



CENTRAL ASIAN JOURNAL OF LITERATURE, PHILOSOPHY AND CULTURE

eISSN: 2660-6828 | Volume: 03 Issue: 08 Aug 2022
<https://cajipc.centralasianstudies.org>

The Effect of Right to Vote and Free and Fair Elections on Human Development in Kenya

Mwadime Amos, Kasyula Patrick

Received 19th Jun 2022, Accepted 15th Jul 2022, Online 8th Aug 2022

ANNOTATION

Right to Vote and Free and Fair Elections have been used as metric to gauge a state's Political Security environment and the general Human Security state of a country. This has been evident in the impact and significance of Political Security on state relations and their standing in the community of nations. Kenya has made significant strides in the Political Security space evident by ratification of various international human rights treaties alongside, recommendations for freer and fair elections and the right to vote from the Kriegler and Waki Reports, calls for an impartial administration and an accountable electoral institution continue to surface in every election. This paper recommends promotion of legislation and policy interventions to increase public trust in the exercise of the right to vote, and free and fair elections. Kenya can draw lessons from countries like Ghana, which has made tremendous strides in enhancing its democracy through addressing the electoral architecture that guarantees Right to Vote and free and fair elections.

KEYWORDS: Human Security, Political Security, Right to Vote, Free and Fair Elections Human Development.

1. Introduction

The Human Security paradigm in International Relations has been evident in IR discourse across time. In its various dimensions, the concept has triggered contending perspectives, especially its implication on state relations and their standing in the community of nations. The impact of Human Security on the socio-political development of states has resulted in the proliferation of literature aimed at establishing international standards of conduct on state relations. The significance of Political Security and its effect on Human Development has seen greater efforts at the global scale through various intergovernmental organizations like the United Nations (UN) and associated treaties, that are creating a global ecosystem for the attainment of certain goals in that realm.

Even though Political Security and its global dimensions began gaining traction among scholars in the post-Cold War era, its origin can be traced to the Treaty of Westphalia (1648) which marked the beginning of the individualization of security, the view of freedoms and rights from an individual perspective rather than from the lenses of state security.

The protection and promotion of human rights in reference to Political Security were espoused in progressive documents like the United States Constitution (1787), the Declaration of the Rights of Man and of the Citizen

in France (1789), the Bill of rights (1791), as well as International Committee of the Red Cross (founded in Geneva in 1863), and the Geneva Conventions. Contemporary documents include The Hague Conventions, the UN Charter, the 1948 Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) (Article 19, 21) regional standards including the American Convention on Human Rights “Pact of San José. Costa Rica” (OAS), African Charter on Human and Peoples' Rights (Article 13(1)), and the Organization for Security and Co-operation in Europe (OSCE) that emphasize on the security of individuals rather than the state. It encompasses issues such as protection against state repression, state observation of human rights and freedom, protection against political detention, imprisonment, torture, and murder, et cetera.

Political Security is one of the seven main dimensions of threats to Human Security introduced by the United Nations Development Programme (UNDP) 1994 report (p32). The report suggested a new approach to security, refocused security on human beings rather than the state by integrating individuals, families, and communities as vital organs of the society alongside the government to enable individuals to lead tolerable lives. The UNDP definition focused on the protection of fundamental rights and freedoms against authoritarian regimes which was much evident at that time. The report defined Political Security as protection against political suppression systematized torture, ill-treatment, or disappearance [of individuals], (UNDP, 1994, p32).

The concept of Human Development (HD) can be traced to the 1970s and 80s. Human Development gained credence as a result of two main factors; it rose to challenge the utilitarian assumption on which much of development economics is founded (GDP) and secondly, informed by the Amartya Sen's work that advocated for the expanding the capabilities of individuals rather than increasing utility (Griffin, 2000). The 1990 Human Development Report (HDR) by the UNDP aimed to advance this concept by advocating for Human Development, the richness of human life (expanding individuals' opportunities and choices) as opposed to the richness of the economy. Human Development is associated with three main agendas; people-centered, expansion of opportunities and choices and aims to improve the lives of people rather than the assumption that growth in the economy will automatically translate to individual and community wellbeing (HDR, 2020). The Human Development approach has been advanced by successive HDRs that have increasingly received consensus that the emphasis on monetary measures (GDP per capita) is not sufficient to measure development (HDR, 2020). The Human Development Index (HDI) measure has continued to be the crude measure of Human Development focusing on a nation's longevity, acceptable standard of living, and access to education.

