The Cost of Politics on Inclusive Political Participation and Socio-Economic Development in Kenya

Terms of Reference

1. Introduction

The Westminster Foundation for Democracy (WFD) together with the Netherlands Institute for Multiparty Democracy (NIMD) invite interested firms or research teams to submit technical and financial proposals to conduct the research on the ‘cost of politics on inclusive political participation and socio-economic development in Kenya’. Interested parties are requested to submit their proposal responding to these terms of reference by 21 August 2020.

2. Context

Kenya became a multi-party state after the repeal of Section 2A in 1992. Six elections later and following the promulgation of the 2010 Constitution, the number of elective seats has multiplied and so has the cost of seeking to enter politics.

Kenya’s political landscape remains one of the most competitive across the continent. A winner takes all mentality for all elective seats and the real or perceived power and opportunities that come from winning these seats has continued to raise the stakes for each election cycle. Correspondingly, the cost of elections, the funding landscape and the role of money in influencing and winning elections has continued to elicit interest, especially given the parallel increase in corruption.

In a 2013 study, Professor Attiya Waris looked at the 2013 elections and the impact of campaign finance. In a paper entitled “Monetary Clout and Electoral Politics in Kenya” Shukila et al also analysed the role and impact of monetary power in Kenya’s presidential election, focusing on the period between the 1992 and 2013 elections.

More recent research carried out by Mzalendo Trust in 2019 also identified the cost of politics, characterised by high requirements for political party membership and nomination fees, expensive campaigns and a cash driven electorate and electoral process, as one of the main barriers to the participation of youth and women in politics. Attempts to reign in these costs

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through the Election Campaign Financing Act, 2014 have not materialised, due to the failure to operationalise the legislation prior to the 2017 general elections.

Operationalising the 2014 Act to address growing election campaign expenditure is a key recommendation of Mboya’s 2020 briefing paper on the cost of politics in Kenya. The study found a consensus among political aspirants that the price of seeking political office is rising in Kenya with significant outlays having to be made to win primaries and get your name on the ballot, even before the election commission’s official campaign period begins. “All stakeholders in the political cycle have contributed to the malaise” writes Mboya, but not all suffer as a result. Women and youth are disproportionately disenfranchised from key decision-making structures, as high costs effectively lock these large demographics out of representation in mainstream politics.

To further assess the impacts of the cost of politics on Kenya’s election processes at the national and sub-national level, WFD and NIMD propose to conduct a comprehensive participatory primary research focusing on inclusive political participation and socio-economic development in Kenya.

3. Study objectives

The study will gather data on the costs involved when seeking parliamentary and county assembly elective positions in Kenya from the most recent elections. From this information, WFD and NIMD intend to create a data set that can deepen the understanding of electoral incentives; stimulate national dialogue; inform legal and policy advocacy; and improve democratic processes and outcomes in Kenya ahead of the next general election in 2022. The following key questions will underpin this research:

a) What are the key social, economic and political drivers of the cost of politics at the parliamentary and county assembly levels?
b) What are the costs of politics incurred at both parliamentary and county assembly levels during the electoral cycle?
c) How do the cost of politics at parliamentary and county assembly levels impact on the participation of marginalised and special interest groups (youth, women and persons living with disabilities) in electoral politics?
d) How do the cost of politics at parliamentary and county assembly levels impact on the socio-economic development of the country?
e) What are the legal, policy and programming options likely to reduce or regulate the cost of politics in Kenya?

4. Methodology

The proposed methodology will build on a brief review of relevant literature but is primarily focused on gathering and analysing primary data; both qualitative and quantitative. Data

collection tools such as surveys, key informant interviews and/or regional participatory workshops should be based around the key questions outlined above.

The data collection approach should focus on the different phases of the electoral cycle, namely: getting on the ballot (candidate selection), the electoral campaign (parliamentary and county elections), and the politician’s time in office (allotted term as elected official). To this end, a framework of analysis should be developed to fully understand the different practices of the actors involved in the election campaigns. This be able to draw on previous studies done by WFD and NIMD in East and West Africa. The analytical framework should consider the following:

- The legal, policy and institutional context in Kenya
- The power relations between the three arms of government
- Citizen perceptions and experiences of electoral politics
- Gender, age and geographical dimensions

Data collection will cover both parliament and selected county assemblies. Prospective applicants should provide details of how they would sample parliamentary candidates – to capture diversity in areas of gender, location, political party and age – in a way that can provide nationally representative data. The approach to be used in selecting the counties for the collection of cost of politics data for candidates aspiring election to county assemblies should be clearly outlined. For the counties selected the survey should also aim to capture diversity in areas of gender, location, political party and age.

For both datasets, there should be a mixture of respondents: those who contested in primaries but lost; those who won primaries but lost in the elections; and those who won election. Efforts to ensure a balance between first time contestants, previously unsuccessful candidates and those who are seeking re-election are also encouraged. The latter being required to better understand the costs involved with being in elected office.

Keeping in mind the ongoing risks posed by the COVID-19 outbreak, applicants are encouraged to outline how the research will be able to proceed (digitally) to meet the deadlines (see below) if movement restrictions or other measures are (re) imposed in Kenya. A brief discussion of any cost implications this might have should be provided in the application.

