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THE EXTERNAL SOURCES OF KENYA'S DEMOCRATIZATION PROCESS

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Introduction

Despite growing popular support for political reform in Kenya, domestic opposition could not by itself secure regime change. Ultimately, it was international pressure that forced the government's domestic decision to legalize opposition.¹

Daniel Arap Moi never hid his dislike of multi-party elections. The one held on December 29th (1992) was forced on him by foreign critics.²

The above two conclusions underline the key role of the external factor in Kenya's political change process whose turning point was the first multi-party elections in twenty-six years on December 29, 1992. The deep involvement of the international community in the process leading to legalization of opposition parties, release of political prisoners, and eventually the holding of the elections cannot be overemphasized. However, this assertion does not deny the equally important role played by domestic democratic forces. Like elsewhere in Africa, external events and factors tended to reinforce existing trends and the whole process of change was undeniably the result of an interrelation of domestic and international pressures.³ External factors emboldened and catalyzed the national democracy movement which had been home-grown rather than foreign-imposed.⁴

In Kenya, external pressure played a more decisive role because domestic democratic forces were internally weak and vulnerable to the state which had entrenched itself in a despotic manner. The domestic democratic movement lacked adequate resources of all kinds. Some of its
leaders had been detained, coopted into the system, or coerced into silence by the all-powerful state machinery. Some, especially the intellectual voices, had gone into exile abroad after being threatened with arrest and detention. In addition to the leadership deficit, the movement was denied any communication and information network. Social groups that usually act as networking mechanisms for democratic movements like student unions and grassroots associations were absent as the state had consistently suppressed any organization which threatened its hegemony. The state had used its extensive repressive legal machinery to thwart freedom of association. Most of all, the domestic forces lacked financial resources making it difficult to mobilize people.

The weakness and helplessness of the democratic movement left external forces as the only match for the one-party regime. These forces included international financial institutions, especially the World Bank and the International Monetary Fund (IMF), and other donor agencies on which Kenya had become increasingly dependent since independence, and other countries in the West (particularly the United States, Germany, Britain, and the Nordic countries) of which Kenya had become a political, military and economic client. The changing realities in the international system in the aftermath of the Cold War also opened many windows of opportunity for international action on the democratization of Kenya.

This article examines the extent and manner in which external actors and factors influenced Kenya’s domestic political change process. It covers primarily the period leading to and immediately after the December 29, 1992 elections although it concludes with a reflection on subsequent events, particularly the second multi-party elections held on December 29, 1997.

The Political and Economic Crisis in Post-Colonial Kenya: The Basis for Change

From independence in 1963 until recently, Kenya was regarded as a political and economic success story in a continent largely bedeviled by political instability and economic decline. Kenya’s image as one of the few successful democracies in Africa was reinforced by the apparent political stability and the high economic growth rates in the 1960s and
early 1970s.\(^5\) Compared to its neighbors — Somalia, Ethiopia, Uganda and Tanzania — which were embroiled in political turmoil (especially the first three) and economic stagnation, Kenya’s record was indeed distinct. However, subsequent events reveal that this was largely a distinction without real difference. The problems which later created the clamor for political change in Kenya had their roots in its entire post-colonial history.

Kenya began its independent life with a seemingly democratic structure: an elected bicameral legislature and prime minister and a multiparty system with a strong opposition. From the beginning, there was a steady erosion and subversion of democratic institutions and norms by the regime. As early as 1964, Kenya had become a one-party state, albeit \textit{de facto}, with a strong president. Multi-partyism resurfaced during the period 1966-1969 when the Kenya Peoples Union (KPU) existed as an opposition party in parliament. But in 1969, Kenya became a \textit{de facto} one-party state again when KPU was banned. Attempts to form an opposition party in 1982 prompted the government to legalize the one-party system. Kenya’s “second liberation” struggle then became a struggle against the \textit{de jure} one-party system and for the restoration of the multiparty system.

By the time Jomo Kenyatta, the first president, died in 1978, the political landscape was anything but democratic. Executive power seemed unchecked. In addition, the legal system appeared to have been overtaken by an informal system based on favoritism and nepotism.\(^6\) Parliament was muzzled. Members with dissenting views were deprived of parliamentary immunity. Some, like Martin Shikuku and the late John Seroney, were detained for their utterances in parliament. Access to resources, both political and economic, depended on the acquiescence of the “Family”, as the all-powerful clique around Kenyatta was called. The bureaucracy was tightly controlled and turned into a tool of social control. People were distanced from democratic control even further as local government lost its autonomy to central government. Any opposition was met with repression and opponents “...were either integrated into the system or dispatched by economic intimidation, threats, denunciation or, occasionally, by detention.”\(^7\) The political system had become more hierarchical, operating as a patron-client system based on a combination of favoritism and repression.

The presidency of Daniel Arap Moi, Kenyatta’s successor, continued this pattern, initiating new measures that destroyed even the few democratic practices that had survived Kenyatta’s rule. Arrests and
detentions increased, especially in the mid-1980s. The growth of civil society was stymied as student unions, the Civil Servants’ Union and the university Academic Staff Union were outlawed. Non-state groups that survived, like the Central Organization of Trade Unions and the Women’s Organization, were coopted into the system, with the latter even adding KANU to its name. Few checks were left on executive authority, especially with the removal of tenure for the Attorney General, the Controller and Auditor-General, and judges between 1986 and 1988.\(^8\) Freedom of press suffered severe setbacks as journalists were harassed and censorship strengthened. State-sanctioned tribalism was evident in job allocation. At the end of the 1980s almost all of the key positions in security and other government “gate-keeping” sectors, parastatals, civil service and the private sector were held by members of Moi’s minority group, the Kalenjin.\(^9\)

On the economic front, Kenya’s economic performance in the first two decades of independence was relatively impressive. From 1963 to 1973, the Gross Domestic Product (GDP) grew at an average of 6.5% annually and the inflation rate was less than 3%. Income per capita was relatively high and the balance of payments very favorable. Despite setbacks, especially the 1973-1974 and 1979 oil price shocks, the period up to 1980 can generally be regarded as having been economically good for Kenya. In fact, by the mid-1970s even such scholars as Colin Leys, who had dismissed Kenya’s economy as a mere “satellite” of the international capitalist economy and therefore not capable of standing on its own, revised his views and now talked of the emergence of a “home grown” bourgeoisie class with the entrepreneurial capability to steer the Kenyan economy on an independent course.\(^10\)

