

**THE ROLE OF POLITICAL PARTIES IN THE
TRANSITION TO DEMOCRACY IN KENYA,**

1990 – 2002.

BY:

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**A THESIS SUBMITTED IN PARTIAL FULFILMENT FOR THE DEGREE OF
MASTER OF ARTS IN POLITICAL SCIENCE AND PUBLIC ADMINISTRATION,
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DECLARATION

This thesis is my original work and has not been presented for a degree in any other University.



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10-11-2010

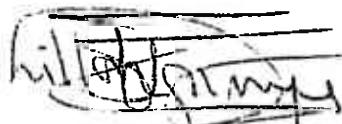
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DEDICATION

This thesis is dedicated to my family, colleagues and lecturers in the Department of Political Science and Public Administration.

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ABBREVIATIONS

ASP	-	Afro-Shirazi Party
ANC	-	African National Congress
CKRC	-	Constitution of Kenya Review Commission
CCM	-	Chama Cha Mapinduzi
CSOs	-	Civil Society Organizations
DANIDA	-	Danish International Development Agency
DP	-	Democratic Party
ECOMOG	-	Economic Community for West African States Monitoring Group
FIDA	-	Federation of Women Lawyers
FORD	-	Forum for Restoration of Democracy
FORD-K	-	Forum for Restoration of Democracy (Kenya)
FORD-P	-	Forum for Restoration of Democracy (People)
FORD-A	-	Forum for Restoration of Democracy (Asili)
IED	-	Institute for Education in Democracy
IMF	-	International Monetary Fund
IPPG	-	Inter-Parties Parliamentary Group
KANU	-	Kenya African National Union
KAU	-	Kenya African Union

KBC	-	Kenya Broadcasting Corporation
KCA	-	Kikuyu Central Association
KENDA	-	Kenya National Democratic Alliance
KHRC	-	Kenya Human Rights Commission
KNC	-	Kenya National Congress
KPU	-	Kenya People's Union
KSC	-	Kenya Social Congress
KY	-	Kabbaka Yekka
LDP	-	Liberal Democratic Party
LSK	-	Law Society of Kenya
MDC	-	Movement for Democratic Change
MOU	-	Memorandum of Understanding
MP	-	Member of Parliament
NAC	-	National Alliance for Change
NEC	-	National Executive Committee
NAK	-	National Alliance of Kenya
NARC	-	National Rainbow Coalition
NRA	-	National Resistance Army
NRM	-	National Resistance Movement
NCKK	-	National Council of Churches of Kenya
NCEC	-	National Convention Executive Council
NCPC	-	National Convention Preparation committee

NDC	-	National Democratic Congress
NDP	-	National Development Party
NGOs	-	Non- Governmental Organizations
NPP	-	New Patriotic Party
RUF	-	Revolutionary United Front
NPK	-	National Party of Kenya
PNDC	-	Provisional National Defence Council
PICK	-	Party for Independent Candidate of Kenya
PPP	-	Peoples Progressive Party
SADC	-	South African Development Community
SAP	-	Structural Adjustment Program
SIDA	-	Swedish International Development Agency
SDP	-	Social Democratic Party
SSRC	-	Social Science Research Council
TANU	-	Tanganyika African National Union
UNDA	-	United National Democratic Alliance
UPC	-	Uganda People's Congress
UNIP	-	United National Independence Party
USAID	-	United States Agency for International Development
WB	-	World Bank
ZAP	-	Zanzibar National Party

ABSTRACT

The main objective of the study is to assess the role of political parties in the transition to democracy in Kenya, 1990 - 2002. In pursuit of this objective, the research answered the following questions: To what extent have political parties promoted meaningful and extensive competition for state power? How have they enhanced political participation and sufficient civil and political liberties?

It is hypothesised that the deepening of democracy and the widening of the democratic space is a direct consequence of the activities of political parties. The implication is that Political parties have a role to play in the transition to democracy. Political parties are treated as independent variable, while democracy as a dependent variable.

The study found that political parties to some degree enhanced political freedom, participation and inclusiveness in the democratic transition in Kenya. Their contribution to constitutional reforms from 1990 - 2002 led to improved and widened political space, minimal voter education, nomination and selection of candidates during the 1992, 1997 and 2002 general elections, enhanced registration of many political parties, NGO's, CBOs, women organisations and welfare associations. Furthermore, political parties promoted media freedom and women empowerment. Never the less, they experienced serious obstacles that included lack of institutional framework, limited financial resources, ethnic cleavages and personality cults.

It is the recommendation of this research that political parties should provide good leadership to inspire the people; the leaders should be honest, transparent, accountable and committed to the ideals of democracy. On the other hand, the government should provide a conducive environment for political parties to actively engage in political processes. It should avail an impartial free press in order to raise political awareness among the citizens. Furthermore, the government should provide adequate funding to all registered political parties. Voter education should be fully funded by the government.

CHAPTER ONE: BACKGROUND TO THE STUDY

1.1 Introduction

The historical roots of the struggle for multi-party democracy¹ go back to the years between 1966 and 1990. Events occurred that awakened the people's political consciousness, thus providing the momentum for struggle for change. In 1982 Jaramogi Oginga Odinga and George Anyona attempted to register an alternative party, the National Socialist Alliance (NASA) but they failed. Anyona was detained without trial and Oginga Odinga was put under house arrest. But other pro-democracy forces emerged like Mwakenya.

Between 1963 and 1990, Kenya held six elections. Apart from the 1963 elections where two political parties: Kenya African National Union, KANU, and Kenya African Democratic Union, KADU, participated, all the other elections were held with KANU as the sole party. The single party system of elections, particularly the 1988 elections that involved queue voting, was circus of untold magnitude. According to Korwa², the elections were more of selections than elections. Between 1989 and 1990, pro-democracy movement spearheaded by the clergy, lawyers and individuals set against KANU. The council of churches initiated the debate of reforms. Dr. Henry Okulu called for reform

¹ Oyugi, W.O., "The Politics of Transition in Kenya 1992-2003: Democratic Consolidation or Deconsolidation?" in Oyugi, W.O., Wanyande, P. and Odhiambo-Mbai, C. (eds). *The Politics of Transition in Kenya: from KANU to NARC*, Nairobi: Heinrich Boll Foundation, 2003, pp.352-353.

² Korwa G. Adar, "Ethnicity and Ethnic Kings: The enduring Dual constraint in Kenya's multi ethnic democratic electoral experience" in *The Journal of the Third World Spectrum*, 5, No.2 of 1988, pp. 71-76.

on electoral system arguing that the existing process had failed to ensure the democratic participation of all Kenyans. In 1990, Reverend Dr. Timothy Njoya called for multi-party democracy in Kenya. The National Council of Churches of Kenya (NCCCK), Law Society of Kenya (LSK), pro-reform individuals like Oginga Odinga, Kenneth Matiba, Charles Rubia, Paul Muite, James Orengo among others, called for multi-party democracy in Kenya. KANU, the party in power since independence, resisted the reforms.

From the above, it is evident that the democratic transition in Kenya was won through the efforts of individuals, civil society and the donor community. But very little literature is reviewed and documented on the role played by political parties in the transition to democracy, 1990-2002. The Forum for the Restoration of Democracy, FORD, was a formidable party that was very instrumental in forcing KANU to respond to democratic reforms and yet not much emphasis is laid on such a role. Prior to 1997 general elections, Democratic Party, DP, the National Democratic Party, NDP, the Social Democratic Party, SDP, among other newly formed political parties, forced KANU to negotiate for constitutional reforms. It was their combined effort that led to the Inter-Parties Parliamentary Group, IPPG, reform agenda that culminated in the subsequent reforms and yet this does not appear as a very important contribution to democratic transition in Kenya. Instead, political parties in Kenya have been viewed as structurally weak, operationally disorganized and uncoordinated, ethnically oriented, and lacking in focus and objectives.

The study therefore attempts to gather and piece together information that can lead to the re-definition of the various roles of political parties in the democratic transition in Kenya from 1990 to 2002.

1.2 Statement of the Problem

Kenya's transition to democracy can aptly be attributed to both external and internal factors that combined to produce the various political reforms that ultimately led to multi-party politics. Internally, the churches, the media, the underground political movements, individual politicians, the student organizations, the civil society, are the main forces that pushed for change. External forces included the donor community, especially the World Bank, the International Monetary Fund, IMF, and the United States of America and Britain, whose ambassadors and High Commissioners respectively, were in the forefront in calling for democratic reforms.

Political parties on the other hand did not have the necessary space to forcefully push for reforms. Over the years, political parties have been constrained by the constitution that was often manipulated by the executive to achieve desired political goals. A section of the constitution in the past has been amended in order to either preempt a political action or to solve an existing political problem.³ But in 1991, the

³ In 1966, following the resignation of the then Vice-President, Jaramogi Oginga Odinga together with some KANU MPs to form an opposition party, Kenya People's Union, KPU, the constitution was hurriedly amended to require such members to seek fresh mandate from the electorate by standing for elections in the new party. In 1969 KPU was banned and its leaders detained without trial. Kenya became a *de facto* one party state. In 1982, following the attempted coup in August against President Daniel Arap Moi's regime, the constitution was amended to make the formation of political parties illegal. This was done by inserting section 2A in to the existing constitution to block

constitution was amended to allow for multi-party politics. In fact, in December 1992, Kenya held a multi-party election. KANU, the independence party, won this election. The party won again in 1997. The disillusionment among Kenyans about the performance of the many political parties that were expected to deliver change and replace the KANU leadership was obvious. The parties were viewed as weak and baseless. They operated on ad-hoc basis and lacked effective organizational frameworks, adequate financial resources and ability to promote and enhance political freedom, competition and participation of the citizenry. But in 2002, these parties united under the National Rainbow Coalition, NARC, and eventually won the election. In order to know why the decade of 90s seemed very difficult for political parties, this research inquires into the role of political parties in this transition from 1990 to 2002.

1.3 The Objective of the Study

The overall objective of the study is to assess the role of political parties in the transition to democracy in Kenya, 1990-2002. The study specifically addresses the following objectives:-

1. To analyse the influence of political parties in constitution reforms in Kenya.
2. To examine the influence of political parties in civic education in Kenya.
3. To assess the impact of political parties in free and fair elections in Kenya
4. To evaluate the influence of political parties in the nomination and selection of candidates in Kenya

attempts by Oginga Odinga and George Anyona to register an opposition political party by the proposed name of Kenya Socialist Party. Kenya became a *de jure* one party state.

5. To assess the influence of political parties in the expansion of media freedom in Kenya
6. To analyse the impact of political parties in the empowerment of women in Kenya.

To achieve these objectives, the following questions will have to be answered:

1. To what extent have political parties promoted meaningful and extensive competition among individuals and organised groups for positions of power without resorting to use of force?
2. How have political parties enhanced inclusiveness in political processes?
3. Have political parties promoted sufficient civil and political liberties?

1.4 Justification of the Study

Since independence, political parties have not been able to operate as freely as they should. The constitution has been used to make it hard for the political parties to operate. From 1969 to 1982, Kenya was a de facto one party state and from 1982 to 1991, it was a de jure one party state.

Although the roots of Kenya's pro-democracy movement can be traced to the colonial period, it was in the decade of 1990-2000 that Kenyan politics was dominated by strong party influence in the democratisation of the political system.⁴ The transition from an authoritarian one-party state political system to a multi-party system has been one of the most important features of political development in the country since 1963: a multi-party political system was re-established in 1991 following an amendment of the constitution to provide for formation of other political parties to function alongside KANU. Subsequently, many political parties were formed and currently the country has more than 60 political parties, though fewer than a dozen are active.

⁴ See Wanyande, Peter, "Recent Constitutional Development in Kenya". in Saida Yahya-Othman, (ed.), *Politics, Governance and Co-operation in East Africa*, Dar es Salaam: REDET, 2002, pp. 83-89.

Because of this, a study on the role of the political parties over this period is justified. Academically, this study is justified on the basis that little has been written about political parties and transition to democracy after the repeal of section 2A of the constitution. There is a substantial amount of literature on other groups- civil society organisations, LSK, religions and the media- that pressed for the opening up of the political space. It is therefore imperative to complete this by including the role of political parties as well.

A study on the role of political parties in the transition to democracy is relevant as it gives a strong base for future party activities in the country. Issues of democracy are of concern to political and social actors in society. Economic development enhances good governance, which is central to democracy. It therefore follows that if the activities of political parties are clearly spelt out, understood and streamlined, then governance issues will equally be understood and easily accepted as the foundation of the Kenyan political system.

1.5 Theoretical Framework

Theoretical approaches are useful and powerful research tools that offer sets of ideas, generalizations and arguments in order to deduce the most important explanatory factors. Nachmias and Nachmias⁵ define a theory as a logical deductive system that has a set of interactive concepts from which testable propositions can be derived. A theory has a systematically organised set of ideas that are used to explain, predict, describe and understand a given phenomenon. The theoretical approaches on democratisation are varied and include modernization/development, world-system, dependency, class and democratic diffusion.

In this study, modernization theory has been chosen to understand and explain the role of political parties in the democratic transition in Kenya. The central question that

⁵ Nachmias C. F. and D. Nachmias, *Research Methods in Social Sciences*, London: Martians Press, 1966, pp. 143-156.

modernization seeks to answer is how traditional societies can achieve the same economic and social welfare systems and democracy as modern societies. Democracy is a system of government in which competition and inclusiveness exist. Non-democratic regimes are those political regimes that have failed to meet the requirements of competition and /or inclusiveness.⁶ According to the theory, no single factor is sufficient or is necessary to explain the development of democracy in all states. This implies that there is no single universal theory that can be used to understand transition to democracy. Transition to democracy, the focus of this study, is to be understood here as transition from a non-democratic to a democratic political system.⁷ It is a transition from a closed to an open political system. Modernization theorists believe that modernization leads to more development, which in turn leads to more democracy.

The field of modernization research was established in the 1950s and early 1960s as a new area of comparative politics by a group of US scholars. Its institutional origin lies in the creation in 1954 of the committee on comparative politics by the Social Science Research Council (SSRC). This committee was founded to study modernization and the communication media.⁸ The scientific spirit of this period dominated the development of the modernization school. The theorists wanted to contribute to the creation of a truly modern science of politics by finding a comprehensive theoretical framework in which their practical goal to establish stable, pro-Western regimes around the world could be assessed.⁹ Lipset was among the pioneers of the modernization theoretical framework. He asserted that theoretical and empirical explorations show that democracy is related

⁶ Dahl, R. A. *Polyarchy: Participation and Opposition*. New Haven: Yale University press, 1971, pp.14-15.

⁷ Schedler, A. "What is Democratic Consolidation?" *Journal of Democracy*, 9, no.2: 1998a, pp. 91-107.

——— "How should we Study Democratic Consolidation?" *Democratization*, 5, no.4, 1998b, pp. 1-19.

⁸ Pye, L. W., *Communication and Political Development*. Princeton, NJ: Princeton University Press, 1963, pp. 55-56.

