

Influence of Inter-Governmental Organizations on the Performance of the Independent Boundaries and Elections Commission (IEBC) of Kenya in the Electoral Processes

Nassir Mohammed Aden and Prof. Kennedy K. Mutundu (PhD)

Department of Social and Development Studies,
Mount Kenya University, Nairobi - Kenya

Corresponding Author: Nassir Mohammed Aden, Email: nassirmohamed33@gmail.com

DOI: 10.29322/IJSRP.13.01.2023.p13352

<http://dx.doi.org/10.29322/IJSRP.13.01.2023.p13352>

Paper Received Date: 14th December 2022

Paper Acceptance Date: 15th January 2022

Paper Publication Date: 31st January 2023

Abstract: Intergovernmental Organizations (IGOs) and their agencies are the cornerstones of international relations, playing critical roles in the implementation of foreign policies and interstate engagements. The United Nations through its agencies is the premier global Intergovernmental Organization while regional foreign relations agendas have been acted through organizations such as the European Union, African Union, and the Association of Southeast Asian Nations. The purpose of this study will be to analyze the influence of inter-governmental organizations on the performance of the Independent Boundaries and Elections Commission of Kenya (IEBC) in Kenya's national elections. The study adopted a mixed approach methodology. The study targeted respondents from the three IGOs as well as the IEBC. Quantitative data was analyzed using descriptive statistics while qualitative data was analyzed thematically. The study revealed that the involvement of intergovernmental organizations in the electoral process at all stages was crucial if the performance of the electoral body was to be affirmed. This finding of this study will inform the policy and operational interests of the IGOs and contribute to the assessment of the role of these organizations in the political agenda of developing countries such as Kenya.

Key words: *Inter-Governmental Organizations, Performance, IEBC, Kenya, Electoral Processes*

Introduction

An inter-governmental organization (IGO) is defined by Abidin (2017) as an organization with solely state members. The organization comes to existence through a treaty or a multilateral agreement, and it is made up of more than two countries. Member states decide how the organization is managed, cast votes within it, and fund it. Bianchi (2009) emphasizes that IGOs are an important feature of modern international life. Their operations are diversified in aim and structure and offer color to the concerns of international relations, including surveillance, human rights, humanitarian action, environmental protection, women's rights, and consumer protection.

An embryonic transnational civil society coexists alongside the global governance complex. A host of IGOs, advocacy groups, and citizen groups have played an important role in mobilizing, organizing and wielding political influence beyond national lines in recent decades. These attempts have been aided by the speed and simplicity of modern global communication, as well as a greater awareness of the common interests of groups in different countries and regions of the world.

It is impossible to comprehend a country's policy without knowing which organizations lobby the government and what debate has taken place in the media. International diplomacy, likewise, does not operate on a distinct planet from global civil society. Because diplomats like to pretend that they are following the national interest of a united society, they refuse to confess to working with interest groups or pressure groups and instead refer to themselves as intergovernmental organizations (IGOs) (Baylis et al., 2008).

Intergovernmental groups have made a positive contribution to Africa's political landscape and public policy processes. Indeed, the expansion of IGO ties with African countries is improving the capability of civil society institutions that intervene between the government and its population, both independently and in conjunction with governments. Also, because IGOs have proven to be

more effective in decreasing human suffering and development than their state counterparts, this relationship provides a fresh chance for them to move from a doing to an influencing role (Ewoh, 2002).

The political reform of Kenya has been in place since 1991 when section 2A of the Constitution was repealed, which has made Kenya a single-party State de jure. This change followed a lengthy battle both within and outside the country and their appeal to democracy was adopted by the Western countries after the fall of the Berlin Wall.

Through diplomatic pressures and conditionality on aid, western donors played a key role in repealing section 2A, in restoring multi-party voting, and in establishing and reforming a number of political institutions and offices via separation of powers. The political opposition and a great deal of civil society in Kenya and intergovernmental organizations backed these moves (Wa Githinji & Holmquist, 2012).

According to Hassan (2010), elections were considered as an event, and all actions leading up to the actual poll were generally independent and unrelated. The electoral cycle is a series of activities that are intertwined and interdependent. The electoral process is usually divided into three phases: pre-election activities, polling, and post-election activities, regardless of a country's electoral system.

