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# Kenya's 1997 Elections

# Making Sense of the Transition Process

Rok Ajulu

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*The transition process in Kenya appears to be getting nowhere. Six years after the opening of democratic space, politics, political institutions, and governance remain predominantly stuck in the authoritarian quagmire of the past. Lack of broader participation in decision-making processes and absence of consensus around important issues of governance appear to be the norm rather than the exception. Indeed, Kenya's democracy experiment appears to defy conventional democratization models and discourse. It refuses to comply with prescriptive models developed by various Western scholars as the so-called liberal democratic values stubbornly refuse to take root in the country. This article attempts to explain why this is the case in Kenya. It is part of a broader study that focuses on the political economy of democratization in Kenya. The central thrust of the argument here is that in order to understand the crisis of democratization in Kenya, there is a need to focus on the political economy of accumulation, particularly on how it has been mediated politically over the post-colonial period.*

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Polling for the Kenyan election of 1997, the second since the advent of the 1992 "democracy experiment," began on December 29, and the electoral process was finally completed throughout the country and a new government formed during the first week of January 1998, with fairly predictable results. President Daniel Arap Moi was returned to office with 40.4 percent of the vote. Though Moi was still very much a minority president, his performance was a marginal improvement over the 1992 election, when he scraped through with 36 percent. His party, the ruling Kenya African National Union (KANU), did not acquit itself well either. It managed to win only 107 of the 210 contested parliamentary seats. Even with the additional six of the twelve proportionately allocated nominated seats, the ruling party still lacked a comfortable working majority.

Faced with a hopelessly divided opposition at the beginning of 1997, President Moi and senior officials of the ruling party had banked on KANU's winning the elections convincingly. The entry into the political ring of the National Convention Council, the reform movement under the leadership of its executive, the National Convention Executive Committee, halfway through 1997, however, began to change the balance of forces. By July 1997 the reform movement had President Moi pinned against the wall, and KANU was subsequently forced to make concessions to render the elections possible. Following the KANU-initiated Inter-Party Parliamentary Group deal, in which minimal constitutional changes relaxed rules for the electoral process, elections finally took

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place, but not entirely in President Moi's favor. As a result, some argue, the president spent so much time and energy securing the presidency that there was no time to attend to the parliamentary seats. The result: a razor-thin majority in Parliament, a highly flawed process, and a pyrrhic victory for President Moi was achieved at a rather high price for the continued political stability of the country.

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## **Background to the Election**

Yet all this could have been predicted long before the elections. Ever since Moi was pressured into conceding political space and embracing political pluralism, he made it rather clear that democratization was not part of his broader agenda. He had accepted multipartyism, he told a BBC television interviewer in 1992, because of the pressure from Western powers.<sup>1</sup> In fact, the political processes since the opening of democratic space in 1991 have been about reversing rather than deepening the democratization experiment. The lack of broader participation in decision-making processes and absence of consensus around important issues of governance appear to be the most recognizable trademarks of President Moi's regime. It was always an exercise in political sophistry to imagine that the regime was interested in conducting an election which could result in its loss of control of state power. Indeed, such an exercise would be contrary to what can be called its class interest. It is not surprising, therefore, that developments in the runup to the 1997 elections bore striking similarity to the 1992 period, which had produced a similarly controversial result. Let us look at those events briefly.

At the beginning of 1997 the opposition parties remained as divided as they had been over the previous four years. Numerous attempts to unite the opposition had failed dismally. The elusive search for a single opposition candidate against the incumbent President Moi, a political exercise that had occupied the opposition over the entire period of the opening of the democratic space, had yet to produce any tangible result. At the time, therefore, Moi appeared to be cruising comfortably to a fifth and supposedly final term. By midyear, however, the entry of the reform movement, the amalgam of civil society groups under the leadership of the National Convention Executive Council (NCEC) into the political ring under the slogan No Reforms No Election began to change the balance of forces.

The NCEC's political mobilization, which started with the Limuru Convention on constitutional reforms, culminated across the country in a series of rallies demanding fundamental reforms before an election could take place. The turning point came on July 7, Saba Saba Day, the anniversary of a memorable uprising in the capital city seven years earlier, which had signaled the beginning of the multiparty campaign. The violent confrontation between the state security apparatuses — Moi's feared paramilitary force, the General Service Unit — and the opposition alliance left ten people, most of them students, dead and hundreds injured.<sup>2</sup> A week later, the security forces again stormed a peace prayer in Nairobi's main Anglican church, All Saints Cathedral, and left a prominent church leader and opposition activist, the Reverend Njoya, for dead.<sup>3</sup> The original Saba Saba in 1990 had sparked an almost identical pattern when thousands of people gathered at Kamkunji in Nairobi for a pro-democracy rally.<sup>4</sup>

Hot on the heels of these events came the ethnic cleansing in Coast province. The violence that had started as an ordinary criminal raid into the local Likoni police station, in which several policemen were killed, the armory broken into, guns and ammu-

nition stolen, and the police station burnt down, soon assumed political dimensions. A few days later, the death toll had risen to twenty, the attack spread into Likoni and Kwale districts, and it was increasingly targeted at up-country people. Furthermore, it was beginning to emerge that these were no ordinary criminals, for the attackers targeted churches associated with displaced persons, predominantly up-country, that is, noncoastal individuals, mainly Kikuyu and Luo ethnic groups. The government proved either unable or unwilling to deal with the situation decisively. As the violence moved into its second week with a reported death toll close to fifty, and the government neither able to stem the tide of rumors nor contain the violence, parallels began to be drawn with the ethnic cleansing in the Rift Valley province in the runup to the 1992 multiparty elections.

