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ELECTORAL COMMISSION OF KENYA

VOTER EDUCATION

Curriculum Methodologies

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VOTER EDUCATION

Curriculum Methodologies

1999

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INTERNATIONAL FOUNDATION FOR ELECTION SYSTEMS

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1.0 INTRODUCTION

This booklet is about Voter Education as a programme by the Electoral Commission of Kenya. It is a brief expression of the role the Commission intends to play as required by the Constitution of Kenya. Before the Constitution was amended in 1997 to include the promotion of Voter Education as one of the functions of the Commission, the subject was not given enough attention. The Commission proposes to discharge that responsibility in collaboration with other interested stakeholders.

ELECTORAL COMMISSION OF KENYA

At the time Kenya attained its independence in 1963, there existed several political parties which participated in national elections. Between that time and 1969, most of these political parties, dissolved themselves and joined KANU while others simply ceased to function. Within KANU disputes arose and Kenya Peoples Union (KPU) was formed as an opposition party. However, In 1969, KPU was proscribed by the Government leaving Kenya a de facto one party State. In 1982 that status was reinforced by the change in the law which now made Kenya a one party State by law.

During this time the electoral process for the Presidential, Parliamentary and Local Authorities and the registration of voters were under the supervision and coordination of the Supervisor of Elections who was a

civil servant. The Supervisor had powers to appoint District Commissioners and other cadre of civil servants as Returning Officers, Deputy Returning Officers, as well as other officials, to manage the registration exercise and the electoral process. That practice notwithstanding, the Electoral Commission of Kenya was all this time in existence with clear Constitutional mandate to register voters, conduct elections, and delimit parliamentary constituency boundaries and review constituencies. In actual fact, it only carried out one function - that of review of constituencies, and even then not with the regularity or authority that the law granted to the Commission.

Following a Constitutional amendment in 1991 Kenya, again reverted to a multiparty State. Consequently, it became necessary to acknowledge and restore to the Electoral Commission of Kenya the functions stipulated in the Constitution. Nine Commissioners were appointed by the President. These were increased to eleven in 1992 and to twelve in 1993. The democratic atmosphere was then freer thus allowing the new Commissioners to exercise all their powers under the Constitution and the law unimpeded. This made the position of the Supervisor of Elections untenable and it was subsequently abolished. Then in 1997, as a consequence of the agreements reached between parliamentary political parties, popularly known as Inter Parties Parliamentary Group (IPPG), the opposition political parties proposed 10 additional

Commissioners who were subsequently appointed by the President. This increased the number of Commissioners authorised by the Constitution to 22.

The functions and responsibilities of the Electoral Commission of Kenya are found in sections 42 and 42A of the Constitution. With the amendment of Section 42A of the Constitution of Kenya on November 7th 1997 these were expanded and now include:-

- (a) Dividing Kenya into such number of constituencies with such boundaries and names as it may determine;
- (b) Review the numbers, boundaries and names of these constituencies at intervals of 8 years and 10 years with power to alter the number, the boundaries or the names if it considers that desirable;
- (c) Registration of Voters, maintenance and revision of the registers of Voters;
- (d) Directing and supervision of Presidential, National Assembly and Local Government elections;
- (e) Promoting free and fair elections;
- (f) Promoting Voter Education throughout Kenya;
- (g) Performing such other functions as may be prescribed by law e.g the 1997 amendments to the law governing local authorities , empowers

the Commission to review electoral areas, their boundaries, number and names.

The duties of the Commissioners includes setting out policy framework for the Commission as well as carrying out specific tasks allocated to the Commissioners in the various committees of the Commission to which they are members or field work in the provinces. They also represent the Commission in various National and International for a in addition to undertaking any other duties related to elections as stipulated in Sections 42 and 42A of the Constitution of Kenya. Alongside the Commissioners, for purposes of administration, there is the Secretariat and the District Election Co-ordinators. The former is at the Commissions' headquarters while the latter have offices in the major towns in the districts.

The Commission runs its affairs through the following committees: Liaison Committee, Finance and Foreign Donor Funds Committee, Logistics Committee, Establishment Committee, Voter Education Committee, Legal and Electoral Reform Committee, Computer Committee, General Purposes Committee and ad hoc committees.

The Chairman of the Commission is an automatic member of all the committees.

The Commissioners operate from the Electoral Commission of Kenya headquarters at Anniversary Towers in Nairobi. They are appointed for 5 years and

are eligible for re-appointment. The Electoral Commission of Kenya is an independent body as enshrined in the Constitution of Kenya Section 41 Sub Section (9) which stipulates that "in the exercise of its functions under the Constitution, the Commission shall not be subject to the direction of any other person or authority". The Commissioners enjoy security of tenure provided for by the Constitution. In case the removal of a Commissioner is proposed or contemplated there are set circumstances and special safeguards and procedures which apply. In their turn the Commissioners must discharge their obligations with total impartiality.

