

Observing and Analysing the 1997 General Elections: An Introduction

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Kenya held its first multi-party presidential and parliamentary elections since 1966 on 29 December 1992. It followed the footsteps of Zambia which, among the English-speaking African countries, had heralded the transition from single to multi-party politics in October 1991 (Andreassen *et al* 1992). The road to the institutionalisation of a pluralist political system after more than twenty years of a de-facto (1969-82) and then a de-jure (1982-91) single-party system had been a rocky one. The ruling party Kenya African National Union (KANU) witnessed in the 1990-91 years an intense political mobilisation contesting, often violently, the rule of President Daniel Toroitich arap Moi and illustrating the desire of Kenyans to bring about genuine changes in the country. The call by political clerics to restore pluralism or face a Romanian tragedy after the New Year's eve, and the mysterious assassination in February 1990 of Robert Ouko, then minister for Foreign Affairs, led Kenyans to challenge the impunity of their political leaders. *Saba Saba* (seven seven), i.e., 7 July 1990, was the starting point of one week of urban riots that became the symbol of this challenge and ultimately led to the return to multi-partyism. The government in reply established a KANU Review Committee chaired by Vice-President George Saitoti, which toured the country in August and September 1990 and received the grievances from the entire country. When this committee finally delivered its report, it recommended minor reforms like the reintegration of the expelled members of the party or the softening of its internal disciplinary measures. Demonstrating his perennial contempt for the genuine wishes of a population which had expressed loudly its aspirations for change, President Moi had once again despised the appeal. Hence, renewed political turmoil was to be expected. After six months of strategising and tergiversation, the climax of this mobilisation was reached through mass rallies at the Kamukunji independence grounds in October and November 1991. In addition, concerted pressure from the international community – that suspended multilateral aid after several revelations of high level corruption and the implication of State House officials in the killing of Robert Ouko – finally led to the return to multi-partyism in the following month.

The story of the tumultuous 1990-92 years has been dealt with by many scholars in great detail and will not be recalled any further (see e.g., Muigai 1993; Chege 1994; Waruhiu 1994; Grignon 1994, 1998a, 1998b and 1998d; Haugerud 1995; Lafargue 1996; Wanjohi 1997; and for the most comprehensive and detailed account, Throup and Hornsby 1998). Suffice to say that contrary to some early interpretations of these political changes and the propaganda of single-party advocates, the return to multi-partyism was not imposed by the international community and did not materialise as a spill-over effect of the changes that took place in eastern Europe.

The pressure that forced Daniel arap Moi and KANU to grant the opening of the political landscape came as much from the 'third wave' of global democratisation of the early 1990s as from the specific push of the international community at the end of 1991, as well as from the victims of the *Saba Saba* riots and Kamukunji demonstrations of 1990 and 1991 who paid the price of what they hoped would become their second liberation. As Samuel Decalo once put it: 'The spill-over effect, though it definitely crystallised and catalysed pro-democracy demonstrations in Africa, does not tell the whole story. The continent was already more than ripe for upheaval, and there was already additional internal and external factors that played a crucial role in leading the democratic pressures to successful fruition' (Decalo 1992:9).

Observing and analysing elections: which methodology?

Since the early 1990s, the field of electoral studies on Africa has slowly developed. After a few courageous research efforts had opened the way and showed that even under single-party regimes African elections were worth studying (CEAN/CERI 1978; Hermet et al 1978; Chazan 1979; Hayward 1987), more and more studies have been published, following the rhythm of electoral contagion that spread to almost all African countries. Yet, despite this renewed interest for African elections, few new perspectives seem to have emerged. As several bibliographical assessments of this literature revealed, most analysis focuses on the role of elections in the democratisation processes of Africa, but are usually pessimistic or doubtful about their usefulness or relevance for that matter (Buijtenhuijs and Thiriot 1995; Cowen and Laakso 1997; Otaeyek 1998). Moreover, these election studies rarely dwell with attempts to develop a comprehensive electoral sociology. Most of them are chronicles, short presentations and analysis of the results or developments on the prerequisites of genuine democratisation.

Few elections are studied in their own right, for what they reveal about the renewed patterns of domination in African countries, what voting really means, and what they say about the political socialisation of African electors. To a

great extent, the results of the few scholars who have been working on the meaning of the 'elections without choice' have not been retained, and the diagnosis Fred Hayward made about the situation of the scientific literature almost fifteen years ago still applies today: 'Conventional wisdom about the importance, success, and meaning of elections in Africa in the 1970s and 1980s increasingly became negative and pessimistic . . . Some concluded that the misuse and abuse of electoral institutions demonstrated that the process was ill-suited to Africa' (Hayward 1987: 1). Moreover, despite the general emphasis on the consequences of the return to a multi-party system, no real sociology of political parties is ever attempted. The recycling of the political establishment in a multitude of small and inconsequential organisations as well as their lack of political programmes or ideology is usually emphasised. Why such a gloomy appraisal? Have political scientists become too cynical or intellectually disenchanted about the possibility of any significant change in Africa?

As Mike Cowen and Lisa Laakso stress, elections in Africa raise issues which are not new (Cowen and Laakso 1997). They raise the problem of political domination and regime legitimacy, the articulation between the local and national levels of politics, and the perennial problem of the lack of institutionalisation of legal procedures and techniques imported from European countries. In any case, even if almost a decade of pluralism has clearly shown its limits, few would seriously disagree about the assessment Samuel Decalo made in 1992: 'whatever the ultimate verdict – that, as with all social changes, is likely to be mixed – the political atmosphere is radically different: exhilarating, ebullient, optimistic. Former awe-inspiring leaders have without ceremony been cut down to size' (Decalo 1992:9). The return to multi-partyism and pluralist politics definitely brought a significant change to African politics, and as such the study of elections is crucial to understanding the nature of this change. Elections are indeed a very privileged moment of political interaction in any country and reveal a lot about its political culture. Yet, there are some significant theoretical and methodological issues which have to be dealt with in order to show and understand this culture.