Overnight the government lost the political initiative to a section of the opposition and its allies within the National Convention Assembly. According to a report by the Kenya Human Rights Commission, the government for a while considered postponing elections until such a time as it had recaptured the political initiative from the National Convention Assembly, which throughout July and August of that year was on the offensive.<sup>5</sup> Against this background the Coast Violence came to be seen as a strategy unleashed by the state to achieve certain objectives. One of these was to create an environment that would have served as a convenient pretext for declaring a state of emergency.

The other, of course, had to do with undermining the demographic strength of the opposition parties in a number of constituencies in the Coast province in the runup to the election. The large populations of the Luo, Kikuyu, and Luhya have often been considered a crucial swing factor in the Coast electoral calculations. It is not surprising, therefore, that most observers of Kenyan politics saw in the Coast ethnic eruption a repeat of the 1991–1992 ethnic cleansing, which engulfed the whole of the Rift Valley province and sections of Nyanza and Western provinces. Clearly the Moi regime did not intend to level the playing field. But the international outcry that followed the violent scenes of confrontation in the Kenyan capital of Nairobi, captured live by international TV networks, ultimately forced President Moi to concede to opposition demands for constitutional reforms before the general elections.

This he did through setting up the Inter-Parties Parliamentary Group (IPPG), a KANU platform which had been designed to blunt the impact of the reform agenda of the opposition and its allies in the National Convention Council. The Convention's Executive Committee saw this as a means "to cool the fire raised by the NCEC action and by the demands of the country for electoral reform, and in the process to legitimise the Moi re-election machine,"<sup>6</sup> a feat that President Moi achieved with remarkable success.

On the surface, the IPPG achieved a remarkable breakthrough: the Constitution was amended by the National Assembly in October and November 1997 so as to render the country a *de jure* multiparty democracy; the Public Order Act (Cap 56) was amended to facilitate freedom of assembly; section 33 of the Constitution was amended so that nominated members of Parliament (MPs) are proposed on a *pro rata* basis by all parliamentary parties with a minimum of seven MPs. More important, the electoral process was supposedly delinked from the state apparatuses:

- The Electoral Commission (EC) was mandated to manage the campaign process without interference by the provincial administration.
- The EC was to have powers to hire prosecutors to expedite the process of election petition.



- The EC was to have powers to monitor fair coverage by Kenya Broadcasting Corporation radio and television.

The IPPG thus made it possible for President Moi to kill two birds with one stone, so to say. On the one hand, he was able to recapture the political initiative from NCEC and seemingly legitimate his reelection machine. On the other, he was able to satisfy the demands of the international donor community, which had insisted on there being some basic reforms (largely undefined), particularly after the NCEC had taken to the streets and threatened ungovernability and political instability.

In practice, however, President Moi made sure that the reform package remained less impressive in practice than on paper. As the commission chairperson admitted two weeks before the election, the law did not give the commission power to ensure that the election was free and fair. He conceded that there was little the commission could do about unfair coverage of the opposition parties by the state-owned Kenya Broadcasting Corporation.<sup>7</sup>

It is therefore not surprising that the provincial administration continued as if the amendments had not been passed at all. In the Rift Valley province, President Moi's stronghold, the Keiyo district commissioner is reported to have urged the local community to vote KANU in the following words:

As [I am] an employee of Kanu government, my livelihood depends on the very same system. Therefore I would not shy away from praying that President Moi be re-elected once more, to enable me to remain the DC. . . . Better the devil you are used to than the angel you do not know. It is scary to hear of these parties who usually claim that once they take over power from Kanu, they would dismantle the provincial administration and clip off powers of the police. Who will entertain that?<sup>8</sup>

Most of the officials in provincial administration would have been of the same opinion. The determination to retain their jobs under the "devil you are used to" certainly ranked much higher than any hypothetical ideas of commitment to democracy and fair play. Thus, confronted with a powerless Electoral Commission, the actual process of managing the election remained in their hands.

And so, just as in 1992 when President Moi did just enough to legitimate the electoral process, the outcome was never in serious doubt. The idea that the elections were unlikely to be free and fair was one that was widely accepted in the runup to the election. It would seem that not much had changed during the previous five years. Indeed, the democracy experiment in Kenya demonstrates that it is possible to have multiparty elections every five years without changing anything.

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## **The Election Results**

Largely owing to a divided opposition, the incumbent president was returned to office on a minority vote and the ruling party gained a slim majority in the newly elected Parliament. As in the 1992 election, ethnic mobilization emerged as a central feature of the democratization experiment in Kenya. The electoral process was flawed and highly controversial; more significantly, the outcome was divisive and highly prone to the influence of ethnic separatism.

