



**Elections
Observation
Group**

CREDIBLE, PEACEFUL, FREE AND FAIR ELECTIONS

PAY TO PLAY?



2025

**THE ECONOMICS OF RUNNING
FOR ELECTIVE OFFICE IN KENYA**

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EXECUTIVE SUMMARY

This study explores the root causes and implications of the escalating cost of elective politics in Kenya, taking a comprehensive electoral cycle approach. Commissioned by the Elections Observation Group (ELOG) with support from Uraia Trust, the study examines the financial dynamics of campaigning, political party operations, and the management of electoral processes highlighting how these elements have transformed elections into prohibitively expensive undertakings.

Kenya's post-2010 electoral landscape, characterized by an expanded number of elective positions and intensified political competition, has witnessed a dramatic surge in campaign spending. With average candidate expenditure ranging from Kshs. 3.1 million for Members of County Assembly to Kshs. 35.5 million for Senate seats, electoral contests are increasingly shaped by financial capacity rather than policy merit. Notably, less than 20% of these campaign funds come from political parties, leaving aspirants heavily reliant on personal and informal networks.

Despite regulatory benchmarks aiming to contain the cost of the ballot, Kenya's elections remain among the most expensive globally, costing approximately USD 14.80 per voter in 2022 far above the USD 5 international benchmark. This financial burden is compounded by the allure of elective office: high remuneration, patronage opportunities, and elevated social status. These incentives drive individuals to invest heavily in campaigns, often prioritizing personal gain over public service.

The study employed a mixed-methods approach, including desk reviews, key informant interviews, and focus group discussions, targeting past aspirants, elected leaders, and electoral stakeholders. Analysis revealed key cost drivers such as unregulated campaign expenditure, patriarchal barriers limiting women's electoral success, and the monetization of voter support.

Based on these findings, the report offers actionable recommendations to reduce the cost of politics and safeguard electoral integrity. These include strengthening enforcement of campaign finance laws, enhancing political party funding, promoting inclusive participation, and reforming institutional frameworks to curb patronage networks. The insights from this study aim to inform electoral reforms and equip citizens, aspirants, and policymakers with knowledge to foster a more accountable and equitable political process in Kenya.

INTRODUCTION

Background Information

According to the Elections Observation Group (ELOG), the impact of money on governance manifests in three main areas: campaign financing, cost of the ballot, and funding of political parties. It defines campaign financing as resources used to secure votes before elections. This resource is largely utilized during campaigns, with the primary objective being to get elected to office. Funding of political parties refers to the financial resources that are meant to fund the operations of political parties, usually based on some eligibility criteria. Cost of the ballot is the monetary value that the election management body (bodies) expend to conduct an election. This cost is more regulated and documented since they are spent by government agencies, are well accounted for, and can be audited. The main issue on the cost of a ballot is, therefore, often, the amount of money used to conduct an election, which is mostly calculated using the cost per ballot/voter.

The rise of multi-party democracy in many countries has led to a significant increase in the cost of elections, largely due to the growing number of political parties and elective positions. In Kenya, for instance, there were only three elective positions before the promulgation of the 2010 Constitution: These were , the President, Member of Parliament, and Councilor. Since then, the number of elective positions has doubled to include the president; members of parliament (including the Senate, National Assembly, and Woman Representative); governors; and county assembly seats. While the media, analysts, and academics often focus on voter mobilization, opinion polls, and election preparedness, they frequently overlook how money is misused or used to influence electoral outcomes.

ELOG 2022 election observation report observed that the cost of elections had “increased exponentially over the previous elections, with the budgetary allocation at approximately 180 million USD in 2013 and rising to around 396 million USD in 2017 due to the repeat presidential elections”. Based on the 2017 budgetary allocation, the cost of elections per voter in Kenya stood at about Kshs 2,500 equivalent to 18.50 USD per voter “making the Kenyan elections one of the most expensive in the world” thereby, surpassing the average cost per registered voter index benchmark of 5 USD per voter by a significant margin. With 22,120,458 registered voters in 2022 and a budgetary allocation of approximately 330 million USD, the cost of elections in Kenya reduced to about 14.80 USD per voter, still significantly above the 5 USD international benchmark. At an average cost of about 20 USD per voter, Kenya’s election is one of the most expensive elections in Africa and the second most expensive in the world. Indeed, Kenya’s average cost for polls surpasses the Average Cost Per Registered Voter Index (ACRVI) benchmark of 5 USD per voter by a considerable margin.