5. Expected activities and deliverables

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<tr>
<th>PHASE ONE - Preparation</th>
<th>MILESTONE</th>
<th>Timeframe</th>
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<tbody>
<tr>
<td>INITIAL EVIDENCE REVIEW</td>
<td>Draft questionnaire</td>
<td>End of September 2020</td>
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<td>• Incorporation of key questions into questionnaire</td>
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<tr>
<th>SCRIPTING OF RESEARCH TOOLS</th>
<th>Draft questionnaire</th>
<th>End of September 2020</th>
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<tr>
<td>• Checking and approval of scripted questionnaire by WFD and NIMD</td>
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### FIELD TRAINING & BRIEFING
- Training of research assistants
- Piloting the questionnaire

### FINALISATION OF QUESTIONNAIRES
- Final modifications to the scripted questionnaire based on the feedbacks from the training and pilot

### PHASE TWO – Data collection and analysis

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<tr>
<td>FIELDWORK / DATA COLLECTION &amp; QUALITY ASSURANCE</td>
<td>Data set established October/November 2020</td>
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<td>- Field work starts across all regions</td>
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<td>- Execution of data collection &amp; quality control activities in all the regions</td>
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<td>- Participatory workshops/interviews to be held with key informants across the country</td>
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<tr>
<td>DATA PROCESSING/ANALYSIS</td>
<td>Draft report 18 December 2020</td>
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<td>- Data cleaning and processing</td>
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<td>- Analysis of qualitative findings</td>
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<td>- Drafting of report</td>
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<tr>
<td>SUBMISSION OF FINAL REPORT</td>
<td>Final report End of January 2021</td>
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<tr>
<td>- Validation meeting to discuss draft report</td>
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<td>- Incorporate edits and comments on draft report to produce final paper</td>
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<td>PHASE THREE - DISSEMINATION</td>
<td>Report and power point presentation to WFD AND NIMD February 2021</td>
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<td>PRESENTATION AND DISSEMINATION OF FINAL REPORT</td>
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<td>- Launch event to present findings to key stakeholders</td>
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### 6. Areas and period of study

The expected activities and deliverables have tight deadlines that must be adhered to by the successful applicant. All fieldwork must be completed by the end of 2020. Given that the study will be conducted across the country, it is important the provisions for such activities to be done remotely, as a contingency measure, should also be outlined in the bid. This could involve the use of telephone or internet-based surveys.

COVID-19 remains a risk and potential challenge for this type of research and the safety of all members of the research team remains the priority of NIMD and WFD. We encourage all applicants to develop, if they do not have in place, protocols for doing research during the pandemic. This does not need to be provided in the application but should be shared with WFD and NIMD before any fieldwork is undertaken.
7. Management

The research team will work under the guidance of Jamie Hitchen, Research Coordinator for the Cost of Politics, for substantive aspects of the assignment, and in collaboration with WFD Kenya and Mzalendo Trust on administrative aspects. The team will submit deliverables for review and approval to the Cost of Politics Working Group consisting of select WFD and NIMD staff members.

The deliverables are expected to be in line with the key basic principles, including:

- National ownership (through involvement and consultations with relevant key stakeholders)
- Participatory, inclusive and non-discriminatory preparation and implementation of the research project
- Flexibility with regards to data collection and creativity in terms of presentation of findings

The expected period of implementation for the assignment is September 2020 – January 2021.

8. Required qualifications and experience

The research team/firm should have experience conducting similar studies in Kenya or East Africa. Team members should have the following qualifications and skills:

- The lead researcher should hold a postgraduate or other advanced university degree in political science, public policy, or any other relevant domain. Previous management of a research team is essential.
- At least one member should have significant experience working with, and analysing, large datasets and running quantitative surveys.
- At least one member should have significant experience holding qualitative interviews with political stakeholders. Experience running participatory workshops is also desirable.
- Strong writing and analytical skills in English
- Conceptual and practical knowledge of politics and electoral democracy in Kenya and/or East Africa

9. Funding

Financial support for the study will be provided by the NIMD and WFD. The research team is asked to submit a financial proposal in response to these terms of reference.

10. Application Procedure

Qualified and interested applicants are hereby requested to send their bids to Maureen Oduori (Maureen.Oduori@wfd.org) by 21 August 2020 using the subject heading “Kenya Cost of Politics Study”. Any queries can also be directed to this email address.

The application should contain the following:
a) **A technical proposal:** To include a summary of the applicant's qualifications and experience and a detailed methodology, outlining how they will approach and complete the quantitative and qualitative aspects of the assignment in the timeframe outlined. The technical proposal should also contain CVs of key team members and professional references.

b) **A financial proposal:** This should indicate the all-inclusive fixed total contract price and be supported by a breakdown of costs by activities.

Bids will be assessed and scored against the following criteria: relevant experience (25%), methodological approach (35%), qualifications of research team (20%) and value for money (20%).

A final decision will be taken by WFD and NIMD by the end of August 2020.