Electoral studies: a Kenyan tradition

Kenya has held regular general elections since independence and has benefited from a regular and very rich flow of electoral studies. From the early 1960s up to now, a number of publications have attempted to decipher the different logics behind electoral politics and, as this volume again illustrates, some of this excellent work has been produced by Kenyan scholars, most of them trained at the Department of Government of the University of Nairobi, e.g., Engholm 1960; Bennet and Rosberg 1961; Sanger and Nottingham 1963; Gertzel 1970; Hyden and Leys 1972; Lamb 1974; Barkan 1976; Barkan and

Okumu 1978; Chege 1981, Mulaa 1981, Nzomo 1983; Oyugi 1983; Alila 1984a and 1984b; Barkan 1984; Khadiagala 1984; Orwa 1984; Wanjohi 1984a and 1984b; Bourmaud 1985; Barkan 1987; Hornsby, 1989; Hornsby and Throup 1992 and Throup 1993.

As the early work of the 1960s mainly described the electoral processes that lead to independence and the installation of single-party regimes, most of the studies conducted by Joel Barkan and John Okumu in the 1970s emphasised the role of elections for the regulation of political competition during the Kenyatta era and the acute understanding that Kenyan electors could have of this political game. A heavy blow was sent to the developmentalist school and its theory of the passivity of the African masses entrenched in their traditions.

In the 1980s, the complexity of Kenyan politics was revealed a step further, thanks to the perspective brought by the different works showing the conflicting patterns taking place among rural and urban constituencies. The stimulating work on the 1983 elections by the staff members of the Department of Government of the University of Nairobi (Chege, Mulaa, Alila, Nzomo, Orwa, Oyugi, Wanjohi) illustrated how the study of local politics contributed to the understanding of Kenya's complex polity. This work greatly influenced many of the contributors of this volume. From the mid-1980s, the increased authoritarianism of the Kenyan regime and the forced exile of many Kenyan scholars limited the possibility of extensive fieldwork and independent research. Fortunately, since the early 1990s, and the reopening of the country to free speech and free thinking, the flow has of course resumed.

Following this renewal, a debate has risen on the assessment of the changes that took place in Kenya as in other parts of Africa. This debate rose from the disappointments of the democratisation flops in the wake of the first pluralist elections of the early 1990s. To many hopefuls, the absence of government change over despite heavily contested pluralist elections (Cameroon, Côte d'Ivoire, Gabon, Mali, Ghana, Zimbabwe, Kenya) and the authoritarian patterns shown by the new rulers of the liberalised polities (Zambia, Niger, Burkina-Faso, Congo) illustrated the illusory belief in the democratisation of African societies. To summarise their argument, the undifferentiated social structures of African countries and the accumulated experience of 30 years of authoritarian rule combined with the legacy of almost untouched colonial structures of government could not allow fast and genuine rooting of the democratic experience. No genuine democratisation then, but what was the real impact of political liberalisation? Interpretations can differ tremendously in this respect.

For some, considering the current state of political development of African countries, multi-partyism does not make any difference. Patronage and ethnicity are the key entries for understanding politics and the study of the new elite's

behaviour definitely illustrates that nothing is really going to change (Dalozi 1999). Worse still, multi-partyism could even lead to the break-up of the fragile post-colonial polities where ethnic identities are much stronger than any national or class consciousness. It has led to the expression of ethnic nationalism which often supersedes the past politics of development or clanism. Through the presidential contest, the rivalries between individuals have now become a competition between ethnic groups. Among the analysts of Kenyan politics, David Throup and Charles Hornsby illustrated this trend to the extreme. They concluded their encyclopaedia on the return to multi-party politics and the 1992 general elections in the following way:

The election clearly demonstrated the primacy of ethnicity over ideology. Of all the myriad sources for internal divisions within the opposition between compromisers and purists, old and young, politicians and professionals, conservatives and radicals – it was the division between Kikuyu and Luo which eclipsed all else. Communal solidarity did not have to be enforced but was clearly voluntary in the homelands of the four major presidential candidates. As President Moi warned, multi-party democracy has intensified ethnic rivalries and completed the isolation of the Kikuyu who, even more than the Luos in the 1960s, are totally identified with the opposition. Thus, although single party states are unlikely to sustain accountability, they may create an effective political order in Africa's ethnically divided societies. They provide some controls on centrifugal tendencies that threaten to fragment the still comparatively insecure and weakly institutionalised state structures. Even single-party rule may provide a more attractive alternative to multi-partyism in the form of single-party states, in which each party is all powerful in its own ethnic stronghold, but where one group controls the centre and the distribution of patronage and development. . . . The events of 1992-4 clearly demonstrated the primacy of individuals and ethnicity over policy, ideology and class, though the ethnic identification revealed was more a rational reflection of economic self-interest than some 'traditional' pattern of political orientation. . . . Multi-party competition also starkly revealed the lack of political principle within the Kenyan élite. The primary objective of most political leaders seemed to be personal gain and financial advantage. Kenya proved to have few statesmen or citizens of political principle. Many were open to the highest bidder, which inevitably, given its control of the State, was KANU (Throup and Hornsby 1998: 590-92).

This assessment of the Kenyan political changes may be harsh but it has been substantiated by very high quality data from primary and secondary sources and the most extensive and comprehensive analysis of Kenyan politics that has ever been published. The authors have displayed an intimacy with the contradictions of Kenyan politics which is as challenging as it is striking. To their credit, Throup and Hornsby have written a 'loud and clear' in-depth

study that many Western commentators and analysts of African politics believe, but would never publish for fear of jeopardising their careers. So, in the end, is there anything wrong with their conclusions?

To a great extent, the chapters in this book proceed from the same approach as Throup and Hornsby. Many have tried, more or less successfully, to display the same mastery and talent in revealing the intricacies of Kenyan politics, articulating the consequences of local politics on national power relations and vice-versa. Yet, they are also very different. Indeed, many of them are extremely different, especially in their interpretation of the facts, in so far as they try to understand the Kenyan political culture and its internal changes for what they are and not for what they should be (see also in the same vein Haugerud 1995; Grignon 1998c and 1998d). They attempt to reveal the potentials and prospects of Kenyan politics as elements of an historical trajectory which will never be similar to the European one. As Sindjoun (1997:89), has convincingly demonstrated in the case of Cameroon which is very similar to Kenya: 'it is highly questionable to minimise the changes induced by pluralist electoral competition even if they prove to be tainted by numerous irregularities . . . pluralism, however imperfect, produces new beliefs, new patterns of representations and new types of actions which affect political competition despite the possible stability of the leadership.' We should not be blinded by 'the illusion of continuity'. Before proceeding to a rapid presentation of the chain of events that led to the 1997 general elections, it is necessary to dwell briefly on the theoretical and methodological background which is at the heart of the analysis and understanding of electoral processes in Africa, and which can lead to contradicting interpretations of their meaning.