A study by Kanyinga and Mboya (2021) analyzed the expenditure of individuals who contested for political office at Kenya’s Senate, National Assembly, and County Assembly levels in 2017. It found out that the Senate seat was the most expensive of all the posts to contest. It costs an average of Kshs. 35.5 million (US\$ 350,000) to contest for this seat in 2017. Contestants for the Woman Representative seats also spent significant sums, with the average expenditure reaching Kshs. 22.8 million (US\$ 228,000). For those seeking to become members of parliament, the average spend was Kshs. 18.2 million (US\$ 182,000), while the Member of County Assembly seat was the least expensive at Kshs. 3.1 million (US\$ 31,000). These costs are predominantly raised by individuals’ savings or with the support of friends or family, and less than 20% receive financial support directly from their political party. The study also found that, on the whole, the more a candidate spends, the greater their chance of electoral victory. Woman Rep candidates who won their race spent almost three times as much as those who were unsuccessful. Victorious Senators spent more than double that of those who lost. In the race for National Assembly seats, successful candidates spent 50% more than those who did not win. In addition to significant expenditure, the support of a dominant party enhanced a candidate’s chances significantly. However, this does not apply if you are a woman contesting an open seat. It was found that women were spending as much or more than men, but they were not enjoying the same level of success for reasons

best explained by prevailing patriarchal norms that impact how they can campaign and how they are perceived by voters.

In its 2022 observation report, ELOG also observed that despite the costs of elections being high, people continue to run for office even when it is evident that the costs are very high. This is because of the allure of elective office. Kenya is home to some of the highest-paid legislators in the world. They have a monthly emolument package of at least Ksh. 1,000,000 (US\$ 10,000), including basic allowances. The allowances and benefits for the MP include accommodation and subsistence allowances, security, mileage allowances, medical schemes, retirement benefits, and special duty allowances for those with additional responsibilities. If these were valued in monetary terms, their earnings would go far beyond this figure and indeed put the elected officials on the same level as the most highly remunerated people in the country. Furthermore, the position is prestigious.

Upon winning an election, the person acquires a new status, complete with the title of Mheshimiwa - Kiswahili equivalent for his/her excellency'. This title opens doors to many offices. The title is associated with 'power and influence' because one can access any office without difficulties. Money, status, and power, therefore, combine to give the seat of elected officials an allure that attracts many to the race for office. Some people do not run for office to serve the community; they run for office because when they win, they have many benefits and networks for easy self-enrichment. The status of the office is buttressed by patronage opportunities. Being a 'big-man' also means that you are in the patron-client network chain that connects the higher levels of the state and senior politicians to the grassroots. Here, it is worth emphasizing that patronage resources are central to political support and maintaining loyalty among politicians and their supporters. The ability to draw resources from the center for the development of any politician's constituency is tied to their connection to patronage networks. This connection, however, is not to develop their communities alone. This is also an opportunity for self-enrichment through contracts with public institutions.

AIM OF THE STUDY

Taking an electoral cycle approach, ELOG, with the support of URAIA Trust, implemented a project whose main objective was safeguarding the Integrity of the Electoral Reforms in Kenya. As part of the project, ELOG commissioned a study on the fundamental causes that create and drive the cost of elective politics in Kenya. In this case, elective politics referred to competing for any of the six (6) elective positions as provided for in the Constitution of Kenya. ELOG envisioned using this report to inform citizens on what it generally took to run for office in Kenya in terms of resources. At the same time, it will inform the review of the legal framework intended to regulate the use of money in Kenya's elections.

Thus, the objectives of this study were as follows:

- 01 Identify and highlight the cost drivers of elective politics in Kenya.
- 02 Highlight the implications of such drivers to the cost of elective politics
- 03 Propose alternative means to aspirants, candidates, and citizens on possible ways of navigating through these costs for effective participation
- 04 Propose guidelines to policymakers, particularly the Independent Electoral and Boundaries Commission (IEBC) and Parliament, when regulating how funds can be used in Kenya's future elections .

METHODOLOGY

The study was conducted in four distinct phases. The Inception Phase involved a collaborative meeting between ELOG staff and the consultant to define the study's scope, methodology, and responsibilities while fostering relationships with relevant stakeholders and reviewing previous studies for secondary data. The Preparatory Phase focused on a desk review of existing documents and reports to identify information gaps. This phase produced draft questionnaires and a list of potential interviewees, laying the groundwork for effective data collection.

In the sampling and fieldwork phase, a purposive sampling strategy targeted relevant aspirants, elected representatives, and stakeholders involved in election financing. Data collection involved key informant interviews and focus group discussions, utilizing a mix of closed and open-ended questions. The final Reporting Phase entailed analyzing qualitative data from various sources, coding responses by themes, and integrating findings using matrices for comparisons. This culminated in a stakeholder validation of the first draft and the production of the final report.

STUDY FINDINGS

1. Cost drivers of elective politics in Kenya

1.1 Party Ticket/Nomination: Party primaries are often more significant and competitive in Kenya than the actual election campaign, particularly in regions dominated by specific political parties. Candidates from major parties like UDA, ODM, and Jubilee enjoy strong advantages, making their primaries highly contested and costly. Aspirants interviewed reported spending over Ksh 15 million (\$147,000) to secure a party ticket. For instance, the matrix below presents the UDA and ODM Party nomination fees for the 2022 general elections.