The new electoral commission, the IEBC, was established by Article 88 of the Constitution, which also describes its mandate (4). The Commission's powers were increased to include the ability to supervise political party nominations and campaign financing. To put this into practice, the Commission worked with the Attorney General's office, the Kenya Law Reform Commission (KLRC), and the Ministry of Justice to draft relevant legislation that took into consideration the new Constitution's provisions. The IEBC Bill was first on the list of priorities, followed by the Elections Acts and related regulations. The Commission also altered existing laws, such as the Political Parties Act of 2007.

Despite the Commission's obligation to initiate electoral reforms, the speed with which these reforms are implemented is dependent on external factors such as the National Assembly, the State Law Office, related government ministries and agencies, civil society organizations, and development partners. The Commission for the Implementation of the Constitution played a key role in achieving reforms despite delays in its establishment (Hassan, 2010).

Political participation of citizens, freedom of speech, and the media are key aspects of democratic principles that states must allow to ensure that the political processes are citizen-centered. Elections are the cornerstone of democracy; it is out of it that citizens are allowed to exercise their sovereign power to elect their representatives for a select period. Most African countries started enjoying the said open and free political participation in the recent decade due to the involvement of foreign actors and intergovernmental organizations for that matter in the election process. The primary goals of a state are to offer security to its citizens and to ensure the survival of the state, therefore, the state in some instances may tramp over rights of its citizens' political rights or may short-change political processes to suit minor political interests at the expense of the majority citizen or in some instances the state may genuinely need help but not openly admit to it but covertly seek help from IGOs.

Therefore, the role of intergovernmental organizations becomes critical as they are the most suitable players in the international system to hold states accountable for their actions or inactions. They are also important in offering research data in areas of development to improve and/or solve existing issues in communities. More often than not, non-political issues are well received in the country, but when these organizations get political or champion for human rights issues they end up on the receiving end of the state's monopoly of violence. This leaves the citizens in a state of helplessness as these organizations are the only ones that can honestly provide data of any cases so that the citizens can hold the state accountable. A majority of the state relations with the IGOs are not publicized but done in closed-door meetings. The study purposed to explore the influence of Inter-Governmental Organizations in the performance of the Independent Boundaries and Elections Commission of Kenya in the electoral processes in Kenya.

Literature Review

The Independent Boundaries and Elections Commission (IEBC) oversees conducting or supervising referenda and elections to any elected body or office created under the Constitution, as well as any additional elections mandated by legislation in Kenya (IEBC, n.d.).

Hassan (2010) breaks down the election into three phases namely the pre-election, the election phase and the post-election phase. The first phase entails procedures that allow for a trustworthy election. During the pre-election period, the majority of the actions that establish the framework for the actual election take place at this time. This period is used to examine the freedom and fairness of elections. The following questions can be used to establish if elections will be free and fair even before they are held: "Are the laws in place provide for a level playing field for all candidates and free and fair elections?" "Is the nominating system free and fair?" "Does the voter receive election information that is fair, accurate, and of high quality?" "Was the election campaign conducted fairly?" A number of things are ensured and or/done at this phase including; the suitability of the existing legal framework, delamination of electoral units, voter registration, nominations, campaigns and campaigns financing, voter education, voter observation, and accreditation and security is guaranteed.

This publication is licensed under Creative Commons Attribution CC BY.

He continues to explain that the second phase which is the polling period includes all aspects of election day operations, such as polling materials availability at polling locations and voting management. The present laws on election administration are fairly detailed in terms of what each player is expected to undertake.

The presence and management of observers, party agents, or helped voters is a good indication of how well polling was done during this portion of the process, as is the punctuality in opening and closing a polling station. All counting must take place in the polling station in the presence of agents and observers, according to the legislation. In Form 16A, streams would be counted, and the results pooled by the voting station.

The final stage is the post-election phase. This time begins the moment the official results are announced. The Commission has the authority under the new Constitution to settle electoral disputes, including those relating to or originating from political party nominations, but not to hear and decide election petitions and disputes after the election results have been declared. Dispute settlement and election petitions, audits and evaluations, cleaning up other voter registration, capacity building and benchmarking, and documentation and archiving are among the other activities covered during this period (Hassan, 2010).