However, the economy started to show overt signs of long-term stress in the 1980s. The average annual GDP growth rate dropped from 6.8% (1965-1980) to 4.2% (1980-1990) with corresponding declines in agriculture from 5.0% to 3.3%, industry from 9.7% to 3.9%, and manufacturing from 10.5% to 4.9% over the same period.\(^11\) While in 1974 Kenya was importing only 15,000 metric tons of cereals, in 1990 it was importing 188,000 metric tons. Food aid in cereals rose from 2,000 metric tons in 1974/1975 to 62,000 in 1989/1990.\(^12\) The balance of trade deficit grew even worse, leaping from Kenyan pounds 273.5 million in 1985 to 1,139.9 million in 1990 with the overall balance of payment deficit standing at Kenya pounds 168.9 million in 1990.\(^13\) The public external
Kenya

debt had also more than doubled from Kenya pounds 2,723.9 million in 1985 to 73,330.4 million in 1991. By 1992, Kenya was ranked the 24th poorest country in the world.

Such was the political and economic situation in Kenya by the end of the 1980s when the struggle for change gained momentum, thanks to external factors. However, it needs to be emphasized that the political and economic crisis had been building up since independence in 1963. But the relatively favorable economic situation in the 1960s and a fair part of the 1970s and the careful political calculations by the regime even as it muzzled democratic practices kept agitation for change limited. The movement for democracy started gaining attention in the beginning of the 1980s, especially with the unsuccessful attempt by two government critics, Mr. George Anyona and the late Oginga Odinga, to form an opposition party in 1982. After the government placed restrictions on the activities of Odinga and other few government critics, university students and a few radical faculty continued the democracy crusade through publication and dissemination of literature critical of the regime. In the mid-1980s an underground movement, MWAKENYA, emerged. Although the movement was primarily associated with radical university lecturers and students, it succeeded in recruiting a few people mainly of peasant and working class origins. By 1987, however, the government had managed to crack down heavily on its suspected leadership and membership, some of whom were detained without trial or sentenced to lengthy prison terms by a judicial process unduly compromised by state patronage and control.

Nevertheless, pressure for change continued to be exerted locally by the church and abroad by critics who had gone into exile, especially in the Nordic countries and the United States. By and large, however, the democracy movement was not strong enough to force change and the government always responded very harshly to any overt attempt to organize dissent. In 1989, with the developments in Eastern Europe where the one-party system was being successfully challenged and with the increasing association of African countries’ poor economic performance with poor governance and lack of democracy, local critics stepped up their agitation for change, now demanding a multi-party system. The Moi regime attempted to reform the system while at the same time repressing dissent. For instance, in July, 1990, security forces descended on a large number of Nairobi residents who had turned up at
a rally called by multi-party proponents but which had been declared illegal by the government. In the same year, Odinga unsuccessfully attempted to register an opposition party. In 1991, in defiance of government, Odinga and other government critics formed a pressure group, the Forum for the Restoration of Democracy (FORD), to organize the fight for change, and it was largely as the result of the activities of this group that the Moi regime succumbed and changed the constitution to allow for a multiparty system in December, 1991 and to arrange for the December 29 multi-party elections. Nevertheless, the success of the local democratic movement would not have been possible at that time without external pressure. Before examining the extent and nature of the influence of external forces, it is necessary to consider Kenya's place in the international system.

Kenya in the International System

After independence, Kenya occupied what could be termed a privileged position in East and Central Africa, if not in the whole of sub-Saharan Africa. In the 1960s and 1970s, Western scholars boosted this position by portraying Kenya as one of the few successful stories in Africa economically and politically. To the West, Kenya's choice of capitalism made it a guardian of western values in the continent. Few third world countries were so thoroughly incorporated into the international capitalist framework.

As a result, Kenya attracted foreign (western) investors, organizations and international attention. Some 350 multinational companies in Africa are based in Nairobi, Kenya's capital, which has also become an international conference center. Indeed, Kenya remains the only Third World country hosting the headquarters of a United Nations agency, the United Nations Environmental Program (UNEP). In addition, 15 other UN bodies use Nairobi as their regional center. Multilateral donor agencies also use Nairobi as their base for regional operations.

Kenya therefore was in the international spotlight. Indeed, the publicity political developments in Kenya received was in part a result of its special position in the region. Nairobi has been the operational base for international media. It was estimated that 154 international journalists were based in Nairobi at the onset of the current change process.
Kenya’s special position was especially strengthened by the East-West rivalry that characterized the Cold War world. Proximity to the horn of Africa, the Middle East and the Indian Ocean, all vital theaters of the Cold War, gave Kenya a high geostrategic value. Having adopted a pro-Western stance, Kenya was a valuable ally to the West since it was a "possible launching site for a deployment force in the event of an incursion into the Persian Gulf by the Soviet Union or others."

Kenya’s special relationship with the West was exemplified by a pact Kenya signed with the United States in 1981 making Kenya’s air bases available for the refueling of U.S. military aircraft and its deep-water harbor at Mombasa available to the U.S. Navy’s Indian Ocean fleet. Moreover, the West also considered Kenya an ally in the fight against the spread of communism in East Africa. At one time or the other, Kenya’s neighbors, especially Tanzania, Somalia and Ethiopia, were considered pro-Soviet and socialist in ideological orientation. In fact, because of the interest the West had in Kenya and Kenya’s role as a bulwark against communism, Kenya was viewed by her neighbors as a “sub-imperial” state promoting the interests of imperialist powers.

The West was generous with economic and military aid. In fact, for a long time, Kenya was a favored African recipient of multilateral and bilateral assistance. Because of the overriding importance of the Cold War as a determinant of Western, especially American and British, relations with Kenya, this assistance was given with little or no concern as to whether it was being put to good use. Western donors also ignored “internal” issues such as repression and abuse of human rights, to some extent facilitated by western aid. So long as the country remained stable with no overt threat to its political system, the West was not concerned about the style of governance within Kenya.