POSITION	UDA	ODM
Presidential	Male - Kshs 1,000,000 Female and Youth - Kshs 500,000	Male Kshs 1,000,000 Female and PWDs - Kshs 500,000
County Governor	Male - Kshs. 500,000 Female - Kshs 250,000 Youth - Kshs 125,000	Male - Kshs. 500,000 Female, Youth, and PWDs - Kshs 250,000
Senate and National Assembly (including County Woman Representative to the National Assembly)	<p>Senate male (Ksh.250,000), female (Ksh.125,000) and youth (Ksh.125,000)</p> <p>Member of National Assembly male (Ksh. 250,000), female (Ksh. 125,000) and youth (Ksh. 125,000)</p> <p>Woman Representative Ksh. 250,000 while youth aspirants paid Ksh.125,000</p>	Male - Kshs. 250,000 Female, Youth, and PWDs - Kshs 125,000
County Assembly	Male - Ksh. 50,000 female and youth - Ksh. 25,000 each.	Male - Kshs.50,000 Female, Youth, and PWDs - Kshs 25,000

The matrix below presents an analysis of the 2017 nomination costs

POSITION	2017
Senate	Those who were successful in their primary contests spent Kshs. 25.5 million (US\$ 255,000), while those who lost spent Kshs. 11.5 million (US\$ 115,000) on average. Women spent considerably more than men during the 2017 Senate party primaries. They forked out Kshs. 25 million (US\$ 250,000), outspending their male counterparts who spent an average of Kshs 18.6 million (US\$ 186,000).
Women's Representative	In Nairobi, Woman Rep aspirants spent an average of Kshs. 40 million (US\$ 400,000), while candidates in Central Kenya spent Kshs. 24 million (US\$ 240,000). Candidate spending in all other regions was at an average of Kshs. 15 million (US\$ 150,000) or less – with candidates in the Coast spending the least at Kshs. 10.5 million (US\$ 105,000). Overall successful Woman Rep aspirants spent an average of Kshs. 20.2 million (US\$ 202,000), significantly more than those who lost who spent Kshs. 6.1 million (US\$ 61,000).
National Assembly Member	Winners in the party primaries, for example, spent Kshs. 10.4 million (US\$ 104,000) while those who lost spent significantly less at Kshs. 5.9 million (US\$ 59,000). Female candidates spent more than males in the party primaries by Kshs. 4.6 million (US\$ 46,000) – Kshs. 12.1 million (US\$ 121,000) to Kshs. 7.5 million (US\$ 75,000) – but struggled to obtain the same level of success. Only 23 women were elected in the 2017 National Assembly, as compared to 267 men.
Member of County Assembly	Women candidates outspent their male counterparts without correlating success. They spent almost double their male counterpart's expenditure of Kshs. 1.3 million (US\$ 13,000). However, an analysis of the amount winners spent versus what losers expended demonstrates the impact of financial resources on politics if you are a male candidate. Poll winners spent an average of Kshs. 2.1 million (US\$ 21,000) more than double the amount spent by those who lost, Kshs. 0.8 million (US\$ 8,000).

Source: *The cost of politics in Kenya, report by Karuti Kanyinga*

The study established that smaller parties may allow easier access to candidacy, but candidates face lower chances of electoral success. The significant financial investment required for primaries raises the stakes, and women candidates face additional challenges in securing nominations. Despite a growing interest in the number of women in elective politics, they still do not meet the constitutional requirement for representation. The creation of women's representative positions may have unintentionally reinforced the notion that regular constituency seats are reserved for men, forcing women to spend even more during the nomination phase.

1.2 'Unaffordable' Campaign Requirements: According to respondents, the costs associated with elections can be classified into three stages: pre-election, during, and post-election. Pre-election costs include mobilizing voters, which often involves compensating them for their time, expenses related to printing materials, creating merchandise, and conducting research for effective campaigning. During the election, candidates face various expenses such as fees for the nomination process, including payments to political parties and associated security costs. Additional costs arise from campaigning, voter mobilization, publicity, accommodation, and communication. Notably, women candidates often incur extra expenses related to public relations and image consultancy services due to societal expectations. Post-election costs include expenditure on campaign-related materials, such as posters, merchandise, billboards, and media advertisements, as well as transport, logistics, and venue hire. Respondents also reported illegitimate costs, such as bribing voters or disrupting opponents' rallies. Furthermore,

candidates consider the ongoing costs of maintaining their political presence, which include fundraising for social events like funerals, weddings, and education. In essence, one would have to raise his/her spending to run an effective parliamentary campaign. At the more conservative end of the spectrum, respondents felt it would cost up to Kshs 35 million to run an effective campaign across both the primary and campaign phases. The matrix below presents a comparison of the 2017 and 2022 elections.