To understand this necessitates a brief analysis of the 1997 elections results. For purposes of this examination, the main political players have been selected according to the following criteria: political parties that have more than ten members in Parliament and whose presidential candidates were seen or perceived to be serious contenders for the presidency (see Table 1).

*Table 1*

**The 1997 Kenya Elections:  
Distribution of Seats by Province**

	KANU	DP	NDPK	F(K)	SDP
Nairobi	1	5	1	0	1
Coast	18	2	0	0	0
North-Eastern	9	0	0	0	0
Eastern	14	8	0	1	10
Central	0	17	1	0	5
Rift Valley	39	7	0	3	0
Western	15	0	0	9	0
Nyanza	8	0	9	4	0
Total	104	39	21	17	16

*Source:* Compiled from Electoral Commission of Kenya, *Parliamentary Election Results*, January 1998.

*Note:* KANU: Kenya African National Union; DP: Democratic Party, NDPK: National Democratic Party of Kenya; F(K): Forum for the Restoration of Democracy (FORD), Kenya; SDP: Social Democratic Party.

To situate the election results in perspective, one must understand the ethnic composition of Kenya's provinces. Kenya has more than forty ethnic groups ranging in number from a few hundred to several million. The three largest ethnic groups are Kikuyu (21 percent), Luhya (14 percent), and Luo (13.5 percent). They occupy three distinct provinces, Central, Nyanza, and Western, respectively. Three districts in Nyanza are occupied by the Bantu Kuria and Gusii (5 percent) who have ten seats between them. The Luhya of the Western province, however, do not constitute one homogeneous ethnic group. The Luhya is, in fact, a combination of sixteen different subethnic groups — Bukusu, Idakho, Isukha, Kabras, Khayo, Kisa, Marama, Maragoli, Marachi, Banyala, Banyore, Samia, Techoni, Tiriki, Tsotso, and Wanga. It is believed that this segmentation into rival subethnic groups explains why the Western province has never voted as a single bloc as do its Luo neighbors or the Kikuyu of Central province.

The Kamba (11 percent) occupy the Eastern province, which they share with the Meru Tharaka (5 percent). The Rift Valley province is occupied by the Kalenjin (11 percent), the Masai, Turkana, Samburu, Iteso (5 percent), and a large population of Kikuyu "immigrants," those who settled in the province as a result of colonial land dispossession at the beginning of the century and are often referred to as the Kikuyu diaspora. It is also important to point out that the Kalenjin do not comprise a single ethnic group but like the Luhya are a combination of several Nilotic subethnic groups — Kipsigis, Nandi, Pokot, Elgeyo, Marakwet, Keiyo, Tugen, Sabaot, Dorobo, and

Terik. Together they form what is generally known as the Kalenjin.<sup>9</sup>

The Coast province is occupied by a number of ethnic groups — Taveta, Pokomo, Swahili, Bajun, and Mjikenda — which together constitute about 6 percent of the total population. Mombasa, the provincial capital, is metropolitan with substantial representation from the big four — Kikuyu, Luhya, Luo, and Kamba. As a metropolitan capital, the Nairobi province is predominantly composed of ethnic groups with the highest instances of proletarianization. The balance, however, is skewed heavily in favor of the Kikuyu, which explains why they have traditionally dominated the parliamentary seats in Nairobi. In fact the Kikuyu almost seem to regard Nairobi as “theirs.”

Given the ethnic composition of the political parties, the patterns of ethnic support are very easy to identify. Just as in 1992, Table 1 shows, the ruling party Kenya African National Union victory represented an alliance of the minority ethnic groups — Coast, North-Eastern, Eastern, Rift Valley, Western provinces, and eight seats from the Kuria and Kisii of Nyanza. KANU was virtually locked out of Nairobi (one seat), Central (no seat), and Luo Nyanza (no seat). It is equally significant to observe that as in the 1992 elections, areas of minority ethnic groups had proportionately more constituencies in relation to their populations. Thus Nairobi province, with a registered voter population of around 680,000, had only eight parliamentary seats compared with North-Eastern's 142,000 for ten seats; Eastern province has thirty-two seats to Central's twenty-five for almost the same number of voting population.<sup>10</sup> This clearly demonstrates the uneven nature of the playing field.

In the absence of Kenneth Matiba's FORD-Asili party, the Democratic Party's Mwai Kibaki emerged as the authentic Kikuyu candidate. Matiba had argued for a boycott of the elections unless fundamental reforms were put in place and refused to register in the voters roll, thereby disqualifying himself from standing and from voting in the elections. This led FORD-Asili to split in two, with Martin Shikuku, the secretary-general, retaining the original FORD-Asili name and Kimani wa Nyoike, a Matiba supporter, registering as FORD-People. Matiba denounced both factions, thereby denying them a reasonable chance of garnering electoral support.