Kenya’s foreign policy after independence was shaped by the country’s relationship with the West and the dependent capitalist development approach. Hence, Kenya’s most important external links and relationships had been with the countries in the West, especially Great Britain and the United States. Expressed in Cold War terms, Kenya’s external behavior was pro-capitalist West and anti-communist East in virtually all aspects of international interaction. For instance, in the area of trade, in 1989, total exports to the European Economic Community (EEC) countries were valued at Kenya Pounds 447.41 million compared to those to eastern Europe whose value was a paltry Kenya Pounds 25.57.
Phillip O. Nying'uro

million. Kenya’s foreign aid and investment came mainly from western Europe and North America. Indeed, Britain, the U.S., West Germany, Japan, Italy, and France had the largest private capital in the country by the end of the 1980s. In total, 80% of Kenya’s imports came from western sources.

These economic, diplomatic and military relations with the West created a patron-client relationship with the foreign countries calling the shots. This, in part, explains why these countries, especially the U.S., Germany and Britain, found it easy to involve themselves in the clamor for political change in the country. Habits of reward for a pro-western stance during the Cold War became habits of punishment for failing to reform when the Cold War ended. Kenya became the first state in the region to face the wrath of the donor community when aid was suspended in November, 1991.

The Global and Continental Contexts of Political Change in Kenya

In addition to non-African sources of political change in African countries, important forces in the African continent played a key role as well. Demonstration effects in a particular country on its neighbors cannot be denied. The process of political liberalization has generally followed a standard course in most countries in Africa. Cognizance should also be taken of the fact that the timing of the process, particularly its beginning, appears to have been similar. The democratization process in Kenya coincided with what is now called Africa’s “second wind of change.” The first one was, of course, that which swept across the continent in the late 1950s and early 1960s, ushering in independence in former colonies. The second “wind” aimed at liberating Africans from dictatorial self-rule. Generally speaking, the movement for the second liberation in Africa had as its major objective the dismantling of the one-party, military and other forms of dictatorship and misrule that characterized much of post-colonial Africa.

The movement for the second liberation of Africa, like the first, was helped to its feet by dramatic global changes. In particular, the end of the Cold War and the demise of one-party communist regimes in Eastern
Europe influenced political developments in Africa in ways that favored the growth of democratic movements. First, the “people’s revolutions” that swept eastern Europe in 1989 and thereafter, leading to the fall of one-party and communist regimes in many countries, including the Soviet Union, undermined the legitimacy of communist-leaning and one-party regimes in Africa. Countries like Angola, Benin, Mozambique and Ethiopia which were adherents of the Marxist-Leninist economic ideology had to re-examine themselves. Even those countries which were not communist but had adopted a state interventionist approach came under pressure to delink the state from major economic sectors.

Second, most of the states in eastern Europe were one-party dictatorships like the majority of African states, Kenya included. The revolutions in eastern Europe had exposed the barrenness of the one-party system. In Africa, it became clear that tribalism, civil wars, corruption, mismanagement of economies and poverty were, to a large extent, results of one-party dictatorships. In particular, the tide against one-party regimes showed the single party propaganda as “a smoke screen under which the party and its leaders can enrich themselves, smuggle money overseas and buy foreign property, while pretending that their way is the only way forward.” Even Julius Nyerere, Tanzania’s ex-President, one of the early ardent defenders and architects of the system, admitted that the “one-party state institutionalizes corruption.” Pluralism, defined in terms of multi-partyism, was considered a better system. The clamor for pluralism became a continental chorus and some states like Zimbabwe dropped advanced plans to introduce one-party rule while others put in motion processes towards multi-party elections. Indeed, the struggle in Kenya began with a direct challenge to section 2 (a) of the constitution, which had legalized the one-party system.

Third, the events in eastern Europe had a demonstration effect on Africans to the extent that they demonstrated that popular dissent and uprising could bring down dictatorships, however strong they might be. By constantly drawing analogies between the situation on the continent and that in eastern Europe, Africa’s opposition forces urged their followers to be prepared to sacrifice and to be courageous like their counterparts in places like Romania and the Soviet Union.

The end of the Cold War also intensified the struggle for a second liberation in Africa. Africa’s dictatorial regimes began tumbling down between 1989 and 1991, the same period that witnessed the final
stages of the Cold War. It meant an end to protection for client regimes by Cold War patrons. During the Cold War, the protagonists in the West and the East gave unconditional economic and military aid to regimes they considered valuable allies regardless of the character of the regime. As Haynes observes, "...until the late 1980s the effects of the continuing Cold War meant that heads of a number of "conservative" states would be assured of a warm welcome in the West, virtually regardless of the inadequacies of their domestic policies, by interminably restating their antipathy to communism." 26 By the same token, leaders of the so-called "progressive" (Marxist-communist) states were welcomed in Moscow, East Berlin and Prague, their domestic policies notwithstanding.

With the end of the Cold War, however, aid was increasingly tied to human rights and the democratic record of recipients. On the one hand, staunch communist-leaning regimes in places like Ethiopia, Mozambique, Angola and Benin lost their "protector" and were now exposed to the influence of the U.S. and the capitalist bloc. On the other hand, staunch pro-western regimes like Cote d'Ivoire, Kenya and Zaire lost the Cold War card they played to secure aid and support from the West. The opportunity to play one superpower against the other and deflect attention from internal matters was now gone.

Africa's dictatorial regimes, whether previously pro-West or pro-East, had now to seek support domestically. Given the ethos of pluralism of the remaining superpower, the U.S., this meant holding elections and recognizing multiple parties. This development emboldened national democratic forces which increasingly received support from the West. As Naomi Chazan observed, "...in this changed environment, the United States and its European allies have been less prone to intervene on behalf of certain repressive or authoritarian regimes that they had supported in the past." 27

Africa's second wind of change also contained currents generated from within the continent. African scholars, leaders and organizations had, in various continental and regional fora, recognized and emphasized the need for democratization. As early as 1985, the Organization of African Unity (OAU) summit had admitted that Africa's development crisis was partly the result of bad policy making. Then in 1987, an international conference on Africa organized by African leaders in Abuja, Nigeria, produced the influential Abuja Document which emphasized the need for "decision making processes and leadership
structures that would widen the base for decision making and encourage popular debate over basic national development policies and their implementation.” It also stressed “new political perspectives that emphasize the democratization of the African society and increased accountability of those entrusted with responsibility.” The significance of the Abuja Statement lies in the fact that in an unprecedented move, African leaders were accepting that African societies needed to democratize, *inter alia* admitting that they had not been democratic.