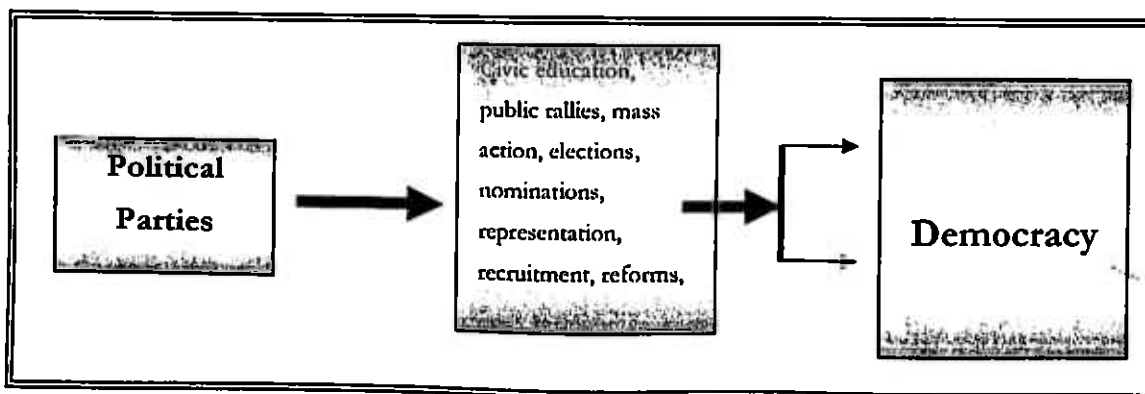
⁹ Cammack, P., *Capitalism and Democracy in the Third World. The Doctrine for Political Development*. London and Washington: Leicester University Press, 1997 pp186-195.

to a state's socio-economic development.¹⁰ Samuel Huntington views modernization as a theory that pays more attention to processes and sequences of democratic development though he realizes that the explanations for transition to democracy probably differ overtime.¹¹

Political parties have the sole objective of capturing state power so as to distribute resources. They decide who gets what, when and how. It is the equitable distribution of resources that leads to development of the society and makes democratic transition smooth. According to Lipset¹², when people are more developed, they are more inclined to believe in democratic values and support a democratic system. In this study, political parties form the independent variable; political activities are the intervening variables while democracy is the dependent variable as shown on figure 1.1 below:

Figure 1.1 Theoretical Framework

Independent variable \Rightarrow Political activities \Rightarrow Dependent variable



Source: Researcher 2007

¹⁰ Lipset, S.M., "Some Social Requisites of Democracy: Economic Development and Political Legitimacy", *American Political Science Review*, 53, No. 11, pp. 69-105.

¹¹ Huntington, S.P., "The Change to Change: Modernization, Development and Politics", in Black C.E., (Ed.), *Comparative Modernization: A Reader*. New York: Free Press, 1976 190-212.

-----, "Will More Countries Become Democratic?" *Political Science Quarterly*, 99, no. 2: 193-218.

¹² Lipset, S. M., "Some Social Requisites of Democracy: Economic Development and Political Legitimacy", *American Political Science Review*, 53, no. 1: pp. 69-105.

According to the theory, democracy is difficult in a situation of concentrated inequalities in which a large, impoverished majority confronts small healthy elite. It assumes that societies that are highly developed- high societal wealth, industrialised, urbanised, with advanced infrastructure are more likely to be democratic. They are likely to engender transparency, accountability, rule of law, equality and equity. This study assumes that the activities of political parties have a direct and positive impact on transition to democracy. Activities like reforms, civic education, campaigns, member recruitment, women and youth empowerment, participating in elections, representation, equitable resource distribution and reduction of poverty are essential attributes if democracy is to be attained.

Modernization theory, unfortunately works on erroneous assumptions. It assumes that development is a linear process and that it is inevitable. The theory merely assumes that institutions are autonomous and development could only be effected by internal factors. It does not look beyond. It is too optimistic, ambitious and simplistic. However, despite the limitations, the theory does explain the phenomenon being studied, democracy. Political parties on the other hand, influence development, which in turn enhances democracy. This theory therefore is adopted well aware of its limitations.

1.6 Literature Review

Okwudiba Nnoli rightly asserts that political parties constitute an important element of modern government.¹³ Before their emergence, governments were organized on the basis of cliques, factions or blocs. In fact, the name party, taken from the French 'parti' emphasizes the origin of modern parties that developed in (continental Europe) France and Britain. The author also gives an array of functions performed by political parties

¹³ Nnoli, O., *Introduction to Politics*, Ibadan: Longman, 1986, pp 135- 142.

including political education, interest aggregation and articulation among others.¹⁴ Political education requires financial resources. Governments are expected to provide such resources. Unfortunately, governments do not often provide, making it very difficult for political parties to perform such a function. In writing about political parties and democracy, most authors realize that democracy cannot be rigidly defined. For that reason, democratization may vary from one country to another.¹⁵ In essence, it (democracy) should mean that there is the widening of civil and political liberties, freedom of expression, and freedom of the press, freedom to form and join organizations among other ideals. ¹⁶

Democratization calls for a healthy and balanced relationship between the other organizations like the civil society and political parties. But this relationship is not always easy to achieve, establish and maintain. Yet for a transition to democracy, political parties must be assisted. Ivan Doherty¹⁷ argues that in some countries, there is persistent confrontation among civil society organizations and political parties; in other countries still; it is hard to distinguish between the two entities because civil society organizations play important political roles and are clear allies of political parties. As earlier noted in this study, civil society organizations played an important role by pressurizing the KANU regime and by closely working with the opposition parties. The real challenge of such a close relationship, according to Doherty, is not managing the conflict that may arise between the two entities but rather, to balance support for the democratic institutions and organizations that are more accountable and inclusive, while at the same time continuing to foster and nurture the development of a broadly

¹⁴ Ibid.

¹⁵ See Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe*, Baltimore: John Hopkins University Press, 1997, ch. 2.

¹⁶ See Robert Dahl, *Polyarchy: Participation and Opposition*, New Haven: Yale University Press, 1977, pp. 3-20.

¹⁷ Ivan Doherty, "Democracy Out of Balance; Civil Society Can't Replace Political Parties", *Policy Review*, April/May 2001, pp. 25-35.

based and active civil society. While the study is not specific about Kenya or even about Africa, it is in African countries where governments try to suppress the operations of such organizations. It is an important work that the current study can use to understand the nature of the relationship between the organizations and political parties in Kenya.

In every state that goes by the tag democratic, the primary aim of a party is to succeed. In its keenness for success, a party frequently adopts dubious vote-catching devices and tactics, which, according to Lord Bryce, demoralize politics and make them sordid.¹⁸ This has made some authors to aver that the best condition that favors good party politics is a two-party system.¹⁹ The authors argue that a strong government and an almost equally strong opposition presenting alternative programs of public interest seem to be necessary if parties are not to degenerate into cliques. Opposition's responsible criticism of measures proposed by the government keeps the government alert and watchful while at the same time rendering a great public service.

There are obvious weaknesses of many parties, the most being that government is formed by continuous bargaining and trafficking among members of different groups who have no scruple in changing their allegiance on the slightest pretext possible. It is in this light that defections from one party to another can be seen as a major weakness of political parties in their efforts to democratize a country's political system. Another problem that political parties face is ethnicity. This, according to Asirvatham and Misra, has no place in politics. Ethnicity, just like religion and caste, is a fruitful cause of national weakness. By perpetuating fissiparous tendencies, they place themselves entirely at the mercy of the interested outsiders. Even broad national questions, which should be judged purely on their merit, are approached from the ethnic or religious angle. These attributes distort the vision with regard to economic, social and political

¹⁸ Bryce Lord, *International Relation*, London: MacMillan, 1921, pp. 58-67.

¹⁹ Asirvatham, E. and K. K. Misra, *Political Theory*, New Delhi: S. Chand and Co., Ltd., 2008, pp. 418-432.

policies and programs. In such situations, parties fail to use the legitimate weapons that a party may use in winning adherents- persuasion and conviction.

Other scholars have also given a critical interpretation to the issue of elections and democracy. The argument is that, elections, while a good indicator of democratic governance, are not in themselves what democracy is all about.²⁰ There is what has been called the "fallacy of electoralism"- the vote is not always enough.²¹ It follows that democratization requires the establishment, not only of a series of regular elections contested by various political parties, but also a wide battery of other institutions and procedures. These institutions and procedures, which include legislative, judicial and investigative bodies may be lacking in many countries. Interest groups, civic societies and political parties must therefore be able to intercede between the individual citizen and the state if meaningful transition is to be attained.

In Africa, democracy is just taking root. According to Maltose Khabele²², the political context and the legal environment in which political parties function, as well as their systems of internal organization, management and operation, often require attention and need reform. The external environment- the regulatory, financial, political and electoral spheres in which political parties grow and function- influences party strategies and organization. The external environment also has a fundamental impact on the capacity of parties to become more effective agents of democratization. The internal functioning of political parties determines how the social demands of different groups in society are represented in parliament. Candidates nominated for election are selected, supported, and trained by their parties. In addition, parties put candidates in

²⁰ See Schumpeter, J., *Capitalism, Democracy and Socialism*, New York: Harper Bros, 1950. Cited in Nyong'o, P. A., *The Study of African Politics. A Critical Appreciation of a Heritage*, Nairobi: Heinrich Boll Foundation, 2002, pp. 85-92.

²¹ Schmitter, P. and T. L. Karl, "Modes of Transition in Latin America, Southern and Eastern Europe", in *International Social Science Journal*, 128, cited in Nyong'o, P. A., *Ibid*.

²² Project Coordinator and Series Editor, *EISA Research Report No. 20*, Johannesburg: EISA, 2006, p.vi-viii.

touch with voters and hold them accountable. In many instances, the electoral and political culture and associated structures have allowed traditionally excluded groups- such as women, ethnic and religious minorities, indigenous peoples and youth- to have only limited access to the political realm.

The author clearly identifies the internal and external environments as major determinants to the functioning of political systems. He also correctly identifies the major gaps in political processes- for example; exclusion of groups such as women, ethnic and religious minorities, indigenous peoples and the youth. These are groups that have had limited access to political participation. The current research intends to address these gaps in the political process in Kenya.

Jibrin Ibrahim²³ attempts to outline the process of political reconstruction in Ghana, Nigeria, Gambia, Sierra Leone and Liberia in the 1990s. Transition here is viewed to mean the entrenchment of political pluralism, civil and political rights and effective popular participation in the political process. According to the author, the establishment of a democratic system would constitute a veritable transition only if it becomes a fairly permanent feature of political life. The author identifies the essential attributes of democratic transition to include; the establishment of constitutional rule and the operations of a multiparty political system. It should also involve socio-political transformation that allows freely elected rulers and the majority of civil population to impose their supremacy over ruling oligarchies of the military or civilian ethno-regional cabals. This implies the development of a democratic political culture in which larger sections of society internalize democratic values.²⁴ According to the author, the most immediate challenge confronting the process of democratic transition in Africa is that of ensuring that democratization is accompanied by the institutionalization of

²³ Jibrin Ibrahim, 'Democratic Transition in Anglophone West Africa', CODESRIA Monograph Series, Dakar, 2003, pp. 1-87

²⁴ Ibid., p. 1

constitutional rule. He argues that constitutions do not in themselves make democracy. Democracies in Africa are mostly not based on constitutional rule. Most African constitutions are good with the right provisions about the rule of law, human, civil and political rights, elective institutions, governmental accountability, and separation of powers, among others. However, the provisions are hardly followed. Excessive arbitrariness and abuse of power, the lack of basic freedom, and denial of popular sovereignty characterize most African political systems. In this research, the author attempts to inquire into and fill these gaps in our political processes.

Although the region of study is only composed of five of the fifteen West African countries, Ibrahim's article provides a sample of how African states have tried to institute democracy against several obstacles. Ghana is considered as one of the countries that have made a successful transition from military rule to democratic governance, albeit with the last incumbent military ruler, Jerry John Rawlings, transforming himself into a civilian politician and president. This was after he overthrew a civilian government led by Hilla Limann in 1981 and installed the Provisional National Defense Council (PNDC).

In the early 1990s, internal pressure coupled with external pressure from Ghana's development partners forced PNDC to adopt constitutional rule. Rawlings professed his hatred for multiparty politics but nevertheless, retired from the military and set up a political party, the National Democratic Congress, NDC. In the 1992 elections, NDC with Rawlings as the presidential candidate won 53.3% of the vote amid claims by the opposition party, New Patriotic Party, NPP, that the vote was stolen. He won again in 1996. After two terms in office, he was barred by the constitution from standing in any election. He endorsed his vice-president, John Atta Mills as presidential candidate in 2000 but lost to NPP's John Kufour.

In Ghana political parties never got a space to play a role in transition to democracy because the National Democratic Congress, NDC, (Rawling's Party) had monopolized

Political space and prevented political parties from operating freely. The regime refused to open dialogue with other political forces, maintained repressive laws, appointed all members of the electoral committee, and exercised a tight control over the mass media.

Nigeria's story is very traumatic as far as democratic transition is concerned. A long succession of military regimes that have conducted Nigerian affairs during most of its post-independence life, have eroded any reputation for protection of human rights and civil liberties. Although Nigeria has had a vibrant civil society (in which the mass media, trade and professional unions, students' associations, community organizations and human and civil rights groups have been able to act as an effective counter-weight against the state), constitutional provisions have for a long time hampered the free workings of a fair multiparty system.²⁵ Sections 201 and 202 of the 1979 constitution and 221 and 222 of the 1999 constitution specifically limit the definition of a political party to an organization recognized by the state to canvass for votes. The law forbids any organizations not so recognized to seek voters' support.

More importantly, both on the juridical and political levels, parties could no longer be considered as popular organizations that aggregate and articulate interests

and opinions but as corporate entities registered by the state. This has meant that political significance of parties was no longer determined by popular support, as is the case in all democratic countries in the world, but by administrative fiat. The author says that during the first Republic, there were about 150 parties in the country but only about 10 were politically significant.²⁶ Party nominees had to have security clearance from the state to be recognized as genuine. It was not enough for candidates to secure their nominations; the soldiers in charge of state security had to declare that the candidate was suitable before he/she could be allowed to contest any election under the

²⁵ Ibid.. p 36.

²⁶ Ibid.. p. 69.

various transitions to democratic rule. These are major gaps that this study attempts to inquire into.

In Sierra Leone, political violence has been a central feature of the political life since its independence from Britain in April 1961. The Revolutionary United Front (RUF) led by Corporal Foday Sankoh with the support of the Liberian leader, Charles Taylor in May 1991 sparked the most recent violence. The civil society in Sierra Leone was small and weak at this time but tried to create peace that led to a peace agreement between President Tejan Kabbah and Foday Sankoh in 1996. But on 25 May 1997, Kabbah was deposed and replaced by Paul Koroma only for Kabbah to be restored by the Economic Community for West African States Monitoring Group (ECOMOG) forces in March 1998 before another agreement with Sankoh, the Lome Agreement of 7th July 1999. In such a situation, political parties had no room to propagate their interests. These are gaps that the study attempts to inquire into.

Liberia was declared a sovereign state in 1847 but became a client state of the USA. Regime changes in the Liberian transition have involved violence, war and the force of arms. Even after Charles Taylor's election in 1997, Liberia never experienced peace. Only intense pressure from African and Western states opened a window of opportunity for a transition to legitimate authority. The election in 2005 of the first African woman president, Ellen Johnson Sirleaf, was a mark of a beginning of democratic governance and party politics in Liberia.

Gambia, as in the case of Ghana, has been one of the African states that have been pursuing structural adjustment programmes since the early 1980s. IMF and WB consider it one of the good examples of economic reform. At the political level, it was known as one of the few bastions of liberal democracy in the African continent. It maintained elected constitutional regimes from independence in 1965 up till the coup

d'état of 1994, when a military regime seized power. The new military regime was constrained to arrange a rapid transition programme and organize elections within two years. However, the military leader, Colonel Yahya Jammeh contested and won the 1996 presidential elections.