Methods

Grounded in the juxtaposition of constructivist and realist theoretical foundations, the study adopted a mixed approach methodology (both quantitative and qualitative methods), through a descriptive survey design. The study targeted respondents from the three IGOs as well as the IEBC, selected political parties, and civil societies, from whom a purposively sampled population of 42 respondents was identified for the administration of questionnaires and interviews. Interview schedules were used for the executive representatives of the selected organizations, while questionnaires were used for the administrative personnel in the organizations. Quantitative data was analyzed using descriptive statistics while qualitative data was analyzed through the identification of themes and explanations to key questions and triangulated with quantitative data.

Results

The crosstabulation metric was used in conjunction with the chi-square test of association to test the influence of Inter-Governmental Organizations (IGOs) on the Independent Electoral and Boundaries Commission (IEBC) performance the Cramer's V test for the strength of association. Table 1 below shows the outcome of the crosstabulation analysis involving the performance of IEBC regarding elections against the extent of intergovernmental involvement.

The adjusted residual across most layers of the crosstab exceeds the association range (-2<r<+2), indicating an association between the performance of IEBC and the scale of involvement of intergovernmental organizations exists. Respondents who said that IGO involvement in the electoral process was minimal also rated the performance of IEBC as minimal (50%). Another 33% of this group said that the performance of IEBC was very minimal. Only about 16.7% of the respondents in this category affirmed that IEBC's performance was good. Nonetheless, as the level of involvement of intergovernmental organizations improved from very minimal to excellent, the proportion of respondents who hailed the performance of IEBC in the conduct of the election also appreciated to excellent. In essence, there is a positive association between the extent of intergovernmental organizations involved in the electoral process and the performance of the Independent Electoral and Boundaries Commission. Increased involvement improved the performance of the electoral body, as perceived by the respondents.

Table 1 IGO Level of involvement against IEBC performance crosstab

		Rate IEBC performance				Total
		Very Minimal	Minimal	Good	Excellent	
Count		2	3	1	0	6
Expected Count		2.0	2.0	.7	1.3	6.0
IGO Level Of Involvement	Very Minimal	33.3%	50.0%	16.7%	0.0%	100.0%
	% within Rate Free And IEBC performance	66.7%	100.0%	100.0%	0.0%	66.7%
Adjusted Residual		8.0	9.5	9.8	-2.3	

	Count	1	0	0	1	2
	Expected Count	.7	.7	.2	.4	2.0
Minimal	% within IGO Level Of Involvement	50.0%	0.0%	0.0%	50.0%	100.0%
	% within Rate Free And IEBC performance	33.3%	0.0%	0.0%	50.0%	22.2%
	Adjusted Residual	4.6	-3.1	-3.6	4.1	
	Count	0	0	0	1	1
	Expected Count	.3	.3	.1	.2	1.0
Excellent	% within IGO Level Of Involvement	0.0%	0.0%	0.0%	100.0%	100.0%
	% within Rate Free And IEBC performance	0.0%	0.0%	0.0%	50.0%	11.1%
	Adjusted Residual	-7.8	-7.8	-8.4	13.0	
	Count	3	3	1	2	9
	Expected Count	3.0	3.0	1.0	2.0	9.0
Total	% within IGO Level Of Involvement	33.3%	33.3%	11.1%	22.2%	100.0%
	% within Rate Free And IEBC performance	100.0%	100.0%	100.0%	100.0%	100.0%

To test the question that increased involvement of the intergovernmental organization in the electoral process improved the performance of IEBC, a chi-square test was performed at 95% and 99% levels of confidence, as indicated in Table 2 below. Pearson's Chi-square statistic for the test was $\chi^2(6) = 7.250$, $P = 0.008$. Since the p-value is less than the 5% and the 1% significance levels, it can be inferred that the variables were dependent.

Table 2 Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	7.250 ^a	6	.008
Likelihood Ratio	8.685	6	.002
Linear-by-Linear Association	2.926	1	.000
N of Valid Cases	9		

Table 3 Symmetric Measures

		Value	Asymp. Std. Error	Approx. T ^b	Approx. Sig.
Nominal by Nominal	Phi	.898			.298
	Cramer's V	.635			.298
Interval by Interval	Pearson's R	.605	.186	2.009	.084 ^c
Ordinal by Ordinal	Spearman Correlation	.440	.363	1.297	.236 ^c
N of Valid Cases		9			

The Cramer's V statistic was run on SPSS in order to establish the extent of association between the scale of involvement of the inter-governmental organizations and the performance of IEBC. Table 3 shows the Cramer's V scale ranks relationships on a scale between 0 and 1, where 1 represents a perfectly strong association, and the former represents no association at all. For this study, the Cramer's V statistic was found to be 0.635, indicating a strong association between the variables.