The Abuja Statement was followed closely by the Khartoum Declaration on the Human Dimension of Africa’s Economic Recovery and Development, an outcome of a meeting of Africa’s economic ministers in Khartoum in March, 1988. The declaration recognized that “lack of basic rights, individual freedom and democratic participation by the majority of the population was to blame for Africa’s economic crisis and that “pervasive lack of democracy also makes mobilization and effective accountability difficult.” The resolutions of this meeting, like the Abuja Statement, exemplified official admission of past mistakes in governance and reflected the submission by African leaders to the wind of change (or clamor for democracy) sweeping across the continent.

The impact of the second wind of change intensified in both the 26th and 27th OAU summits in Addis Ababa (July, 1990) and Abuja (June, 1991) respectively. At both summits, the heads of state reiterated their admission that there was need for political change. The former summit even adopted the “African Charter for Popular Participation in Development and Transformation” which was the result of an “International Conference on People’s Participation” sponsored by the Economic Commission for Africa (ECA) of the United Nations. The conference, which had been attended by about 500 representatives of African grassroots organizations, governments, UN agencies and non-governmental organizations, blamed Africa’s economic crisis on the absence of full democratic rights" and called for the "opening up of political processes to accommodate freedom of opinion and tolerate differences.”

The Africa Leadership Forum, formed in 1990 by influential African leaders including Nigeria’s ex-president Olesegun Obasanjo and the Executive Secretary of the ECA, Adebayo Adedeji, was yet another continental organization whose activities influenced the democratic movement in Africa. In particular, its “Conference on Security, Stability,
Phillip O. Nying'uro

Development and Co-operation” held in Kampala, Uganda, in May, 1991, was a shot in the arm for democratic forces on the continent. The meeting, which brought together leaders from both the public and private sectors and was attended by leaders like Yoweri Museveni (Uganda’s President), Kenneth Kaunda (Zambia’s ex-President), Julius Nyerere (Tanzania’s ex-President), Obasanjo and Adedeji, produced the “Kampala Document” urging African leaders to accept pluralism as a reality and to abandon one-party and military dictatorships.

Changes in South Africa, initiated by the de Klerk government’s release of Nelson Mandela from prison in 1990, added some impetus for the democratic forces on the continent. The anti-apartheid struggle was seen as a catalyst for the contemporary democratic movement in Africa in the sense that it had been a struggle against oppression, violation of human rights and individual freedom, socio-economic inequalities and political dictatorship. As some African heads of state castigated the South African regime, their own moral bankruptcy was exposed and their positions became increasingly tenuous because they indulged in similar practices. Indeed, in Kenya, critics of the regime often likened political repression in the country to that in South Africa. When de Klerk began to remove repressive laws and set in motion processes that would lead to full democracy (apartheid was abolished in 1990 and South Africa held democratic elections in 1994), African opposition groups had even more convincing reasons to demand democratic reforms from their governments.

The impact of the continental second wind of change on the democratization process in Kenya can neither be overemphasized, nor should it be exaggerated. As part of Africa, Kenya could not escape the effects of the powerful movement for pluralism and democracy that had engulfed the continent by the close of the 1980s. Developments within the continent affected Kenya both by way of catalyst and demonstration effect. As one-party dictatorships tumbled elsewhere, Kenya’s opposition movement got the impetus to fight on. As opposition groups in other countries, notably Benin (multi-party elections replacing Karekou’s dictatorship in 1989), Zambia (multi-party elections replacing Kaunda in 1989), and Niger (the National Convention forcing a power-sharing system between parliament and the executive), scored gains against regimes, Kenyan opposition forces also crystallized and struggled in the belief that pluralism and multipartyism were inevitable. The formation of
the unregistered National Democratic Party (NDP) in 1990 by Odinga and the FORD pressure group was, in part, stimulated by events elsewhere in Africa.

Against this background of world events and internal pressures, specific countries and international organizations played specific roles. Among the countries that played an active role was the U.S. Other western European countries also played a role but more as a concert group of donors. The World Bank and the International Monetary Fund (IMF) influenced political changes through their policies and withdrawal of aid. The culmination of these forces led to pressure on the Moi regime to accept and initiate political changes demanded by democratic forces.

The U.S. and Political Change in Kenya

The U.S. was one of the major external actors in the political change process. In applying pressure on the Moi regime, the U.S. acted both unilaterally and in concert with other members of the international community, especially its closest allies. The role of the U.S. took a particular character, in view of its hegemonic position as the only superpower in the post-Cold War environment. The manner and extent of its involvement was largely dictated by this global position.

U.S. involvement in Kenya’s democratization process was shaped by a shift in overall U.S. policy towards Africa beginning in 1989/1990, a shift occasioned by a host of factors: the end of the Cold War leading to disengagement from Angola and Mozambique, the release of Nelson Mandela and the beginning of the end of apartheid in South Africa, the realization by the U.S. that economic difficulties in sub-Saharan Africa were attributable to issues related to governance, and the questioning by American tax payers of appropriating resources to aid corrupt African regimes. As a result, the Bush administration decided that America would no longer tolerate dictatorships or mismanagement of its funds abroad.

The devaluation of Kenya’s geostrategic importance was the most significant variable that dictated the manner, timing and extent of U.S. involvement in Kenya’s domestic affairs. Indeed, the change in U.S. policy began to affect Kenya in earnest only after the U.S. was sure that the Cold War was completely dead and buried. As late as 1989, when the
Cold War had thawed, the U.S. Deputy Assistant Secretary of State, Allison Rosenberg, was still testifying against congressional cuts in assistance to Kenya, Somalia and Zaire, warning that these were friendly governments useful as anti-communist allies. Yet barely two years later when the Soviet Union and the communist empire in eastern Europe had virtually collapsed, these same governments became casualties of a “new” policy tying aid to the “human rights” records of recipients.

