



KABARAK UNIVERSITY 5TH ANNUAL INTERNATIONAL CONFERENCE

**COST OF CONSTITUTIONAL AFFIRMATIVE ACTION FOR ELECTIVE POSITIONS IN
COUNTY ASSEMBLIES IN KENYA.**

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Abstract

The constitution of Kenya brought about radical changes in the governance and administration of public affairs. Besides the significant change in the governance structures, it also prescribed the process leading to the determination of membership of the various institutions and organs of governance this is because Article 100 of the constitution requires parliament to enact legislation to promote the representation in Parliament of women, persons with disabilities, youth, ethnic and other minorities and marginalized communities while Article 197 states that not more than two –thirds of t The study conducted by IEA reveals the cost of affirmative action based on two scenarios. In the worst-case scenario the cost of constitutional affirmative action is put at 9.86% increase in total spending on parliament, costing every Kenyan about Kshs58 per year. The actual figure would be much less if, as is already the case, some women are elected to the National Assembly and Senate. This study therefore refutes any baseless claims that the implementation of the two-thirds requirement is prohibitively expensive and argue that this should be seen in a regional perspective and in the context of public spending in Kenya

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