In the fifth pillar of the African Union's Common Africa Position on the post-2015 development agenda, the African Union (AU) recognizes the significance of peace and security in the continent and beyond, and the inseparable connections between development and peace, security, and stability. Political Security and Human Development in Africa have been advanced through different methods, for instance, the adaptation and affirmation of the New Economic Partnership for Africa's Development (NEPAD) by the AU to improve the continent's economic and political governance, while at the same time aimed to strengthen regional integration. Political Security in Africa is one of the major issues that has been a challenge to implement as issues such as suppression of freedom of the press, suppression of the right to vote and free and fair elections have led to legitimacy dilemmas leading to internal lawlessness and massive loss of lives.

Political Security (seen through dimensions such as freedom of the press, right to vote, and free and fair elections) has been a subject of concern that has affected Human Development (seen through the dimension of mortality rate) in many states. Sub-Saharan Africa, for instance, has experienced election-related violence

which has constantly cast a dark cloud on the Human Development agenda. In Kenya, for instance, the 2007/2008 disputed elections were marred by political and ethnic violence leading to gross human rights violations ranging from loss of lives, and electoral malpractices to suppressed media freedom that substantially dented Kenya's international image.

This is despite considerable efforts - both in global and domestic domains- done regarding the advancement of both Political Security and Human Development through ratification, accession, and signing of international human rights treaties. These include the ICCPR of 1972, the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights of 2003, and the Kenya Constitution 2010 which has a robust Bill of Rights and expressly advocates for the freedom of the press (Article 33 (2)), right to vote as well as the recommendations of the Kriegler and Waki Reports on free and fair elections. In the Kenyan context, despite these wide-ranging regimes, every election cycle is always fragile and uncertain.

2. Scope

The study was conducted in 2022 to investigate the impact of Political Security (right to vote and free and fair elections) on Human Development in Kenya. The respondents were drawn from employees of East Africa Chapter International Society for Human Rights, Civil Rights Defenders-African Segment, Centre for Multiparty Democracy Kenya, International Institute of Democracy and Electoral Assistance (International IDEA), Kenya Human Rights Commission (KHRC). The researcher focused on the groups to capture the specific aspect of Political Security that which the groups were able to respond adequately. A sample of 10 from each group was used as this was an ideal representation of the organization's population.

This research is of benefit to the fields of International Relations, Political Science, and Security Studies as it combined different elements of these fields such that future researchers can critique and identify gaps in this research and conduct an in-depth study of those areas. Further, the findings of this research would contribute to the development of the body of knowledge on Human Development, the linkages between three dimensions of Political Security and Human Development, which is fairly a new frontier.

3. Right to Vote and Free and Fair Elections

According to the AU Declaration on the Principles Governing Democratic Elections in Africa (2002), free and fair elections constitute impartial, capable, liable electoral institutions with well-skilled staff and furnished with adequate logistics. Article 3 of the Constitutive Act of the AU views free and fair elections as "the promotion of popular participation and good governance." The AU views that popular participation, free and fair election could bring about good governance which will in turn bring overall development to the continent. This is evident in the adaptation and affirmation of the NEPAD by the AU to improve the continent's economic and political governance.

According to the Inter-Parliamentary Council (IPU) at its 154th session (Paris, 26 March 1994), the right to vote is a non-discriminatory act by eligible citizen(s) to choose their preferred political candidates. According to Gerring et al. (2016), electorate democracy incentivizes political leaders to provide public goods and services, and these, in turn, save lives. They assert that the electoral aspect of democracy (right to vote, free and fair elections) has a substantial impact on Human Development. According to Gerring et al. (2016), a minimal amount of contestation is good for Human Development, but that greater contestation is even better.

This research interpreted free and fair elections as the capacity of electorates to communicate their will of their favored candidate by secret ballot in an unbiased, open, and transparent manner. This research interpreted

right to vote as the of the electorate to access polling stations and freely elect candidate(s) of their choice by a secret ballot without unreasonable restrictions.

The theoretical framework adopted for this study was the Human Security approach. This approach is essential in the analysis of the correlation between the Kenyan Political Security state and Human Development. This approach would help us appreciate the political-security situation in Kenya and how Kenya can improve the various elements of Political Security to advance Human Development in the country in addition to its global image in the community of nations.

The independent variable that led this research was Political Security (right to vote and free and fair elections). The dependent variable was Human Development analyzed through mortality rate which is one of the Human Development sub-variables which is easy to measure since deaths are recorded (Gerring et al, 2016). The mortality rate is a good measure as the enjoyment of all other goods depends on it (Gerring et al, 2016).