Kibaki collected five of the eight seats in Nairobi, seventeen of the Kikuyu seats in Central province including five from the Kikuyu diaspora and eight from Eastern province, but, notably, only from the Meru and Embu sections of the Eastern province. Thus the old Kikuyu Meru Embu Alliance (GEMA) held on rather well. Following the split within the former official opposition, FORD-Kenya, Kijana Wamalwa's FORD-K, and Raila Odinga's National Development Party of Kenya (NDPK) were reduced to Bukusu and Luo parties, respectively. Raila was able to exclude KANU and other parties from the Luo Nyanza picking, winning all but two seats. The eight seats from the Kuria and Kisii districts of Nyanza went to KANU and FORD-K. Wamalwa, however, was unable to do the same in Western province and lost fifteen seats to KANU, but he did get two seats from the Luo heartland, that is, Ugenya and Gem in Siaya district, and two from South and West Mugirango in Kisii district.

Thus of Raila's (NDPK) twenty-one seats, nineteen came from Nyanza and one each from Nairobi and Central provinces. Wamalwa's FORD-K was represented in at least four provinces — Nyanza, Western, Rift Valley, and Eastern. The other new party, Charity Ngilu's and Professor Peter Anyang-Nyong'o's Social Democratic Party (SDP), was able to collect ten seats in Ukambani as was expected, but was a disappointment in Kiambu in the Central province where it had been expected to collect the Matiba vote. It nonetheless managed to get five seats from Kiambu and one from Nairobi, but, of



more significance, none from Nyanza, where the party leader, Professor Nyongo, managed only a third place in the Kisumu rural constituency.

These figures are more or less replicated in the presidential vote as shown in Table 2. Once again, KANU's President Moi had solid support in minority regions with more than 61 percent in the Coast province, 73 percent in the North-Eastern province, and 69 percent in the Rift Valley province. He also managed a comfortable 44.67 percent in the Western province and more than 35 percent in the Eastern province, easily meeting the 25 percent in five provinces requirement. Kibaki managed to get 25 percent or more in only three provinces; his best showing was in Central province among the Kikuyu, where he garnered more than 88 percent of the votes. The rest of the candidates were "one-province" candidates. Wamalwa garnered only 48 percent in his own backyard in Western Kenya; Charity Ngilu won 32.35 percent in her Eastern province, and Raila did slightly better at 56.55 percent in Nyanza — he certainly lacked the clout to better the popular appeal his late father, Jaramogi Oginga Odinga, exerted when he won 75 percent of the vote in Nyanza in the 1992 elections. Both the 1992 and 1997 elections confirm the overwhelming centrality of ethnicity in political mobilization.

This voting pattern represents a trend that has been observable in Kenya throughout its thirty-six years of political independence, that is, ethnic mobilization for control of

*Table 2*

**The 1997 Kenya General Elections:  
Presidential Vote by Province**

Province	Moi KANU	Kibaki D P	Raila NDPK	Kijan FORDK	Ngilu SDP
Nairobi	75,272 20.56%	160,124 44%	59,415 16.23%	24,971 6.82%	39,707 10.85%
Coast	229,084 61.05%	50,540 13.4%	22,794 6.07%	11,156 2.97%	37,600 10.02%
North- Eastern	46,121 73.08%	11,741 18.60%	210 0.33%	4418 7.00%	366 0.58%
Eastern	368,801 35.87%	296,262 28.81%	7,755 0.75%	7,009 0.68%	332,578 32.35%
Central	55,822 5.59%	885,382 88.73%	6,812 0.68%	3,067 0.31%	29,733 2.95%
Rift- Valley	140,109 69%	343,529 20.90%	36,022 2.19%	102,178 6.22%	11,345 0.69%
Western	314,669 44.67%	9,755 1.38%	13,558 1.91%	338,120 48.00%	3,429 0.49%
Nyanza	215,923 23.52%	138,194 15.05%	519,259 56.55%	14,623 1.59%	15,309 1.57%
Total	2,445,801	1,895,527	665,725	505,542	469,907

*Source: Weekly Review, January 9, 1998.*

*Note:* The other candidates were: Martin Shikuku (FORD-Asili), Katama Mkangi (Kenya National Congress), George Anyona (Kenya Social Congress), Kimani wa Nyoike (FORD-People), Koigi wa Wamwere (Kenya National Democratic Alliance), Muniya Waiyaki (United Patriotic Party of Kenya), Godfrey Mwireria (Green Africa Party), Wangari Mathai (Economic Independence Party), David Waweru Ng'ethe (Umma Patriotic Party).



state power. During the short-lived multiparty period from 1963 to the "Little General Election" of 1966, the personalities and the parties were different but the voting patterns were strikingly similar to the last two multiparty elections. It will be recalled that the then opposition party, Kenya African Democratic Union (KADU), in which President Moi and his present coalition were leading figures, drew its support mainly from the Coast and Rift Valley provinces and parts of Western province. The ruling Kenya African National Union (KANU) then headed by Jomo Kenyatta with the late Jaramogi Oginga Odinga as his deputy, drew its support from Central, Nyanza, Nairobi, and Eastern provinces and parts of Western province. In 1966, when Odinga walked out of the ruling party to found his short-lived Kenya People Union (KPU), the KPU failed to cultivate a presence outside Odinga's Luo base in Nyanza, and in the ensuing Little General Election, all except one of the KPU MPs came from Odinga's Luo stronghold in Nyanza.

The following discussion considers the implications that can be inferred from these events for democratization in Kenya.