Some theoretical clarifications: how developmentalism re-enters through the backdoor

The conclusions presented above by Throup and Hornsby have a strange similarity with the words of their developmentalist peers, published in the 1960s, just after independence. Developmentalism is indeed re-entering through the backdoor, in the shadow of strategic analysis and especially its neo-Weberian variation (see also Otayek 1997). The perception of African politics has changed, of course. Political development is not addressed directly as the main focus and scholars do not talk anymore about the penetration of the state in rural societies, the 'backwardness' of rural masses or the necessity of national integration. The analysis has gained a great deal of empirical strength and the epistemological turnaround of the early 1980s has been partly integrated: no more grand theories, no more general model. The main focus is not on the political system or on its functions but on the political actors and their strategies. Yet, the absence of clearly stated theoretical reference does

not mean that it is not included in the analysis, quietly shaping the interpretation of the facts presented and the methodology that led to the collection of these facts.

In the sociological jargon, the theoretical framework we are dealing with here is one of the variations of what is usually called strategic analysis. Strategic analysis was a reaction against the theoretical approaches of the 1960s and the 1970s when developmentalism and the neo-Marxist dependency theory had shown their limits. It led to a healthy methodological return to the primacy of empirical data over theoretical models, the need to consider African history in order to understand contemporary society, and the absolute necessity to focus on the actors in this history, and on their strategies, since they were considered instrumental in determining historical forces (Deloye 1996). Strategic analyses resulted in different variations, with differences expressed over the methodology used, the type of actors considered and the interpretation of the role of culture in the analysis. These differences are important as they raise two patterns of interpretation at the heart of the debate we are interested in: neo-Weberian analogies and cultural analysis.

The main interpretation trend in political science is usually inspired by Weberian sociological theory. It focuses mainly on state capacity, elite politics, factional rivalries, political and economic networks of power. This theory built the concept of neo-patrimonialism to characterise contemporary African politics and identified the behaviour of the 'big man' as its main embodiment (Médard 1982, 1991 and 1992). Implicitly using the ideal-type methodology, African states are analysed in reference to the rational-legal model of bureaucratic domination characteristic of the European pattern of political development. The Weberian typology is solicited to identify a type of domination which corresponds to a mixture of tradition and modernity. From one of the ideal-types of traditional domination, the patrimonial one, the concept of neo-patrimonialism is built as an hybrid form of legal-rational domination perverted by patrimonial patterns of behaviour such as the confusion between the public and private spheres and, especially, varying degrees of institutionalisation. The big man manages his political career as an entrepreneur, investing his different kinds of capital (economic, political, social, symbolic) to enable him consolidate and gain more power. The analysis and interpretation of electoral processes and election results presented above proceeds from the same school of thought and suffers from a number of serious drawbacks.

First, the focus is often exclusively centred on the politics of the elite, even local elite, considering the common man's understanding of it all as irrelevant. Second, it assumes that because there is no exclusive class-consciousness in Africa there is no conflict with socio-economic dimensions. Then, it perpetuates a reification of ethnicity to explain the nature and dynamics of African politics.

It argues that this 'vertical' link refrains any 'horizontal' social stratification. It leaves aside the fact that identities are never exclusive, and that ethnicity might well be the principal idiom of expression of contemporary socio-economic conflicts and political ideologies. But more dangerously, the neo-Weberian methodology is always riddled with ethno-centrism, and often opens the backdoor for the return of developmentalists' assumptions. If many authors have managed to control efficiently that risk, others have kept in their minds the 'model' of the European-bureaucratic entity built up by Weber as an ideal-type. This is clear in the Jackson and Rosberg typologies of personal rule (Jackson and Rosberg 1982), in Richard Sandbrook's famous book, *The politics of Africa's economic stagnation* (Sandbrook 1985), and in the work of Throup and Hornsby. In his analysis, Sandbrook implied, as did Goran Hyden in his *No shortcuts to progress* (Hyden 1985), that ultimately the only way to get peasants out of the 'economy of affection', to get at last a 'real' state with a 'real' bourgeoisie and a 'real' working class¹ stimulating 'real' ideological debates for a 'real' democratic election to take place, was either to use state-sponsored coercive means and develop capitalism by force for a good number of years or, recently, in a more IMF/governance-inspired approach, to let the 'miracle of the market' do its work by destructuring bit after bit the colonial inherited and overdeveloped state machinery.

The apologists of the governance/free-market/civil society triptic dream, to a certain extent, about the same African future as the neo-developmentalists or neo-Weberian adepts. It is a future which looks very much like the Western one. They just differ on the ways to achieve it. They cannot conceive an African future which will be the product of its own historicity, and they sometimes give unsolicited opinions and judgements on what is best for African countries and what their history should be. Our criticism is based on two different grounds: the interpretation of the data offered to the analyst in his quest to understand African contemporary societies and his role as a Western social scientist dealing with a foreign society where he will always remain a guest and a non-actor. Many 'foreign experts', usually Western, are nowadays involved in the observation of African elections. This book is partly the product of such an involvement. Moreover, since the participation of foreign academics in the election observation exercise in Kenya has been considered to be a new model for this type of activity, it is important to reflect on its limits. Whether presented in academic journals or in semi-confidential reports handed-over to their diplomatic contractors, the interpretation of African politics by social scientists should proceed from the same approach, largely inspired by historical and cultural sociology.