For the time being the funding of the Electoral Commission of Kenya is through the Exchequer. In other words, the Commission has a budget approved by Parliament like is done in the case of Government Ministries. That then means, it has to observe some financial procedures which are difficult to apply to election regime. This arrangement has severe operational limitations on the programmes and activities of the Commission.

Promotion of Voter Education was one of the new functions introduced in November, 1997. General Elections were on 29th and 30th December 1997. There was no time to design plan and execute an effective Voter Education programme as expected. Furthermore no funds were granted for this exercise. The Commission nonetheless, encouraged some NGO's

to carry out Voter Education campaign, and specifically supported their efforts to raise funds to do so.

Hitherto, the Commission had only been able to train its Electoral Staff (Election Co-ordinators, Returning Officers and Registration Officers) on all the procedures and requirements for voter registration and voting process. In turn the officers' contact with the voters has been limited, in most parts, merely, to showing these voters how to register and how to vote at the time of the exercise concerned. Such a situation has led to many crucial questions remaining unanswered e.g. why vote?

The need for Voter Education is not peculiar to Kenya or developing countries. Even old democracies have active Voter Education programmes meant to encourage voters to participate in the electoral process. For such encouragement to be effective the voter must know the pros and cons of participating or not participating in elections. The pride of any democratically elected Government is enhanced, when the voter turnout gets close to 100%. This is only possible if voter apathy, which is a growing concern in many democracies, is reduced through Voter Education.

Further, Voter Education is recognized by the Universal Declaration of Human Rights (Article 21); the International Covenant on Civil and Political Rights (Article 25) and by the African Charter on Human and People's Rights, Article 13, all of which Kenya has

acceded to. Therefore, Voter education is a practice that is accepted and recognized worldwide as an important element in the promotion and maintenance of democracy.

The Commission has on many occasions come across cases where the voter is at a loss as who to vote for, why vote, or even how to vote. Seemingly, minor issues like party symbols which are expected to guide the voter, have at times not been clearly understood especially by the illiterate voter, hence through such ignorance an illiterate voter is denied the right to secret voting. For reasons that the Commission does not need go into, this undesirable disability has very high prevalence amongst women voters whose members are significant in all the national elections. It is thus serious.

1.1 VOTER EDUCATION

1.2 What Is Voter Education?

Voter Education is public education meant to inform and to empower the voters in order to clearly understand their rights and responsibilities in the electoral process. It strives to make processing a democracy, mobilize voters to exercise their rights in politics and finally enhance voters' understanding of participatory democracy. Voter Education must therefore be that which arouses voter interest, builds on voters' experience, recognizes other voters'

preoccupations, improves the voter's skills in the voting procedures and processes and uses simple and practical examples to illustrate significant issues.

Voter education in Kenya should seek to erase the "cultural lag" that still persists or lingers on in the minds of many voters and candidates, many of whom have found it hard to adapt to Kenya's evolution into multiparty politics. Voter Education plays an integral role in encouraging the electorate to participate and exercise their democratic rights through the ballot box.

Therefore voter education is that kind of education which will enhance the peoples fundamental rights and awareness relating to their capacity to participate in their society's decision-making processes.

Voter education is a component of civic education which in turn needs to be understood in the context of the Kenyan political environment. A close examination of the current political environment reveal political parties which are weak in their financial and organizational perspectives, an electoral process which is still vulnerable to manipulation, divided civil society whose focus is sometimes off the target, or unclear, absence of civility and respect in inter-party relationship, voter bribery, violence and illiteracy, among others. Hence voter education is not an isolated area of learning, but is part of the broad field of education for democracy. It is not an isolated area of learning. It focuses on providing the learner with skills

and knowledge required to live in a democracy. And to be effective self-perpetuating it should target all age groups ranging from school children to the very aged.

The Commission underscores the fact that dissemination of voter education is the responsibility of all the stakeholders which include the government, NGOs, media, political parties, religious organizations, schools and the entire public. The government's role is facilitative, while that of the Commission is, to implement by way of disseminating, and monitoring success of the application of the curriculum. The Commission clearly needs all the other stakeholders to succeed.

1.3 Objectives and aims of Voter Education

- (1) To educate the society in its inherent rights as citizens. These rights include the freedom of making informed choices in electing their leaders.
- (2) To provide people with information regarding the election process i.e, who can vote, what to look for in the polling stations, the need to be aware of electoral manipulations, and reject them, thus make their participation in the electoral process meaningful and effective.
- (3) To instill in the people the knowledge that a

democratic, transparent and accountable government, depends on their vote.