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### **Ethnicization of Political Contestation**

The Kenyan experience represents a case of a "ruling class" determined to hold on to political power at all costs. The key question however is, What makes it behave in this particular manner? The argument has been presented elsewhere that in order to understand the roots of political crisis and obstacles to democratization in Kenya, we must focus attention on the character of the post-colonial state in Kenya, particularly its forms of accumulation over the past thirty years or so, and the character of the class forces which have traditionally controlled the state and, more important, how power has been mediated.<sup>11</sup>

The premise is that politics is about the conscious processes of sorting out contestation over resources, cooperation, and negotiations in the use, production, and distribution of resources, and the inevitable disputes arising from calculations about winners and losers.<sup>12</sup> In Kenya these processes have historically been regulated by authoritarian means mediated through mobilized ethnicity. These ethnic identities were constructed under colonialism and bequeathed to the incoming independent state almost in their entirety. The post-colonial state, however, went a step further, for it ethnicized political contestation precisely because this was the only medium through which the new elite could best consolidate its political power.

Another form of colonial legacy that was reproduced in post-colonial Kenya is the centrality of the state in economic activity and particularly the role of the state as the driver of the process of accumulation, easily the largest single dispenser of patronage and resources. The colonial state was central in the sense that it was the only organized institution capable of guaranteeing the reproduction of the conditions of colonial accumulation. Precisely the same role was to be assumed by the post-colonial state. Hence control of the state or proximity to those who had access to state power became the main preoccupation of politics. Yes, politics is generally about control of (state) power. The point, however, is that in societies characterized by an uneven development of capitalist relations of production, ethnic inequalities of the type that characterize Kenya, and high instances of extra-economic coercion, are all political activity centers around gaining control of the state.

This has been the major defining characteristic of Kenyan politics over the entire period of its independence. And precisely because of the uneven development of

commodity relations, which in the context of Kenya means ethnic inequalities, the claims made upon the state have been in sharp conflict. Contestation over resources has increasingly assumed the form of ethnic competition, thus creating fertile ground for the reconstruction of ethnic identities and ethnicization of political contestation.

Thus it is not surprising that ethnicity increasingly became the most important medium of political mobilization. Successive regimes in Kenya constructed class power along ethnicized identities, and resources have been contested along similar lines. Bates makes the mistake of reducing the post-independence ethnic contestation solely to the distribution of land and, to some degree, misses the class character of ethnicized identities.<sup>13</sup> The struggles between KANU, KADU, and later KANU and KPU, in the 1960s, the rivalries between the Luo and Kikuyu ethnic groups throughout the 1970s, and the intra-Kikuyu rivalry in the dying days of the Kenyatta regime all had one thing in common: ethnic and subethnic mobilization for control of the post-colonial state. The assumption that the state is the central player in economic development and distribution of resources underpinned this contestation for state power. This remained the case in the immediate post-independence decade, and it continues to underpin political practice even now, notwithstanding the seemingly almost universal triumph of “market fundamentalism” during the course of the past fifteen years.

So the main difference between the Kenyatta and the Moi regimes has been the greater degree and intensity of kleptocracy under the latter. It is important to emphasize this point because some literature has tended to paint a glowing picture of Kenyatta while demonizing Moi.<sup>14</sup> But to fully understand the significance for democratization, it is important to situate Moi’s kleptocratic regime in context, namely, the international economic environment within which it emerged and of course the particular classlike elements that constitute the ruling coalition.

President Moi’s new alliance, particularly the coalition he cobbled together in the aftermath of the 1982 coup attempt, was a relatively weak economic class. Unlike the Kenyatta coalition, which had constituted the most prominent pre-colonial and colonial exponents of primitive accumulation, the Moi coalition initially comprised a comparatively impoverished alliance from areas of the country where capitalism had made the least penetration.<sup>15</sup> Moi’s first task was to construct a capital base for his coalition. In the absence of fresh areas of accumulation, Moi’s embryonic accumulators were compelled to “loot” from the old accumulators or, as Ngunyī puts it, the capital base of the new coalition had to be constructed upon the dissolution of the already entrenched Kikuyu capital.<sup>16</sup>

Bates lists a number of forms of “primitive accumulation” that this alliance was involved in, but also points out that a sizable element was pure predation, a transfer of agricultural surpluses to favored regions, particularly the Rift Valley and sections of the Western province.<sup>17</sup> Clearly, the capture of state power enabled President Moi to shift the distribution of patronage and resources away from the Kikuyu to “disadvantaged ethnic groups” previously marginalized by the Kenyatta coalition who bore real economic and political grievances against that coalition. This period constituted the populist phase of Moi’s regime.

Ultimately, patronage and resources came to be concentrated around President Moi’s own ethnic group, the Kalenjin in general and the Tugen in particular. This process coincided, as it were, with the consolidation of his coalition in the aftermath of the 1982 coup attempt. Furthermore, Moi like Kenyatta completely politicized the allocation of public and private investments: roads, educational infrastructure, and agricultural

investments were directed mainly toward Moi's own political constituency. The new power was self-consciously a Kalenjin power, and institutions previously dominated by the Kikuyu were Kalenjinized. Access to university education and to employment in state parastatals depended on whether one was recognized by the government as a member of the KANU tribe. This type of distribution of resources and the crude use of the state for primitive accumulation could only be predicated on authoritarian control. Not for nothing did Moi abandon the practice of ethno-regional balancing that had provided a veneer of political legitimation and stability for the Kenyatta regime.