Although the Gambia experienced a long peaceful liberal democratic rule, democracy never put down strong roots. Dauda Jawara remained the boss of the country from 1962 to the 1994 coup. Gambia's ruling party, the People's Progressive Party (PPP), emerged as the leading political force in the country in 1959 when Jawara succeeded in displacing older urban-based parties by mobilizing rural population. The ruling party however, co-opted most of the leading politicians of the opposition offering them ministerial posts. The country was a de facto one-party state, although political parties were not banned. Their leaders were simply absorbed into the ruling party. On taking over power in 1994, the Jammeh Junta proposed a programme that involved four-year transition period to democratic rule. It was a partial transition that involved a change from a purely military administration to a combined military /civilian regime.

Examples selected from West Africa have shown that too many obstacles have been placed before political parties, making it difficult for the parties to meaningfully play their traditional roles in democratic transitions. External interference, internal divisions, leadership rivalry, resource-based conflicts, military/security forces and armed gangs have all combined or acted separately to impede the role of political parties in actualising democratic transition.

In East Africa, Uganda has experienced the largest military interference in politics. Wide-ranging constitutional abuses by the military were witnessed in the post-independence era. The military was enlisted as an informal partner in the various post-independence governments.²⁷ The involvement of the army in politics undermined the process of constitutional development and democratic consolidation. This involvement destroyed all the then existing political parties notably, Uganda People's Congress (UPC) and Kabbaka Yekka (KY) and the federal system of governance.

The overthrow of the Obote II government and the subsequent defeat of the military Junta by the National Resistance Army (NRA) set the ground for popular democratic reforms. The National Resistance Movement (NRM) claimed some credit for grassroots democracy. It restored the traditional kingships in some parts of Uganda and allowed grassroots participation in political processes. Although it was not a political party, NRM organised a nation-wide elections in 1986 and 1989. However, these elections were a sham. According to Barya²⁸, the discourse of democratisation in Uganda has been one-step forward and two steps back. The author laments the lack of strong political parties in the process of democratisation. Brett, E.A., observes that the democratic process in Uganda was hijacked by the military, which transformed itself to

²⁷ Bwana N. Charles, 'Constitutional Reform and Governance in Uganda: A Search for Alternatives in the era of political Liberalisation' in Saida Yahya-Othman, Op. Cit., pp. 46-66.

²⁸ Barya, J.J., 'Political Parties, the Movement and Referendum on Political Systems. One Step Forward Two Steps Back? In J. Mugaju and Oloka-Onyango, (Eds.), *No-Party Democracy in Uganda: Myths and Realities*, Kampala: Fountain Publishers, 2000.

a civilian regime.²⁹ Political parties have been banned and eclipsed by the ruling NRM. Institutions have failed to develop and grow due to the nature of the regime.³⁰ These are gaps that this present study would find it useful to inquire into and draw lessons from.

The NRM, however, is credited with the constitution-making process that began with the establishment of the constitutional commission under the Uganda constitutional statute No. 5 of 1988. It was hoped that the constitution would reverse the trend of despotic autocracy, introduce a culture of respect for the rule of law and participation. The constitution was expected to establish a firm basis for peace and stability, democratic governance, regular free and fair elections; accountability, transparency in the conduct of public affairs and separation of powers. This would form the basis of a democratic government that would guarantee the independence of the judiciary and effective administration of justice³¹

Tanganyika attained independence under the leadership of Tanganyika African National Union (TANU) led by Julius Nyerere. In Zanzibar, government was controlled by the Zanzibar National Party (ZNP), which represented wealthy Arab minority. The Afro-Shirazi Party (ASP) represented the Africans. After Zanzibar's independence, the racial and economic antagonisms between the few wealthy Arab landowners and businessmen,, and the masses of poor Africans exploded in a successful revolution in

²⁹ Brett, E. A., 'The Military and Democratic Transition in Uganda' in Hansen, H. B. and M. Twaddle, (Eds.), *Uganda Now: Between Decay and Development*, London: James Currey, 1988.

³⁰ Mudoola, D., 'Of Institution-Building: The Case of NRM and the Military, 1986-1989' in Hansen, H.B. and M. Taddle(eds.), *Changing Uganda*, London: JamesCurrey Ltd., 1991.

³¹ Ssekagya, M., 'The Process of Constitution-Making in Uganda: Uganda's Experience', A Paper Presented at a Conference on the Process of Constitution-Making in Kenya with Experiences from Uganda and Tanzania, Mombasa, Kenya, November 1998, PP. 24-26.

January 1964. A revolution council was formed to govern the island under the leadership of Sheikh Abeid Karuma, leader of the ASP. On 22nd April 1964, Tanganyika and Zanzibar United under the new name Tanzania.³²

After a long experience with socialism, Tanzania made a formal transition into the market economy and multiparty pluralism in 1992. It was Nyerere's successor, Ali Hassan Mwinyi, who steered the country towards multiparty politics. In February 1991, he appointed a presidential commission to collect people's views on whether to have a multiparty system or remain with a single party system³³. Although the majority of the Tanzanians favoured a one party state, the Nation Executive Committee (NEC) of the ruling party, Chama Cha Mapinduzi (CCM) recommended to its national annual congress the restoration of multiparty democracy in Tanzania. The 8th constitutional amendment (Act No. 4 of 1992) abolished the single party system and introduced a multi-party system.

Although the introduction of many parties in Tanzania seemed smooth, it has been argued that the political direction or the style of governance did not undergo major changes.³⁴ Even after formal establishment of multipartyism, CCM remained the ruling party and used constitutional and legal powers to silence the opposition in the first multiparty elections in 1995; the opposition was denied fair competition. Moab Nyirabu who argues that the nature of the Tanzanian multipartyism is unbalanced also

³² Akintoye, S. A., *Emergent African States. Topics in Twentieth Century African History*, Essex: Longman, 1976, pp. 204-206.

³³ Makaramba, R., *A New Constitutional Order for Tanzania? Why and How?* Dar es Salaam: Friedrich Ebert Stiftung and Tanganyika Law Society 1997, pp. 38-39.

³⁴ Hellsten K. Sirkku, 'The State of the Rule of Law and Human Rights in East Africa- Political, Legal and Social Development in Tanzania' in Saida Yahya-Othman, *Op Cit.*, pp. 24-41.

advances this assertion³⁵. Unlike more full-grown democracies that have multiparty systems in which the major parties are relatively balanced, Tanzanian party systems is lopsided, featuring one major party, the CCM, and more than a dozen registered minor ones.

To date, opposition criticism of government in Tanzania is often suffocated or dismissed. According to Owuoché and Jonyo³⁶, the ruling party, CCM, has stopped at nothing to weaken, divide and even totally destroy the opposition. Many a time, those in power have resorted to using uncouth and uncultured methods to silence those perceived to be critics of CCM. In January 2001, for example, policemen mercilessly and violently broke up rallies, in the twin islands of Zanzibar and Pemba organized by the Civic United Front, CUF, the main opposition party in Zanzibar. As a result, an estimated 420 Tanzanians fled to Kenya and another 20 lost their lives. The CUF was demanding a repeat of the 2000 election, which they termed unfair.

The history of party politics in Zambia is just as tattered as elsewhere in Africa. Zambia attained independence on 24th October 1964 with Dr. Kenneth Kaunda as Prime Minister. After independence, the country suffered internal divisions cropping from ethnic differences beginning with the hostility in the main nationalist party, the African National Congress, ANC, between Henry Nkumbula and Kenneth Kaunda. According to Akintoye³⁷, tribalism has played an important part in Zambian politics. By the time of independence, Kaunda's party, the United National Independence Party (UNIP) had its main stronghold in the north while Nkumbula's ANC, controlled much of the South. After independence, Kaunda believed that it would be better for national

³⁵ Nyirabu Mohabe, 'Democratic Governance and Deepening Political Integration of the East African Community: The Case of Tanzania' A Paper presented at an International Conference on Democratic Governance and Deepening Political Integration of the East African Community, Addis Ababa, Ethiopia, 2004, pp. 227-280.

³⁶ Owuoché S. and F. Jonyo, *Political Parties and Civil Society in Governance and Development. A Synthesis*, Nairobi. Birds Printers, 2002, p. 44-45.

³⁷ Akintoye, S. A., *Op Cit.*, pp. 208-214.

progress if Zambia could become a one-party state. However, he refused to create a one-party rule by legislation; preferring to achieve the same goal through democratic elections and gentle wooing of opposition. UNIP in Zambia dominated politics till the 1990s when multiparty elections were held. Personality and ethnicity are identified as important determinants for the roles or functioning of political parties. These factors are gaps that the present study attempts to inquire into and document for future studies and policy formulation.

Political parties play a role in ensuring credible elections. According to Stanislaw Gebethner³⁸, the spate of free competitive parliamentary elections held during the systemic 1989-91 transformations in Bulgaria, former Czechoslovakia, Poland, Hungary and Romania accomplished several different trends. The first such elections introduced new democratic political order, legitimated new constitutional order and founded a democratic structure for multiparty system building. The second and third parliamentary elections held in 1992 and 1996 respectively stimulated the party-making process and consolidated a new party system as well as contributing to the formation of a parliamentary majority for government stability. This assertion clearly shows that political parties have roles to play beyond contesting and winning elections, especially if they are to be influential political institutions. In so doing, political parties promote citizen confidence in, and support of, democratic government. But parties can only be effective in democratizing a society if they have democratic principles, recognize the purpose of their constitution; have clearly articulated policy agenda and message, and have a financial resource base that can enable them train and develop their leadership.

Other than political parties, other institutions have little to offer a society that seeks to democratize³⁹. Pakistan under General Pervez Musharraf is an example. The General

³⁸ Gebethner, S., "Free Elections and Political Parties in Transition to Democracy in Central and Southeastern Europe", in *International Political Science Review*, Vol. 18, No. 4, 1997, pp. 381-399.

³⁹ International Crisis Group, "Pakistan: Transition to Democracy?" Asia Report No. 40, 3 October 2002.

vowed to restore democracy and transfer power to an elected government but his roadmap to democracy was in reality a blueprint for more military rule. If his political and constitutional reforms were left to continue, any democratic transition would have faltered. That explains why all major Pakistani political parties, civic groups, and media rejected Musharraf's constitutional and political reforms as undemocratic means of perpetuating military rule.

In some countries like Haiti between 1986 and 2001, politicians began on a positive note with the promise that democracy would succeed. Robert Fatton⁴⁰ discusses changes of Haitian government from the fall of the Duvalier dictatorship in 1986 to Jean-Bertrand Aristide's second inauguration as president in December 2001. From the Haitian experience, the author shows that for democracy to succeed in any country there needs to be a balance of power between two competing classes, the bourgeoisie and the workers. The absence of strong political organizations (parties) from both classes leads to a power vacuum and the consequent failure of democratic institutions. The result is what he calls 'predatory democracy', which has the trappings of democracy but functions more like authoritarianism.

Political liberalization or the opening up of the political space and subsequent transition to democratic rule depends on various factors. But experience has proved that political parties, electoral systems and the framework, within which they must operate, are essential elements of democratic government⁴¹. There can be no democracy without a pluralistic, competitive, rule-governed party system through which regular elections are held⁴². Parties provide the primary channels of communication and interest articulation between society and government. Thus, the consolidation of a stable party

⁴⁰ Robert Fatton Jr., *Haiti's Predatory Republic. The Unending Transition to Democracy*, New York: Lynne Rienner, 2002.

⁴¹ Alexander Barahona De Brito, "Political Liberalization and Transition to Democracy: Lessons from the Mediterranean and Beyond Morocco, Turkey, Spain and Portugal", Lisbon: Euromesco Paper, 2006.

⁴² *Ibid.* p. 9.

system has been deemed to be one of the crucial elements in a successful process of transition to democracy.

It is now clear that political parties are one of the core institutions of democracy. There is a direct relationship between the nature of political parties and varieties of democracy though. This is what Ingrid Van Biezen asserts⁴³. Political parties are viewed as necessary and desirable institutions for democracy. Because of this, they have taken over new roles by becoming a 'public utility', an essential public good for democracy.⁴⁴

As much as political parties perform a major role in the transition to democracy, they seem not to be doing this in equal strength around the world. In some rich and poor democracies, Western and non-Western, there is growing evidence of low or declining public confidence in political parties. Larry Diamond and Richard Gunther ⁴⁵have shown in their study that in membership, organization, popular involvement and commitment, political parties are not what they used to be. Throughout the established democracies in North America, Europe and Japan, citizens are cynical about their representative institutions, political parties and most of all, their politicians.⁴⁶

Although Samuel Huntington⁴⁷ once argued that in countries where development or modernization is a priority for the ruling elites, it is difficult and may even not be necessary to establish and sustain democracy; the one-party framework attenuates citizens' participation in the public domain by emasculating voluntary organizations, religious organizations, trade unions, professional organizations, interest and pressure

⁴³ Ingrid Van Biezen, "How Political Parties Shape Democracy", Irvine: Center for the Study of Democracy, Paper 04-16, 2004.

⁴⁴ Ibid. p. 5.

⁴⁵ Larry Diamond and Richard Gunther, (Ed.), *Political Parties and Democracy*, Baltimore: The Johns Hopkins University Press, 2001.

⁴⁶ Ibid. p. 1.

⁴⁷ Huntington, S., *Political Order in Changing Societies*, New Haven: Yale University Press, 1968.

groups and opposition movements. In such a situation, the tendency towards authoritarian rule was often justified by the 'modernization' outcome.

According to some theorists⁴⁸, political parties play a vital role in democratic processes. No democratic system can function without alternative parties and candidates. They are crucial in aggregating interests, presenting alternatives to citizens, nominating candidates and linking voters with elected public officials. Political parties can play a central role in generating cadres and leaders who promote democratic governance principles and monitor elected representatives. Once their members have been elected, political parties can have influence in shaping public policy. They secure resources; create support among different political forces and orient government around specific issues and platforms. They are the most effective agency in educating the public and enabling the electorate to determine for themselves the rulers whom they would like to entrust the government for the time being. They are the main institutions through which the responsibility of the rulers is enforced. If political parties fail in performing these functions, other institutions likewise vital to democracy will fail. These theorists have basically stated what happens in advanced democracies. In the case of Kenya, political parties have in most instances failed to play the expected roles as demonstrated by these works. However, the literature is relevant for the current study because it details the ideal situation for political party activities.

⁴⁸ Kapur, A.C, *Principles of Political Science*, New Delhi-110 055, S. Chand & Co. Ltd, 2007, pp. 645-672.

Sartori, G. *Parties and Party Systems*, Vol.1: *A Framework for Analysis*, Cambridge: Cambridge University Press, 1976, pp.101-126.

Nwabuzor, E. and Mueller, M, *An Introduction to Political Science for African Students*, London: Macmillan, 1985, pp.58-69.

To yet other theorists,⁴⁹ political parties serve the purpose of crystallizing public opinion, and of a unifying agency, which makes democracy workable. They are the indispensable links between the people and the representative machinery of government. They are the vehicles through which individuals and groups work to secure political power and, if successful, to exercise that power. This role cannot be performed simply by voting, but must be a continuous one if government is to be kept responsive to public interest. Thus, political parties are responsible for maintaining a continuous connection between the people and those who represent them either in the government or in the opposition. Political parties are groups of people who share a common conception of how and why state power should be organized or used. They are organizations concerned with expression of preferences regarding the seizure, consolidation of state power and contesting control of the chief policy-making offices of the government. The authors view political parties in terms of representative agencies and as instruments of expression.