POSITION	2017
Senate	Successful Senate candidates spent significantly more during the campaign phase, at Kshs. 23.5 million (US\$ 235,000) compared to the Kshs. 8.8 million (US\$ 88,000) spent by those who lost. Unlike the party primaries contest where women Senate candidates outspent men, male candidates spent more than twice the amount spent by their female counterparts, during the election campaigns: Kshs. 17.1 million (US\$ 171,000) as opposed to Kshs. 8.5 million (US\$ 85,000).
Women's Representative	On average, Woman Rep candidates spent, Kshs. 9.2 million (US\$ 92,000) during the general election campaigns. Those who won spent more than their competitors, spending Kshs. 12 million (US\$ 120,000) in comparison to the Kshs. 7.3 million (US\$ 73,000) spent by those who lost.
National Assembly Member	On average, contestants for the National Assembly seat spent Kshs. 9.9 million. (US\$ 99,000). Those who won the seats, on average, spent Kshs. 10.8 million (US\$ 108,000), while those who lost were only marginally behind them at Kshs. 9 million (US\$ 90,000). Female candidates again spent more than their male counterparts: Kshs. 11.5 million (US\$ 115,000) versus Kshs. 9.5 million (US\$ 95,000). Interestingly, these amounts are similar to what both men and women candidates spent during the primaries (female – Kshs. 12.1 million (US\$ 121,000); men – Kshs. 7.5 million (US\$ 75,000)).
Member of County Assembly	The MCA contests at the general election followed a similar pattern as the party primaries. Women candidates spent well in excess of double the amount spent by their male counterparts. Winning women spent an average of Kshs. 3.9 million (US\$ 39,000), while male MCA candidates spent only Kshs. 1.6 million (US\$ 16,000).

Source: *The cost of politics in Kenya, report by Karuti Kanyinga*

1.3 Abuse of incumbency: ELOG's pre-election observation report (2022) observed that the campaign period was characterized by abuse of incumbency both at the national and county levels. Similarly, a report released by the Commission of Administrative Justice in 2022 highlighted troubling instances of incumbency abuse during political campaigns. For instance, CAJ documented several cases in regions such as Kisumu, Narok, and Kajiado, where candidates holding political office exploited their positions to initiate and inaugurate various development projects as part of their campaign strategies, as well as using government vehicles to ferry people to campaign rallies. This practice created an uneven playing field for other aspirants vying for the same political positions. Consequently, candidates without such advantages faced immense pressure to invest heavily in their campaigns just to remain competitive. This scenario raises significant concerns over the fairness and integrity of the electoral process as new aspirants struggle to match the financial and resource capabilities of those already in office.

1.4 Minimal party support: Despite flying the party banner, candidates can only realistically count on limited support from the party. In terms of financial resources, this depends on the size of the party and the significance the party ascribes to the seat in question. The party, through its machinery, may only be able to mobilize volunteers and special interest groups at the grassroots level for meetings and political rallies. From the perspective of the party, the

primaries present an opportunity to generate some rare and precious resources from aspiring candidates. Most political parties in Kenya suffer from a perennial lack of resources. Outside the political season, many fold down to a minimal retinue of staff, and operations slowly crawl. Only the larger, more established parties can maintain operations and activities regularly, buoyed by greater access to a financial support base and benefiting from the Political Parties Fund (PPF).

Due to an extremely high legal threshold, only a select few parties benefit from the Political Party Fund (PPF). Following the 2017 elections, only Jubilee and ODM qualified to receive a share of Kshs 371.2 million (US\$ 3.6 million) (0.3% of national revenue) allocated by parliament for the 2017–18 financial year. In the 2022/23 financial year, 48 political parties received a fraction of the Political Party Fund as indicated in the matrix below

1	National Rainbow Coalition–Kenya	4,529,021
2	Party of Independent Candidate of Kenya	526,751
3	Devolution Empowerment Party	8,256,187
4	Kenya National Congress	1,109,977
5	Wiper- Democratic Movement	43,271,747
6	Democratic Party of Kenya	3,286,712
7	Party of National Unity	2,672,766
8	United Democratic Alliance	345,800,493
9	Kenya Social Congress	729,227
10	Orange Democratic Movement	184,717,678
11	Forum for Restoration of Democracy–Kenya	15,494,719
12	Progressive Party of Kenya	1,889,232
13	Jubilee Party	81,019,735
14	Maendeleo Democratic Party	348,707
15	National Rainbow Coalition	3,087,540
16	Kenya African Democratic Union–Asili	287,508
17	Communist Party of Kenya	627,485
18	Kenya African National Union	14,403,820
19	Safina Party	1,880,866
20	Chama Cha Uzalendo	2,351,440
21	National Agenda Party of Kenya	1,340,177
22	People’s Empowerment Party	501,487
23	Peoples Democratic Party	476,221
24	United Democratic Movement	16,107,817
25	Shirikisho Party of Kenya	411,578
26	United Party of Independent Alliance	5,462,800
27	Federal Party of Kenya	753,751
28	Muongano Party	4,039,554
29	Chama Cha Mashinani	4,862,391
30	Ubuntu People’s Forum	1,197,853

31	Amani National Congress	15,949,009
32	United Democratic Party	3,220,967
33	People's Trust Party	504,946
34	Maendeleo Chap Chap	7,592,964
35	Movement for Democracy and Growth	5,873,510
36	Justice and Freedom Party of Kenya	165,951
37	Grand Dream Development Party	279,596
38	United Progressive Alliance	5,198,397
39	The Service Party	6,323,230
40	National Ordinary People Empowerment Union	810,349
41	National Reconstruction Alliance	2,037,417
42	Democratic Action Party-Kenya	18,959,987
43	Chama Cha Kazi	3,914,496
44	Tujibebe Wakenya Party	4,542,628
45	Kenya Union Party	5,694,772
46	Pamoja African Alliance	6,891,431
47	Mabandiliko Party of Kenya	382,340
48	Green Thinking Action Party	349,069

Source: ORPP

However, there is insufficient evidence available to indicate the extent to which the parties use these funds to support prospective candidates. For the most part, candidates take on a significant role in funding political parties at the grassroots level. Due to the commercialization of politics and the knowledge that political aspirants are willing to spend significantly.