More important, however, is that this system of primitive accumulation fostered a kleptocratic bourgeoisie whose existence and survival depended very much on its continued access to this type of authoritarian state. It is not surprising that when confronted in 1992 with prospects of an open political process and a situation in which state institutions might have to be subjected to greater public scrutiny and accountability, this class sought to defend its interests through mobilized ethnicity. In the runup to the 1992 elections, the country witnessed the most brutal ethnic conflict, which bore all the hallmarks of contemporary ethnic cleansing going on in other more highly publicized places, most notably parts of former Yugoslavia.

The story of the 1992 ethnic cleansing in the Rift Valley province has yet to be told in full. The available evidence, however, suggests that the killer bands, recruited mainly from the Kalenjin and Masai supporters of the ruling party, were encouraged by top officials of the ruling party and the government, with the explicit project of expelling so-called foreigners from the province.<sup>18</sup> Once again, in the runup to the 1997 elections, similarly orchestrated violence occurred in the Coast province, parts of Nyanza, and the Rift Valley province. As indicated above, apart from undermining the demographic strength of the opposition parties in the areas affected, this kind of ethnic cleansing, of stoking further violence and political destabilization, is also designed to extract political concessions from the center by those who are unable to compete at the national level. It is indeed the first step toward warlordism, a strategy which in South Africa, for example, Buthelezi's Inkatha Freedom Party put to very good use in the runup to the country's first-ever democratic elections in 1994.

Obviously, in accumulation regimes of this type the dominant tendency in politics is bound to be an inclination toward authoritarian control. This was true of the colonial state, whose legacy of an emphasis on exerting control has been reproduced in the post-colonial era quite uncritically, but understandably so, from the point of view of the class forces that have dominated the state since independence. Some commentators have suggested that a major obstacle to democratization in Kenya now is not so much this class disposition but, instead, simply the tactical failure of the opposition parties to unite and field only one candidate. To the extent that this view appears to equate democratization with just the removal of President Moi from office, it is fundamentally flawed. The issue of identifying a single candidate to stand against Moi should be separated from the much wider issues of democratic principles, not mere personalities.

While a united opposition would certainly bring an end to the long period of Kenya African National Union misrule, whether it would engender democracy remains highly debatable. The question that needs to be addressed is why opposition unity remained illusory over the last seven years. The answer is that the opposition, just like the ruling party KANU, is constructed around ethnic identities and has contested political power on the basis of mobilized ethnicity. Thus it is unlikely to usher in a new and more principled discourse and praxis of politics.



It will be recalled that the Kenyan opposition at its reconstitution in 1992 represented a fragile alliance of two main tendencies. The first represented the old classes of capital and property, predominantly but not exclusively the Kikuyu bourgeoisie, organized into two antagonistic camps. One of them, the Matiba camp (FORD-Asili), represented the fraction which had occupied the second tier of the old Kenyatta coalition and regarded themselves as the true representatives of the Kikuyu rank and file. They had the support of the Kiambu and Muranga districts of the Central province of Kenya, the Kikuyu diaspora in Laikipia, Nakuru, and Molo districts of the Rift Valley province, and more important, in Nairobi and some of the major towns. Matiba's tactical alliance with Martin Shikuku (Luhya) in 1992 not only gave him a national image, but, more significantly, represented a potential alliance of the two of the largest ethnic groups, the Luhya and the Kikuyu. The Kibaki camp (Democratic Party), in contrast, represented the hegemonic fraction of the old Kenyatta coalition, the elite of the old Kiambu bourgeoisie and its Nyeri counterparts, which for all practical purposes must have appeared as the true representatives of the Kikuyu ethnic group. This group did not do so well in 1992, coming third with 1.03 million votes in the presidential race. But in 1997 and with Matiba out of the race, the Democratic Party emerged as the true Kikuyu party.

The other tendency of course was the old radical petite bourgeoisie of the mainstream Kenyan opposition of the late Jaramogi Oginga Odinga's FORD-Kenya. The latter comprised the old radical traditional opposition, the professional intellectual middle classes, the so-called Young Turks, and other forces that had been active in the struggle for democratization throughout the 1980s. But it was a coalition that was built very much around Odinga and the Luo as its power base, with the support of the Bukusu subsection of the Luhya, a fact reflected in Odinga's electoral support in the 1992 contest.

Following Odinga's death in 1994, the party leadership passed to Wamalwa Kijana. The long rivalry between Wamalwa and Odinga's son, Raila, ultimately culminated in FORD-Kenya disintegrating in three directions: Raila's NDPK, which reconstituted itself as the Luo party, Nyong'o's SDP, which was seen mainly as the platform for the presidential candidacy of Charity Ngilu, and finally, original FORD, which now sought predominantly to reconstitute its base among the Luhya.

At the core of all these considerations was control of state power. The two Kikuyu factions needed the state to recapture old areas of accumulation, and the Odinga faction needed to redress the imbalances of the previous period. These considerations obviously ruled out any possibilities of a temporary alliance between the main opposition parties. The same seemed to be the case during the 1997 election.