- (4) To create awareness that the national destiny of the country depends on their vote. They are thus guardians of the electoral process which they should jealously guard. They should regard themselves as poll watchers.
- (5) To minimize and eradicate electoral fraud as voters will be aware of possible manipulation etc.
- (6) To minimize and eradicate electoral violence and other malpractices which are mainly a product of ignorance and misunderstanding of procedures.
- (7) To minimize voter apathy and encourage them to vote, as they will have known the negative effects of not participating.

1.4 Advantages of Voter Education

- 2It is less expensive to the economy and the individual voter since it reduces wastage of material.
- 3It reduces the time a voter takes to cast his/her vote thus saving time.

4It reduces the number of voters who can be manipulated and thus enables the voters to choose quality leaders they think best comprehend or articulate their problems for better representation.

In the end, there will be quality leadership and better management of public affairs.

- The management and conduct of the electoral process will be peaceful, civilized, without life threatening incidences since the voters will be aware of the importance of elections and penalties involved.
- Disappointment of voters whose names do not appear in the voters register will be minimized since the voters will have inspected them well in advance prior to the voting day.
- Is likely to improve the perception of the voters to think nationally and thus eliminate the culture of blaming others (candidates, ethnic communities, organizations and individuals) on racial, ethnic or gender differences.
- Voter turn out during elections will improve giving those elected a clear mandate.

- Is likely to raise the standards of public debate during electioneering period from that based on personality or personality cults to issue-based campaign.
- The concept and practice of democracy will be a way of life for Kenyans.

1.5 VOTER EDUCATION CURRICULUM CONTENT:- GUIDELINES

It is the policy of the Commission that these guidelines should be the basic standard for Voter Education in Kenya. Based on the needs of the specific voters, the stakeholders and other voter education promoters who will be free to expose the whole curriculum to the voter or choose aspects of the curriculum relevant to needs of the target audience.

It is a cardinal requirement that must be observed by all who are involved in this programme at the behest of the Electoral Commission of Kenya that they should be absolutely non-partisan.

1.5.1 Role of the Electoral Commission of Kenya

- (a) In its founding and Constitution (status) and tenure as it is today, impartiality of the Commission must be observed and stressed at all levels of the educational programmes.
- (b) Functions of the Commission in broad terms include:

1. Constituency and Ward Boundary Delimitation and Review
 - the necessity of that process;
 - the process and the procedures,
 - the role of voters/citizens in boundary delimitation and review.

2. Voter Registration including:
 - Why the process is necessary, qualifications of voters for registration, Where the registration process takes place,
 - how to register, the voters' registers, inspection of voters registers and its importance,
 - the right and the procedures for challenging a register of voters.
 - This section should be dealt with in detail using simple demonstrations and other methods.

3. Elections
 - nominations of candidates;
 - administration of elections i.e. Presidential, Parliamentary and Local Authorities.

- why elections are conducted, when and where one is supposed to vote.
 - election officials - District Election Coordinators, Returning officers, Presiding Officers, Clerks;
 - general knowledge of the National Assembly and Presidential Elections Act and Local Government Elections Rules.
- (c) Printing of ballot papers;
- design of ballot papers for Presidential, Parliamentary and Local Authorities Elections.
- (d) Party symbols.
- (e) Observers.
- (f) Electoral Code of Conduct.
- (g) Election Offences Act;
- Types of election offences and penalty for political parties, candidates and citizens/voters (e.g. bribery of voters-violence intimidation, obstructions, detention, selling and buying of votes etc);
 - Enforcement and Compliance with the Code of Conduct.

The object is to demonstrate the criminality and the monstrosity that is under attack i.e. election offences, and the consequences of falling foul of the law including the negative effects to democratic elections.

1.5.2 Political Parties

- Their formation in multi-party system;
- Their mandate;
- Their functions and operations;
- Their role during elections;
- Electoral Code of Conduct governing their operations;
- Importance of their party manifestos;
- Candidates - the functions of the President, the Member of Parliament and the Councillor.

1.5.3 Multi-Party Democracy

- The concept;
- The practice;
- Impartiality of the Commission.

1.5.4 Polling Day

(a) Polling Station

- What polling station is;

- Booth layout;
- Procedures for voting;
- Ballot papers - design;
- Necessary documents i.e. ID card, Passport, Voters' card the Voter's register;
- Sealing of ballot boxes - purpose and procedures;
- Indelible ink;
- Present election officials e.g. Returning Officers, Presiding Officers, Candidates' Observers including the position and role(s) of each;
- Time(s) of the election opening and closing;
- Transportation of the ballot boxes.

(b) Counting Centre

- Counting hall meaning;
- Vote Counting procedure (who conducts the count, those authorised to be present, how counting is conducted, how and by who the results announced etc.), right of recount;

- Security of the vote, the election officials and the voters at voting and counting stations etc.;
- Events that follow the announcement of election results.