On the other hand they argue that political parties are “varied” groups that provide labels and which candidates seek elections to govern office. They emphasize that political parties seek to influence government policies. They contend that political parties are run by “a band” of interested persons united by common set of beliefs and desires for power. Political parties are also viewed as voluntary associations composed of individuals who join it out of their own free will, with the sole aim of getting to ruling positions. These views are relevant to the present study as this has been the situation in Kenya, 1990-2002. Political parties have participated in elections to solely win elections in order to influence government policies.

⁴⁹ Sartori, G., *Op. Cit.*

Nwabuzor, E. and Mueller, M, *Op. Cit.*

La Palombara and Weiner⁵⁰ argue that political parties seek to occupy decisive positions of authority within them; that they are permanent organizations at national and local levels. They have conscious aims (realistic or not) to capture decision-making power at national and local levels alone or in coalitions. They seek popular support either electorally or in other ways. Isaack⁵¹ shares the same views that political parties organize and make demands on government. They seek to direct the policies of the political system. Friedrich⁵² on the other hand says that political parties secure or maintain for their leaders the control of government. They give ideal benefits and advantages to their members. This, indeed, is what most political parties in Kenya have done.

Edmund Burke⁵³ in his studies concluded that political parties endeavor to promote national interests as distinguished from sectarian or communal interests. They promote national interests upon some particular principles. However, it should be noted that some political parties pursue sectarian, tribal or racial interests and membership is mutually exclusive. That aside, Burkes' work is important to the current study as it provides the yardstick with which the performance of political parties in Kenya could be measured. The implication of the foregoing discussion is that political parties are indispensable for the working of any democratic government. They supply the motive-power, which turns the wheels of administration. According to MacIver,⁵⁴ "Without political parties, there can be no unified statement of principle, no orderly evolution of policy, no regular resort to the constitutional device of parliamentary elections nor of course any of the recognised institutions by which a party seeks to gain or maintain

⁵⁰ La Palombara, J. and M. Weiner, (Eds.), *Political Parties and Political Development*, New Jersey: Princeton University Press, 1966, pp. 6-28.

⁵¹ Isaack, A., *An Introduction to Politics*, London: Scott, Foreman and Company, 1987, pp. 275-298.

⁵² Friedrich, C. J., *Constitutional Government and Democracy*, pp. 460-478.

⁵³ Edmund Burke, "Thoughts on Causees of Present Discontents", in the *Works of Edmund Burke*, Vol. 1, p. 530.

⁵⁴ Maclever R. M., *The Modern State*, New York: Oxford University Press, 1926, pp. 399-436.

power." Principles, evolution of policies and elections are cardinal in any democratic transition. These values are generally derived from party visions for the nation and usually articulated in the party manifestos and guided by ideologies. Lowell has emphasised the significance of political parties in any state by saying, "The conception of government by the whole people in any large nation is, of course, a chimera; for wherever the suffrage is wide, parties are certain to exist and the control must be really in the hands of the party that comprises a majority or a rough approximation to a majority of the people."⁵⁵ This is the situation where the government must be acceptable to the citizens. In other words, the governed must have participated in or expressly sanctioned the coming into existence of the government. Political parties that win elections are often sanctioned by the electorate and given the mandate to run the government. This is a valid argument that contributes to transition to democracy.

Political parties seek to make government. They are permanent organizations and their primary business is to influence electorate to support their programs, to win election, and to form a government in order to pursue the programs endorsed by the electorate at the general elections. For that reason, political parties need to be continually operative if a democratic system is to work effectively. Political parties perform a necessary service; they are inevitable like the tides of the ocean. "Their essential functions", says Lowell, "and the true reason for their existence, is bringing public opinion to a focus and framing issues for a public verdict."⁵⁶ This view implies that political parties represent the aggregated interests, aspirations and visions of their members. They lobby the government of the day for these interests and aspirations. This is ideal for the growth and development of democracy. Hence, the view is relevant to our current study on the role of political parties in the transition to democracy.

⁵⁵ Lowell A. L., *Public Opinion and Popular Government*, New York: Longman, 1913, pp. 70-89.

⁵⁶ Ibid.

Political parties are the instruments for carrying on popular government by concentrating public opinion. Their function is to make candidates and programs known to the public and attract them to those programmes, so that they can speak with a united voice. Political parties make the scheme of representative government workable and in advance of election help to bring together large numbers of men in acceptance of the common basis of action. According to Bryce⁵⁷, "in popular governments, parties have a wider extension if not a more strenuous life, for everywhere a citizen has a vote, with the duty to use it at elections, each of the parties which strive for mastery must try to bring the largest possible number of voters into the ranks, organize them locally, appeal to them by the spoken and printed words and bring them up to the polls.

Ballots having replaced bullets in political life, every voter are supposed to belong to one of the partisan hosts to render more or less obedience to its leaders." Politicians go out to woo voters, organize them, use posters and rallies so as to win them over to their side. This contribution is relevant to the current study as it details the essence of citizen participation through the various political parties. During campaigns for general elections, political parties sell their policies to the electorate through dialogue and persuasion. Since each party seeks to form and run the government, it is a cardinal duty for the respective parties to deliberate and form public policies that will be pursued upon formation of government.

Duverger⁵⁸ argues that political parties promote links between the rulers and the ruled. They serve as important agents of interest aggregation, elite recruitment and socialization. They are major mechanisms through which candidates for public office are prepared and selected at all levels. This may be the case in countries where democracy has been instituted. In Kenya, political parties may be agents of elite

⁵⁷ Bryce J., *Modern Democracies*, Vol. 1, Texas: Macmillan, 1982, pp. 173-198.

⁵⁸ Duverger, M., *Political Parties*, London: Methuen, 1964, pp. 101-124.

recruitment but the process is not done in a transparent and accountable manner. Candidates are recruited on biased basis with preferences being given to ethnicity. However, recruitment is done at all levels, local and national. In a discussion by Renske Doorenspleet, democracy is viewed to be a product of human beings. It comes about by the strategies and choices of individual leaders. In our case, political parties too, are important actors in the transition to democracy as they produce political leaders.⁵⁹ But Brown and Macridis⁶⁰ content that political parties are mainly driven by desire for political power. This sometimes clouds their vision and makes them lose track of what is expected of them. This view is relevant to this study.

Democratic transitions world over have transformed regimes. The end of the cold war provided opportunities for regime change and the spread of democracy. The rapid political transformation began in Eastern Europe, spread to Latin America and parts of Asia and then moved to parts of sub-Saharan Africa. There has been a general assumption that democracy occurred in three different waves and Africa was hit by the third wave, which was more overwhelming in 1989 with the collapse of the former Soviet Union. This is the time that many countries were forced by both external and internal forces to institute changes that eventually led to democratic systems.

This chapter reviewed the works of selected authors with an aim of identifying the role of political parties in the transition to democracy. The review shows that there is a general consensus that political parties have important roles to play in the transition to democracy. These include; interest articulation, aggregation, integration, persuasion, recruitment/selection of political leaders, deliberation and formulation of policies, and control of state machinery among others. However, their performance is inhibited by lack of proper institutional framework, sectarian and tribal/racial interests, limited

⁵⁹ Renske Doorenspleet, *Democratic Transitions. Exploring the Structural Sources of the Fourth Wave*, Boulder: Lynne Rienner, 2006, pp. 1-2.

⁶⁰ Brown, I. B. and R. Macridis, *Comparative Politics*, Carlifonia: Wadsworth publishing Co., 1996, pp. 72-89.

resources, mutually exclusive membership and personality cult. It is the aim of the current work to capture the cumulative contribution of political parties in the transition to democracy in Kenya from 1992 to 2002. This will be a valuable addition to what the other authors have already documented.

1.7 Hypotheses of the Study

1. The study was guided by the following hypotheses:
2. The promotion of constitutional reforms in Kenya from 1990 to 2002 was a direct consequence of political party activities
3. The promotion of civic education in Kenya from 1990 to 2002 was a direct consequence of political party activities
4. The promotion of free and fair elections in Kenya from 1990 to 2002 was a direct consequence of political party activities
5. The nomination and selection of candidates in Kenya from 1990 to 2002 was a direct consequence of political party activities
6. The expansion of media freedom in Kenya from 1990 to 2002 was a direct consequence of political party activities
7. The empowerment of women in Kenya from 1990 to 2002 was a direct consequence of political party activities

This study seeks to prove or disapprove the hypotheses that the widening of the democratic space in Kenya from 1990 to 2002 was a direct consequence of political party activities.

1.8 Limitations of the study

The main limitation of this study was that the organization of the questionnaire required some time to explain some concepts to the respondents. This implies that it took much more time to complete one questionnaire than earlier anticipated. The long

time with one individual, 45 minutes on average, required a lot of patience, which was hard to get from most of those interviewed. Other respondents were hostile to other political parties, such that a mention of a political party that they considered not likeable could easily antagonise them. It was also a difficult task to reach some of the political party representatives considered to have the inside information about the operation of the political parties.

Financially, the research was demanding. This is because I supported the study on my own. Even though, I managed to squeeze through with the little that I could get. Lastly, although there is a large collection of literature on political parties, there was very little that specifically focused on the period under review. Most were analyses of the process of democratisation from independence. This made the task of selecting the literature very daunting.

1.9 Definition of Concepts

It is important to clarify a few concepts for purposes of establishing a common-understanding. These include the concepts: political parties, transition and democracy.

1.9.1 Political Party

A political party is an organization that seeks to attain and maintain political power within government, usually by participating in electoral campaigns. Political parties often espouse an expressed ideology or vision bolstered by a written platform with specific goals, forming a coalition among disparate interests.

1.9.2 Transition

The term transition is used to refer to the broad political changes that make a major break from the past practices. The focus here is on the changes that have taken place

since 1990. More specifically, the discussion deals with the political changes that began with the adoption of multiparty politics in 1991.

1.9.3 Democracy

In the study, the discussion is restricted to liberal democracies rather than democracies in a more general sense. In terms of classification, liberal democracies are characterised by a high and open level of competition for power within a stable framework of institutions. The liberal-democratic system is highly inclusive, with numerous and varied actors such as parties, interest groups and mass media- for the articulation of popular interests and preferences.

In our case, a system is democratic if, the officials exercising power have legitimate authority because they have been elected through periodic elections, as opposed to inheriting that authority or holding it by force. The mechanism for changing the government is through peaceful and regular elections, as opposed to revolts, coups or civil wars.

1.10 Research Methodology

The data was collected from both primary and secondary sources.

1.10.1. Primary Data

This is original data that the researcher gathered from original sources. Primary data was collected using questionnaires and personal interviews.

1.10.2. Questionnaires

This was the main instrument in the survey research. It was expected that the questionnaire would translate the research objectives into specific questions and that the answers to such questions would provide the data for hypothesis testing. The

questionnaire contained sets of open and closed ended questions. The questionnaire was used to gather information from small groups. The tool was administered in face-to-face interviews with the respondents. This tool assured respondents' anonymity that they were able to say things that they would not have said to an interviewer.

1.10.3. Interviews

The researcher conducted personal interviews with the key informants, individuals who were knowledgeable about the study problem and the issues associated with the problem. The interviews were conducted by the researcher and trained interviewers. Each interview lasted about two hours.

The interviews were both structured and unstructured. These involved asking specific questions aimed at getting information on the study variables. This tool was also useful in providing qualitative and quantitative information. The researcher interviewed 70 key informants who were stratified to include 5 party officials, 2 members of the secretariat and 3 active members from each party. Each political party provided 10 members for the interviews.

1.10.4. Secondary Data

Secondary data was collected from the following sources: Government statistical reports/documents

1. Articles in journals
2. Professional papers and reports
3. Books, periodicals, published reports and
4. Research reports

1.10.5. Sampling.

A probability sampling technique was used to select the respondents. The study used, stratified sampling techniques to ensure that different groups of the population are adequately represented in the sample. The population was divided into groups based on the variables the researcher intended to use in the study. A random sample of 70 respondents was drawn and stratified as follows: 5 party officials, 2 members of the secretariat and 3 active members of each party.

1.10.6. Data Analysis Techniques

Data was then organised into cases and variables and entered into statistical packages. With the help of software, data collected was assigned numeric codes, stored, retrieved and analysed using descriptive statistics, graphic presentations; tables and charts.

1.11 Chapter Outline

Chapter one outlined the introduction of the study, statement of the problem, the objective and justification of the study, theoretical frame work, hypothesis and limitation of the study. It defined concepts and concluded with research methodology. Chapter two discussed the nationalist movements in Kenya, early political parties, multi party politics and Challenges of multi – party politics. Chapter three examined the role of political parties in the transition to democracy in Kenya, 1990-2002; specifically, it dealt with constitutional reforms, civic education, free and fair elections, nominations/ selection of candidates, registration of political parties, media freedom, campaign licensing, campaign policies and programs, respect for rules and institutions and women empowerment. Chapter four dealt with the summary, conclusion and recommendations of the study.

CHAPTER TWO: ORIGINS, DEVELOPMENT AND CHALLENGES OF POLITICAL PARTIES IN KENYA

2.1 Introduction

This chapter provides background information on the origins and development of political parties in Kenya. It specifically focuses on nationalist movements, early political parties and the multi-party system in Kenya. The chapter also evaluates the contribution of political parties in the transition to democracy. The struggle for independence in Kenya was necessitated by the desire to establish a democratic government after many years of colonial rule. The colonial regime perpetuated widespread poverty, economic hardships and social strife⁶¹. Independence was expected to improve governance: inclusiveness, representation, transparency and accountability, respect for human rights, rule of law and economic development of the citizens.

2.2 The Nationalist Movements

Until the late 1950s, European settlers and administrators enjoyed the dominant political influence in Kenya. Even though they did not achieve full control of government, for which they always campaigned, their influence enabled them to gain most of their demands. In this regard, government policies on land, labour and distribution of services favoured the European minority and discriminated against the majority Africans⁶². The domination of the white settlers and colonialists led to acute social and economic disparities, which instigated Africans to demand a share of political power in order to be able to address their grievances. The struggle began as early as the 1920's in some parts of the country.

⁶¹ Oyugi, W. O., "Introduction" in Oyugi, W. O., Wanyande, P. and Odhiambo-Mbai, C. (eds.), *Op. Cit.*, 2003, pp. 57-69.

⁶² Gertzel, C., *The Politics of Independent Kenya*, Nairobi: East African Publishing House, 1970, pp. 6-27.

As a result, the nationalist movement in Kenya acquired a strong economic basis from its inception. This was particularly the case among the Kikuyu community, who felt the full impact of colonial rule. After the Second World War, the colonial government's refusal to address economic and social grievances of the Kikuyu community led to the formation of a militant movement - the 'Mau Mau'. The movement became active and in 1952, spearheaded an outbreak of violence, which then weakened the dominant political influence of the colonial settlers. Although the colonial government managed to contain the situation, the experience necessitated and catalyzed constitutional reforms.

The first step was through the Lyttelton Constitution of 1954, which provided for a multi-racial form of government in which Europeans, Asians and Africans were to have significant representations. Although such changes modified colonial dominance in the country, it did not deter the manifestations of colonial interests. Nevertheless, the most important constitutional reforms achieved during the Lancaster House Conference of 1960, saw British Secretary of State impose the principle of majority rule and the ultimate independence for Kenyans. Hence, the battle for independence was won in 1960, although power and authority was not transferred to Africans until the 12th day of December 1964.

The first African political association, the East African Association (EAA) was established to articulate issues affecting Africans to the colonial government. In 1924, the Kikuyu Central Association (KCA) was also initiated to agitate for African representation and land reforms. In western Kenya, the Luo and Luhya communities began to agitate in the same manner as they did in the 1920's, however; their activities took a more parochial form of expression. This was also the case with the Swahili agitation in Coast Province, where political activity was focused on obtaining localized political change rather than at the national level.

