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8th March, 2026

The Executive Secretary,
Kenya Union of Post-Primary School Teachers (KUPPET),
P.O. Box 378 - 40300,
Rang'wena Bridge, HOMA BAY.

Dear Mr. Executive Secretary,

RE: REQUEST FOR CONSTITUTIONAL INTERPRETATION AND CLARIFICATION ON THE ELECTION OF OFFICE BEARERS OF THE KUPPET BURIAL BENEVOLENCE FUND (BBF), HOMA BAY BRANCH

I am writing to respectfully seek your urgent interpretation and clarification of Article 6, Clause (1) of the KUPPET Burial Benevolence Fund (BBF) by-laws, specifically concerning the recent Homa Bay Branch elections.

The clause states:

There shall be a maximum of eight (8) Sub-County BBF delegates; one each from all the eight (8) educational Sub-Counties in Homa Bay County who shall be elected by members of Homa Bay KUPPET Branch during branch elections.

The plain reading of this clause gives rise to two critical expectations, both of which have led to a significant constitutional crisis following the branch elections held on Sunday, 1st March 2026, at Paw Rachuonyo.

1. The Question of a Separate Election for BBF Delegates

The By-law clearly stipulates that BBF delegates shall be elected during branch elections. This implies that the election of the eight Sub-County delegates was meant to happen concurrently with the election of other Branch officials, such as the Chairperson, Vice Chairperson, and Executive Secretary. However, I, alongside many other members of the Homa Bay Branch, can confirm that the positions of

BBF Delegates were not on the ballot, and no candidates were presented for these roles during the 1st March, 2026 elections.

This presents an immediate procedural question: Will the branch now be required to conduct a separate, distinct election specifically for the eight BBF Delegate positions? Furthermore, would such a standalone election be in conformity with the By-law, which explicitly ties the delegate election to the general "branch elections"?

2. The Question of Democratic Representation and Voting Rights

A more fundamental issue arises from the interpretation of who constitutes the electorate for these positions. The clause states that delegates shall be "elected by members of Homa Bay KUPPET Branch." Taken literally, this would mean that a member from, say, Rachuonyo South Sub-county, would be eligible to vote for the BBF Delegate representing Homa Bay Town Sub-county, and vice versa. This logic would be replicated across all eight sub-counties.

This interpretation fundamentally subverts the basic tenets of democratic representation. It would mean that voters are not selecting a representative from their own immediate community—someone familiar with their local context, challenges, and needs—but are instead influencing the choice of delegates in unfamiliar sub-counties. This is analogous to the allegory in George Orwell's *Animal Farm*, where the animals on Mr. Pilkington's "Foxwood" and Mr. Frederick's "Pinchfield" would be allowed to vote for the leader of Mr. Jones's "Manor Farm"—a farm to which they do not belong and whose affairs do not directly concern them. Such a process would not only disenfranchise the members of the specific sub-county a delegate is meant to serve but also risks electing representatives who lack a direct mandate and accountability to their constituents.

Mr. Executive Secretary, your timely intervention on this matter is crucial. Your leadership and commitment to justice, which were foundational to your own election, give me confidence that you will address this anomaly with the urgency it deserves.

An amicable and constitutionally sound solution must be reached to rectify this situation. I am, of course, available for any consultations you may deem necessary to resolve this matter.

Yours in comradeship,

Arianda

James Arianda/Jimmy Arianda

Candidate for BBF Delegate, Rachuonyo South Sub-county

Cc:

1. Kuppet Members, Homa Bay Branch
2. All Office Holders of Kuppet Homa Bay Branch
3. Comrades in Pursuit of Democracy and Constitutionalism