange, the kingpin gets a plum position for himself in the government and access to state largesse. For his constituents, he delivers public goods like employment in the public service and the expansion of infrastructure like roads.

Secondly, these political realignments demonstrate that since Kenya does not have organized national political outfits, any form of truce is basically about personal bargain among the political elite on how to access political power behind the curtains. Once these political agreements have achieved their objectives, they are thrown out of the window. However, during the moments of crisis, political elites enter into some form of truce to help reduce antagonism. Therefore, in the long run this truce is not intentional and is not about the search for national unity. Thus, these handshakes christened as vehicles for achieving Kenya's national unity are basically backdoor deals among the political elite aimed at protecting their political and economic interests.

For instance, Onguny (2020) opines that the BBI was fundamentally all about changing the structures of top leadership and governance than offering potential solutions to the issues of poverty and inequalities that have ailed Kenya every electoral cycle. Considering that these handshakes happen in the boardroom, many times, the people of Kenya are not consulted. No wonder, William Ruto's supporters

castigated the Uhuru-Raila truce as a horizontal political settlement and merger between the political dynasties.

Secondly, political debts are rarely paid back and thus they rest on a shaky footing. Ordinarily, these political co-operations are about bringing on board the rival political elite into the government for rent-sharing so that they are dissuaded from antagonizing the state. Again this is a matter of rational choice. In turn, when political elites are co-opted in plum government positions they gain access to state largesse for self-aggrandizement, thus allowing them to consolidate their own bases for political support (Meng, 2019).

This explains why William Ruto's team opposed BBI as an alliance between political dynasties seeking to amend the constitution for personal gains. One of the proponents of BBI, the Secretary General of the Central Organization for Trade Unions (COTU), Francis Atwoli had stated on a television interview that Uhuru Kenyatta was too young to retire (*Citizen Television*, October 23, 2019: 9.00 PM). Owing to this assertion, the BBI was thus touted as an initiative that was to be used to introduce the position of the Prime Minister for Uhuru Kenyatta who was hell-bent to cling to power despite having served his constitutionally recognized two terms as the President of Kenya.

Thirdly, the BBI was also touted as a political tool that Uhuru Kenyatta and Raila Odinga were using to frustrate William Ruto's political ambitions of succeeding Uhuru Kenyatta. In light of this, during the campaign trail, politicians from William Ruto's support base in the Rift Valley castigated the BBI as Uhuru Kenyatta's tool to renege on the promise he made in the Rift Valley 'Yangu Kumi and Ruto Kumi.' (I will serve my 10 years and hand over power to Ruto to serve his 10 years) (*Daily Nation*, August 1, 2022).

### **1.9 Conclusion**

This paper set out to trace the history of political handshakes in Kenya since independence. Secondly, to examine the reasons behind the political handshakes among the political elite in post-independence Kenya and thirdly to analyse how the handshake politics shaped political landscapes in the post-independence period.

The paper established that political handshakes have not been vehicles for achieving Kenya's national unity. Rather, they are backdoor deals among political elites aimed at protecting their political and economic interests. Thus, these political co-operations are all about bringing on board rival political elites into the government for rent-sharing so that they are dissuaded from antagonizing the state. The paper also established that political handshakes have always shaped political succession in the post-independence period. In conclusion, as long as the electoral system is all about the winner takes it all, political handshakes are here to stay.