4. Methodology

The researchers adopted hypotheses: H1: Free and fair elections have an impact on Human Development in Kenya, H01: Free and fair elections have no impact on Human Development in Kenya. And, H2: Right to vote enhances Human Development in Kenya, H02: Right to vote does not enhance Human Development in Kenya. A cross-sectional research method was employed in this study. The descriptive study design was favored in this research. Qualitative and quantitative data were collected through structured questionnaires that were sent to the target population via email, which generated primary data. This research combined some aspects of qualitative and quantitative data collection methods.

For reliability, a reliability coefficient of 0.70 was achieved and questionnaires were standardized to enable replicability if used by other researchers in the future. The research employed three validities: Internal, External, and Construct. Construct validity was achieved through carefully structuring the questionnaires with advice from the university supervisor to capture relevant information without causing diversion. Internal validity was achieved through randomly selecting participants who are representative of the broader population under study. External validity was achieved through putting into consideration aspects such as gender and age to ensure inclusion and exclusion of the target group.

Table 1. Units of Analysis

Category	Respondents	Target Population
Free and Fair Elections	KHRC	10
	International IDEA	10
	Centre for Multiparty Democracy Kenya	10
Right to vote	East Africa Chapter International Society for Human Rights	10
	Civil Rights Defenders-African Segment	10
	KHRC	10
Total		60

Source: Mwadime & Kasyula, 2022

The researcher relied on regression analysis to test the hypotheses. The level of significance adopted was .05 which helped to determine the probability that a relationship between variables exists. Quantitative data

were analyzed by using Statistical Package for the Social Science (SPSS). Qualitative data was analyzed using content analysis. This method involves coming up with interpretations through analysis and accurate ascertainment of specific features of information as the basis to relate to trends. The researcher obtained research license from the National Commission for Science and Innovation (NACOSTI) before proceeding with the data collection process.

5. Data Analysis and Presentation

From the sampled population, 24 dully filled questionnaires were submitted which was adequate to to facilitate data analysis.

Table 2. Questionnaire Return Rate

Response	Frequency (n)	Percentage (%)
Response	24	60
No response	16	40
Total Response Rate	40	100

Source: Mwadime & Kasyula 2022

Table 3. Summary of Reliability Test on Independent Variable

Serial No.	Variable	No. of Items used	Cronbach's alpha
1	Free and fair elections	13	$\alpha=0.80$
2	Right to vote	13	$\alpha=0.83$

Source: Mwadime & Kasyula, 2022

Hypothesis Testing: Assessment of free and fair elections and Human Development

Indicators of free and fair elections were measured by assessing responses to the following questions: the state of free and fair elections in Kenya basing it on the provisions put by the 1948 UDHR, the number of Kenyans lost to election-related violence from 2002 to 2017, Kenya's performance on promotion free and fair elections, the effect of unfair election practices on Human Development (mortality rate) in Kenya, the relationship between the right to vote, media freedom and free and fair elections.

$R = 0.721$ indicates a positive slope between the independent variable (free and fair elections) and the dependent variable (Human Development). The R- Squared was .520, meaning that 52.0% of the variation in Human Development was explained by variation in the freedom of the press. 48.0% were for other factors.

Regression Model

Human Development = f (Free and Fair elections)

$$Y = \beta_0 + \beta_1 X_1 + \varepsilon$$

Table 4. Influence of Free And Fair Elections on Human Development.

Model Summary						
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate		
1	.721 ^a	.520	.535	.71455		
ANOVA ^a						
Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	.044	1	.044	.086	.001
	Residual	26.572	52	.511		
	Total	26.616	53			
Coefficients ^a						
Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.	
	B	Std. Error	Beta			
(Constant)	3.480	.548		23.508	.000	
1 Freedom of the Press	.212	.141	.015	.292	.001	
Dependent Variable: Human Developement						
Predictors: (Constant), Free And Fair Elections						

Source: Mwadime & Kasyula, (2022)

The model was statistically significant at ($p < 0.05$) for the ANOVA results. The results show that the p-value is 0.0010.05, the t is 23.508, the p is 0.0010.05, the r is 0.721, and the r square is 0.520. Hence based on these findings we accept the research hypothesis that free and fair elections have an impact on Human Development in Kenya.

Hypothesis Testing: Assessment of Right to Vote on Human Development

Indicators of free and fair elections were measured by assessing responses to the following questions: the state of the right to vote in Kenya basing it on the provisions put by the 1948 UDHR, the number of Kenyans lost to election-related violence from 2002 to 2017, Kenya's performance on the promotion of the right to vote, the effect of suppression of the right to vote on Human Development (mortality rate) in Kenya, the relationship between the right to vote, media freedom and free and fair elections.