By end of the Second World War, there was a renewed and increased African political agitation in the country. The Kikuyu spearheaded the movement, particularly given their politically strong outfit – the Kenya African Union (KAU), which was formed in 1944. The organization focused on land reforms as the most fundamental and urgent issue in the country. Despite this effort, the main weakness of KAU was that it lacked a countrywide backing because it was oriented towards issues affecting Central Province only. KAU was later proscribed during the state of emergency in 1952 and this stimulated an unprecedented growth in the number of nationalist movements.

Further, the participation of the Kikuyu community in political events was crucial in the development of Kenyan politics. It led to a speedy growth in national consciousness, which later widened the scope of nationalist movements and established stronger inter-tribal links more than KAU. In addition, new leadership, which actively voiced increasing African political consciousness also emerged and contributed towards the crucial constitutional concessions of 1960.

The first element of such nationalists' movements emerged in the form of trade unions, which moved in to fill the political vacuum created by the proscription of KAU in June 1953. Notably was the Kenya Federation of Registered Trade Unions (KFRTU), which took up the battle and questioned the government's declaration and management of the state of emergency; conditions in detention camps; justice of the screening methods and social implications of large-scale arrests that took place. Within the trade union, Tom Mboya emerged as the dominant personality in campaigns aimed at redressing Africans' grievances, including better work conditions.

At the district level, colonial rule was also questioned by political figures such as Jaramogi Oginga Odinga from Nyanza, who by the mid 1950's established himself as the most outspoken critic of the colonial authority. Mr. Ronald Ngala, then a member of the Mombassa Municipal Board, expressed similar sentiments at the Coast. In October 1955, Jaramogi publicly challenged the then Legislative Council member for Nyanza,

over the Africans' support of multi-racial principle of the then government. He rejected multi-racial government, particularly due to the suggestion that Asians should play an executive part in the government.

Instead, he favoured a purely nationalist movement that was aimed at eliminating the political influence of immigrants within the shortest time possible. Nationalist leaders kept alive the political demands of KAU's radical militant wing, which added impetus to the nationalist's movement. Again, the first direct election held in 1957 was a significant step forward for the development of the Kenyan nationalist movement. The elections also gave the newly elected leaders of African origin a legitimacy, which was lacking previously.

Although the Lyttelton Constitution gave Africans direct representation, it did not concede the principle of majority rule. The battle for 'one man - one vote' was yet to be won. In the struggle for this crucial objective, participation in the Legislative Council was of great advantage to African political leaders, as it gave them a public platform to express their concerns and status that was recognized by colonial authorities. Thus, not only did they present African demands to the British masters, but also shaped public opinion.

As a result, areas lagging behind in political consciousness increasingly took up their place in the nationalist movement, which engulfed nearly all parts of the country by 1960. However, forging a unified countrywide movement was undermined by tribal attitudes and inclinations. This led to divisions into tribal groupings, which became increasingly conscious of their respective interests, in some cases conflicting with that of other groupings. This awareness emerged from a combination of factors such as unequal distribution of resources and socio-economic development.

The then government had hoped that district associations would serve as useful advisory bodies to the African nominated members of the Legislative Council. Initially,

only a handful of such district associations were formed; however, many more emerged in 1958 after direct elections, which stimulated greater political interest at the local level. District associations were essentially parochial organizations that emphasized on local issues. In 1958, an attempt to amalgamate them into a convention of associations was nipped in the bud. In 1960, national political parties were the only recognized official means of communication through, which African elected leaders could reach the public.

Eight political constituencies were established in 1957. In 1960, despite the imposition of constituencies, African elected leaders were forced to build district associations in the absence of national party organizations. This strengthened local leadership and organizations, upon which the fast growing nationalist movement settled in the 1950's. The move provided each district with a spokesman and emphasized on district as the basis for political support. In this regard, leaders went to the Legislative Council as individuals committed to political reforms aimed at addressing tribal demands of a local political base. In most cases, tribal interests entailed land and economic opportunities.

This situation led to the formation of an alliance between the Kalenjin from Rift Valley and Coastal communities and was necessitated by objectives of the Kikuyu community from Central Kenya and its allies. This alignment of tribal and economic interests was probably the single most important factor, which led to division of the nationalist movement into KANU and KADU in 1960. In the pre-independence elections urban electorates were prepared to vote for leaders from different ethnic communities. Accordingly, Tom Mboya, a Luo, was able to win his Nairobi seat against a Kikuyu opponent, in a predominantly Kikuyu constituency. In 1961, the urban electorates were dissuaded from voting a long ethnic line and followed the dominant objective of independence. In that situation, Mboya held an advantage over his Kikuyu opponent. His organizational and oratory skills, his knowledge of the Kikuyu, and his political record, were more important than tribal appeal.

During the elections of 1961, tribe was a divisive factor in the nationalist movement. There were divisions out of traditional loyalties, such as the clan divisions in Nyanza and Ukambani and the sub-tribal divisions within the Luhya group. In several districts, particularly in Nyanza and Central Provinces there existed conflicts between public servants, especially chiefs and politicians over the pace and direction of political change. In Central Province, conflicts existed between loyalists and freedom fighters, which persisted till after independence. In addition, there were divisions over ownership of properties such as land, which surpassed political differences.

In most African nations, including Kenya, the initiation of democratic processes did not go beyond opening doors for multi-party politics to establishing fully democratized societies. Better still, they did not succeed in creating strong political structures and processes supportive of democratic values. They also failed to nurture a democracy-friendly culture in Kenya. Hence, it was only after the flaws of 1992 multi-party elections that the need for further constitutional and legal reforms dawned on democratic forces.

According to Rustow⁶³ a country is likely to attain democracy not by copying the constitutional laws or parliamentary practices of some previous democracy but rather by honestly facing up to its particular conflicts and by devising or adapting effective procedures for their accommodation. This implies that nurturing peace is an important component of a transition process to democracy. Post-colonial suppression produced a broad-based popular understanding of the need to share power and to hold governments accountable for their actions. Nevertheless, this was not a sufficient basis to start building a democracy.

⁶³Rustow, D.A., "Transition to Democracy: Towards a Dynamic Model", *Comparative Politics*. Vol. 2, No. 3, pp. 337-363.

As Diamond et al⁶⁴ argue, it is unrealistic to think that countries in Africa can suddenly reverse course and institutionalize stable democratic governments simply by changing leaders, constitutions and public mentalities. If progress is made toward developing democratic government, it is likely to be gradual, messy, fitful and slow, with many imperfections along the way.

2.3 Early Political Parties;

KANU and KADU were formed in 1960. However, right from their formative years, the parties were sharply divided along ideological lines. KADU's ideology revolved around a quasi-federal division of power, which led to regionalism⁶⁵. Through the regionalism approach, the country was expected to devolve certain powers to newly created regional authorities; transfer control of trust land in the country to regional authorities; and establish a bicameral legislation, where regional leaders (senators) would be mandated to represent district interests.

Although KANU accepted the proposed regional structure of government soon after independence, three years down the line, it was abolished because it did not arouse strong loyalties and was replaced by the centralized colonial structure⁶⁶. In response, members of regional assemblies protested against the move, which they felt deprived them the power to manage affairs of their respective regions. However, this did not spark strong reaction, as public interests were focused on national good and not any particular region of the country. Again public interests were also directed towards the centre as the source of governmental authority.

⁶⁴ Diamond, L., Linz, J. J. and Lipset, S. M., *Politics in Developing Countries: Comparing Experiences with Democracy*, Boulder: Lynne Rienner Publishers, 1995, pp. 84-87.

⁶⁵ Gertzel, C. J., *Op. Cit.*, pp. 9-16.

⁶⁶ Ibid

In KANU, personal rivalry that was deeply entrenched in the nationalist movement became the dominant characteristic of its political pursuits. Later on, personal rivalries gained roots and were reinforced by ethnicity, which in turn, undermined the establishment of a centralized and unified party. While Jomo Kenyatta was in detention, internal power struggles within KANU went on unabated till 1961, when the need for a united front to win forthcoming elections minimized it a bit, thereby prevented the party from disintegrating.

Against internal divisions and weaknesses of the nationalists' movements, Mr. Kenyatta's unifying role became crucial. His dominant personality, coupled with authority to unite leaders made Kenyatta the obvious choice for KANU's leadership. Within the first year of independence, Mr. Kenyatta was able to unite KANU and KADU to pave way for development initiatives. In 1964, the acquiescence of all groups in the republic and the move to a de facto one-party state, testified to his ability, to act as an inspirational leader who could bridge gaps between different ethnic communities and races. Nevertheless, personal rivalries, existing socio-economic and political divisions remained unresolved by the time new political groupings emerged between 1965 and 1966. In this regard, unification of the nation became a daunting task.

The main challenge to Kenyan politics after independence was the continuing divisions within KANU, which was the ruling party. The divisions fast became public and eventually led to the withdrawal of Mr. Odinga, the then Vice President, from government in 1966. He later headed the unregistered opposition party, the Kenya People's Union (KPU). Political analysts have attributed the withdrawal of Kenya's first Vice President from government to various issues including differences in opinion concerning public policy matters and more importantly, personal position and power.

After the split, the government sought public support to facilitate amendment of the constitution to effectively abolish regionalism and re-introduce a unitary state with a strong central government. The proposed change was announced in parliament, and the

government managed to woo KADU into KANU; a move that culminated in voluntary dissolution of KADU. When KPU was banned in 1969, Kenya became a de facto one-party state until 1982 when section 2A was inserted into the constitution to make Kenya a de jure one-party state.

2.4 Multi-Party Politics in Kenya

The re-introduction of multi-party democracy in Kenya in 1991 (following the repeal of section 2A) was spearheaded by CSO's concerned about the poor state of governance in the country and courageous political activists. The development partners who made political reforms one of the pre-conditions for donor funding supported them. As a result, the ruling party became vulnerable and the government finally acquiesced to demands for a multi-party political system at the end of 1991.

The struggle began in 1990 in response to changing political environment all over Africa and Eastern Europe after the collapse of the Berlin Wall. Nevertheless, even before 1990, different groups were already mounting pressure for political changes. As an example, Mwakenya, a pressure group, was operating underground, particularly after the detention and elimination of some members. Further, the murder of Dr. Robert Ouko, the then Foreign Affairs Minister intensified pressure for political change. Other leaders such as Kenneth Matiba and Charles Rubia added their voices to the need for multi-party democracy.

In response to demands for change, KANU appointed a committee to review party nomination rules and mandates of the disciplinary committee. The committee was further instructed to review electoral rules, some of which formed the bone of contention. Other moves that also intensified pressure for change included the withdrawal of donor funding for the government's development initiatives on account

of poor governance and rising corruption within the ranks⁶⁷. This compelled the ruling party and the government to review their stand on political reforms.

As a result, Section 2A of the constitution was repealed, paving way for the re-introduction of multi-party democracy. The move was meant to provide the electorate with an opportunity to identify with political parties, which stood for core values, policies and programs that addressed their needs, as citizens. Given the legal space, several opposition parties were created to facilitate the democratization. These included Forum for the Restoration of Democracy (FORD), Democratic Party (DP), Kenya Social Congress (KSC), Kenya Democratic Alliance (KENDA), Party of Independent Candidates of Kenya (PICK) and Kenya National Congress (KNC). Nevertheless, the parties had no significant variation in ideological orientation. Some of the common policy objectives among the opposition political parties included addressing excesses of the provincial administration, personalization of state institutions; as well as ethnic and class polarization⁶⁸.

During the 1992 general elections, large ethnic communities presented their elites for presidential elections through allied political parties. Although some political parties attempted to forge unified alliances, these could not survive the divide and rule tactics of the KANU government⁶⁹. The alliances crumbled at infancy and constituent parties fragmented along ethnic lines. The original FORD split into two parties, namely, FORD-K and FORD-A. Later, FORD-A split into FORD-People and Saba Saba Asili. On the other hand, FORD-Kenya ended up with two factions – the Wamalwa-led FORD-K and the Raila-led NDP. Political analysts point out that the divisions occurred on the basis of

⁶⁷ Oyugi, W.O., "Introduction" In Oyugi, W.O., Wanyande, P. and Odhiambo-Mbai, C. (eds.), *Op. Cit.*, pp. 5-7.

⁶⁸ Chege, M., "The Return of Multi-Party Politics", in Barkan, J. D., (ed.), *Beyond Capitalism vs. Socialism in Kenya and Tanzania*, Nairobi: East African Educational Publishers, 1994, pp. 101-121.

⁶⁹ Mutunga, W., "The Unfolding Political Alliances and their Implications for Kenya's Transition", in Mute, L.M., et al, (Ed.), *Building an Open Society: The Politics of Transition in Kenya*, Nairobi: Claripress, 2002, pp.137-139.

ethnicity, class interests and personality cults⁷⁰. What initially was a united opposition with a common agenda became factions with varied interests.

In December 1992, when elections were held, the opposition fielded several presidential candidates, including Mr. Kibaki of DP, Mr. Oginga Odinga of FORD-K and Mr. Kenneth Matiba of FORD-A. They lost to KANU. After the 1992 elections, new strategies were re-invented to review performance of the opposition in future elections. Accordingly, youthful opposition activists emerged and questioned the relevance of elderly politicians in their midst. However, political parties differed on the issue of a reform strategy, leading to the demise of the alliance even before the 1997 elections.

Following the easy win by KANU during the 1992 elections, the government ensured that the status quo was maintained, as the state continued to dominate all spheres of governance. The opposition political parties found it difficult to re-organize themselves, particularly due to lack of significant constitutional reforms that would have created a conducive atmosphere. However, continued pressure on the KANU government eventually led to the formation of the Inter-Parties Parliamentary Group (IPPG) accord⁷¹, which then facilitated minimal electoral reforms that were nevertheless important in the transition process. The changes were meant to level the political ground for all political players.

During the second multi-party polls of 1997, KANU managed another easy win after the opposition parties failed to have a united front. KANU had almost an equal share of parliamentary seats with the opposition. This indicated that KANU failed to garner an overwhelming majority. This situation called for new strategies to continue dominating parliamentary politics. This led to a unity pact with Raila's NDP. In early 1998, the

Kanyinga, K., "Limitations of Political Liberalization: Parties and Electoral Politics in Kenya, 1992-2002", in Oyugi, W.O., Wanyande, P. and Odhiambo-Mbai, C. (eds.), *Op. Cit.*, pp. 98-120.

Kanyinga, K., *Ibid.*, in Oyugi, W. O., Wanyande, P., and Odhiambo-Mbai, C., (eds.), *Op. Cit.*, p. 100.

mainstream opposition parties came together to renew demands for constitutional reforms. They teamed up with CSOs such as National Convention Executive Council (NCEC)⁷².

Further, various opposition groups and religious organizations established a reform process on their own, independent of the government's involvement. This led to the formation of People's Commission of Kenya, popularly known as the Ufungamano Initiative (UI). The birth of the UI led to several other attempts at achieving opposition unity, as opposition parties joined hands to mobilize support for the UI⁷³. In 2002, other opposition members of Parliament formed a reform movement – Muungano wa Mageuzi. The Mageuzi group visited many parts of the country mobilizing support for a people-driven constitutional review process and calling for opposition unity. However, to the government, the Mageuzi group was viewed as rebel outfit, that aimed at taking power by force. Based on this perception, its activities were banned⁷⁴.