1.5 Citizen Pressure (Voters Expect “Something” in Return): Respondents indicated that the failure of social service delivery systems has led citizens to rely on politicians to meet their basic needs. This reliance has made politicians more relevant and connected to the citizens. However, instead of addressing the root causes of these issues, politicians often view the broken systems as a way to maintain their popularity and relevance.

In the current political culture, there is an expectation that those seeking office will resolve a wide range of problems facing their constituents. These problems include individual needs, such as food and medical care, as well as community needs, such as schools, health centers, and roads. While these expectations first emerge on the campaign trail, they continue to grow once elected leaders are in office. Elected officials are expected to have a greater capacity to meet these needs due to their salaries and societal status. Despite the salaries they earn, the expenses associated with being in the office are so great that they often exceed their income, leaving many in a state of perpetual ‘poverty’. It is estimated that weekly expenses to constituents’ demands for assistance are a minimum of KSh200,000 per week (US\$1,960), while others spent more than 100% of their salaries meeting constituent needs while in office.

1.6 Limited Regulation (lack of regulation on campaign financing): The current state of campaign financing in Kenya is characterized by a significant lack of effective regulation and enforcement mechanisms. As the financial demands associated with running for elective office continue to escalate, candidates often navigate this environment with minimal oversight due to the absence of strong enforcement of existing laws and regulations. The relevant frameworks that could have imposed restrictions and ensured accountability in campaign

financing have largely been ignored or sidelined. Consequently, there has been a noticeable lack of political will or interest among lawmakers and stakeholders to revisit and activate these legal mechanisms. This inaction has resulted in a climate where the financial strain of electoral campaigns remains unregulated, raising concerns about the integrity and fairness of the democratic process in Kenya. This concern was highlighted by foreign observation missions such as the EISA Election Observation Mission and the Commonwealth Observer Group.

1.7 The challenge of independents: While there have been laudable attempts to address party-hopping, a loophole was left open for independent candidates. Even with the benefit of a dominant party ticket, candidates still have to invest significantly in the campaign, especially when faced with a strong independent. In some cases, an aspirant, having lost at the primary phase, may quickly register as an independent candidate, not to contest the election, but as leverage to extract an inducement from his or her opponent to step aside. In other cases, an aspirant who has lost at the primary phase and registered as an independent candidate could be 'convinced' by the party leader, hierarchy, or competing aspirant to set aside his or her ambitions. Many of these behind-closed-doors interactions carry significant cost implications.

2 Implications of such drivers to the cost of elective politics

2.1. Increasing independent candidates: The total number of applications received from people seeking to be independent candidates was 6,944. Out of 6944 issued with clearance certificates, 6260 were male, translating to 90%, while 684 were female, translating to 10%. There was a significant increase in the number of people seeking clearance to vie as independent candidates compared to 2017. According to ORPP, the top 10 counties submitting the highest numbers of applications in manual and online format – out of the total 6,944 were led by Nairobi at 10.6%. Kiambu County followed at 6.6%, with Meru in third position at 6.5%. Nakuru County's applications took the fourth position with 6.3% of the submissions. The fifth to tenth positions were represented by Muranga and Mombasa (6.3%), Homa Bay (3.2%), Kilifi (3.1%), Migori (3%), and Kakamega (2.9%), respectively. Of the total number of cleared independent candidates, 30% of the applicants were from Special Interest Groups.

2.2. Exclusion of capable candidates: A significant number of those interviewed expressed strong agreement that the expenses associated with politics in Kenya are escalating. They noted with concern that these rising costs pose a barrier for many potential candidates who wish to engage in the democratic process. This situation suggests that the high expenses associated with running for office effectively exclude qualified individuals who lack substantial financial resources. In Kenya, the political arena is increasingly becoming dominated by those who can afford the steep costs linked to election campaigns.

2.3. Dysfunctional representative democracy: The spending trends for supporting the offices of elected legislators are overwhelmingly focused on funding development projects, making donations to various groups, and assisting individuals in need. At no point have sitting representatives indicated they hold meetings to discuss legislative issues that constituents want addressed in Parliament or the County Assembly. This pattern implies that the transactional aspects of politics are diminishing opportunities for meaningful debate and dialogue between elected officials and their constituents. Consequently, officials often transform their offices into sources of patronage to secure support and enhance their prospects for re-election.