Thus by their own political practices over the last seven years, the opposition leaders have demonstrated that they are not much different from KANU, which indeed is the main stem from which all of them have emerged. The proliferation of political parties since 1992 has nothing to do with principles or ideological differences. Rather it is motivated by political greed and personal ambitions among a group that is capable of mobilizing ethnic constituencies who have genuine grievances against a central government for their own personal political goals. It follows that the assumption that a united opposition would offer a fundamentally different alternative political force and much brighter future for democratization in Kenya requires serious reconsideration.

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## The Role of the International Financial Institutions and the Donor Community

The use of Western aid to promote democratization has been one of the main features of democratic transition in sub-Saharan Africa. Indeed, it was the intervention of Western governments and donor agencies in November 1991 that finally persuaded President Moi to concede political space. A number of scholars have questioned the motives of the international financial institutions (IFIs) and donor community and the simultaneous application of seemingly contradictory structural adjustment programs and political conditionalities to promote democracy. For example, it has been argued that structural adjustment programs have a tendency to undermine sovereignty and create authoritarian regimes which are increasingly compelled to implement an antidemocratic set of socio-economic reforms. Barya, for instance, argues that the new political conditionalities have nothing to do with the Western countries' commitment to encouraging democracy; instead, he sees it as an attempt by the most powerful countries to create a new legitimacy for the grossly unequal distribution of power and resources in the international capitalist system in the post-Cold War order.<sup>19</sup>

The Kenyan experience would seem to confirm some of these doubts and skepticism. The stance taken by the IFIs and donor community with respect to the transition process in Kenya has been hypocritical, contained double standards, and quite blatantly impeded the chances of democratization. Indeed, following the 1997 Kenyan election we cannot now say with any certainty what the West and its agencies mean by democracy, good governance, and transparency. For the IFIs and bilateral donors quickly reestablished business-as-usual relations with the Moi regime after the 1992 election. That was notwithstanding the facts that the election was visibly flawed, that the newly elected government was largely unaccountable, that the human rights record had hardly improved, and all at a time when state-instigated ethnic cleansing had clearly been unleashed on Kikuyu residents in the Rift Valley province. Donor agencies and their respective governments appeared to exhibit more concern about the pace of macro-economic reform, economic liberalization, and accountability to the IFIs than democratic political progress. Throughout the past five years, the regime has been able to get away with all kinds of political abuses, including fresh outbursts of ethnic cleansing as long as it kept its macroeconomic reforms on track. The result is that the Kenyan economy is probably one of the most liberalized in sub-Saharan Africa, unfortunately with little corresponding political liberalization.

Of course, the donors did intervene in the runup to the general election in August 1997, once the political mobilization which started with the Limuru Convention had culminated in yet another Saba Saba and as the crowd once again briefly reentered the political ring. Radical opposition members and their allies in the National Convention Executive Council seemed capable of capturing the political initiative, threatening to make Kenya ungovernable and create political instability. And as happened once before, President Moi was pressured to concede reform; and just as on the previous occasion, the reforms were modest in practice but served to legitimate the electoral process in the eyes of the world. Only a few days after his electoral victory, Moi returned to a theme that has consistently struck a favorable chord with the donor community. Addressing businessmen at the Nairobi Stock Exchange, he said, "I want to assure Kenyans and investor [*sic*], both local and foreign, that the government places economic growth high on its agenda . . . the stability of macro-economic environment . . . would be assured as

a prerequisite for attracting, investment.”<sup>20</sup> A week later the London Club of foreign creditors agreed to reschedule the external debt arrears that had soared to U.S. \$560 million. That same week the International Monetary Fund (IMF) mission was in town and expressed optimism about the country’s future. The IMF director for Africa Department, Gadwall Gondwe, is quoted as having said that the fund was “keen on ensuring” that Kenya returns swiftly to economic stability. The country, he asserted, had broadly met the conditions on good governance and anticorruption.

Around the same time a European Union delegation in Nairobi issued a statement saying that the threat to suspend aid to Kenya was now lifted; it was quoted as saying, “The two sides had agreed on a new measure under which the funds would be disbursed . . . long-standing cooperation between the two sides would continue, notwithstanding the shortcomings of a general election which the EU described as a step further toward Kenya’s full democratization.”<sup>21</sup> And the Japanese government offered to Moi’s government a grant of KShs 188 million to be spent on the health sector. The Japanese ambassador, Dr. Shinsuke Horiuchi, is reported to have said that “his government was happy to note Kenya’s commitment to addressing various governance issues such as greater transparency, better management of public expenditures, and combating corruption.”<sup>22</sup> This in the aftermath of one of the most flawed electoral processes that the country has witnessed since it attained political independence thirty-six years ago.

So another controversial election, another round of ethnic cleansing. But as far as the donor community and the IFIs are concerned, it is business as usual. The transition process, they argue, constitutes a step in the right direction. In the light of this evidence Barya’s contention that the new political conditionalities have nothing to do with a commitment by Western countries to encouraging democracy is not so very far-fetched after all.