Furthermore, CSOs and faith-led groups demanded opposition unity. In this regard, the leaders of DP, FORD-K and the NPK met regularly to discuss possibilities of working towards opposition unity. In 2002, they formerly launched the National Alliance for Change (NAC), which constituted the forum around which opposition unity could be discussed. Another alliance called the Kenya People's Coalition, comprising several political parties also emerged. NAC appointed a committee to study and make recommendations on how to achieve opposition unity and they could field a single

⁷² Nzomo, M., "Civil Society in Kenyan Political Transition 1992-2002", in Oyugi, W.O., Wanyande, P. and Odhiambo-Mbai, C., (eds.), *Op. Cit.*, pp. 190-210.

⁷³ Ng'ethe, N. and Katumanga, M., "Transition and the Politics of Constitution Making: A Comparative Study of Uganda, South Africa and Kenya", in Oyugi, W. O., Wanyande, P. and Odhiambo-Mbai, C. (eds.), *Op. Cit.*, pp. 303-345

⁷⁴ Wanjala, S., "Elections and the Political Transition in Kenya", in Mute, L. M., *et al*, (ed.), *Op. Cit.*, p. 315.

opposition candidate during the 2002 elections. NAC developed a Memorandum of Understanding (MoU), which all-participating parties had to sign⁷⁵.

As a show of commitment to political change, the party developed a new organizational structure with the position of a prime minister. This was meant to show a commitment to accommodating the varied ethnic interests at the centre. The party finally established a secretariat and applied to change the name to National Alliance (Party) of Kenya as its official name. This was later changed to National Rainbow Coalition (NARC), after the merger of Liberal Democratic Party (LDP) and NAK. The parties signed an MOU to govern the formation of a new government upon winning the election⁷⁶. As widely expected, NARC won the 2002 elections with 62 percent of the vote; while KANU managed 31 percent and Ford People got 6 percent. Further, NARC obtained the majority of parliamentary seats after taking 125 seats, against KANU's 64 seats and FORD-P's 14.

2.5 Challenges of Multi-Party Politics

The performance of political parties in Kenya from 1992 may have been affected by weaknesses in the electoral laws. This affected their role in transition to democracy.⁷⁷ Since the turn of the 1990s, the political process in Kenya exposed protracted political conflicts resulting from the clash between the emergent democratization efforts and the extant authoritarian legal system. Political parties faced an infrastructure that was a hindrance to free and fair electoral competition. There were no legal safeguards to manage, contain and mediate societal conflicts.

⁷⁵ Kanyinga, K., *Op. Cit.*, in Oyugi, W.O., Wanyande, P. and Odhiambo-Mbai, C. (eds.), *Op. Cit.*, pp. 96-128.

⁷⁶ Ibid

⁷⁷ Makumi Mwangi, "Elections and the Constitutional and Legal Regime in Kenya", in Ludeki 'Chweya, (ed.), *Electoral Politics in Kenya*, Nairobi: Claripress, 2002, pp. 28-51.

Democratization in Kenya depended on various factors by various forces.⁷⁸ Behavior of voters, especially whether or not they turn out to vote and the criterion for choice of candidate or political party, are critical variables in the study and practice of democracy. Voter education was bound to be a decisive factor in the process and outcome of elections and the general process of democratization in Kenya. Opposition parties and civil society organizations were determined in their efforts to mount voter education programs despite resistance from KANU government.

The process of democratization is part of a response to problems such as poor economic performance, corruption, dictatorship and ineffectiveness of political institutions. These have manifested themselves in the abuse of political power and privilege, serious violation of basic human rights and the suppression of fundamental freedoms.⁷⁹ This has been encouraged by leaders who have generally portrayed attitudes of extreme intolerance and brutality towards dissenting opinion while showing little or no regard for the rule of law and the promotion of justice and fairness.

While authoritarian regimes fall as a result of opposition political party activities, their principal architects and beneficiaries may easily cross over and become 'democrats'. Alternatively after losing in the elections, they may become the strongest advocates of the rule of law. This implies that political parties give the authoritarian rulers an opportunity to re-invent themselves as the new democratic rulers, thereby sabotaging the democratic projects from within.⁸⁰ This explains why most political parties in Kenya collapsed immediately after their formation and also why the opposition never succeeded to defeat KANU in the 1992 and the 1997 general elections.

⁷⁸ Wanyande Peter, "The Power of Knowledge: Voter Education and Electoral Behaviour in a Kenyan Constituency", in Ludeki Chweya, *Op. Cit.*, pp. 52-75.

⁷⁹ Rutto, S. K. and G. K. Njoroge, *The Democratization Process in Africa*, Nairobi: Quest and Insight Publishers, 2001.

⁸⁰ See Nyong'o, P. A., *The Study of African Politics. A Critical Appreciation of a Heritage*, Nairobi: Heinrich Boll Foundation, 2002, p. 84.

Political parties in Kenya are so divided yet they profess identical views. The disagreement among party leaders divides the people into hostile camps. Such bitterness is detrimental to national solidarity, and the integrity of the state. These political parties are not just insincere; they also demoralize party membership and reduce them to the position of camp followers. The political parties behave in a way to suggest that they lack loyalty to the country. They are organized on the basis of ethnicity, region or religion; hence, they promote narrow interests and parochialisms. Lack of institutional framework and inadequate resources aggravates the situation.

Kenya depends on external donors for aid and other forms of assistance.⁸¹ For that reason, external actors in the democratization process in Kenya included the World Bank and the IMF. Because of this, the organizations are sometimes viewed as the principal force beneath the political reforms that swept across Kenya in the 1990s. The conditions imposed by such actors served to expose Kenya to external manipulation by the two major powers that control the donor organizations, the USA and European Union. In 1991, the World Bank and other bilateral donors withheld disbursement of aid and gave Kenya a list of reforms they wanted initiated before discussions on aid resumption could begin.⁸²

While pluralism and multiparty politics are significant features of democratization, they are not the only ideals of democracy. Pluralism per se does not signify democracy. Pluralism should also uphold the democratic principle of accommodating politically

⁸¹ Nying'uro Phillip, "The External Sources of Kenya's Democratization Process", in *The Journal of Political Science*, Volume 35, 1997, pp. 5-35.

⁸² Ibid.

excluded groups, notably women.⁸³ In this respect, the role of political parties in the democratization process will not be complete and successful if the exclusionary tendencies inherent in the political parties in Kenya are not redressed.

The role of political parties in the democratization process in Kenya has been curtailed by ethnicity. Ethnicity permeates the Kenyan electoral process so deeply that political parties have become polarized along ethnic divides. Voting patterns have been found to follow ethnic affiliations between the voters on one hand, and the candidates and party leadership on the other.⁸⁴ The principle point of reference in Kenyan politics is not the party but the tribe; hence, ethnicity determines the direction of voting in competitive presidential, parliamentary and local government elections. In all elective activities, ethnic loyalties shape voter allegiance. Yet elections remain the most dominant feature of democratic governance in all countries

but even with such entrenched ethnicity, political parties found a common ground. In 1992, FORD was formed by representatives of several ethnic groups (ethnic patrons) to challenge the then KANU authoritarianism. In 1997, SDP was formed by leaders from the Luo (Anyang' Nyong'o), Kikuyu (Apollo Njonjo) and even Kamba (Charity Ngilu). The coalition that won the 2002 general elections, NARC, was equally multi ethnic. Although ethnicity negatively affected the performance of political parties, it also served as a basis upon which the parties were organized in their effort to unite the voters against the KANU regime.

6 Conclusion

With the achievement of independence, Kenyans expected an immense improvement in democratic governance, representation, respect for human rights and civil and political

Edith Miguda, "Engendering Democracy in Kenya: Effects of Multiparty Electoral System on Women Participation in Politics", in Ludeki Chweya, *Op. Cit.*, pp. 108-120.

Fred Jonyo, "Ethnicity in multiparty Electoral Politics", in Ludeki Chweya, *Op. Cit.*, pp. 86-107.

liberties. However, the immediate post-colonial Kenya did not succeed in creating strong political structures and processes supportive of democratic values. Party politics were also limited by the dissolution of KADU immediately after independence in 1964. This ushered in a repressive one-party rule by KANU for about four decades.

It was the united efforts of the external and internal actors that enabled Kenya to re-introduce multi-party politics in 1991 after section 2A of the constitution was repealed. This was closely followed by the December 1992 multiparty elections in which KANU emerged the winner despite concerted efforts by the fragmented opposition parties. KANU also won the 1997 elections by taking advantage of the internal divisions and ethnic affiliations in the opposition political parties.

The lessons learnt from the first two elections were put into use when various organizations established reform processes that led to people-led initiatives such as the Ufungamano and Muungano wa Mageuzi. This eventually led to the achievement of opposition unity that fielded a single candidate who emerged victorious in the 2002 general elections. To that extent, Opposition political parties achieved a major milestone in their struggle for democratic change in Kenya since 1990, notwithstanding the various challenges.

CHAPTER THREE: THE ROLE OF POLITICAL PARTIES IN THE TRANSITION TO DEMOCRACY IN KENYA, 1990-2002.

3.1 Introduction

This chapter attempts to examine the roles of political parties in the transition to democracy in Kenya, 1990-2002. Two transitions are identified in Kenya, between 1990-2002. The first transition was the change from one party state to political dispensation. This was a period of violent confrontations between the government and advocates of multi-party democracy, which was generally labelled second liberation struggle. 85

The second transition occurred when KANU, the ruling party since independence, was defeated by a coalition of opposition political parties, NARC in December 2002 general elections.⁸⁶ NARC constituted a government, comprising individuals from the civil society as well as those firmly rooted in the opposition politics, joined by others who abandoned KANU, just before the general election.

A combined force of intellectuals and religious leaders brought about change, leading to multi-party political dispensation in 1991. The force challenged KANU leadership to respond to the demands of Kenyans, seeking for expanded political space. The combined forces forced the government to yield and accommodate the dissenting demands. According to Oyugi, ⁸⁷ in June 1990 the ruling party KANU established a review committee to address the emergent polarization within the party and the state.

⁸⁵ UNDP, Third Kenya Human development report, UNDP in Kenya, Nairobi, 1999, p. 23

⁸⁶ Ibid

⁸⁷ Oyugi, W. O., "The Politics of Transition in Kenya 1992-2003: Democratic Consolidation or Deconsolidation?" in Oyugi, W. O., Wanyande, P. and Odhiambo-Mbai, C. (eds.), *Op. Cit.*, pp. 345-382.

A report was produced but failed to address the key constitutional issues that the proponents of change were advocating for.

The donor community combined pressure to compel KANU's governing council to recommend that section 2A of the constitution of Kenya be repealed to pave the way for the formation of opposition parties before the 1992 general elections. In late 1991, the government repealed section 2A of the constitution to allow operation of multiple political parties. From then on, Kenya again became a multi-party state with FORD forming a formidable opposition. Later, splinter groups (FORD Asili, FORD-K and FORD People) became registered as political parties. Both the ruling elite (KANU) and the opposition (various political parties) lacked alternative visions, organising ideology and skill to mobilise their supporters in response to the local for economic and structural reforms. In 1992- 1993 more than 1500 Kenyans lost their lives through ethnic clashes and another 500,000 were displaced. Unable to beat KANU the opposition merged from the 1997 elections fragmented and disillusioned on the way forward. Prior to 2002 elections leaders were again coming together not on the basis of common ideological principle or shared program for national change but for personal interest concealed to appear like a defence of ethnic interest. The emergence of NARC is a pointer to the failure of the leaders to evolve nationalistic parties, 10 years after political pluralism was reinstated. These sentiments have far reaching consequences on the response of respondents.

.2 Roles of Political Parties

In 1992, the first multi-party general elections were held, which KANU won amid controversies. Immediately after these elections, the civil society groups organized to press for more reforms. In the absence of effective opposition parties and owing to their fragmentation along ethnic lines, the civil society groups evolved as an important third force in the political sphere. They continued to press for comprehensive constitutional reforms and established a platform for organizing this campaign. The

National Executive Council (NEC) remained at the forefront of campaign for constitutional reforms. In 1997, the second multi-party elections were held and KANU won again. By 2002 over thirty political parties had been registered and were operating as opposition parties. Prior to the 2002 general elections, various opposition parties combined against KANU. This saw the birth of the National Rainbow Coalition, NARC, which essentially a merger between the Liberal Democratic Party, LDP, the National Alliance Party of Kenya, NAC, which won the elections with Mwai Kibaki as the president. It is evident that political parties performed various roles that led to the multi-party elections of 1992, 1997 and 2002.

3.2.1 Constitutional Reforms

Political parties initiated constitutional reforms as documented in the IPPG package.⁸⁸ These reforms included Constitution of Kenya (amendment) Act, 1997, which introduced section 1A that made Kenya a multiparty democracy; amended Sections 7 and 16(2) to enable a winner to take power and form a government as soon as the election is declared; provided for parliamentary parties to choose their nominated MPs (previously presidential appointees); increased the number of Electoral Commissioners thereby enhancing the representation by opposition parties. The Statutes Law (Miscellaneous amendments) Act, 1997, repealed several statutes: Vagrancy Act, Outlying Districts Act, Special Districts, amended Preservation of Public security Act in order to prevent detentions without trial; removed from Penal Code the crime to rebellion or the breaking down of law and order; amended societies Act to give Registrar of Societies no more than 120 days within which to register a political party; amended the Public Order Act to enhance freedom of association and assembly. The Constitution of Kenya Review Commission Act, 1997, set up several bodies for the

⁸⁸ Ibid

constitutional review process; Constitution of Kenya Review Commission, District Constitutional Forums, and National Constitutional Consultative Forum.

By 2002, NARC affiliate parties and other opposition political parties exerted enormous pressure on the government to become more accountable and transparent. The government finally agreed to constitutional reforms, which opened space for operation of other actors in both political and social-economic spheres. Reforms expanded democratic activities; the citizens had several choices with regard to political associations and could enjoy freedom of assembly and speech. This would not have been possible without the contribution of political parties and other forces.

Respondents interviewed (52 % from FORD-K, 35 % from DP, 55 % from NDP) reported that political parties played a role on constitutional reforms. They noted however, that these parties played such roles because they wanted to win elections in order to take over government. 48% of those interviewed applauded the role played by KANU on constitutional reforms. They observed that KANU was the engine of the constitutional reforms; without its cooperation, reforms would have been difficult to achieve. They cited KANU's initiative in the reform agenda, which led to the transition to multi-partyism in 1991. They attributed the amendments made in 1990, 1991, 1992, 1994 and 1997 to KANU. In their view, the constitutional amendments ushered in pluralism in Kenya and this improved the political culture by allowing for relatively better enjoyment of civic and political rights. However, 52% of the respondents accused KANU for failure to allow comprehensive constitutional reforms to take place. They reported that KANU had blocked comprehensive constitutional reforms because it wanted to retain power as long as it was possible. They argued that KANU had been in power since independence and it was not prepared to change. 53% of respondents dismissed SDP as a reform party. This, perhaps, was because SDP was still a fairly a new party, led by a woman. 47% of the respondents, the majority being women

defended SDP, saying that given the opportunity, it would play an important role in constitutional reforms.

The fact that the parties took an active role in the IPPG for example, is an indicator that they played a significant role in putting in place the reforms that enabled the 2002 general elections to be fair to the opposition. This was a positive contribution to constitutional reforms. KANU too earns some credit, for though it was reluctant; it gave in to pressure and allowed constitutional reforms to go on. In their concluding responses, respondents noted that political parties performed poorly in 1990, fairly in 1992 and 1997, and 202, well.

