

DEMOCRATIC TRANSITION in Kenya

The Struggle from Liberal to Social Democracy

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DEDICATION

This book is dedicated to two generations of patriotic Kenyans who struggled hard for its freedom and development centred on political, economic and socio-cultural justice for all Kenyans.

Bildad Kaggia: born 1922 died 7th March, 2005

Crispin Odhiambo-Mbai: born 25th October, 1954 ; murdered 14th September, 2003

Introduction

The approach followed in the first chapter of this book varies somewhat with that used by most of the contributors. The first chapter places the political and socio-economic development of Kenya within the global geo-political context of the last sixty years. It also places Kenya within the contentious wider debate on democracy from the northern (European/American) and southern (African/Asian/Latin American) perspectives. On the other hand the writers of the remaining six chapters analyse specific aspects of Kenya's political and economic development from the Kenyan's perspective of the internal evolution of Kenya since independence. The two approaches are complimentary and are intended to enhance the understanding of the specificity of Kenya's situation in the present global context.

The content of this book is essentially a critique of Kenya's present situation - first Kenya's global context followed by six internal critical areas of the state. Each of these areas is discussed in a chapter of its own. Chapter one (by Abdalla Bujra) relates Kenya to the global context – both geo-political and the international debate on democracy. Chapters two (by Professor Wanyande) and three (by Duncan Okello and Kwame Owino) briefly highlight the context of contemporary governance and economic development in Kenya. In the process, they outline constitutional changes which have taken place and which transformed the country from single party into a multiparty state. They also trace changes that have culminated in the liberalisation of the economy. Despite the fact that some achievements have been made thus far, the writers are of the view that further efforts are required to consolidate, deepen and institutionalise, democracy and good governance. Okello/Owino also urge a paradigmatic shift in development thinking and strategy - to plan for the on going large scale shift of the population to urban centres, to give priority to the historically neglected regions, to diversify our agriculture and to develop our livestock industry.

In Chapter four, the late Crispin Odhiambo-Mbai touches on the involvement of citizens in the governance of the country, on the restructuring of the state, on the need for a national integrity system that will outlaw and eradicate corruption and on the necessity of restoring confidence in the institutions that govern the country.

Chapters five to seven contain special and detailed discussions on issues which require new strategies and deliberate policies to develop important and critical areas such as nationhood, language, history, and culture. The sections are highly critical of policies which have so far discriminated against particular ethnic groups; they strongly argue for immediate change of policies which will recognise and treat all Kenyans as equal citizens (as is required by the constitution), that respect human rights, that make the public service accountable to the people, that engender popular participation in the governance of the country, that promote responsible local government and that restore confidence in the judiciary, the police, and the prison service.

Clearly the discussion and analysis on the above issues indicate the major democratic shortcomings of the previous governments since independence and the path the present and future governments are expected to take. Otherwise, as chapter one implies in one of its conclusion, unless the government is seen to be seriously tackling these basic democratic issues, the majority of the people are likely to follow their own route of putting pressure on government to carry out social transformation that includes tackling these issues.

The sixth chapter containing results of empirical studies simply reinforce the argument made in the first chapter that (a) the elite are unlikely to make any changes – political or economic – to the status quo since any change will be against their interest (b) the donor community are clearly happy at the present status quo, having convinced the elite to fight for power peacefully instead of through violent conflict. Thus their single minded focus on corruption at the expense of everything else is a way of diverting attention to the serious situation facing Kenyans and (c) clearly minimal democracy has reached its limit and no further change from the elite or the donors should be expected; (d) however the conflicts, insecurity and tension generated from lack of serious transformation from the existing elite in power might lead to serious pressure from below for change whose direction is uncertain if the elite continue to control power and insist on maintaining the status quo.

The research for this project was carried out during 2002 and the recommendations were published a few weeks before the December election of 2002. They were

distributed to both NARC and KANU. The recommendations are still valid and are reproduced at the end of this book.

At the time, all of us had hoped that even if only a few of the recommendations (over 40 in the Annex) were to be adopted by either of the successful political party which took power January 2003, then the government would have began a serious attempt at a major political and socio-economic transformation of the country. At the time and in the background, was the widespread expectation and excitement that the draft constitution (which had then been published) would soon be implemented (in early 2003). And in any case NARC had promised to give the country the new constitution within a hundred days! Optimism was high amongst the group involved in this project and especially when it was discussing the recommendations. In fact we were infected by the country wide enthusiasm, expectation and optimism on the possibility of a new era for the suffering Kenyans. The atmosphere was electric.

Two and half years later, the NARC government has disappointed the majority of Kenyans. None of our recommendations came any near being discussed or considered by the government. And the draft constitution was buried in the quicksand of NARC politics while the version passed by the national conference (the Boma), might be changed drastically if implemented at all. Pessimism has therefore set in. The Nation's survey published on 31st December 2004 clearly indicated extensive disappointment and pessimism throughout the country. At the same time the revelations by The Standard (published Saturday, 8 January 2005) of the strong connections amongst the economic and political elite in the present NARC government with those in the last KANU government indicates that the multi party elections is serving its purpose – namely peaceful change of government from one faction of the elite to another. The Standard survey showed that a small, tight and powerful elite, highly interconnected and embedded in the accumulation process through a network of companies – in manufacturing, land, service sector, farming, insurance, banking, and import/export service – rule Kenya. Whoever wins the election in 2007, whether under KANU or NARC, (if NARC survives) or under a new alliance of groups that might emerge, it will be simply a musical chair type of change amongst factions of the elite taking power and running the government for the benefit of the elite as a whole. This after all is the main purpose of the multi-party

election (minimal democracy) - to arrange a peaceful transfer of power from one faction of the elite to another. And the expectation of the masses that the new government would initiate new policies especially in the area of redistribution of resources, social services, strengthening civil liberties, economic and cultural rights for all, building a nation instead of ethnic chauvinism – expectations of new policies in these areas are most likely to be dashed. Thus the fate of NARC will most likely be the fate of the next government – whichever factions is elected – noisy promises but little change beyond cosmetics, for the majority of suffering Kenyans whose expectations have been dashed and who are deeply disappointed.

The contributors of chapters two to seven undertook empirical research as part of this Ford Foundation funded project. Their analysis contained both critique and recommendations - general and specific – which in our view are realistic and which are reproduced as an Annex at the end of the book. The Annex contains over forty well thought out recommendations.

Those involved in this important project are convinced that the recommendations in the Annex, will initiate wide constructive public debate in the hope that government will begin to consider them seriously and that political parties – old and new – will include them as part of their programme for implementation, and not to be discarded, when they get to power. Extensive public discussion on these recommendations and their possible implementation in the near future (even on a step by step basis) will constitute important progress and put Kenya far ahead in democratic governance than most African countries.*

Abdalla Bujra

* The views expressed in this Introduction and Chapter 1 are those of Abdalla Bujra and not necessarily of the other members of the Steering Committee of this Project, nor of African Centre for Economic Growth or the Ford Foundation. Abdalla Bujra takes full responsibility for his views.