The United States Senate, in particular, exhibited hostility towards the Kenya government. It was seen as undemocratic but reluctant to join other African countries in initiating reforms. In 1990, senator Edward Kennedy successfully argued for a US$ 410 million cut in U.S. aid to Kenya citing human rights violations. In November, 1991, when Kenya was due to meet the Paris (donors) Club to discuss disbursement of aid, Paul Simon, chairman of the Senate Africa sub-committee, emphasized: “we ought to cut off all aid (to Kenya).” Expressing fear of an “onrush of political instability and economic decline,” Senator Nancy Kassemboam teamed up with Simon to introduce legislation to abolish military aid and further cut development assistance. The latter had, in any case, plummeted from US$ 55 million in 1989 to US$ 26 million in 1991. The Senate, a very influential actor in the official relations between the U.S. and foreign governments, was thus underscoring the fact that it would no longer sanction official aid to Kenya unless the latter initiated the necessary democratic reforms. In 1991, some congressmen visited Kenya to impress upon President Moi the need to read the signs of the times. One such delegation, led by Senator Charles Robb, told Moi personally that human rights violations in Kenya were a matter of grave concern in the US. The senators thus influenced Kenya’s democratization process by personally exerting pressure on President Moi, by influencing official US aid cuts, and by organizing delegations to Kenya. The campaign against the Moi regime in the United States may have influenced international opinion, especially among U.S. allies as well as the World Bank and IMF, who followed the U.S. lead in cutting aid to Kenya.

If the legislature was quick to sound warnings to Moi by cutting aid, the executive initially dragged its feet. By 1989, it was clear that U.S. policy toward Africa was changing but it took some time before the new policy was translated into action. Despite the Bush administration’s freezing US$413 million out of the total of US$446 million in aid
authorized for 1990, the administration’s plan in dealing with the Kenyan regime was still unclear. This is indicated by the zeal with which Rosenberg had testified against freeing aid to Kenya: “Should we be unable to sustain necessary assistance levels, we risk the collapse or delay of economic reforms, injury to friendly governments, and acrimonious charges of breach of faith.”

Initially, there also seemed to be a failure of communication between the U.S. embassy in Nairobi and Washington. Ambassador Smith Hempstone consistently and publicly sent out the message that the Moi regime was unworthy of US support unless it carried out substantive political and economic reforms. He publicly called for multi-party elections and expressed support for the growing opposition movement in the country. It was also Hempstone who, at a function at the Nairobi Rotary Club in May 1990, declared that from then on, the U.S. would provide aid only to countries that “nourish democratic institutions, defend human rights and practice multi-party politics.”

Later, to the chagrin of the Kenya government, he hosted several government critics at his residence on July 4, 1990 to commemorate U.S. independence day.

As late as August 1990, Assistant Secretary of State Cohen had to fly to Nairobi “to calm the waters” after the Kenya government launched a rhetorical assault on the U.S. ambassador for publicly supporting the opposition. Indeed, Cohen declined to have audiences with human rights activists and relatives of political detainees and avoided negative comments on the Kenya government. Cohen’s visit was evidence of the lack of the U.S. administration’s resolve on Kenya. For the Kenyan domestic opposition, it was a retrogressive step. Africa Watch, a human rights monitor group, argued, "it (Cohen’s visit) strengthened President Moi’s hand at a time of mounting pressure for Kenya to democratize and helped to facilitate the serious deterioration of respect for human rights that followed.”

Cohen’s visit, coming only a month after the Kenyan government had detained two prominent multi-party activists, Kenneth Matiba and Charles Rubia, and violently broken a pro-democracy rally in Nairobi leaving dozens of people dead, left a contradictory impression of U.S. policy.

By 1991 when it became clear that the Cold War threat was ended, the U.S. administration came out strongly in support of pro-democracy groups in Kenya and elsewhere, including Zaire. During the next two years, the administration exerted unprecedented pressure on Moi
aid by the Kenya government officials was quite influential in hardening Congress, the U.S. administration and other donor agencies against Kenya, eventually leading to the freeze in aid by the Paris Club in November 1991.

As Hempstone was active on the diplomatic front, USAID, through its Democracy and Governance Assistance Program, was involved in practical policy implementation. Through its initiative, an informal “donor democracy” group was formed in Nairobi. This group met once a week and consisted of representatives from the embassies of the U.S., Canada, Japan, Britain, Sweden, Denmark, Austria, Finland, Germany, Switzerland, and The Netherlands. The group, chaired by the Canadians, was influential by exerting pressure on their governments at home to enforce donor conditionalities. It thus played a significant role in influencing international donor opinion against Kenya.

USAID also provided material assistance to the democratization process. For instance, it gave out a total of US$200,000 to the Kenya chapter of the International Commission of Jurists to support their democracy-related activities such as seminars. It also gave out financial assistance to local election monitoring groups and other non-governmental organizations involved in civic and voter education.

Back in Washington, the administration maintained diplomatic pressure on the Kenyan government to insure that the elections scheduled for December 29, 1992 would be free and fair. Testifying before the House Africa sub-committee on June 23, 1992, Cohen cited several obstacles to free and fair elections: harassment of opposition party leaders, irregularities in voter registration, gagging of the press and ethnic violence in Western Kenya.46 “The U.S. policy toward Kenya,” he added, “is to urge it to follow the path to a fully democratic and open society, the key to this is free and fair elections.”47 In a clear attempt to pressurize the Moi regime to remove the obstacles, Cohen stated categorically that progress toward political reform in Kenya was still “too modest and the setbacks too profound” to warrant releasing the US$ 28 million withheld by the U.S. following the Paris Club meeting the previous year.

However, in the period immediately before the elections, the U.S. appeared to relax its pressure. This could be explained by U.S. involvement in the crisis in neighboring Somalia. The U.S. needed the Moi government’s cooperation to airlift relief supplies to refugee centers both in northern Kenya and Somalia itself. Kenya’s cooperation would
Phillip O. Nying’uro
to accept multi-party elections, release political prisoners, restore freedom of speech and press, and to liberalize the economy. Human rights and legal groups in Kenya received substantial assistance from the U.S., especially through USAID’s Democracy and Governance Program based in Nairobi. Hempstone became even more vocal in his attacks against the government. In March 1991, he demanded the immediate release of all political prisoners and went so far as to ask the Attorney General to furnish him with the details about family visits to three detainees (Rubia, Matiba and Raila Odinga) after complaints that the three had been denied visits by relatives. Although the Attorney General complied, government officials, including the foreign minister, called for Hempstone’s recall. One member of parliament remarked, “the moment we do that (comply with Hempstone’s demands) we cease to be a sovereign state.”