3.2.2 Civic Education

Voter education is public education that informs and empowers the electorate to clearly understand its rights and responsibilities in the electoral processes of any given society. It strives to mobilize voters to exercise their rights in a changing political environment and to enhance their understanding of participatory democracy. In Kenya, the constitution provides for the country to be a multiparty democratic state in which all citizens have the right to participate in the affairs of their government. It also provides for promotion of voter education throughout the country to enhance the capacity of the people to participate meaningfully and responsibly in democratisation process of their country.

Voter education in Kenya is conducted in accordance with the law and Electoral Commission of Kenya guidelines. Only groups, persons, and institutions accredited by ECK are allowed to carry out voter education. This is based on the understanding that

the work is supplementing the ECK's efforts to achieve the objectives of voter education.

The 1992 and 1997 general elections were marred with violence, bribery and other malpractices. Electoral violence was witnessed in Laikipia, Molo, Likoni, and Transmara. Before the 1992 elections, little voter education took place in Kenya. Only a few civil society organizations undertook civic education, while the government did nothing and in some cases prevented civic education activities from taking place.⁸⁹ The situation improved somewhat after 1992, as various NGOs became involved in civic education. The ECK, for example, was content to make some routine announcements in the press and print a few posters. Even in 1997, it earmarked a paltry Ksh 10 000000 for voter education, notwithstanding the constitutional provision that requires the ECK to provide voter education.⁹⁰ Because of this, political parties made insignificant contribution in helping Kenyans to understand the importance of elections, creating public awareness of the rights and duties of citizens in the political processes. They could not explain to the voters the general elections regulations so as to enable them to fully participate in elections.

In the 2002 general elections, the Kenya Electoral Commission organised and invited political parties and other stakeholders to a conference to prepare a plan of action aimed at mitigating electoral and political violence prior to and during the 2002 general elections. The National Democratic Institute, NDI, was instrumental in

⁸⁹ IED, Report on the 1997 General Elections in Kenya, Op Cit., p. 32.

⁹⁰ Ibid.

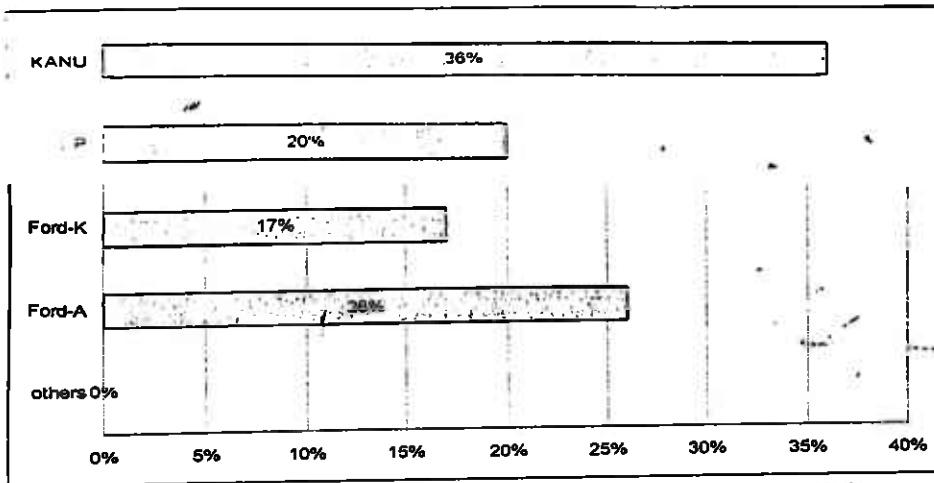
initiating regional inter-political party meetings to which ECK was invited to participate. Because of the improved environment, political parties persuaded voters to register in large numbers; voters were asked to inspect register of voters and also urged to vote wisely on polling day.

Of the respondents interviewed, 40% (KANU), 50% (DP), 45% (FORD-K), 55% (FORD People), 49% (FORD-A), 40% (SDP) and 55% (NDP) reported that political parties had very minimal role in voter education during the 1992 and 1997 general elections. The same respondents, however, noted that political parties played some role in voter education. They further noted that these minimal roles were mainly in urban areas where materials and resources could easily be accessed. In their final responses, they noted that in 1990 and 1992, parties performed this function poorly, improved in 1997 and did much better in 2002.

3.2.3 Free and fair elections

Multiparty elections were held in December 1992, 1997 and 2002. In 1992 KANU won and retained power but the opposition parties won substantial seats in parliament. The 1992 elections were held in an atmosphere of a broadened political playing field. These elections marked a turning point in Kenya's political history. The results are as shown on figure 3.2

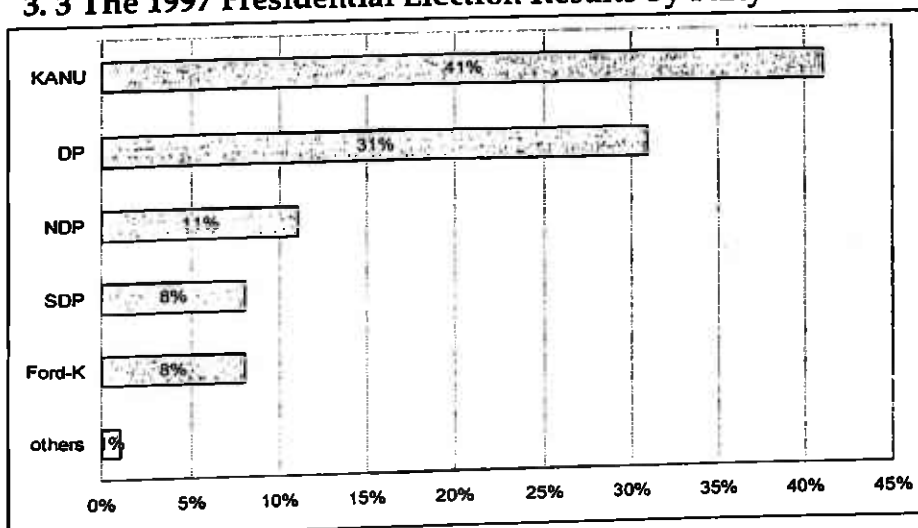
Figure 3.2 The 1992 Presidential Election Result by Party



Source: National Election Monitoring Unit-1998

In December 1997, 15 candidates vied for the presidency, but only 5, Daniel Arap Moi (KANU), Mwai Kibaki (DP), Raila Odinga (NDP), Michael Wamalwa (FORD-Kenya) and Charity Ngilu (SDP) were serious contenders, the others were not serious. KANU won with 41% of the votes while fourteen opposition political parties lost with a combined vote of 59% as shown on figure 3.3

Figure 3.3 The 1997 Presidential Election Results by Party



Source: ECK 1998

KANU also had the majority parliamentary seats. Out of 210 seats, KANU had 108; DP had 39 while NDP had 21 seats and FORD-K 17. The opposition had an almost equal number of seats as shown below.

Table 3. 1 Party Representation in Parliament

Party	Elected	Nominated	Total
KANU	107	6	113
DP	39	2	41
NDP	21	1	22
FORD-K	17	1	18
SDP	12	1	16

Source: ECK 1998

In the 2002 general elections, NARC won, ending the 40-year KANU rule. NARC had 62% of the vote while KANU managed 37% as shown on table 3.2 below

Table 3. 2 The 2002 Presidential Results by party

Party	Percentage
NARC	62%
KANU	31%
FORDP	0%
Others	0.6

Source: ECK 2003

With regard to parliamentary seats, NARC again had the majority, 125 seats while KANU had 64.

During the elections, political parties performed various activities; they prepared and provided materials for campaigns, they supervised the selection of their candidates; they mobilized their supporters for party activities and facilitated campaigns for their candidates. Because of these, Political freedom, participation and competition became

the central agenda of several political parties. This was a positive contribution by political parties supported by other stakeholders in the democratic transition in Kenya. Elections are essential to democracy. Public confidence in the institutions and processes surrounding elections is essential to establishing the basis of authority for any democratic government. Multi-party elections held in 1992, 1997 and 2002 attested to that. Each party presented its candidate for various competitive posts: - the presidency, parliamentary and civic posts countrywide. Voters were asked to make their choices. The elections were meant to be competitive, open and fair to all candidates. Of those interviewed, 43% (KANU), 51% (FORD-K), 52% (DP), 55% (NDP) and 48% (SDP), agreed that political parties played an important role during elections. In their last remark, respondents, again, noted all political parties performed this role poorly in 1992 and 1997 but noted improvements in 2002.

3.2.4 Party Nominations/selection of candidates

Each political party nominated or selected candidates for the general elections in 1992, 1997 and 2002. The parties had responsibility to finance, organize and administer the selection processes. Political parties set out internal party rules and regulations. Using party machinery, political parties nominated candidates to respective party positions- the presidency, parliamentary and civic. In 1992, political parties nominated candidates for the presidential position as shown on table 4.3 below:

Table 3.3 The 1992 Presidential candidates

Candidate	Party
Kenneth Matiba	FORD-A
Jaramogi Oginga Odinga	FORD-K
Mwai Kibaki	DP
Daniel Arap Moi	KANU

Source: ECK 1993

In 1997, the presidential candidates selected by respective political parties are as shown on table 3.4 below.

Table 3. 4 The 1997 Presidential candidates

Candidate	Party
Kijana Wamalwa	FORD-K
Charity Ngilu	SDP
Raila Odinga	NDP
Mwai Kibaki	DP
Daniel Arap Moi	KANU

Source: ECK 1998

In the 2002 general elections, the presidential candidates were nominated as shown on table 3.5 below.

Table 3. 5 The 2002 Presidential candidates

Candidate	Party
Simon Nyachae	FORD-P
Uhuru Kenyatta	KANU
Mwai Kibaki	NARC

Source: ECK 2003

Of the respondents, 40% (KANU), 52% (FORD-K), 53% (DP), 60% (NDP) and 51% (SDP) agreed that political parties did nominate/select candidates to various positions competitively. Candidates made applications for nominations and went through rigorous vetting processes. This may be contested if the facts on the ground are scrutinised. In 1997, KANU for example, outwitted Sophia Abdi Noor of Ijara who had been declared the winner in the constituency nominations. Similarly, Phelgona Okundi

of KANU who was also the Nyanza Provincial chairperson of Maendeleo ya Wanawake Organization, was unilaterally nominated by the KANU chairman against the wishes of members to vie for the Rangwe seat.

The role of nominating people to office is very crucial for a democratic government. It is only political parties that can continuously supply personnel to the government; otherwise there would be a lot of instability. Political parties therefore played a significant role in the selection of candidates to the public offices. They used competitive and participatory means to select the candidates. Despite support from ethnic constituencies or factions of one party or another, this function of selection cannot be underestimated. Of course some of these political parties disintegrated along ethnic and personality lines as competition for political powers intensified. In some instances, political parties nominated candidates in total disregard to party rules and machinery. In spite of such anomalies, political parties performed a very important role in selecting and presenting candidates to the electorate. This function is important in democratic transitions.

Despite the evident flaws in the process of nomination of candidates, the political parties gave the candidates an opportunity to 'compete' in a way that a few years back was not possible. There may have been little competition at the presidential level or even all the other levels; but respective parties nominated candidates to participate in the elections. This was an important function and it contributes positively to democratic

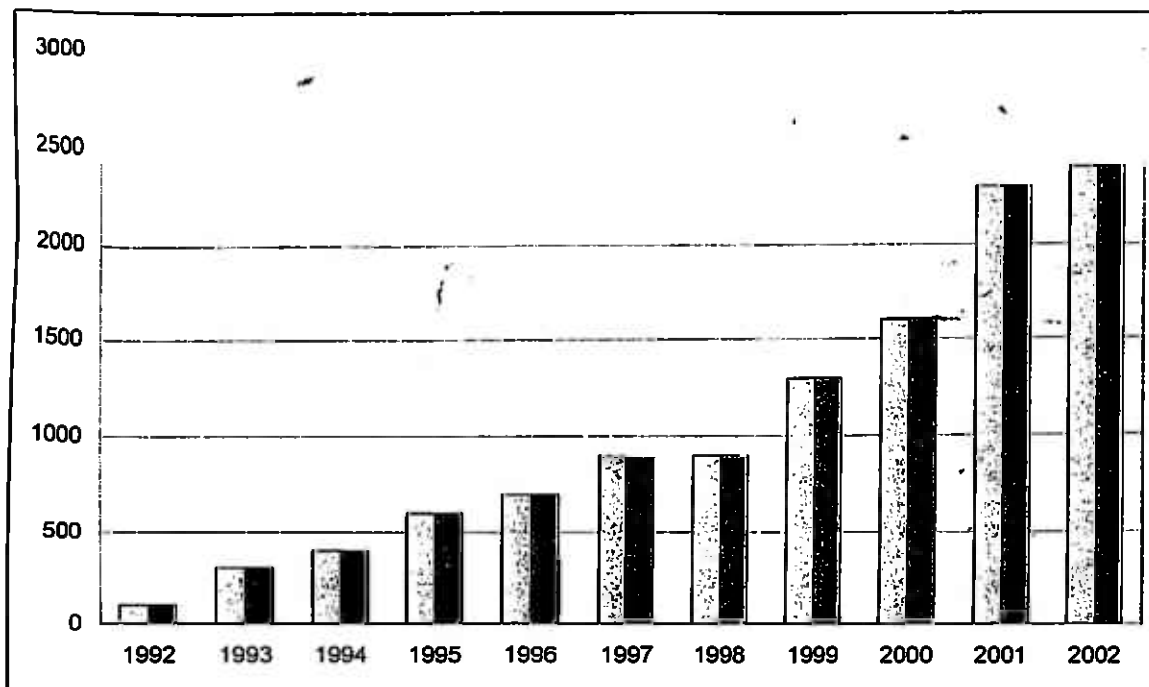
transition. With regard to party nominations, all parties performed below 50% in 1992 but improved in 1997 and did much better in 2002.

3.2.5 Registration of Political Parties

Registration of political parties has always been a thorny issue. KANU remained the only political party to the end of 1991. However, following the repeal of section 2A of the constitution of Kenya in December 1991, several new parties were registered – FORD-K, FORD Asili, National Development Party of Kenya (NDP), Democratic Party of Kenya (DP), Social Democratic Party (SDP), Labour Party Democracy (LPD), Kenya National Congress (KNC), Kenya Social Congress (KSC), Kenya National Democratic Alliance (KENDA), Party of Independent Candidates of Kenya (PICK) and National Rainbow Coalition (NARC).

Multi-partyism resuscitated growth and activities of civil society organizations. These organizations gave impetus to the push for citizen participation in the political and social spheres of the society. One cannot talk of a democratic system if the citizens are not actively engaged in the political activities of the country. From early 1992, many socio-economic groups such as NGOs, CBOs and self-help groups were formed. CBOs expanded their activities into all sectors of the society. As a sign of the widening democratic space in Kenya, the number of the organizations increased steadily in the 1990s as shown on figure 3.4 below

Figure 3.4 Growths of NGOs in Kenya, 1992-2002



Source: NGOs Bureau Annual Records- Various Years

According to the third Kenyan Human Development Report⁹¹, the number of other civil society organizations also grew tremendously. Women's groups grew from 32,000 in 1992 to 85,000 in 1997. By 2002, the number of women's groups was 122,441. The number of CBO's grew from about 18,000 in 1995 to 35,000 in 2002. There was also an increase in the number of advocacy and human rights groups. Their numbers grew rapidly as the state opened up the space for their operations. From less than ten advocacy and human rights organizations in 1991, the number grew rapidly to over 40 in 1994. By 2000, there were over 80 such groups operating in Kenya. Some of these included: Release the Political Prisoners (RPP), Citizens Coalition for Constitutional Change (4Cs) and the Human Rights Commission (HRC).