Historical and cultural sociology: some principles

The definition of area studies might be a convenient way to organise departments of scientific institutions but it has no scientific relevance. Politics in Africa, Europe, America or Asia proceed from the same logic, the same ambitions, the same aspirations for power and domination by human beings. The forms, the expression of these political relations, are of course different, but none of them is unique. Although they are the result of different historical trajectories which have shaped the way people think and the way they talk, none of them is fundamentally or substantially different (see for the different dimensions of this school of thought Coulon and Martin 1991). Therefore, the Western historical trajectory is not a model but most definitely the non-exportable product of its own specificities. Moreover, considered on a world scale, it was shared only by a small minority. However dominant in the past, political scientists have nothing to do with the reproduction and the perpetuation of its hegemony. As Tom Young once put it: 'Africans should be left alone with the only right worth having ... the right to construct their own future in their own way' (Young 1993: 309). And no Western social scientist has any business telling Africans what they should do with their own lives or what kind of government they deserve. What they are here to do is to contribute to the proper understanding of African societies and, as much as they can, inform their own governments about the right course of action.

In order to do so, the first principle is definitely to apply humility and analyse to what extent the scientific knowledge and debates that take place for the interpretation of European or American politics are relevant to understand the African ones. The understanding of the so-called 'exotic' politics requires the same scientific rigour, the same methodological safeguards and the same theoretical thinking as any other one. In this respect, the historical sociology of European politics and the interpretative debates on the 'rationality' of the European elector are highly relevant for the study of African elections. The act of voting, as it is performed now in Western societies, is the product of a political socialisation intimately linked to the changes of the relation between the European state and society after the First World War. Bribery, violence, vote buying, communal voting, or the absence of secret ballot were critical characteristics of the European polling scenes not so long ago and still remain prevalent in some regions (Bacot 1993). The European trend has been marked by a progressive learning and mass internalisation from the late nineteenth century onwards of an 'electoral civility' which sanctifies the vote as the individual expression of one's opinion through the secret ballot (Garrigou 1992; Deloye 1993; Ihl 1993). Yet, this domestication of the citizenry through the social institutionalisation of strict electoral techniques, implementing slowly a ritualised and pacified form of political expression, does not mean that voting has become what the democratic theory wanted it to be.

Other works of electoral sociology have clearly demonstrated that voting had very little to do with a rational choice based on the arguments presented by parties with different ideological inclinations. Such a conception of Western politics is a dream or, worse still, a blinding and patronising belief in superiority. It confuses democratic theory with actual situations. Sociological investigations have shown that the majority of the electorate was not intellectually equipped or even interested in assessing the political programmes of parties (Gaxie 1977). Voting in Europe is often an internalised call for duty to which the electorate answers through the mediation of their positioning in society, and according to the electoral offers from political parties. Voting is, therefore, as much a predisposition as a transaction. It is through the exchange (social, symbolic, economic) with political entrepreneurs that latent socio-political predispositions crystallise in opinions and votes:

Voting is the result of the more or less stable conjunction between how a candidate or a party is perceived (comparatively with his/its competitors) and the beliefs of the voters as they have been shaped by their personal primary and secondary socialisation and the history of the specific political arena within which it is taking place . . . electoral predispositions and orientations are reactivated through the networks of interactions that constitute the primary groups of socialisation, among which associations, religious institutions, political parties or unions play as much a role as families, neighbourhood groups or other communities (Gaxie 1985:20-24).

Three dimensions are therefore systematically entrenched in the act of voting: a transaction, an expression of belonging or an identity, and a conviction. The analytical differentiation between exchange voting, communal voting and opinion voting which is often presented to reveal the social intricacies of electoral politics (Ihl 1996) should nevertheless not be taken as three different empirical situations corresponding to different stages of political development. Whatever the level of pacification of the electoral process and whatever the internalisation of the electoral discipline by the voters, those three dimensions are always empirically entrenched in the voting behaviour of the electorate.

What can we learn from the European experience and the scientific debates that surround its interpretation then? First, Europe is not the embodiment of democratic theory and Africa is not its distorted image, reflecting a mismatch between an exported political machinery imposed on an hostile culture. Electoral sociology tells us that the European voter is not always rational. He is often politically illiterate and does not operate according to a calculated choice balancing his interests as the democratic theory implies. His voting behaviour is the product of his belonging to society and of the given state of the political arena.

Voting is, therefore, as much the expression of identity as an opinion and an exchange. It is the product of the three rhythms of history. Long-time history shapes the representations and beliefs associated with the social positions and family experiences of the electorate, through several generations. Medium-time history produces the structure of the political offer and the ways and means of electoral politics. Short-time history determines the actual political offer itself leading to the specific choices of the electorate. The respective histories of each country shape the respective structure of their politics, the respective socialisation of their populations and the respective offer which will be available on voting day. Each country is the product of its own specificities but every polity – African, European, American or Asian – is shaped by the same logic. It would be ridiculous to expect European ways of doing politics and class-related ideological references in African politics where they only have a very remote significance. The same way the social and institutional history of the past two centuries have shaped current European politics, the specific historicity of African countries must be taken into account to understand the recent trends in Africa. While in France and Britain two industrial revolutions gave birth to class-based political parties and while confessional belonging has proved to be one of the heaviest long term factors influencing electoral behaviours, in Kenya the socio-economic differentiation relevant for its politics is, to a great extent, regional in character – a result of colonial and post-colonial government policies together with discrepancies in access to power and wealth due to age, lineage or gender.

Ethnicity is, therefore, one of the languages used to express other socio-economic or political aspirations. As any other identity, it has no substance in itself. Often underlying the seemingly formidable force of ethnic consciousness are issues of political representation and resource distribution. Furthermore, even when voting behaviour appears to reflect membership in a particular ethnic group – suggesting the now popular notion of ethnic voting blocs – rather than adherence to a particular ideology, it must be seen as no more than a component of an otherwise dynamic and multifaceted identity. Kenyan voters do indeed carry the ethnic labels of Kamba, Kikuyu, Luo, Kalenjin etc. but their civic identities are by no means limited to these labels. Kenyan voters, in other words, are also influenced by even more subtle identities such as age group or (sub) clan as well as their socio-economic location in society as taxpayers, as employed or unemployed persons, as city or rural dwellers. There is ample evidence in the contributions to this book, that these multiple aspects of identity above and beyond ethnicity, in the common yet narrow sense of the word, constitute particular interests which, in combination, come to influence the political and voting behaviour of individuals.