## REFERENCES

- African Union, (2008). *Bank from the Brink: The 2008 Mediation Process and Reforms in Kenya*. Addis Ababa: African Union Press.
- Aljazeera, August 7, 2022.
- Andreassen, B. and Tostensen, A. (2006). Of Oranges and Bananas: The 2005 Referendum of the Constitution. CHR MICHELSEN INSTITUTE, *CMI Working Papers*, WP 2006: 13.
- Aquino, N. (2014). Kenya's Constitutional History. REDD+-Law Project, *Briefing Paper*, 1-4.
- Barkan, J. (1998). Toward a New Constitutional Framework in Kenya. *Africa Today*, 45 (2), Pgs 213-226.
- BBC News, March 30, 2013.
- BBC News, March 4, 2013.
- BBI Report, (2019). 'Building Bridges to a United Kenya: From a Nation of Blood Ties to a Nation to a Nation of Ideals.' A Report of the Presidential Task Force on Building Bridges to Unity. Nairobi: Government Printer.
- Branch, D. and Cheeseman, N. (2009). Democratization, Sequencing and State Failure in Africa: Lessons from Kenya. *African Affairs*, 1089 (403), 1-26.
- Brown, S. and Sriram, C. (2012). The Big Fish Won't Fry Themselves: Criminal Accountability for Post-Election Violence in Kenya. *African Affairs*, Vol 111, Issue 443 Pgs 244-260.
- Business Daily, December 6, 2016.
- Capital News, April 11, 2023.
- Capital News, December 8, 2021.
- Capital News, January 18, 2017.
- Cheeseman, N. (2008). The Kenyan Elections of 2007: An Introduction. *Journal of Eastern African Studies*, Vol 2, Issue 2, Pgs 166-184.
- Cheeseman, N., Kanyinga, K., Lynch, G., Ruteere, M., and Willis, J. (2019). Kenya's 2017 Elections: Winner Takes All Politics as Usual? *Journal of Eastern African Studies*, Vol. 13, Issue 2, Pgs 215-234.
- Citizen Digital, April 2, 2023.
- Citizen Digital, 9 March, 2025.
- Citizen Digital, February 4, 2020.
- Citizen Digital, May 15, 2016.
- Citizen Television, February 4, 2021.
- Citizen Television, March 27, 2011.
- Citizen Television, March 30, 2013.
- Citizen Television, October 23, 2019.
- CKRC, (2005). *The Final report of the Constitution of Kenya Review Commission*. Nairobi: Government Printer.
- Cowen, M. and Kanyinga, K. (2000). The 1997 Elections in Kenya: The Politics of Community and Locality. In Cowen, M. and Laakso, L. (eds). *The Politics of Multiparty Elections in Africa*. Oxford: James Murray.
- Daily Nation, April 22, 2020.
- Daily Nation, August 1, 2022.
- Daily Nation, August 10, 2016.
- Daily Nation, August 9, 2017.
- Daily Nation, March 22, 2016.
- Daily Nation, March 31, 2016.
- Daily Nation, November 1, 2018.
- Daily Nation, November 29, 2022.
- East African Newspaper, July 28, 2022.
- Hakes, J. (1970). *The Parliamentary Party of Kenya African National Union: Cleavage and Cohesion in the Ruling Party of a New Nation*. A PhD Thesis of the University of Nairobi.
- Harbeson, J. (1998). Political Crisis and Renewal in Kenya: Prospects for Democratic Consolidation. *Africa Today*, 45, 2, April - June Issue Pgs 161-183.
- Hodgins, S. (2015). *Uhuru Kenyatta VS The International Criminal Court. Narratives of Injustice and Solidarity*. A Research Paper Submitted to the University of Ottawa.
- Hornsby, C. (2012). *Kenya: A History since Independence*. London: I.B. Tarus.
- Juma, T. and Sitienei, S. (2015). Political Decision making During Crisis and their Link to Conflicts in Young Democracies: A Case of Samuel Kivuitu and Justin Muturi in Kenya. *International Journal of Economics, Commerce and Management United Kingdom* Vol.3, Issue 11.
- Kagwanja, P. (2009) Courting Genocide: Populism, Ethno-Nationalism and the Informalization of Violence in Kenya's 2008 Post - Election Violence Crisis.