2.4. Prevailing patronage: All current legislators emphasize that they often spend nearly as much, if not more, of their monthly salaries on maintaining their offices. By the end of their five-year term, many will have expended twice, or even more, than what they initially invested to secure their positions. Although the prospect of another election at the end of this term might make it seem like a zero-sum game, it is far from it. Once elected, legislators often turn to the Executive branch and public sector institutions for contracts and opportunities for rent-seeking. Some even land contracts to provide goods and services to government entities. The practice of using an electoral seat as a means of patronage within their constituencies is closely linked to broader national patronage networks, which contribute to systemic corruption within the public

sector. These networks facilitate the misuse of power, as political figures must continually gather resources to maintain the support of their constituents.

2.5. Constant campaign politics: Many political candidates acknowledge that money is essential for winning elections, which leads them to neglect their duties. Consequently, the re-election campaign often starts almost immediately after the electoral process concludes. Both incumbents and aspiring candidates seek to launch “development projects” that will enhance their visibility as the campaign approaches while also engaging key strategic constituencies in preparation for upcoming contests. However, all of this comes at a cost. Politicians do not typically engage with constituents to solicit their opinions; during election season, the communication tends to be one-sided. It would be unfair to place the blame solely on politicians for the development of this entrenched culture. In some regions, the culture of handouts is perpetuated by voters who expect “something” in return before engaging with politicians.

2.6. Weak oversight: The impact of the importance placed on money in politics is that elected officials often fail to provide effective oversight of resource use by the Executive at both the national and county levels. This lack of oversight can seem futile since some officials may prioritize accessing these resources for personal or political gain rather than ensuring responsible usage by the executive branch. Often, the decision to ignore effective oversight is influenced by partisanship, allowing those aligned with the ruling political faction to exploit resources for political advantage. This creates a vicious cycle that undermines the foundations of democratization.

2.7. Corruption significantly undermines the integrity of public institutions by fostering an environment where public officials exploit their positions for personal gain. When politicians engage in corrupt practices, they often misappropriate public funds to cover the exorbitant costs associated with election campaigns. This not only diverts essential resources away from critical public services but also creates a vicious cycle where officials feel pressured to embezzle further funds to finance future campaigns. Consequently, the quality of service delivery deteriorates, eroding public trust, impairing accountability, and creating ineffective oversight mechanisms, leaving citizens unable to hold their leaders responsible for the prudent management of their resources.

2.8. Illicit Funding Influencing Politics: A growing problem in some parts of the world is the influence of illicit funds in politics. Sometimes criminals wish to get into government to gain immunity, and in other cases, election campaigns launder money. Criminals may also use donations to exert influence on politicians to avoid investigations into their illegal activities. Influence of Foreign Funding Can Threaten the Sovereignty of National Politics. Even in our increasingly globalized world, each country maintains its political institutions, such as national and local bodies. If money from abroad is used in election campaigns, politicians may listen to interests outside of their country rather than voters. If this becomes widespread, the sovereignty of countries can be threatened.

2.9. Vote Buying: Efforts to win elections through spending, rather than through popular support, are common in Kenya. Sometimes, vote buying takes the form of direct transactions, where individual voters receive money upon evidence of voting in a certain way, including taking a picture of the ballot paper with a mobile phone camera. Sometimes, vote buying is indirect and communal, including when community or religious leaders are given an incentive to influence the votes of their followers. In either case, vote buying is a serious hindrance to democratic elections.

2.10. Exclusion of marginalized groups from the electoral process. Weak financial resources often lead to decreased engagement and representation among these groups, particularly women, young people, and individuals with disabilities. This lack of financial backing not only impedes their ability to participate in elections but also restricts their chances of being elected as representatives, despite their capabilities and potential contributions to society. The principle of inclusion in political discourse is fundamentally undermined when these demographics are sidelined. Capable candidates who are actively involved in their communities

yet lack the necessary financial support are typically overlooked in favor of those with greater economic resources. This not only perpetuates inequalities but also stifles diverse perspectives that are crucial for a well-rounded political landscape.

2.11. The extensive funding for political campaigns often fosters what is known as “public dependency syndrome.” This phenomenon refers to a growing reliance on government assistance and support, which can ultimately undermine individual initiative and self-sufficiency. When voters receive substantial handouts during these campaigns, it creates an expectation of ongoing support rather than encouraging personal responsibility and empowerment. As a result, this cycle can lead to a populace that becomes increasingly dependent on the state, diminishing the drive for individual achievement and innovation.

3. Alternative means to aspirants, candidates, and citizens on possible ways of navigating through the high costs for effective participation in elections

1. Leveraging new media to reach target audiences: Utilizing emerging digital platforms and innovative communication strategies to effectively engage and connect with specific target audiences. This involves harnessing social media, blogs, podcasts, and video content to deliver tailored messages that resonate with the interests and behaviors of distinct demographic groups. By analyzing audience data and preferences, candidates can create impactful campaigns that not only capture attention but also foster meaningful interactions, ultimately enhancing brand awareness and loyalty.