In the end, the specific historical trajectory of Kenya, articulated around its long-time, medium-time and short-time dimensions, produced specific

political languages or what Angelique Haugerud and John Lonsdale have identified as a specific culture of politics (Lonsdale 1992; Haugerud 1997). Yet, the social mechanisms that lead to these specificities are neither unique nor exotic. They are pretty banal and common, similar to what can be identified in other parts of the world. Therefore, as for any other European or American polity, the aspirations for democracy, human rights protection, consumerism or welfare expressed by different corners of Kenyan society are genuine demands which deserve international consideration and recognition despite the discrepancies between them and the actual situation of the economy and polity of the country. Such contradictions are a common social phenomenon and do not invalidate in any way the relevance of the democratic claims. This is why there is absolutely no reason for Western analysts or diplomats to treat African politics differently from their own. Kenyan citizens deserve 'free and fair' elections and a democratic government as much as any other voters. It is not because they are Africans that: 'a bit rigging is acceptable, considering the political development of the country' as a Western diplomat shamelessly commented after the 1997 results were announced. Moreover, whichever the route taken by Kenya, whatever the failures and the actual result of the past ten years of democratisation, every single issue of the free press which has been published, every single political prisoner who has come out of jail, every single rape, beating, killing which has been avoided, because its possible perpetrator knew that impunity was not anymore totally guaranteed, makes a difference. And this difference shows that the return to multi-partyism was not in vain and that it brought a significant change to the daily lives of the Kenyan population.

This is the methodological and theoretical background which was, to great extent, adopted in this volume. Before proceeding to the actual analysis of the electoral process, we still need to introduce the context in which the polls and their observation took place.

General background of the 1997 polls

Election observation: towards a new model

The Kenya 1992 elections were characterised by widespread allegations of irregularities, such as stuffing of ballot boxes, destroying opposition votes and count rigging (see e.g., Barkan 1993; NEMU 1993; Throup and Hornsby 1998). Local observer groups had united in the National Electoral Monitoring Unit (NEMU). They trained and deployed some 8,000 domestic observers throughout the country. The international community observed the elections in the usual way: election observers from all over the world were flown in some days before election day (29 December) and left shortly afterwards. The

two most important outside teams were the Washington-based International Republican Institute (IRI) and the Commonwealth Secretariat team. In addition, national delegations from Denmark, Egypt, Germany, Japan and Switzerland were sent. Still, there were fewer than 200 international observers for 7,000 polling stations. The co-ordination of election observation efforts by the foreign missions was minimal and neither the foreign nor the local observer groups had the capacity or resources comprehensively to investigate rigging allegations. Consequently, they reported only the most blatant and easily verifiable irregularities.

Having learnt their lessons from their 1992 experience and eager to prevent any similar criticism of inefficiency and sometimes 'election observation tourism', local observer groups and the international community embarked on a new model for election observation. From the earliest stages in 1997, Western embassies devised various observation methods to obtain a more comprehensive and in-depth insight into the electoral process, not just limited to election day. Domestic observer groups, including the churches, received financial support to train and deploy almost 30,000 local observers while the international community employed diplomats stationed at the embassies and guided by a small election observation centre of specialists of Kenyan politics and election observation. Its major purpose was to provide information to 22 Western missions concerning election rules, constituencies to be visited, and what to observe as well as co-ordinating the travel plans of the missions.

The main bottleneck the observers faced was the uncertainty regarding the date of the elections. In principle they should have been held in 1997, five years after the 1992 elections and at the end of President Moi's term. The elections could be held within a period of some three months after the president decided to dissolve parliament. As a result, the donor group needed to prepare itself for observing the elections somewhere between August 1997 and April 1998. By December 1997 the international community at large had, therefore, set up an original combination of direct involvement in the observation exercise, which would be greatly reinforced by the mobilisation of embassies' staff on polling day, and support to the local observers, aiming at being present in every single polling station of the country. It finally demonstrated a genuine commitment to the support of 'free and fair' polls in Kenya.

For the ruling party KANU, the main political goal of these elections was not only the re-election of President Moi and the reconduction of a majority in parliament which could form a government, it was also to determine the scenario through which the head of state would happily retire from active national politics and devote his time to the resolution of the regional conflicts tearing apart Kenya's neighbours. As the 'Mzee' of eastern African politics, Daniel arap Moi, had on several occasions expressed his wish to pass over the

Kenyan mantle, and had proposed his services to facilitate peace processes in the Sudan and Somalia. KANU was, therefore, supposed to deliver a comfortable victory to its leader in order to peacefully solve the succession issue within its ranks and safeguard the security of the outgoing regime's members accumulated wealth. For all purposes, KANU, especially the close associates of the president among its ranks, had necessarily to win and seemed ready to deploy, once again, all means to do so.

By January 1997, President Moi had organised a major reshuffle of his cabinet for the preparation of the elections. The main result of this reshuffle was the full reinstatement of Nicholas Kipyatur Biwott, his long-time aide, who had been suspended from the government since December 1991 after his alleged involvement in the Ouko murder saga. This reshuffle also implemented the demise of several opponents of Biwott, including heavyweight cabinet ministers such as Kipkalya Kones (Internal Security), William ole Ntimama (Local Government) and Simeon Nyachae (Agriculture) KANU-A faction to junior ministries. As Daniel arap Moi started to systematically hit the campaign trail, it was not only a vigorous election campaign which was offered to the Kenyan electorate, it was also a succession scenario. The Kenyan voters were not only asked to decide whether they wanted to give a final term to their long-time leader, but also to endorse his choices for the succession which was to be orchestrated mainly by cabinet ministers Joseph Kamotho, Nicholas Biwott and Vice-President George Saitoti. This grand alliance, reintroducing the 'Kikuyu element' at the heart of the succession, was identified as KANU-B and nicknamed 'KABISA' by the popular press (from Kamotho, Biwott, Saitoti), a word meaning 'total' in Kiswahili, as a sign of its total control of state power and total determination to keep the presidency. In order to better understand the answer of the Kenyan electorate, and more broadly the 'total' rejection of the succession scenario advertised by Daniel arap Moi, whatever the tricks, tactics and strategies which allowed him to be re-elected and KANU to regain a tiny majority in parliament, it is highly necessary to recall the economic and social basis that informed the electorate's decision, and equally to evaluate the political alternatives offered by the opposition parties as well as the proofs they provided of their capacity to rule the country if they won the elections.