This publication is licensed under Creative Commons Attribution CC BY.

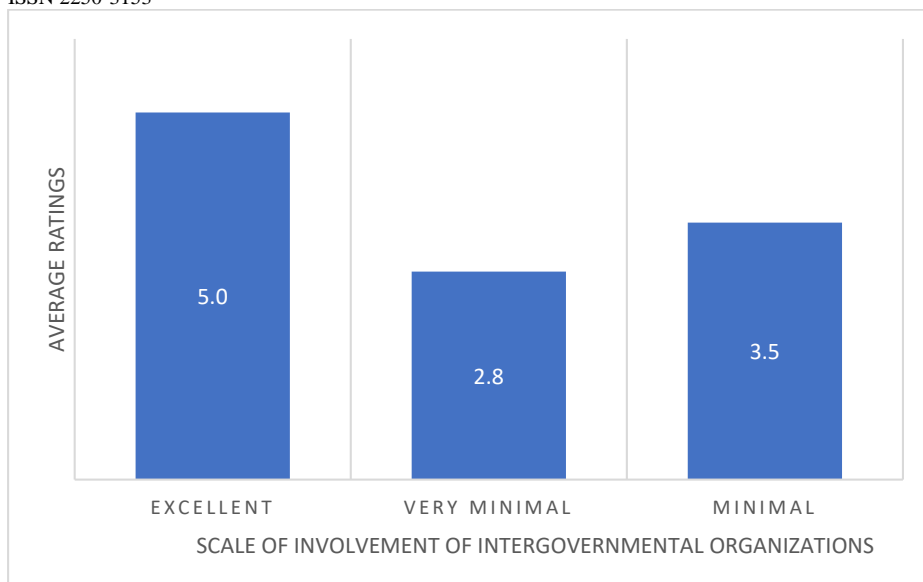


Figure 1 Influence of intergovernmental Organizations on IEBC election verifiability

Figure 1 the relationship between intergovernmental organization involvement in the electoral process and the verifiability of elections conducted by the Independent Electoral Commission. It can observe that higher election verifiability ratings (5 rating points) were closely associated with an excellent intergovernmental organization involved in the electoral process. Concisely, where the scale of involvement was very minimal, the verifiability of the elections was the lowest (2.8 rating points). Generally, as the level of involvement diminishes, so does the degree of election verifiability.

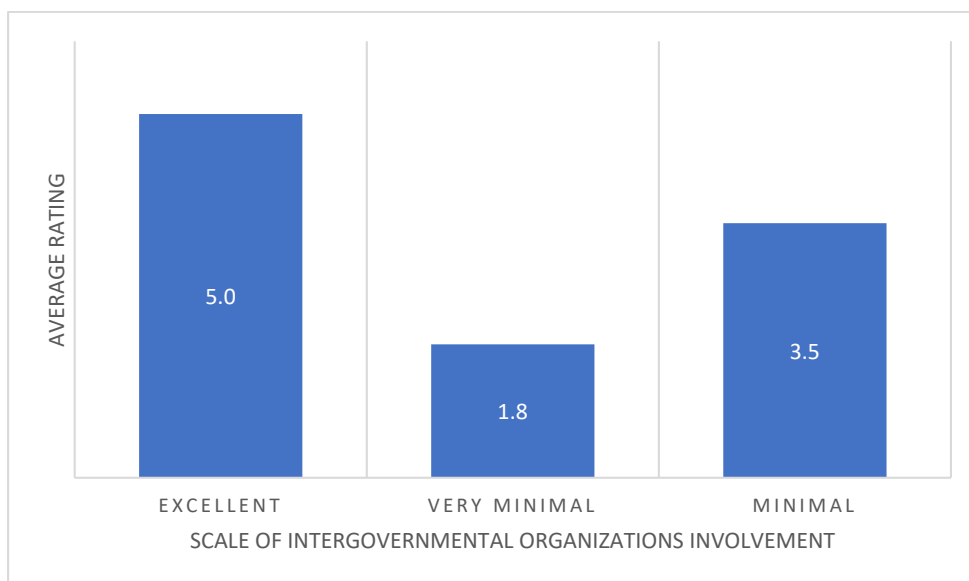


Figure 2 Influence of intergovernmental Organizations on IEBC conduct of free and fair elections

The direction of association between the level of involvement of intergovernmental organizations and the conduct of free and fair elections by the IEBC followed the same trend as the aspect of verifiability. The free and fair ratings of the elections rose from 1.8 to 3.5 and finally to 5.0 as the scale of involvement increased from very minimal to excellent.