2. Organize fundraising for your elections as stipulated in the constitution. To effectively organize fundraising efforts for your electoral campaign, it's crucial to adhere to the guidelines outlined in the constitution. In Kenya's political landscape, financial resources play an essential role in determining the outcome of elections. Historical data shows a striking trend: Candidates who succeed in securing their seats across all levels of government typically invest approximately twice as much money as their closest rivals. This observation highlights the significant financial commitment required to remain competitive in the electoral arena. It is important to clarify that losing candidates do not merely spend minimal amounts; on the contrary, they also allocate substantial resources to their campaigns. The financial stakes in these elections often run into millions, encompassing costs for advertising, logistics, staff salaries, and outreach efforts. Therefore, a well-structured fundraising strategy is not just beneficial but indispensable for any candidate aiming to make a mark in Kenya's dynamic and competitive political environment.

3. While financial resources certainly play a crucial role in the realm of politics, the selection of a political party cannot be overlooked in its significance. In regions where a particular party holds a strong influence, running on that party's ticket can considerably enhance a candidate's chances of success. This alliance with a dominant party is particularly advantageous when vying for political office within its stronghold. Politicians often view the combination of ample campaign funding and affiliation with a well-established party as the ideal strategy for winning elections. To achieve this potent mix, they often go to great lengths, employing various tactics and strategies to ensure that they not only secure financial backing but also align themselves with the prevailing political power in their area.

4. Women have to work much harder and use different strategies to mobilize funds and to win the support of the voters. Women often face significant challenges in mobilizing funds and gaining voter support. Simply spending more money than their opponents does not always lead to electoral victory. In many regions and across various electoral seats, female candidates frequently spend more than male candidates. However, despite these efforts, the number of women elected in the three open seats has not seen a substantial increase in the past two elections. The reasons for this lack of progress are complex and multifaceted, but it is evident that the patriarchal nature of Kenyan society places women at a disadvantage.

4. Policy and legislative ways to curb the cost drivers

1. Enact enabling laws and regulations needed to operationalize the Campaign Financing Act. It is imperative to implement the Campaign Financing Act fully before the 2027 general elections. This involves establishing clear regulations and systems to ensure transparency and accountability in the financing of political campaigns. By doing so, we can create a fair electoral environment that limits the influence of money in politics and promotes equitable opportunities for all candidates. Additionally, we must engage stakeholders, including political parties, candidates, and the public, to build awareness and support for these changes. It is crucial to have all necessary provisions in place well in advance to guarantee seamless compliance and effective enforcement as we approach the election cycle.

Going by the Petition filed prior to the 2022 elections which allowed IEBC to come up with capping limits independent of the Regulations, there's need for IEBC to start public participation to develop the capping limits even as it works on the Regulations. Regulations are required under the Act 12 months to the elections. There is need to review the Election Campaign Financing Act to realign it with realities of Political Parties' Structures in Kenya especially on Committee it seeks to establish that are not provided for under the Political Parties Act which could be problematic in setting up.

2. Establish mechanisms to monitor the spending of candidates. While the Public Officers Ethics Act requires public officers to submit Declarations of Wealth, these declarations are not made publicly available and rarely are they verified by the responsible Commissions. . To enhance accountability, it would be wise to subject these declarations to public scrutiny. Citizens should be encouraged to demand wealth declarations from political candidates at the local level. There is also need to identify, strengthen already existing institutions that have a mandate in monitoring illegal expenditures broadly and specifically in elections, eg EACC, ORPP, NPS, etc, Promote and support collaborative efforts among these institutions, dedicate additional resources to IEBC during campaigns to monitor, laws requiring more stringent and regular reporting, and peer monitoring between candidates, etc
3. The Independent Electoral and Boundaries Commission (IEBC) should collaborate closely with the Office of the Director of Public Prosecutions (ODPP) and Commission of Administrative Justice (CAJ) in promoting integrity and reprimanding various acts of maladministration. This partnership should specifically focus on addressing the critical issue of voter bribery, ensuring that all electoral practices adhere to the highest standards of integrity. By working together, these institutions can develop comprehensive strategies for monitoring, investigating, and prosecuting cases of bribery, thereby safeguarding the democratic process and promoting fair elections for all citizens.
4. Conduct an in-depth case study focused on the efficacy of campaign financing regulations within an African context. Specifically, investigate instances where the implementation of such financing acts has led to measurable improvements in electoral integrity, transparency, and the overall democratic process across various African nations. Examine the mechanisms of these laws, their impact on reducing corruption, and how they have shaped the political landscape, particularly in promoting equitable participation and representation among candidates. Consider analyzing specific countries where campaign financing acts have been instituted, detailing their implementation, enforcement challenges, and the outcomes achieved in terms of fairer elections and strengthened democratic institutions.
5. Establish a legislative framework that mandates a two-thirds gender representation rule, ensuring that no more than two-thirds of candidates for elective offices and positions within governmental institutions come from the same gender. This initiative aims to promote gender equality and inclusivity in political representation and decision-making processes. By implementing this rule, the goal is to create an equitable environment where

diverse perspectives are integral to the governance of our society. For instance, introduce initiatives such as gender quotas for women candidates in party primaries and reduce the fees for women contesting in both party primaries and elections. Advocacy should focus on enhancing women's leadership capacity and enabling women candidates to access public funding for their campaigns based on agreed-upon criteria that include their performance in party primaries. It is essential to challenge the perception that women should only compete for affirmative action seats.