The 1992-1997 years

The bitterly fought 1992 general elections left the country's economic, social and political landscape in disarray. The opposition parties were devastated by their defeat. They felt strongly that they were cheated and, more generally, never really recovered from it or learnt the lessons of their mistakes (see Throup and Hornsby 1998). But, on the KANU side, there was no reason to triumph.

The personal humiliation suffered by President Moi in Luo Nyanza and Central Province where not a single KANU MP was elected and where he obtained less than 5 per cent of the votes, and the somehow mitigated results he made in Eastern (37 per cent) and Western provinces (41 per cent) blatantly confirmed the main outcome of the 1992 contest. A huge majority of Kenyans (63 per cent of the voters but most probably 75 per cent of the entire 1992 electorate if we account all those who could not register) wanted him out of office. Some communities might come back to him as a second best bet to avoid the return of a Kikuyu president (Matiba, Kibaki) or the coming of a Luo one (Oginga Odinga), but Moi was not a first choice for the majority of Kenyans. The turnout of the 1992 elections had been the highest since 1963: 67.9 per cent of registered voters. Daniel arap Moi did not really win these elections, a divided opposition lost them.

In addition, the 1992 general elections had been costly. A minimalist economic assessment estimated that between 300-500 million US dollars were diverted from the state coffers by the ruling party during 1992, depriving the country of at least 2 per cent of GDP growth and bringing the inflation rate to more than 40 per cent (Barkan 1993: 89). Moreover, the improvement of the situation seemed extremely fragile. Throughout the 1993-97 years, a frightening contrast developed within the government between the efforts of a few technocrats to keep the economy afloat by tightening the spending belt and improving relations with the international community, and the systematic looting and waste KANU politicians kept committing with an amazing consistency on the meagre government revenues (the Controller and Auditor General's Report for the financial year 1995/1996 estimated the unaccounted expenditures of the government at Ksh.107.5 billion! An increase of 300 per cent compared to the Ksh.34.7 billion of 1993/1994 (CGD 1998). From 1993, both the new Central Bank director, Micah Cheserem, and the minister for Finance, Musalia Mudavadi, were credited with some success in putting back the country on the right track. Following the implementation of a tight monetary policy and the resumption of the support to the balance of payments after the long-awaited first implementation of structural adjustment measures in 1993, macro-economic indicators showed some improvement.

The overall GDP growth rate which had gone down to 0.4 per cent in 1993 rose to 4.3 per cent in 1995 and remained at an encouraging 4.6 per cent in 1996 before suffering again from election anxiety (2.3 per cent in 1997). As a result, the Kenyan GDP per capita figure stood at around US\$270 in the 1990s. Inflation which had risen to 46 per cent in 1993 came down to 28.8 per cent in 1994, before falling to 1.8 per cent in 1995 and coming back to roughly 10 per cent in 1996. The depreciation of the Kenyan shilling was a good stimulation for national exports which rose by 20 per cent between 1995 and 1996, and the exceptionally high international prices of tea and coffee guaranteed high

reserves of foreign currencies to settle the import bill. Yet, the financing of this macro-economic recovery, which also included a reduction of the total external debt from US\$4,687 million to US\$3,900 million in 1997, was done mainly by issuing treasury bills and bonds which almost brought the country to a financial crisis – the three-months bills reached interest rates of 27 per cent at some point. The internal debt consequently skyrocketed to Ksh.140 billion in 1997 (US\$2.3 billion) bringing its service to roughly US\$450 million, more than twice the amount of the Enhanced Structural Adjustment Facility (ESAF) disbursement agreed for the same year – which was in fact frozen.

The apparent recovery of some macro-economic indicators, moreover, hardly hid the worrying signs coming from the production and employment sides. Foreign direct investments (FDI) almost disappeared from Kenya in 1993 and 1994 and remained at miserable levels even in 1996 and 1997 (US\$33 million, 37 million, 100 million and 101 million, respectively). Comparatively, Uganda and Tanzania benefited from US\$851 million and 684 million of FDI in 1996 and US\$1.6 and 4.9 billion in 1997, respectively (EAC 1998). Whereas these FDI contributed to the creation of 12,000 jobs in Kenya in 1996 and 1997, they created over the same period of time 48,500 jobs in Uganda and 57,000 jobs in mainland Tanzania. Indeed, the times when Kenya inspired confidence in international investors are long gone and the international financial transfers that could be accounted for were only attracted by speculative short-term investments in the government's 91 days treasury bills. Even more worrying, the agricultural sector, which still represents 28 per cent of the GDP, remained depressed throughout the period. Coffee, once the black gold of the country, still earned more than Ksh.16 billion in 1996 and 1997, but this was due to exceptional high international prices. The national output remained depressed (70,000-100,000 tonnes whereas it had reached constant outputs of 120,000-130,000 tonnes in the late 1970s and early 1980s), smallholder producers of the Central Province being the first to abandon their production, suffering from the mismanagement and politicking of their co-operatives. The milk, tea, sugar, rice and cereals sectors, suffering equally from politicking, half-baked implementation of structural adjustment programmes, lack of competitiveness on the now opened national market and the dumping of foreign goods imported by 'politically correct' businessmen, were also tremendously threatened. Maize and wheat producers suffered most from the ethnic violence. Hectarage and production of maize, the most important food crop in the country, which had decreased between 1990 and 1994, never recovered their levels of 1989 (IEA 1998: 308) and Kenya has now become a net structural importer of maize, incapable of meeting its population's needs.