1.5.5 Role of Citizens in the Electoral Process

- Why a citizen is important in the electoral process.
- The duties, responsibilities and expectations of citizens in the electoral processes. Hence the need for the citizens to appreciate why it is important to vote. It will be useful to demonstrate this by giving some benefits derived from elections:-

(a) Good Governance

- The voter to understand the concepts of accountability and transparency;
- The voter to be made to understand the relevance of voter participation in elections to good governance and democratic process;
- The voter to understand and accept the concept of multi-party system in a

democratic government and how this is linked to voter participation in elections;

(b) Legitimacy of Government

- The voter must understand the social contract as a relationship between him/her and the government;
- Voting as a source of legitimacy/mandate;
- Political stability as guaranteed from the foregoing;
- Relationship between voting, choice of leaders and the resultant quality of government and leadership and hence the legitimacy of the government.

(c) Democratic Values and Principles of Responsible Government

Explain how the following will be fostered and promoted by the voter participating in democratic elections:--

- existence and respect of diverse cultural identities and heritage;
- importance of National Unity;

- social - mutual responsibility;
- equity in distribution of national resources.

(d) Rule of Law

How and why separation of powers is essential in democracy. The separation of powers includes the respect for the exclusivity of the powers of organs of the State e.g:

- Parliament as a law making body;
- The Executive as a law implementer;
- The Judiciary as the adjudicator of justice.

The whole paragraph 1.5.4 should be treated keeping in mind the kind of audience. The target groups include, children and youth in and out of school, women in rural and urban contexts, men in rural and urban contexts, the disabled, the elite, people in arid and semi-arid lands, politicians, special minority groups, among others.

2.0 METHODOLOGY GUIDELINES

In designing the appropriate methodology the

Commission recognizes the following issues:

- That the voter-trainee is a volunteer and should not be treated like a student in a classroom. The price is that he/she can walk out;
- The voter-trainee has prior experience in life.
- The Trainers shall need to draw from that information;
- The voter-trainee has many other things to do in life-besides being trained on voter education. The trainer needs to understand this and strike a balance;
- The voter-trainee should not be given too much information too soon;

The voter-trainee is not a class room student. He/she is therefore not interested in examinations but in situations and problems.

The voter-trainee is interested in information which leads to social action. Hence the guide shall be **learning by doing**. Put stress on group activities;

The trainer should remember that the final goal of voter education is informed and useful social action. While the programme should be informative, use should be made as much as possible of training aids that are designed to provide the information in a way that the learner feels encouraged and motivated to learn. Given the diversity of the Kenyan people, the

Commission understands that each target group has its own training needs. This requires an appropriate audience survey before appropriate methodology(ies) including language of communication can be arrived at. The identified methods include;

- Door to door visits;
- Television, Radio, film documentaries;
- Workshops seminars and lectures;
- Newspapers and magazines, billboards;
- Public meetings, cultural events, drama ASK Shows and musical production;
- Essay competitions in schools;
- Welfare and voluntary Associations;
- Adult education & workplace;
- Danglers.

Each of these approaches has strengths and weaknesses based on the following factors: for whom it is used to approach, where it is used, when it is used, how it is used, its costs, its availability, its accessibility, and finally its acceptability. Therefore trainers must evaluate each approach relative to the situation of the target group.

The Commission also encourages methodological

integration as much as possible.

The Commission understands that even with clearly identified audience needs and appropriate Voter Education content, the message may have no impact, little impact or high impact depending on the approach. It is therefore incumbent upon the trainer or trainers to apply the method(s) they find suitable or likely to achieve desired results. The methodology should be that or those that make the voter-trainee comfortable and should be interactive. Use of simple tools for demonstrations needs encouragement. Some messages may be translated into local languages for better understanding.

Use of pictures depicting different situations in the electoral process is an important way of effectively communicating to the voter-trainees.

In that way voters may be sensitized on many issues about the electoral process such as what is required of him/her, what to expect and do in a similar situation, how to respond appropriately, who to expect, who to get assistance from etc.

The trainers can be obtained from Universities, Consultants from private sector, teachers, civic education groups, NGOs, community based Organizations, retired civil servants, religious organizations etc. The trainers must be good communicators and must themselves demonstrate a clear acquaintance of Voter Education Curriculum.

2.1 VOTER EDUCATION: EVALUATION PROCEDURE

The Electoral Commission of Kenya will establish mechanisms for continuous monitoring of the Voter Education Programme. The evaluation will be periodic or phased at the times to be decided upon by the Commission. The Commission underscores the fact that evaluation will be an in-built component of the programme. The Commission's staff, Commissioners and external consultants will undertake the periodic evaluations. The aim of evaluation will be to determine the programme impact and the need for programme revisions whenever possible.



② VOTER EDUCATION: CURRICULUM METHODOLOGIES.

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- describes what constitutes voter education & why it is important - what every voter should know and what their role in the democracy is. (23) pages.