Regression Model

Human Development = f (Free and Fair elections)

$$Y = \beta_0 + \beta_1 X_1 + \varepsilon$$

6. Influence of right to vote on Human Development.

Model Summary						
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate		
1	.812 ^a	.659	.661	.69544		
ANOVA ^a						
Model		Sum of Squares	Df	Mean Square	F	Sig.

1	Regression	10.441	1	10.441	21.572	.000
	Residual	25.168	52	.484		
	Total	35.609	53			
Coefficients^a						
	Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	2.809	.157		17.845	.000
	Right to Vote	.205	.144	.230	4.646	.000
Dependent Variable: Human Development						
Predictors: (Constant), Right to Vote						

Source: mwadime & Kasyula, (2022)

R = 0.812, indicating a positive slope between the independent variable (Right to Vote) and the dependent variable (Human Development). The R- Squared was .659, meaning that 65.9% of the variation in Human Development was explained by variation in the right to vote. 34.1% were for other factors. The model was statistically significant at ($p < 0.05$) for the ANOVA results.

The results indicate that the $p\text{-value} = 0.000 \leq 0.05$, $t = 17.845$, $p = 0.000 < 0.05$, $r = 0.812$ and $r\text{ square} = 0.659$. Hence based on these findings we accept the research hypothesis that the right to vote enhances Human Development in Kenya.

6. Summary, Conclusions and Recommendations

The study found that the state of free and fair elections in Kenya is not quite free and fair with the enforcement of electoral laws and political goodwill affected the adequacy of strategies in place to address incidences of unfair elections practices in Kenya and therefore the need for more strategies to address incidences of unfair elections practices in Kenya; adaptation of international standards on the conduct of elections provided under article 12 of United Nations' 1948 UDHR and Article 25 of ICCPR.

The study found that the respondents expressed that the state of the right to vote in Kenya was fair albeit with some drawbacks such as lack of political will, negotiated democracy, challenges within the IEBC transmission of results, election malpractices, lack of trust in the IEBC and therefore the need for more strategies to address incidences of unfair elections practices in Kenya; adaptation of international standards on the conduct of elections provided under Article 12 of United Nations' 1948 UDHR and Article 25 ICCPR.

The study found that an exceedingly high number of Kenyans were lost to election-related violence. This was mainly attributed to the 2007/2008 Post-Election Violence. This affirmed the hypothesis of the study; free and fair elections do matter to Human Development in Kenya. The findings of this research with Ronan Porhel's (2008) findings on the effect of political insecurity on the general theme of Human Development (political setbacks and the economic consequences). This study is in line with the Human Security Approach in International Relations, linking development, human rights, and security by incorporating these three elements into one agenda informing the purpose of the study.

The study recommends the government should enhance efforts to promote legislation and policy interventions to increase public trust in the exercise of the right to vote, and free and fair elections. Kenya can also draw lessons from countries in the region like Ghana, which have made tremendous strides in enhancing their democracies through addressing the electoral architecture that guarantees free and fair elections. This includes

addressing issues of suffrage, addressing electoral malpractices, promoting political rights and accountability, and enhancing the confidence of various players in the voter registry.

7. References

1. AHG/Decl. 1 (XXXVIII) OAU/AU DECLARATION ... - African Union. (2002).
2. Declaration on criteria for free and fair elections. Inter-Parliamentary Union. (1994). Retrieved June 9, 2021, from <https://www.ipu.org/our-impact/strong-parliaments/setting-standards/declaration-criteria-free-and-fair-elections>
3. Gerring, J., Knutsen, C. H., Skaaning, S.-E., Teorell, J., Coppedge, M., Lindberg, S. I., & Maguire, M. (2015, August 27). Electoral Democracy and Human Development. SSRN.
4. Griffin, K. (2000). Human Development: Origins, Evolution and Impact ... Studies in Development Strategy and Systemic Transformation.
5. National Council for Law Reporting. (2010). *Laws of kenya: The constitution of kenya, 2010*.
6. Secretary of State. (1979). International Covenant on Civil and Political Rights. --.
7. Secretariat of the African Commission on Human and Peoples' Rights. (1997). African charter on human and peoples' rights.
8. Porhel, R. (2019, July 17). The economic consequences of the political crisis. Les Cahiers d'Afrique de l'Est / The East African Review. Retrieved May 9, 2021, from <https://journals.openedition.org/eastafrica/727?lang=en>
9. United Nations. (1948). Universal declaration of human rights. United Nations. Retrieved May 30, 2021, from <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
10. United Nations Development Programme. (1994). Human Development Report 1994. big apple and Oxford: Oxford Press.
11. United Nations Development Programme. (2020). Human development report 2020: The Next Frontier: Human Development and the Anthropocene.