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The Kenyan experience raises several interesting and interrelated questions for the democratization process. The first of these concerns the enduring ethnic pluralism. A political process that can exclude up to 65 percent of the electorate from the political center stage does not bode well for either democracy or long-term political stability. Ultimately it can only survive by way of some form of authoritarianism, more so in the context of Kenya, where among the people who are excluded are substantial ethnic groups who perceive that they are so excluded precisely because of their ethnic identity. The danger of a debilitating ethnic war is one very possible outcome of this type of dispensation.

Second, it is an established view in much of the political science literature on post-colonial Africa that the “first-past-the-post” electoral system, inherited from Britain’s Westminster parliamentary model of independence, seems to be unsuited to political economies of the Kenyan type. In societies whose political power is hotly contested along lines of ethnic cleavages, an electoral system that allows the winner by a minority vote to take all is simply a recipe for disaster. The winning party is tempted to resort to undemocratic means to protect its gains and try to legitimate its political control. The Kenyan situation has not exploded yet, but recent developments certainly are pushing in that direction, unless of course a workable power-sharing formula can be found.

To this extent, therefore, it can be argued that one of the more positive outcomes of the last two electoral exercises is a clear message to opposition parties that no single



ethnic group can win on its own. KANU's victory has been possible precisely because of astute deployment of state patronage to cobble together a minority alliance that, rightly or wrongly, fears the perceived domination of the majority ethnic groups. The need for a more inclusive political system cannot be overemphasized. Perhaps the time has come for a more serious consideration to be given to the merits of democratic federalism. Unfortunately, in much of sub-Saharan Africa attempts to introduce constitutional reforms to accommodate ethnic diversity have not yet been particularly successful precisely because political autonomy has often been manipulated to pursue sectarian interests.

A third and equally important question relates to the overall character of the political system in Kenya today. After two multiparty elections, can we genuinely say that something fundamental has changed in Kenya? It could be argued that the Moi regime has very much succeeded in narrowing the political space which was pried open with the reforms of 1990. Political repression has not abated: yes, detention without trial has been brought to an end, but as a local lawyer and activist put it, political activism has increasingly been criminalized. In the meantime, the judicial system has remained under the tight control of the ruling elite, and any legal action against the government or its protected officials seems bound to fail. Meanwhile, corruption has reached unprecedented levels, and the police and other security apparatuses of the state have almost been transformed into the armed thugs of the ruling party. All of which is certainly a far cry from what the donor community appears to perceive as a transitional step toward Kenya's full democratization. ❀

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## Notes

1. BBC, cited in *Africa Events*, September 1992.
2. *Daily Nation*, July 8, 1997.
3. *Ibid.*, July 14, 1997.
4. Africa Watch Committee, *Kenya: Taking Liberties* (London and New York: Africa Watch, 1997), 61–82.
5. Cited in *Economic Review* (Nairobi), December 14–21, 1997.
6. National Convention Executive Committee, *Statement by the NCEC on the Report of the Subcommittee of the IPPG on Constitutional, Legal, and Administrative Reforms* (Nairobi, 1997).
7. *Daily Nation*, December 16, 1997.
8. *Ibid.*, December 14, 1997.
9. See, for example, D. Throup and C. Hornby, *Multi-Party Politics in Kenya* (Oxford and London: James Currey, and Athens: Ohio University Press, 1998), Figure 1.1.
10. R. Ajulu and R. Fox, "The Transition to Multipartyism in Kenya: The December 1992 Presidential, Parliamentary, and Municipal Elections," Working Paper No. 3, Centre for Democratization Studies, University of Leeds, England, 1995.
11. R. Ajulu, "Transition Politics in Kenya: Preliminary Comments on the Forthcoming Elections," Departmental Seminar paper, Department of Political Studies, Rhodes University.
12. A. Leftwich, "Governance, the State, and the Politics of Development," *Development and Change* 25, no. 2 (1994): 363–368.
13. R. Bates, *Beyond the Miracle of the Market: The Political Economy of Agrarian Development in Kenya* (Cambridge and New York: Cambridge University Press, 1989).

14. For example, *ibid.*; J. D. Barkan, "Kenya: Lessons from a Flawed Election," *Journal of Democracy* 4, no. 3 (1993): 85–99.
15. See M. Cowen, "Commodity Production in Kenya's Central Province," in J. Heyer, P. Roberts, and G. Williams, eds., *Rural Development in Tropical Africa* (London: Macmillan and New York: St. Martin's Press, 1981); N. Swainson, *The Development of Corporate Capitalism in Kenya* (London: Heinemann and Berkeley: University of California Press, 1980); R. Kaplinsky, "Capital Accumulation in the Periphery – The Kenyan Case Re-examined," *Review of African Political Economy*, no. 17 (1980): 83–105.
16. M. Ngunyi, "Interpreting Political Liberalism in Kenya" (Copenhagen: Scandinavian Institute of African Studies and Centre for Development of Research, 1993).
17. Bates, *Beyond the Miracle of the Market*.
18. Africa Watch Committee, *Kenya*.
19. J. J. Barya, "The New Political Conditionalities of Aid: An Independent View from Africa," *IDS Bulletin* 21, no. 1 (1993): 16–23.
20. Moi, quoted in *Daily Nation*, January 16, 1998.
21. *Ibid.*
22. *Ibid.*