Hempstone’s highly publicized interest in the detainees’ plight demonstrated his style of diplomacy which was in sharp contrast with that of some of his counterparts in Nairobi, especially that of the British High Commissioner. Adopting a plain speaking style and a pro-active public diplomacy, the ambassador launched such a concerted and spirited crusade against the Moi regime that the foreign minister, Mr. Ndolo Ayah, called him a racist, saying he had the attitude of a slave owner after Hempstone protested over the crackdown on a pro-multi-party rally in Nairobi on November 16, 1991. In a show of support and to demonstrate that the ambassador was only passing the U.S. administration’s message to Kenya, President Bush himself reiterated his full confidence in Hempstone and in his ability to carry out U.S. policy towards Kenya.

For the opposition, Hempstone was a providential gift whose spirited attacks on the regime had paid dividends, especially in the form of the release of political detainees. He had earlier demonstrated his sympathies with the opposition when he gave refuge to Paul Muite and Kamau Kuria, opposition activists, while being pursued by government security personnel. The latter fled to the U.S. with the assistance of the embassy.

Whether Hempstone was “undiplomatic” or not, his role in the process that led to the legalization of the multi-party system, the release of political prisoners and the general opening of Kenya’s political space cannot be denied. He rallied foreign embassies to support the anti-government crusade. In particular, his “get-rich-now” cable to his home government in which he detailed corrupt practices and misuse of donor
not be forthcoming in an atmosphere of acrimony. In gestures of goodwill and to demonstrate that the U.S. was not against Kenya as such, the Bush administration committed some US$ 700,000 in “Disaster Assistance Funds” to move food by air and road to drought stricken areas of northern Kenya, in addition to the 6,000 metric ton of food worth over US$ 3.4 million donated in mid-1992.

US pressure on the Moi regime also relaxed considerably after the elections which saw Moi returned to power. To opposition charges that Moi had rigged himself back to power, Hempstone responded that the elections had been largely free and fair, reminding the opposition leaders that if anything, disunity in the opposition had given Moi room for manoeuvring back to power. The U.S. government also agreed to release some US$ 3 million in military aid. However, the U.S. continued to apply pressure on the government to undertake economic reforms within the Structural Adjustment Programs (SAPs) framework and played a key role in persuading Kenya to resume SAP implementation when it suspended them in March 1993.

**The Role of Britain**

If the role of the U.S. was important in Kenya’s change process because of its sole superpower status, that of Britain was special and significant because of colonial legacy. British interests in Kenya were more entrenched and larger. Britain remained Kenya’s largest trading partner, major long-term source of foreign aid and the main supplier of military arms. For instance, in military aid, cumulative arms delivery to Kenya in the period 1985-1989 were valued at US$ 120 million from Britain compared to US$ 30million from the US. Britain also has maintained the largest private capital investment from a foreign country in Kenya.

However, Britain’s role in the events and processes that led to the multi-party elections in Kenya and the opening of Kenya’s political space contrasted sharply with that of the U.S. and other western countries. The British role can best be described as ambivalent and ambiguous. It has been argued, for instance, that despite official proclamations in support of political and economic reform, Britain lacked a firm
commitment to the restoration of democracy in Kenya. Such critics suggest British collaboration with the Moi regime, ignoring the domestic clamor for democracy.

Critics of the British point out that when the U.S. embassy was sending home cables critical of the Moi regime and calling for pressure on the government to allow multi-partyism, the British High Commission was sending different cables to White Hall. In early 1992, the High commission sent a cable to the foreign office in London narrating the "importance and significance" of Kenya to Britain, citing the fact that British investment in Kenya was one billion British Pounds (about US$2 billion), and that Kenya provided the British with military training and oversight facilities and concluded that the Moi government had served British interests well.

While Hempstone and ambassadors from European countries like Denmark and Norway publicly called for the release of political prisoners, the British High Commission remained mum or made statements suggesting that it had no business making such requests. In 1990, the then British High Commissioner, Sir Roger Tomkyns, told a Kenyan government minister that it was not his duty to question reasons for political detentions but to "promote friendship between Kenya and Britain." Even when the High Commission broke tradition to issue a public protest after the government crackdown on the November 16, 1991 opposition rally, it could only "express concern" whereas the embassies of Germany, Denmark and the U.S. sent stronger protest notes, even threatening aid termination.

Whitehall in turn was also sending mixed signals, failing to come out with a clear position on the political situation in Kenya. In 1991, the British minister for overseas development, Lynda Chalker, after reiterating that "British development assistance would now be linked to good government," later qualified her statement by denying that this implied an aid cut to Kenya. Indeed, throughout the period leading to the multi-party elections, the British government kept a low profile relative to other western governments. Chalker spent most of her time dismissing radical approaches espoused by the British opposition and even some members of the ruling Conservative Party.

The ambiguity of the British response to the clamor for change in Kenya influenced Kenya’s democratization process in important ways. It led to intransigence on the part of the Moi government. Moi was
Phillip O. Nying’uro

assured of British support. It denied crucial support to the opposition from a country with the largest economic leverage over the Moi regime, and an ex-colonizing power at that. One journalist has summarized British behavior in the period leading to the elections as one of “a sad misuse of influence.”

Britain, of course, did play a role in pressuring the Moi regime to carry out political reforms. Britain was Kenya’s most important bilateral donor and provided crucial assistance in military, technical and economic fields. The fact that it joined other donors in cutting off quick disbursement aid during the Paris Club meeting in November 1992 was definitely a blow to the Kenya government. Earlier in the same year it refused to provide Kenya with a US$ 7 million grant to subsidize rising consumer fuel costs at the height of the Gulf crisis because of fears that the grant “would be siphoned off by the interests of Mr. Biwott (then a member of Moi’s cabinet). These two actions by the British must have surely worried the Kenya government and may have convinced Moi of the inevitability of political reform.