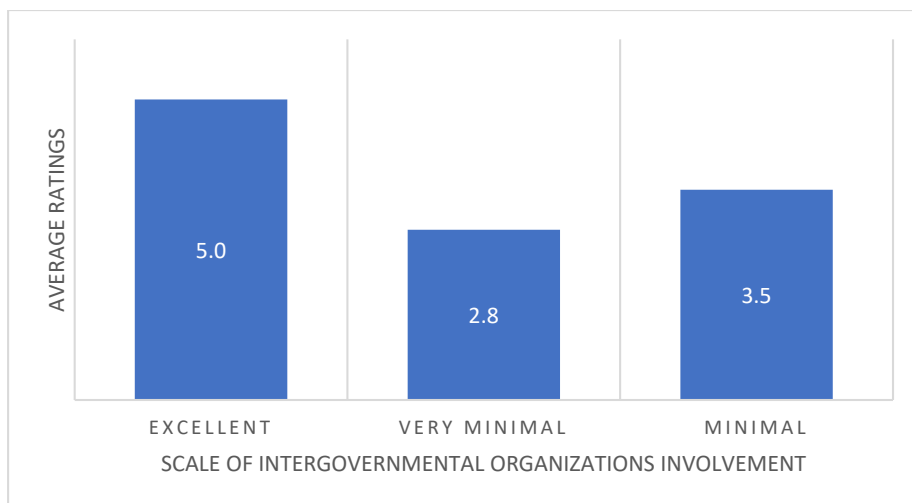


Figure 3 Influence of intergovernmental on IEBC election transparency

In the same light, electoral transparency was directly and positively related to the extent of involvement of intergovernmental organizations. With increased involvement from very minimal to excellent, the ratings for election transparency equally improved from 2.8 to 5.

Discussions

First, this research has revealed that the involvement of intergovernmental organizations in the electoral process at all stages was crucial if the performance of the electoral body was to be affirmed. There are three main stages in the electoral process: pre, election, and post-election period as highlighted by Hassan (2010). This empirical analysis results concur with the findings of Hassan on the role of intergovernmental organizations in promoting free, fair, verifiable, and transparent elections. On the question of the factors that contribute to the performance of the IEBC include the availability of laws to ensure that there exists a level playing field of formal parties, a proper nomination system, fair provision of electoral information to all voters, proper management of election campaigns, the existence of a suitable electoral framework, voter education, observation, accreditation, and security across all regions of the country. From the analysis conducted above, intergovernmental organizations have a significant role to play in ensuring that the IEBC conducts free, fair, and verifiable elections. When the respondents indicated that there was a lot of involvement and support from intergovernmental organizations in the electoral process, be it in the pre-election, during, or post-election stage, they also rated the performance of IEBC quite highly. Support from these organizations, most notably the European Union, was critical in the conduct of a free, fair, verifiable, and transparent election.

Conclusion and Recommendations

Based on the findings, the study concludes that the intergovernmental organizations positively influence the electoral process in Kenya. The influence rated highly for the roles performed in the Electoral commission as well as the civil societies which mostly are expected to be transparent. The influence of IGOs in political parties is limited since IGOs have a direct link to governments as such a direct relationship with political parties raises a question of free and fair elections. Political parties also have a defined funding with strict laid procedures for receiving support from private sources not just IGOs. As such any activity by IGOs to political parties is limited to pre-election phase on capacity building, voter education and it has to be involving all political parties and not specific parties. To increase IGO activities in electoral processes is also favoured just to a threshold that does not include interference in a national sovereignty of a country. Elections remain a core activity of a democratic society and as such a level of independence has to be behind the activity and process.

Based on the research findings the research recommends that the IGOs should involve political parties in process that build the capacity, education and legal frameworks for operations especially in pre-election and post-election phases. IGOs can hold capacity building framework that involve all stakeholders for such efforts.

