

CONTROVERSY

Poll results debate rekindled as new book says Raila won

Author claims ODM presidential candidate beat PNU's Kibaki by 246,987 votes

By KWAMICHETSI MAKOKHA

So it is impossible to know who won Kenya's 2007 presidential election? Not true, according to a new book published in Sweden that could rekindle debate on who exactly deserves to be president of Kenya.

In his book, *Raila Odinga's Stolen Presidency: Consequences and the Future of Kenya*, Okoth Osewe claims the Independent Review Commission (IREC) on the 2007 elections shielded the truth from Kenyans by saying it was impossible to know who won.

The book claims the Orange Democratic Movement's Raila Odinga beat the Party of National Unity's Mwai Kibaki by 246,987 votes.

Kenyan civil society groups have in the past dismissed IREC's findings not going far enough in the search for electoral truth but Osewe's book is the first bold challenge to the verdict.

"Out of the 210 constituencies," writes Osewe, "available documentary evidence indicates that ECK did a superb job in at least 161 constituencies in which results announced at the constituency level and certified by agents of political parties tallies (sic) with results announced by ECK (Electoral Commission of Kenya) at KICC



the 47 constituencies, whose outcomes ODM contested, the book adds, reveals that ECK officials at the national tallying centre wrongfully awarded 471,063 votes to Mr Kibaki.

The tally at the KICC also allegedly denied Mr Odinga 2,772 votes, which officials subsequently added to the PNU candidate's total. Tallies excluded results from Makadara and Kamukunji constituencies because of irregularities.

Springing from IREC's analysis of the results from 10 constituencies, which showed that Mr Kibaki received an erroneous 180,750 votes, the author takes the common sense approach. He examines outcomes from the remaining 37 disputed constituencies and concludes that the President received another 290,313 undeserved votes.

Mr Osewe criticises IREC's decision to investigate the results of 19 constituencies, of which only 10 were disputed instead of investigating all the 47. It found that the documents were missing, unsigned as required by law or had wrong arithmetic.

The ECK announced that Mr Kibaki had won the election by 4,584,721 votes against Mr Odinga's 4,352,993. The book claims this blatant theft was allowed to occur because Mr Odinga had made a tactical error by signing a memorandum of understanding with Kenyan Muslims.

Congratulations

He was thus viewed, according to the book, by Americans as inimical to their interests, hence the haste with which the United States government sent a message of congratulations to Mr Kibaki before quickly retracting it.

Raila Odinga's Stolen Presidency, which has 24 chapters, is as vociferous as it is polemical. It claims that the manipulation of the election results by the ECK officials was the last desperate effort to prevent Mr Odinga, now Prime Minister in the grand coalition government, from ascending to the presidency.

Entrenched forces opposed to Mr Odinga's ascendancy to power, claims the book, unsuccessfully tried to turn him into a bogeyman with greed for power, communism and failure to be circumsised.

Secondly, these forces allegedly attempted to create a split in the Orange Democratic Movement party of Kenya,

Kenyans queue to vote in 2007. Inset: Cover of the book that claims Raila won the election.



on whose ticket Mr Kalonzo Musyoka contested for the presidency. The book asks whether Mr Musyoka was working for the Kibaki presidential campaign all along as he wrested control of ODM-Kenya from Mr Odinga ahead of the election. His conduct at election time and after, and the alacrity with which he entered a coalition with President Kibaki are pointed out as telling.

The third scheme to scuttle Mr Odinga's journey to State House, claims the writer, was by preventing him from being elected a Member of Parliament for Langata constituency. For a candidate to be elected president, he or she must be an elected MP. When all these schemes fell through, claims Osewe, it became necessary to play the last card - use the ECK to manipulate the result.

Power sharing

Mr Odinga and his party have publicly insisted that they won the election but had to accede to power sharing as a way of ensuring peace.

The book is likely to readily face criticism for its lack of rigour. Critics will capitalise on the opacity of the methods the author used to study his subject, and the apparent lack of peer refereeing and editorial review to tear down his work.

The factual and typographical errors in the book, perhaps resulting from a lack of intimate familiarity with the subject, detract severely from the authority of the work. Matters are not helped much by the fact that the publisher, iVisby AB, does not appear to be well-known, let alone respected for publishing in English. The writer uses political epithets that could easily annoy people who do not share his persuasion.

Osewe's background as an investigator is not apparent - from the public record and the book.

BRIEFLY

GATUNDU

Man dies as lorry with mourners overturns

A man died and 21 other people were injured after a lorry on which they were travelling overturned in Gatundu yesterday. The accident occurred at Kamwangi area as the vehicle was ferrying mourners to a burial at the nearby Mang'u village. Thika deputy police boss Mudambi Kola said the driver lost control of the truck as it went down a slope and it landed in a ditch. Four of those injured were said to be in critical condition. They were admitted to the Thika District Hospital while the rest were treated and discharged. The dead man was identified as Mr Gabriel Mwangi.

NAIROBI

Crackdowns launched after accidents claim 87

The police have launched traffic crackdowns after road accidents claimed 87 lives in the past two weeks. Addressing a press conference on Thursday, traffic commandant Aggrey Adoli said: "We have launched massive crackdowns all over the country." More than 5,000 errant drivers and 3,000 conductors have been arrested and charged, he added. Passengers were also arrested for not putting safety belts on and boarding overloaded vehicles. Mr Adoli further said they were arresting criminal gangs that terrorise and extort money from matatu crew.

NAIROBI

I resisted arrest for new wife's sake, court told

A matatu driver caused laughter in court yesterday when he said he resisted arrest because he had recently married. Juma Wanjaja said he knew police could lock him up, leaving his newly married wife alone. "I pray for leniency. I have a wife whom I married a month ago. She needs me," the accused said. Wanjaja appeared before a Kibera court and pleaded guilty to resisting arrest, driving a vehicle without an insurance certificate and valid inspection certificate. He also pleaded guilty to driving a matatu with two worn-out tyres. He was fined Sh16,000.

SUBA

Uhuru helps raise Sh1.6m for school

Deputy Prime Minister Uhuru Kenyatta has helped raise Sh1.6 million for the construction of a school in Suba District. The Gatundu South MP was the chief guest at the haramblee for Ambassador Pamela Mboya Giris Secondary School on Thursday. The school will be built in memory of the late Pamela Mboya who died in January. "Let's forget about elections and consider addressing problems our country is facing. No individual will deliver us on this," said Mr Kenyatta.

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Number of chapters in Okoth Osewe's book

(Kenyatta International Conference Centre).

Although the author, a 44-year-old veterinarian and activist blogger, did not reproduce copies of the results in the 464-page book, he says he tracked down the records at the constituency level to compare them with those used by the ECK at the national tallying centre at the KICC.

"I obtained records of election results at the constituency level, records bearing the altered results (some altered by hand after they were received from the constituency) and records announced by ECK at KICC," Osewe wrote in an e-mail to the *Saturday Nation*.

Despite the anomalies in the results records, which IREC readily acknowledged, Osewe says he went over the paperwork and found that the tally for the undisputed 161 constituencies put Mr Odinga in the lead with 3,734,972 against Mr Kibaki's 2,269,612. An examination of the election results documents from

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