Illegal dumping of imported goods eased by political connections also became a threat to the local manufacturers. The quantity of tyres, clothes,

edible oils, etc., entering Kenya in transit to Uganda, Tanzania, Burundi and Rwanda but being 'lost' en route, reached such proportions between 1993 and 1997 that several foreign investors complained bitterly to the government about this unfair competition. Firestone East Africa Ltd warned the government that this dumping was seriously threatening their operations in the country. At least 20,000 jobs were lost in the textile industry between 1993 and 1995 due to unfair competition from clothes and shoes of South-East Asia origin and the reduction of the American import quota from 1 million to 380,000 shirts a year (EIU 1996). Imports from India reached US\$250 million in 1995 compared to US\$12.5 million in 1990. Consequently, whereas the trade deficit consistently worsened and reached an all-time high of Ksh.760 billion in 1997, the manufacturing sector created only a meagre 23,000 jobs between 1993 and 1997 and more than 1.5 million Kenyans had no other choice than to adopt survival strategies within the informal sector. By 1997, with a total workforce of approximately 10 million people, Kenya had only 4.7 million workers employed either in the private, public or informal sector (EIU 1999). With such a crippled economy, the impoverishment of the great majority of Kenyans worsened tremendously and the disparities between the rich and the poor increased dramatically.

By 1994 the bottom 20 per cent of the rural population received only 3.5 per cent of the rural income and in urban areas, the bottom 20 per cent received only 5.4 per cent. On the other hand, the top 20 per cent of the population controlled 61 per cent of the rural and 51 per cent of urban incomes. These disparities only increased with the decline of education standards. Less than half of those who enrolled for primary education in the 1990s completed it. The increase of university fees to resorb their public debts, as recommended under SAPs agreements, provoked a direct decrease in national enrolment (-5.2 per cent in 1996/97). Yet, the demand by Kenyans for secondary and university education remains very high. More than 200,000 of the children who qualified for enrolment in secondary education in 1997 could not get places. In 1995-96, the proportion of those qualifying for post-secondary education but failing to get a place reached 75-80 per cent (EIU 1999:18).

On the political side, the kleptocratic nature of the Kenyan state was bluntly revealed. Far from seeking to serve effectively a variety of politico-economic and social interests on behalf of its citizens, or even as a useful mediator between them, the Kenyan state has historically been seen as an unending source for private accumulation. One year after the 1997 general elections an editorial of a Kenyan weekly echoed the views of Frantz Fanon in the following words: 'We do not have capitalists in this economy. Nor do we have what Marxists refer to as a national bourgeoisie. What we have are a group of parasites who depend on the patronage of the state to stay in business, and who depend on

money borrowed from banks to live opulent and ostentatious lives' (*Weekly Review* 04/12/98). It is quite fitting, then, that in 1998 Transparency International rated Kenya as the eleventh most corrupt nation among those surveyed (*Business Day* 03/12/98). Confronted with a rapidly diminishing supply of international financial resources to plunder, increasing political pressure from unionised workers and other sections of the civil society, and mounting sanctions from the Bretton Woods institutions, the regime resorted to all sorts of desperate measures to ensure its material and political survival – from violence to natural and public resources thievery. And it is partly against this backdrop that the notorious 'Goldenberg' scandal must be seen.

The 1993-97 years in Kenya were, to a great extent, the 'Goldenberg years'. Kamlesh Pattni, the director of Goldenberg International Ltd, the firm which benefited from unjustified compensation from the central bank for illusionary gold exports recently re-evaluated at US\$ 600 million, not only bankrolled KANU's political activities during and after the 1992 general elections but succeeded in ruining the credibility of the most formidable parliamentary opposition to the government: FORD-Kenya. Soon after the elections, the revelations that Jaramogi Oginga Odinga had received 'gifts' from Pattni for a by-election campaign provoked the first break within the party, as a group of 'Young Turks', including Paul Muite, Kiraitu Murungi and Gitobu Imanyara, decided to resign from their leadership positions.

But two years later, following Kijana Wamalwa's succession after Jaramogi's death in January 1994, Pattni managed again to completely discredit FORD-Kenya's leadership. This time allegations of bribery were made against Kijana Wamalwa. It was stated Wamalwa, as the head of the Public Accounts Committee, had recommended that more money should be given to Goldenberg International by the Central Bank. It was Musalia Mudavadi, the KANU minister for Finance, who had to battle and have the recommendation struck out from the report before its approval by parliament. This episode irremediably led to an increase of the battle between Raila Odinga and Kijana Wamalwa for the leadership of FORD-Kenya and subsequently provoked its break-up when Raila Odinga left for the National Development Party (NDP), taking with him most of the Luo following.

FORD-Asili and the Democratic Party (DP) suffered a different fate from that of FORD-Kenya but neither of them gave a testimony of their capability to rule with some efficiency. The divisive strategy followed by KANU and its government towards both formations was to promote anti-Kikuyu feelings among them and lead to the isolation of their leaders, Kenneth Matiba and Mwai Kibaki. This strategy was not even needed to tame FORD-Asili, since the illness and uncompromising attitude of Kenneth Matiba in rejecting the election results and his quarrelling with his secretary general, Martin Shikuku,

led to the slow but certain collapse of the party. Moreover, if Matiba retained some popularity in Central Province and FORD-Asili did not lose a single by-election among the Kikuyu, Martin Shikuku faced defeat after defeat, losing all his fellow FORD-Asili Luhya MPs to KANU and their seats in the subsequent by-elections.

The DP suffered most from the divisive strategies of KANU. Propagating the prejudice that Kikuyu political leaders could not be trusted, KANU put pressure on the DP Kamba MPs and tried at the same time to prop up agreements with the GEMA (Gikuyu, Embu, Meru Association) old-guard of the party to substantiate the prejudice. This led to the GEMA-KAMATUSA (Kalenjin, Maasai, Turkana Samburu) talks of 1995, around table of ethnic negotiation opened by Nicholas Biwott and Njenga Karume with the proclaimed agenda of resettling the victims of the Rift Valley clashes. The talks aborted abruptly due to the uncompromising and hostile stance taken by KANU hawks notably William ole Ntimama and Kipkalya Kones, but the DP lost a lot of credibility and suffered afterwards from the defection of John Keen and Agnes Ndeti to KANU, respectively the secretary general and second vice-president of the party.