References

Abidin, S. (2017). International Organisations. In S. McGlinchey (Ed.), *International Relations* (pp. 71–77). E-International Relations Publishing. Retrieved August 2, 2021, from <https://www.e-ir.info/publication/beginners-textbook-international-relations/>

- Antunes, S., & Camisãõ (2017). Realism. In S. McGlinchey, R. Walters, & C. Scheinpflug (Eds.), *International Relations Theory* (pp. 19-21). e-International Relations. <https://www.e-ir.info/publication/international-relations-theory/>
- Antunes, S., & Camisãõ, I. (2021). *Introducing Realism in International Relations Theory. E-International Relations*. Retrieved 1 March 2021, from <https://www.e-ir.info/2018/02/27/introducing-realism-in-international-relations-theory/>. Castillo, E. (2009). Process optimization: A statistical approach. *Journal of Quality Technology*, 40(2), 117-135
- Atwood, R., & European Parliament. Directorate-General for External Policies of the Union. (2012). How the EU can support peaceful post-election transitions of power: lessons from Africa. Publications Office.
- Basedau, M., Erdmann, G., & Mehler, A. (Eds.). (2007). Votes, money and violence: political parties and elections in Sub-Saharan Africa. Retrieved from <http://urn.kb.se/resolve?urn=urn:nbn:se:nai:diva-492>
- Baylis, J., Smith, S., & Owens, P. (2008). *The Globalization of World Politics: An Introduction to International Relations*. Oxford University Press. Retrieved July 2, 2021, from <https://www.pdfdrive.com/the-globalization-of-world-politics-d194250309.html>
- Bianchi, A. (2009). Non-state actors and International Law. Ashgate. Retrieved 29, June, 2021, from <https://www.pdfdrive.com/non-state-actors-and-international-law-the-library-of-essays-in-international-law-d160965491.html>
- Boulding, C. (2010). NGOs and Political Participation in Weak Democracies: Subnational Evidence on Protest and Voter Turnout from Bolivia. *The Journal of Politics*, 72(2), 456-468. doi:10.1017/s0022381609990922
- Castillo, E. (2009). Process optimization: A statistical approach. *Journal of Quality Technology*, 40(2), 117-135
- Ewoh, A. I. E. (2002). The Role of Nongovernmental Organizations in African Public Policy. *African Social Science Review*, 2 (2), 7-18 retrieved July 4, 2021, from <https://digitalcommons.kennesaw.edu/assr/vol2/iss2/1>
- Gakuu, C., Kidombo, H., & Keiyoro, P. (2018). *Fundamentals of Research Methods: Concepts, Practice & Application*. Aura Publishers. (Original work published 2016)
- Hassan, A. I. (2010, December 5). Election Process in Kenya. African Diplomatic Corps Annual Retreat, The Imperial Hotel, Kisumu City, Kenya.
- Kombo, D. K. and Tromp, D. L. A. (2009). *Proposal and Thesis Writing: An Introduction*. Nairobi: Pauline publication Africa Don Bosco printing.
- Mingst, K. A., & Arreguín-Toft, I. M. (2017). *Essentials of international relations*. W.W. Norton & Company.
- Mingst, K. A., Heather Elko Mckibben, & Arreguín-Toft, I. (2019). *Essentials of international relations*. New York; London W.W. Norton Et Company.
- Mugenda, O. & Mugenda, A. (Revised 2003). *Research Methods; Quantitative & Qualitative approaches*. African Centre for Technical Studies, Nairobi, Kenya.
- Mutie, B. M., Namusonge, G., & Nyang'au, S. (2020). Role of the Civil Society Organizations in Electoral Process in Kenya. *International Journal of Social Sciences and Information Technology*, V(III).
- Wa Gĩthĩnji, M., & Holmquist, F. (2012). Reform and Political Impunity in Kenya: Transparency without Accountability. *African Studies Review*, 55(1), 53-74. Retrieved July 5, 2021, from <http://www.jstor.org/stable/41804128>
- Willis, C. (n.d.). Transnational Theory. [Www.institut-Gouvernance.org](http://www.institut-gouvernance.org). Retrieved June 28, 2021, from <http://www.institut-gouvernance.org/en/analyse/fiche-analyse-37.html>