- Kanyinga, K. (2003). The Political Economy of Transition in Kenya. In Oyugi, W.; Wanyande, P. and Mbai, C. *The Politics of Transition in Kenya: From KANU to NARC*. Nairobi: Heinrich Boll Foundation.
- Kariuki, G. (2015). *Lancaster Constitutional Negotiation Process and its Impacts on Foreign Relations of Post-Colonial Kenya, 1960-1970*. A PhD Thesis, University of Nairobi.
- Katumba, M. (2004). *Civil Society and the Politics of Constitutional Reforms in Kenya: A Case Study of the National Convention Executive Council*. Nairobi: Series on Alternative Research in East Africa (SAREAT)
- Khadiagala, G. (2010). Political Movements and Coalition Politics in Kenya: Entrenching Ethnicity. *South African Journal of International Affairs*, 17 (1), Pgs 65-84.
- Khadiagala, G. (2021). "Coalition Politics in Kenya. Superficial Assemblages and Momentary Vehicles to attain Power." in Booysen, S. (ed). *Marriages of Inconvenience: The Politics of Coalitions in South Africa*. Johannesburg: Mapungubwe Institute of Strategic Reflection.
- Kitching, G. (1980). *Class and Economic Change in Kenya: The Making of an African Petite-Bourgeoisie*. New Haven: Yale University Press.
- Leys, C. (1975). *Underdevelopment in Kenya: The Political Economy of Neo-Colonialism*. Nairobi: Heinemann Publishers.
- Lynch, G. (2011). The Fruits of Perception: Ethnic Politics and the Case of Kenya's Constitutional Referendum. *African Studies*, Vol 65, Issue 2, Pgs 233-270.
- Maganda, W. (2012). 'Political Participation and Alienation of Racial Minorities in Africa: The Kenya Asian Community Experience (1963-2013)'. M.A Thesis, University of Nairobi.
- Maweu, J. (2020). "Fake Elections?" Cyber Propaganda, Disinformation and the 2017 General Elections in Kenya. *African Journalism Studies* Vol. 40, Issue 4, Pgs 62-76.
- Meng, A. (2019). Accessing the State. Executive Constraints and Credible Commitment in Dictatorship. *Journal of Theoretical Politics* Vol. 31 Issue 4, Pgs 568-599.
- Moywaywa, C. and Nyagaka, E. (2023). The Struggle for Political and Constitutional Reforms in the Post-Independence Kenya: The Nairobi Asians in a Perspective. *International Journal of Education and Research*, Vol.11, No. 3.
- Munyae, I. and Korwa, A. (2001). Human Rights Abuse in Kenya under Daniel Arap Moi, 1978. *African Studies Quarterly* 5(1), 1-14.
- Mutua, M. (2008). *Kenya's Quest for Democracy: Taming the Leviathan*. Boulder, Colo: Rienner Publishers.
- Ndegwa, S. (1997). Citizenship and Ethnicity: An Examination of Two Transition Moments in Kenyan Politics. *American Political Science Review*, 91, 3.
- New York Times, September 1, 2017.
- Nowrojee, P. (2007). *Pio Gama Pinto: Patriot for Social Justice*. Nairobi: Sasa Publications.
- Nyagaka, E. (2021). 'Political Participation of Ethnic Minorities in Kenya with Specific Reference to the Asian Community in Nairobi City County, (1963-2017)'. M.A Thesis, Kenyatta University.
- Nyangira, N. (1986). Ethnicity, Class and Politics in Kenya. In Schatzberg, M. (ed). *The Political Economy of Kenya*. New York: Praeger.
- Nyong'o, P. (1989). State and Society in Kenya: The Disintegration of the Nationalist Alliance and the Emergence of Presidential Authoritarianism, 1963-1978. *African Affairs*, 88, 351, Pgs 229-251.
- Odiambo-Mbai, C. (2003). The Rise and Fall of the Autocratic State in Kenya. In Oyugi, W.; Wanyande, P. and Mbai, C. *The Politics of Transition in Kenya: From KANU to NARC*. Nairobi: Heinrich Boll Foundation.
- Onguny, P. (2020). The Politics behind Kenya: Building Bridges Initiative (BBI). *Vindu Vichenjanga or Sound and Fury, Signifying Nothing? Canadian Journal of African Studies*, Vol.54, Issue 3, Pgs. 557-576.
- Orwenyo, D. (2014). Achieving Credibility in Quasi-Judicial Discourse: A Genre Analysis Approach to the Report of the Commission of Enquiry into the Post-Election Violence in Kenya. *International Journal of Law, Language and Discourse-ijild*.
- Oyugi, W. (2006). The Coalition Politics and Coalition Governments in Africa. *Journal of Contemporary African Studies*, 24 (1), 53-79.
- People Daily Kenya, January 26, 2021.
- Reuters, April 11, 2011.
- Reuters, February 28, 2008.
- Saturday Nation, August 6, 2022.

Steeves, J. (2006). Beyond Democratic Consolidation in Kenya: Ethnicity, Leadership and Unbounded Politics. *African Identities*, Vol.4, Issue 2, Pgs 195-211.

The Elephant, February 28, 2020.

The Elephant, February 28, 2023.

The Guardian, August 15, 2022.

The Guardian, August 22, 2022.

The Guardian, September 5, 2022.

The Guardian, Sunday March 10, 2013.

The New York Times, 13 December 1978.

The Standard, November 24, 2022.

The Star May 16, 2023.

The Star, April 2, 2023.

The Star, August 8, 2022.

The Star, December 5, 2022.

The Star, January 8, 2021.

The Star, May 9, 2015.

The Star, November 27, 2022.

Throup, D. and Hornsby, C. (1995). *Multi-Party Politics in Kenya: The Kenyatta and Moi States and the Triumph of the System in the 1992 Elections*. London: James Currey.

Wamai, E. (2014). Mediating Kenya's Post- Election Violence: From a Peace-Making to a Constitutional Moment. In Murunga, G., Okello, D. and Sjogren, A. *Kenya: The Struggle for a New Constitutional Order*. London: Zed Books Publishers.

Wanyama, F. (2010). 'Voting Without Institutionalized Political Parties: Primaries, Manifestoes and the 2007 General Elections in Kenya.' In Kanyinga, K. and Okello, D. (eds). *Tensions and Reversals in Democratic Transitions: The Kenya 2007 General Elections*. Nairobi: Society of International Development.

Wanyande, P. (2003). 'The Politics of Alliance Building in Kenya: The Search for Opposition Unity.' In Oyugi, W., Wanyande, P. and Odhiambo-Mbai, C. (eds). *The Politics of Transition from KANU to NARC*. Nairobi: Heinrich Boll Foundation.