For those who could not be bought or compromised in any scandal, and who kept a tough stand against the government in parliament or through their publications, KANU had kept the heavy stick of its provincial administration, General Service Unit (GSU) and other branches of its political police. Cases of police harassment, beatings, and political thuggery against uncompromised opposition leaders such as James Orengo (FORD-Kenya), Peter Anyang' Nyong'o (FORD-Kenya), Mukhisa Kituyi (FORD-Kenya), Kiraitu Murungi (DP), Charity Ngilu (DP) among others, against the journalists of the free press (e.g., *Daily Nation*, *Society*, *Finance*), and against the leaders of human rights and civic awareness organisations, (e.g., Willy Mutunga, Kivutha Kibwana), became a constant feature of the 1993-97 years. The Mwangaza Trust and CLARION, two civic organisations created to prepare a political alternative for the country and shed light on malpractices were deregistered in 1994 and 1996. Safina, 'the ark' in Kiswahili, a would-be political party formed in 1995 and led by the internationally known white Kenyan archaeologist Richard Leakey and the outgoing FORD-Kenya leader Paul Muite, did not get its official registration until November 1997, one month before the elections. Leakey, Muite, and Njeri Kabeberi, another Safina representative, moreover, were heavily clobbered and physically assaulted by KANU youths when they attempted to visit Koigi wa Wamwere in September 1995 in Nakuru. Wa Wamwere had been arrested on charges of 'treason' two years before and his political trial was internationally described as 'a mockery of justice'.

At the game of 'divide, beat and rule', Daniel arap Moi has been a winner for almost 40 years and could not be expected to lose, having kept all the major cards in his hands. His constant 'give and take' tactics with the international community offered another example of the prowess of the self-proclaimed 'professor of politics'. After the resumption of international support to the balance of payments in July 1994, following the implementation of the first measures of structural adjustment, President Moi gave in his new year message of January 1995 the impression of a willingness to amend the constitution and somehow level the political field before the 1997 contest. He first announced the establishment of a constitutional review commission. Eighteen months later, in June 1996, when the irritation of the international community started to be expressed publicly regarding the total absence of any progress on this matter, he requested parliament to take charge of the process since it had the mandate and the possibility to do so. However, by early 1997, two years after his initial declarations and as he was starting his re-election campaign, nothing had been done. By July 1997, the cabinet had recovered so much leverage to handle the international community – the country had the highest level of foreign exchange reserves for almost ten years – that it decided it could do away with the safeguards and technocrats that had been put in place at the head of the Kenya Revenue Authority and Customs Department to refrain tax evasion and the illegal dumping of goods. This led to a second aid freeze by the IMF and the World Bank.

Of particular significance throughout this pre-election period was the growing prominence of the so-called 'civil society' in the continuing struggle against autocratic rule. A section of this amorphous category came under the organisational umbrella of the National Convention Assembly (NCA) and its executive arm, the National Convention Executive Committee (NCEC). With its leadership drawn largely from the ranks of the middle class, the NCA had become so effective in mobilising the energies of a broad range of interest groups that it became a constant source of worry and concern to the KANU government. The political 'confusion' resulting from the sudden upsurge of the pro-democracy momentum prompted the active resurgence of social groupings (both old and new) and social mechanisms that gave voice to the public in new ways. Decades of authoritarian rule which quashed any semblance of effective structures of collective organisation had created a void that now came to be filled by a multiplicity of dynamic informal groupings seemingly established along the lines of sex, gender, religion, etc., each seeking to articulate the concerns and interests of its members. In the struggle to inscribe their members as stake-holders in the political arena, these groups served as important fora for galvanising communal anger in the quest for democratic change.

But the hitherto vibrant 'civil society' soon became hostage to the personal and factional ambitions of the political elite, ambitions that were sometimes rationalised along ethnic and nationalist lines. The political elite – including many of those who had been at the forefront of the crusade for political reform – acquiesced to KANU's political manoeuvres, craftily engineered through the formation of the Inter-Parties Parliamentary Group (IPPG). The coalition of human and women's rights activists, university teachers, lawyers, students, clerics and other pro-democracy forces from within the civil society who insisted on genuine and thorough-going political and legal restructuring before elections, suddenly saw themselves abandoned by politicians who were now busy dusting off their campaign wares. In the final analysis, therefore, it is difficult to determine how much influence these civil society groups ended up exercising over the voting behaviour of their members at election time.

This is, broadly framed, the political, economic and social environment that surrounded the December 1997 general elections in Kenya. This context must be kept in mind when trying to understand the Kenyan electoral process. Elections in Africa are often a war for political and economic survival; losing an election is often losing everything. The control of the state is the central concern of politicians partly because the state has been, since the beginning of the continent's postcolonial history, the engine of kleptocratic accumulation and the essential generator of both patronage and resources. This context justifies the general approach of this book which was designed not only to give an account of the general results of these elections and to illustrate how the electoral commission, the local observers and the international community tried to ensure that it respected international standards of decency; but it also attempts to show how Kenyans relate to the electoral process, how they use it, benefit from it and, occasionally, put their faith in it.

The book is, therefore, organised in four parts, presenting successively: the direct pre-electoral background of the polling exercise (Chapters 2-4), the technical and national analysis of the general elections (Chapters 5-9); regional studies focusing on 'the grassroots level' of Kenyan politics (Chapters 10-19); and finally a review of the violent election aftermath, political developments in 1998 and 1999 and some conclusions on the meaning of electoral politics in Kenya (Chapters 20-22).

In a preview to the 1997 elections, *African Business* journalists Milan Vesely and Anver Versi earmarked the 29 December polls as perhaps the most important in the history of the country. They questioned whether Kenya would enter an era of full democracy and a renewed period of stability or whether it would, following the sad examples of Congo, Somalia and the Sudan, be ripped apart by tribal politics. Vesely and Versi referred to the worries, especially in Britain and the United States about what would happen to KANU, and who

will be Kenya's leader after Moi, after the 2002 elections. One of the interviewed insiders claimed that there was no reason to worry because 'Kenya is heading for a higher level of democracy, political maturity, and with it, renewed economic progress. It won't be after this election, which Moi will steal, but it will be after the one in 2002' (*African Business*, No 227: 19). The journalists concluded that it seemed almost certain that both KANU and President Moi would win the elections 'although perhaps not as comfortably as they might have liked'. This book demonstrates how comfortably KANU and President Moi won the 1997 elections.

Note

1. See the shift from Hyden 1980, to Hyden 1985 and finally Hyden 1992.

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