Besides supporting joint external donor pressure, Britain also played other important roles in the democratization process. It was an active member of the informal donor group referred to earlier. It also contributed ballot boxes for polling on election day. However, the fact that the British government only came in to supply the boxes after the Moi government had refused a similar offer by the European Commission confirmed the notion that the Moi regime trusted Britain more than other external actors.

The British also helped train Electoral Commission personnel in addition to supplying office machinery and equipment to facilitate the work of the Commission. Some non-governmental organizations involved in voter education and creation of public awareness aimed at increased political participation also benefitted from financial aid from the British High Commission.

Whatever the British contribution to the change process that culminated in the December 29 elections, their actions and role, like that of the U.S., were determined largely by what were perceived to be their national interests in Kenya at that particular time. One senior diplomat of the High Commission in Nairobi, for instance, emphasized that British interests in Kenya were so crucial that Britain would be the last country to encourage a regime that would perpetrate chaos and instability.
British have since Kenya’s independence been pre-occupied with the maintenance of a stable regime sympathetic to British interests. It could thus be argued that the British decided not to push too far for Moi’s exit because the mainstream opposition party, FORD, was dominated by radical young intellectuals with known anti-capitalist credentials who would most likely not be sympathetic to foreign, especially British, economic interests in Kenya. It is likely that Britain would be happy with a conservative, largely propertied leadership whose ideology coincided with that of British capital.

**Other Western Countries**

Apart from Britain, other European countries played a role in exerting pressure on the Moi regime. The most resolute in their influence were the Scandinavian countries, Germany and The Netherlands. Some of these were more emphatic and resolute in exerting pressure than Britain. However, unlike the U.S. and Britain, they played their role using only the leverage of economic aid.

The Scandinavians started associating with the opposition to the Moi government as early as the mid-1980s when many political “dissidents” from Kenya were granted refuge there, especially in Norway and Sweden. In fact, in September 1990, Kenya severed diplomatic relations with Norway, expelling Mr. Neils Dahl, the Norwegian ambassador. In protest, Norway withdrew its participation in several projects funded by the Norwegian Agency for Development (NORAD).

In 1991, Denmark ended its 17-year support for rural development through the Rural Development Fund (RDF) after an audit report revealed that some US$ 40 million had disappeared, allegedly through corruption. The Danes also demanded the prosecution of government officials implicated in the mismanagement of the Fund. The action by the Danish government greatly marred Kenya's image among donors abroad. The revelations of corruption and misuse of donor funds by senior government officials made other donors reappraise their positions. Increasingly, donors now demanded transparency and accountability which, they claimed, could only be assured in a democratic system of governance. The Kenyan government appeared to be aware of
Phillip O. Nying'uuro

the damage caused by the Danish action and two District Commissioners were arraigned in court in connection with misuse of RDF funds. However, the cases against these officers were dropped after the pressure had waned.

Another country which contributed significantly to external pressure on Kenya was Germany. The German ambassador was second only to Hempstone in his public attacks on corruption and violation of human rights. For instance, in the wake of the arrests of leading opposition figures on the eve of the pro-multi-party rally scheduled for November 16, 1991, the German ambassador sent a protest note to Kenyan government officials declaring his government's "concern at the human rights abuse in Kenya" and warned that no such violation would be tolerated by the German people. Germany threatened to freeze all aid to Kenya.

These other countries lacked the power of Britain (as a former colonial power) and of the U.S. (as a world superpower). But their actions and pressure had a telling impact on the change process in Kenya, directly by denying aid and indirectly by publicizing corruption and the dictatorial tendencies of Moi regime. Thus they applied both bilateral and multilateral (as members of the Paris Club) pressure on the Kenya government. Such pressure played an important role in influencing the government's decision to legalize the multi-party system in December, 1991 and to release political prisoners.

The World Bank, The IMF, Structural Adjustments and Donor Conditionality

The World Bank and the International Monetary Fund (IMF) are among the most influential international actors in the democratization processes in Africa through the SAPs developed in the early 1980s. The watershed was the Bank's linking of economic rehabilitation to political liberalization, paving way for political conditionalities on economic aid. In its 1989 publication entitled Sub-Saharan Africa: From Crisis to Sustainable Growth, the Bank emphatically averred that the success of the economic reform measures in Africa squarely depended on the creation of an enabling environment of good governance. This view received
immediate, almost unqualified, support among bilateral and multilateral donors. For African countries, the Bank's influence was enormous given that it controlled over US$ 12 billion of the US$ 15 billion annual international aid to Africa. Thus the fact that the Bank was introducing political variables into economic aid issues had to be taken seriously.

According to the Bank, the authoritarian and corrupt political systems found in Africa could not be relied upon to implement the SAPs successfully. The transparency, accountability, and popular participation in decision making and implementation of policies required for sustained economic recovery could only be guaranteed by pluralistic, open and generally democratic political systems. The Bank, IMF, and other donors began tying aid to political reforms, the major component of which was the replacement of the military and one-party regimes with multi-party ones. Issues like human rights, freedoms of speech, the press, movement and assembly, together with tolerance towards government critics were part of the political package.

The relationship between SAPs and democratization, especially the claim that SAPs can lead to political liberalization and democracy in Africa, was and remains controversial. What is obvious, however, and the point emphasized here, is that the SAPs played a major role in forcing otherwise recalcitrant one-party and military regimes in Africa to open up their countries to multi-party politics and to carry out political reforms, however minimal these reforms may have been. In recognition of this fact, Africa Confidential, an influential commentary on contemporary African affairs observed,

It is now clear that the main cause of the wave of political change sweeping Africa is not the aspiration of African intellectuals, much as they long for liberty; nor is it the union of political opposition and the masses. No. The principal cause of Africa's wind of change is the World Bank and the donor community.52

It was ironic that Kenya became the first country in its region to face the wrath of the donor community led by the Bank for not having sufficiently implemented the SAPs. It was equally interesting that Kenya, early in 1993 suspended, though temporarily, implementation of the
Phillip O. Nying'uro

programs citing erosion of sovereignty and hardships engendered by the programs. It was ironic because Kenya was also the first country in Africa to start a SAP with the Bank in 1980. In that year, pushed by financial desperation arising from mounting external debt, spiralling inflation, falling GDP and GNP levels, the decline in agricultural and industrial output, a huge budget deficit and a worsening balance of payments, Kenya approached the Bank and the IMF for external financing. In March, 1980, the Bank released to Kenya a US$ 55 million loan. In 1982, an IMF standby of SDR 151 million and a further Bank loan US$ 60.9 million and an SDR credit of US$ 62.9 million were again extended to Kenya.63

All these loans were extended within the framework of SAPs and on the basis of Kenya's acceptance of the conditions which were initially largely economic rather than political. These conditions included reforms in the areas of pricing and marketing of agricultural products and also public expenditure reforms. The reforms specifically involved currency devaluations, cuts in government spending, deregulation of prices of goods and services, privatization of public sector enterprises, and export promotion, among others.