6. The Office of the Auditor General is encouraged to undertake proactive and thorough audits focused on significant government initiatives and substantial procurement processes, both before and following election periods. These audits should aim to evaluate the effectiveness, transparency, and accountability of such initiatives, ensuring that taxpayer money is being utilized efficiently and that all contractual obligations are met. By conducting these reviews at both stages, the Office can provide critical oversight and mitigate risks related to potential mismanagement or malfeasance in government spending during these politically sensitive times. This approach not only reinforces public trust but also fosters responsible governance.

General Recommendations

7. Civil society actors have key roles in improving control over money in politics. They must ensure people are aware of the downsides of vote buying, the abuse of State resources, and the rules. They can play an important role in monitoring the behavior of political parties and candidates in a way that State institutions may not have the capacity or political independence to do. Domestic election observer groups should consider adding political finance to the issues addressed by their work (note that monitoring of political finance must always start long before polling day). Their initiative should encompass both civic engagement and political education components to dismantle the entrenched values that reinforce the perception that financial resources are a decisive factor in the electoral process and in attaining leadership roles. To achieve this, the program should include workshops, community discussions, and educational materials that delve into the use and influence of money in political campaigns. It can also feature case studies that highlight both the consequences of financial corruption and the successes of individuals and movements that successfully campaigned on merit and integrity. Furthermore, implementing a rigorous system for tracking campaign expenditures and donations will be vital. This transparency will not only discourage illicit financial practices but also empower citizens to hold their leaders accountable, fostering a more equitable political landscape.
8. Media, both traditional and new, have a responsibility to make sure people know where politicians get money and how they use it. By exposing misbehavior and violations of formal rules and societal norms, the media can help punish those who attempt to substitute a lack of popular support with money in the competition for political power. For long-term advances to be made, the media must not only focus on individual scandals but also critically follow any efforts made to improve the situation. It is not uncommon for politicians to promise reform before an election and forget promises made after Election Day.

Citations

1. Africa International Foundation for Electoral Systems 2011 Crystal Drive | Floor 10 | Arlington, VA 22202 | USA. Accessed on 6th of December, 2024 available at https://www.ifes.org/sites/default/files/migrate/ifes_faqs_kenya_general_election_2022_v3.pdf
2. Kanyinga K., 2021. The cost of politics in Kenya Implications for political participation and development. Accessed on 6th of December, 2024 available at https://nimd.org/wp-content/uploads/2021/07/WFD_NIMD_2021_The-cost-of-politics-in-Kenya-1.pdf
3. Mboya T., 2020. The Cost of Parliamentary Politics in Kenya Accessed on 6th of December, 2024 available at <https://www.costofpolitics.net/reports/east-africa/view/d3d9446802a44259755d38e6d163e820/>
4. Independent Electoral & Boundaries Commission (IEBC). 2019. Data Report of 2017 Elections. Accessed on 6th of December, 2024 available at available at <https://www.iebc.or.ke/uploads/resources/siEABKREDq.pdf>
5. Independent Electoral & Boundaries Commission (IEBC). Handbook on Elective Positions in Kenya.
6. Kanyinga K., 2019. Political Economy of Kenya and the 2017 General Election, Observatoire de l'Afrique de l'Est, Note n°9, mars 2019.
7. Kitamirike E. & Kisaakye P. (2020). Impact of the Cost of Politics on Inclusive Political Participation in Uganda. Westminster Foundation for Democracy and Netherlands Institute for Multiparty Democracy, Kampala.
8. Makana, 2017. 'High Court suspends law on election campaign financing', Nairobi: The Standard, January 6, 2017.
9. Financing electoral management body and electoral activity costs in kenya. The Independent Electoral and Boundaries Commission. Accessed on 6th of December, 2024 available at <https://www.idea.int/sites/default/files/2024-02/financing-electoral-management-body-and-electoral-activity-cost-in-kenya.pdf>
10. Independent Electoral and Boundaries Commission Act, 2011. Accessed on 6th of December 2024, available at <http://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/IndependentElectoralandBoundariesCommissionNo9of2011.pdf>
11. Nyakira P., 2023. Financial Accountant at Independent Electoral and Boundaries Commission, author's interview, Nairobi, August 2023
12. POLITICAL PARTIES FUND DISTRIBUTION FOR THE FINANCIAL YEARS 2013/14 – 2022/23 https://orpp.or.ke/wp-content/uploads/2023/10/Political_Parties_Fund_PPF_distribution_2023.pdf
13. Dr. Magnus Ohman., IFES Senior Political Finance Adviser., 2013., Controlling Money in Politics:https://www.ifes.org/sites/default/files/migrate/a_brief_introduction_to_money_in_politics_final_magnus_ohman.pdf

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