Towards the late 1980s the Bank and the donor community were not happy with the slow pace at which Kenya was implementing the SAPs. More conditions were attached to aid. With time, these conditions assumed a political character. The Paris Club meeting between Kenya and its donors under the chairmanship of the Bank on November 25, 1991 ended on a sour note. The Bank and other major donors, including Canada, Denmark, Finland, Germany, Italy, Japan, The Netherlands, Sweden, Switzerland, Britain, the US, the African Development Bank, and the European Economic Community, among others, withheld quick-disbursement aid and gave Kenya a list of reforms they wanted initiated before discussions on aid resumption could resume. These conditions included transparency and accountability in decision making, reduction of the wage bill, the upholding of the rule of law and respect for human rights, firm action to deal with official corruption, retrenchment of civil service and privatization of public enterprises. The Moi regime, realizing that further resistance might spell doom, moved quickly to release political prisoners, and called a special Party meeting in early December which hurriedly repealed section 2(a) of the constitution, thus making Kenya a multi-party state again. Elections were arranged and finally held in December, 1992.

28 / The Journal of Political Science
Conclusion

External actors and factors played a key role in Kenya's transition to multiparty democracy. The resilience of external pressure expressed itself particularly in the sense that it was foreign critics who finally made the Moi regime legalize the opposition. The regime's intransigence, particularly on the issues of the release of political prisoners, free and fair voter registration, creation of a free atmosphere of political campaign for opposition parties, allowing foreign election observers and monitors, and the composition and independence of the Electoral Commission showed that the regime was out to frustrate the democratization process to ensure its survival. Indeed, Moi himself did not hesitate to state publicly several times, even at the height of the election campaign, his dislike for multiparty politics. He made it known that the process was imposed on him.

Without foreign pressure, particularly from donors, domestic forces on their own would not have achieved a multiparty system, relatively free and fair presidential and parliamentary elections, a freer press, and an improved atmosphere of free speech. In any case, the polarization of the domestic opposition movement along ethnic and personality lines before and after the 1992 elections only strengthened Moi's hold on the political system and rendered domestic pressure largely ineffective in the face of an institutionalized and experienced regime. Even in the countdown to elections, the opposition was so divided that many observers, domestic and foreign, had foretold Moi's victory well before the ballot day.

What about the future? Considering the continued weakness of a domestic opposition which Moi has succeeded in dividing and manipulating, it would not be an exaggeration to claim that the future of Kenya's democratization process still depends heavily on the nature and extent of the involvement by foreign actors, especially the donors. However, foreign actors are limited by their specific interests which may not necessarily coincide with those of Kenyans who in the long run will determine the outcome. The sustenance and continuation of the process depends heavily on domestic forces. In fact, Western donors, who played the dominant role in forcing the multiparty elections on Moi, resumed aid to Kenya afterwards. Despite the fact that the post-1992 election Moi regime remained stubborn and even reneged on major issues of political
Phillip O. Nying’uro

reform, most of the donors showed little enthusiasm in the political situation in the country as Moi prepared to rig the next elections in December 1997. The political terrain was still tilted in favor of Moi's party, KANU, because Moi refused to institute meaningful electoral reforms. Opposition leaders were still denied licences to hold political rallies while provincial administrations were successfully used to muzzle local government. For the moment, donors appeared to be more interested in economic reforms which Moi has shown more enthusiasm in implementing than the political ones. So long as Moi continues to implement economic reforms and aid continues to come, he can bracket political reforms for the time being. He will, as he has done in the past five years, divide the opposition while carrying out piecemeal reforms sufficient to placate the international community.
Endnotes


3. Widner, *op. cit.* p.214. It is also instructive to note that while external pressure gained momentum only in the late 1980s, and especially at the sunset of the Cold War, pressure for democracy had existed within African countries since independence.

4. A few have argued that the democratization process is being imposed on African countries from outside the continent. But it is intriguing to note that complaints about the alleged imposition of foreign models of democracy have mainly come from officials of the incumbent one-party or military dictatorships and their academic allies. In Kenya, the officials of the KANU (Kenya African National Union) one-party regime, including President Moi himself, advanced this view as they resisted calls for multi-party democracy before yielding to pressure in late 1991. Indeed, long after legalizing opposition, Moi still claims the current multiparty system is foreign imposed.


Phillip O. Nying'uoro

National Assembly, the Governor of the Central Bank, the directors of key parastatals such as the Kenya Posts and Telecommunications, Agricultural Development Corporation and the National Cereals Board, the Executive chairmen of Kenya National Assurance and the Kenya Commercial Bank, the Head of Civil Service, the Commissioner for Cooperatives, among other key officers, were all Kalenjins. Indeed, well over one-third of the 42 District Commissioners were Kalenjins.


15. Ibid.


19. Ibid.


25. *Ibid*.


29. *Ibid*.


35. *Ibid*.
Phillip O. Nying’uro

36. Ibid.

37. Senator Simon, in a visit to Africa in November, 1991, categorically stated at a press conference in Nairobi that the U.S. had to "review and cut back on the amount of economic assistance to Kenya...because of the failure to have a multiparty system." For details of his speech, see U.S. Embassy (Nairobi), Maoni Ya Amerika no.48, 1991, p.3.


40. Ibid.


43. Ibid.


46. See U.S. Embassy (Nairobi), Maoni Ya Amerika no.56, 1992, pp 1-3.

47. Ibid.


50. The Spectator, September 26, 1992, p.15.
51. Ibid.


57. In an interview with the writer of this article in the British High Commission in Nairobi in April, 1993.