UNDP, Participatory Governance for Human Development, Nairobi: 2002, p. 27.

Of the respondents, 57% (FORD-K), 55% (NDP) and 51% (SDP) agreed that political parties had played a very important role in the registration and growth of political parties in Kenya. They also applauded the role played by political parties in the resuscitation and development of NGOs and CBOs. This was as a result of the expanded political space that allowed competition and participation of the citizenry in the political affairs of the country.

The opened up space for operation of other actors in both the political and social-economic fields increased civil and political liberties, political freedom, participation, political competition and awareness. The citizens had several choices with regard to political associations and could enjoy freedom of assembly and speech. The expanded opportunities enabled the citizens to participate in public affairs. Advocacy groups became avenues through which people's voices could be heard. These organizations teamed up with political parties in pursuance of furthering political reforms. This was a significant contribution in the democratic transition processes. Political parties are credited for the opening up of the space for the operation of these organizations. The continued existence of the organizations on the other hand is an indicator of the higher level of democratic transition that the country has undergone. As for registration of political parties and other associations, all political parties again performed poorly in 1992 but improved significantly in 1997 and 2002.

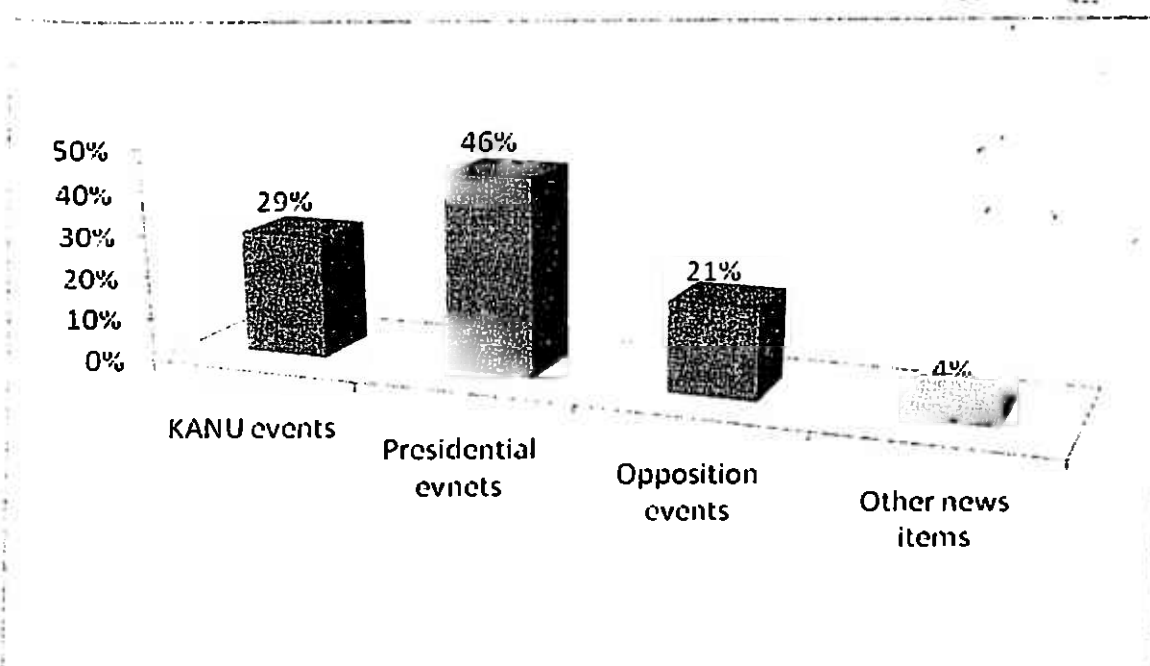
3.2.6 Media Freedom

Free and fair elections depend on the ability of the media to function in an impartial, independent and professional manner. The electorate must have the opportunity to make informed choices and political parties and candidates must enjoy equal access to the media. All essential information must be communicated effectively and on time.

Following the review and repeal of laws restricting the freedom of media prior to elections, there was an increase in the number of newspapers and magazines as

elections drew near. These included Dunia, The Star, The Rift Valley, Times, Dispatch, Kenya Confidential, Citizen and The People. As part of the pre-election IPPG reform deal, it was agreed that KBC would provide equitable access to all political parties. Despite the flaws, there was fair coverage for all political parties as shown on figure 3.4 below.

Figure 3.5 Media Freedom



Source: Elections media monitoring report, KNHRC, November 1997.

From the analysis of the research data, 52% (FORD-K), 55% (DP), 60% (NDP) and 42% (SDP) concurred that political parties had played a significant role in the enhancement of media freedom.

Political parties had put a lot of effort at least to ensure that some coverage was accessed to candidates or opposition political parties. This role is significant in the transition to democracy. The opposition political parties which emerged after 1992 are credited with the opening up of space for the free operation of the media. However,

Kanu enjoyed most coverage as shown on figure 3.4. Kanu events and those of the president enjoyed most coverage, 29% and 46% respectively. On the hand, the opposition, only, enjoyed 21%. Other events saw mere 4% coverage. This used to be the position before 1990, meaning therefore, that there was very insignificant improvement. As for media freedom, political parties were rated poorly in 1990 and 1992 but in 1997 and 2002, they were rated highly.

3.2.7 Campaign Licensing

Prior to the amendment of Public order Act; various political parties were roughed up by the administration because they did not have licenses. On one occasion, police tried to stop NDP leader, Raila Odinga, from addressing people during a meet-the people tour in Western province apparently on orders from the District Commissioner. He experienced similar mistreatment in Kisii and Kuria Districts. In another incident, police tried to disrupt a Shirikisho Party meeting in Kilifi. The local police officer claimed that as the party officials had not applied for a licence, the meeting was illegal. In North Eastern Province, supporters of FORD-Kenya's Kijana Wamalwa were chased away by police after the area Officer Commanding Police Station, OCS, declared a FORD-Kenya rally illegal. The pretext was that the permit had not been properly processed.⁹²

Unlike the previous general elections (1992, 1997), the conduct of the police and other security agents in the 2002 general elections exhibited professionalism, commitment and impartiality in handling election related offences, including electoral violence. This was as a result of notable amendments brokered by the IPPG on issues related to the Public Order Act. The Act was revised to ease the process of convening meetings or holding processions. Any person wishing to hold a meeting or a procession no longer needed to apply for a licence but only to notify the police of the date, time and venue of

⁹² *Report on the 1997 general elections in Kenya, 29-30 December, 1997, Nairobi: Institute of Education in Democracy, Catholic Justice and Peace Commission, 1998, p. 62.*

the function so that security could be provided. Moreover, licences were no longer required for meetings held for social, cultural, charitable, educational, commercial or industrial reasons.

Data collected show that of the respondents, 50% (FORD-K), 70% (NDP) and 56% (SDP) endorsed the significant role played by political parties in reviewing procedures of campaign licensing. As noted earlier, political parties played a significant role during the IPPG negotiations. They passed a review of the Public Order Act. The improvements that were witnessed during the 2002 general elections are owed to them. In this respect, political parties played a very important role in ensuring that opposition political parties participated in their electoral campaigns. They ensured that the opposition activities were neither restricted nor suppressed by the government. This role is a milestone in our competitive political process. Their involvement was an important step in the transition to democracy. Never the less, when aggregated, political parties performed below average in 1990 and 1992, despite marked improvement in 1997 and 2002.

3.2.8 Campaigns

Campaigns are all about parties and their candidates mobilising support and selling their agenda and policies to the electorate. Campaigns refer to the series of coordinated events, operations and activities, such as public speaking and rallies undertaken as part of the electoral process and designed to achieve a political objective, namely, the winning of elections.

Although the entire Kenyan society has a stake in the electoral campaigns, political parties and politicians have the highest stakes. Electoral campaigns are important components of the electoral process, which in a nascent democracy, like Kenya, require

concerted nurturing, monitoring and observation. Political parties are expected to give wide publicity to the electoral code of conduct in all the campaigns. They are bound to publicly and repeatedly condemn, avoid and take steps to prevent violence and intimidation. They should promote electoral campaigns and voter education.

Unfortunately, there were incidences of violence, intimidation and corruption during the campaigns of 1992 and 1997. However, the Electoral Code of Conduct, generated from (IPPG) meetings and negotiations in 1997, changed the situation. Its purpose was to further promote conditions conducive to the practice and conduct of free and fair elections and to curb electoral violence. Of the respondents, 72% (FORD-K), 70% (DP), 72% (NDP) and 63% (SDP) agreed that political parties played a major role in organising and managing campaign activities. They were very active from 1992, 1997 and the 2002 general elections.

As a result, the general elections of the 2002 had fewer incidences of violence and intimidation than the 1992 and 1997 general elections respectively. Political parties were instrumental in supplementing the provision of security and countering violence. In other words, political parties displayed a remarkable degree of maturity in the campaigns and in most cases preached peace and denounced violence. This was an important contribution in the democratic transition. In a democracy every voice, including that of the minority have a right to be heard.

2.9 Policies and Programs

Political parties present policies and programs that they professed to the electorate. They used these principles and policies to persuade the electorate to vote them in power so that they can control government. They combined with people of similar views to support some of these principles and policies. The objective is to secure control of

government. The same programs and policies were used to give their members benefits and advantages. They were held together by the ideology and organization of their parties.

KANU presented policies and programs on good governance, advocated for political pluralism, fundamental freedoms, mass media and press freedom and constitutional reforms.⁹³ The party talked of a democratic state that cherished democratic values and principles; that the state would adhere to rule of law, law and order transparency and accountability; and that it would combat corruption and increase political participation.

Opposition political parties and pressure groups mobilized support by pointing at the need to foster good governance and enhance human development. NARC spelled out several policies aimed at improving the above; promote and protect fundamental civil, political and economic rights; protect freedoms, eliminate corruption and increase economic opportunities to all the citizens. All these were underlined as priority policies and programs that would be implemented if the party won the election. Policies revolved around issues such as land and resource distribution, education, health, Investment in infrastructure development, taxation, justice system or law and order. Promotions of investments were identified as key to creation of wealth to uplift the well being of the citizens.⁹⁴ According to the third Kenya human development report, ⁹⁵ these policies and programs did not bring about desired changes in either economic or political spheres.

Whether or not the objectives of the policies and programs were achieved is not a subject of this study. The study is interested to know whether political parties played a

⁹³ See KANU *Manifesto*, 1992, 1997, 2002.

⁹⁴ See NARC *Manifesto*, 2002.

⁹⁵ UNDP, *Participatory Governance for Human Development*, Nairobi: 2002, p. 32.

role in presenting these policies and programs to the electorate. All the parties that contested the elections in 1992, 1997 and 2002 presented policies and programs that led to elections of the presidential, parliamentary and civic candidates. 72% of the respondents (KANU), 56% (FORD-K), 61% (DP), 80% (NDP) and 51% (SDP) reiterated that it was on the basis of the policies and programs that the electorate selected candidates. This study makes the assumption that candidates were elected because their policies and programs attracted the electorate, who on that basis, made informed decisions on which candidates they preferred. These programs and policies could not have been made available to the electorate without the input of political parties. Political parties therefore are credited for providing such invaluable policies and programs that give direction of the management of state affairs. This was a significant contribution to the democratic transition.

Political parties put up policies and programs to the electorate for approval or disapproval. Each party had a manifesto to present to the electorate. In turn, the electorate had the mandate to determine which policies and programs were good and therefore voted in the party to govern legitimately. Of those interviewed, 52% (KANU), 56% (FORD-K), 58% (DP), 74 % (NDP), 51% (SDP) and 49% (FORD-P) reported that political parties presented policies and programs for validation. On the other hand, 52% of those interviewed reported that although KANU had good policies and programs, only a few of them were implemented; the rest remained a political gimmick. This was probably so because KANU had been in power since independence and it was difficult to make a difference between the party and the government. 26% of the respondents thought that NDP had little to offer despite persuasive policies and programs; the 74% respondents were perhaps sympathetic to the party because of the past persecution of the party leader, Mr. Raila Odinga.

Other respondents, 54% (FORD-K) and 42% (DP), reported that these parties had very worthy policies and programs, but the same had not been translated into action; this

perhaps was so because political parties had failed to dislodge KANU since 1992. The policies and programs they advanced were the same from 1992 to 1997; they only changed when they formed the NARC coalition. Of those interviewed 49% (SDP), and 51% (FORD-P) reported that these parties had nothing different from what the other parties professed. They were too new and hence, lacked comprehensive policies and programs.

Again, the policies and programs may not have been implemented as professed by political parties, but the fact of the matter is that they presented policies and programs that formed the basis for the electorate's verdict. These policies and programs are the ones that guided KANU leadership in 1992, 1997 and NARC in 2002. For that matter, this role was vital in our democratic transition. It would have been difficult for the electorate to make a verdict if it were not for such policies and programs.

3.2.10 Respect of Rules and Institutions

According to the Election Reports⁹⁶ political parties set up their internal party rules and regulations to manage party activities. Of those interviewed, 52% (NDP), 58% (DP), 52% (FORD-K), 40% (KANU) and 42% (SDP) reported that political parties had initiated rules and regulations to manage political affairs. They also recognised the Electoral Commission of Kenya, which is charged with managing elections in the country. In some instances, party rules and regulation were not followed regardless of the nomination methods each party used. Some of the most blatant cases involved party chairmen single-handedly choosing candidates instead of allowing members to nominate candidates of their choice. KANU was outstanding in this respect. DP imposed candidates when repeat nominations failed to yield clear winners. This was most evident in Nyeri, the party's stronghold, where youth opposed to the repeat polls destroyed ballot papers. The party head quarters also failed to publish a list of

⁹⁶ See Reports on the 1997 and 2002 General Elections in Kenya, *OP Cit.*, pp. 53-55 and 83-86 respectively.

candidates who had been nominated. Other parties, such as NDP, FORD-K, and SDP, too, flouted their own nomination rules.

During the process of nomination and selection of candidates, Political parties didn't adhere to their party rules and procedures. As a consequence, they threatened their internal democracy. Section 123 (1) of the constitution of Kenya while giving interpretation on the definition of a political party, recognises the role of party constitutions and rules in the nomination of candidates for elections to the National Assembly. Further reference to the constitution of political parties for the nomination of such candidates is made in section 17(1) of the National Assembly and Presidential Elections Act. Under the Societies Act, before a political party is registered, the application for registration must be accompanied by a proposed constitution of that political party giving details on its management structure, membership, and mode of elections and nomination of its candidates for election.

While it is clear that the constitution of political parties plays a central role in the management of elections by giving guidelines on the nomination and decision-making processes within political parties, most parties never followed these guidelines. Favourism and political tricks were the order of the day. Before the 2002 elections, KANU by passed its own nomination guidelines by imposing Uhuru Kenyatta as the Presidential candidate. This led to the departure from the party of Moody Awori, Raila Odinga, George Saitoti and Kalonzo Musyoka who were associated with the Rainbow Alliance. Although Political parties used different nomination methods ranging from secret balloting, queue voting and acclamation in previous elections, during the 2002

party nominations, the requirement was flouted, and some candidates were given nomination certificates without going through nomination processes. Some parties even presented more than one candidate to ECK for the same seat. This caused inconvenience, confusion, defections, hostility and violence.

Opposition political parties managed to contain KANU from misusing the provincial administration and police in matters in its favour. The respondents further noted that, apart from KANU, political parties had agitated for a separation between provincial administration and the ruling party. However, a close observation of the facts on the ground, indicate that this link was maintained. There was little evidence to suggest that the new NARC government would operate differently from the KANU regime.

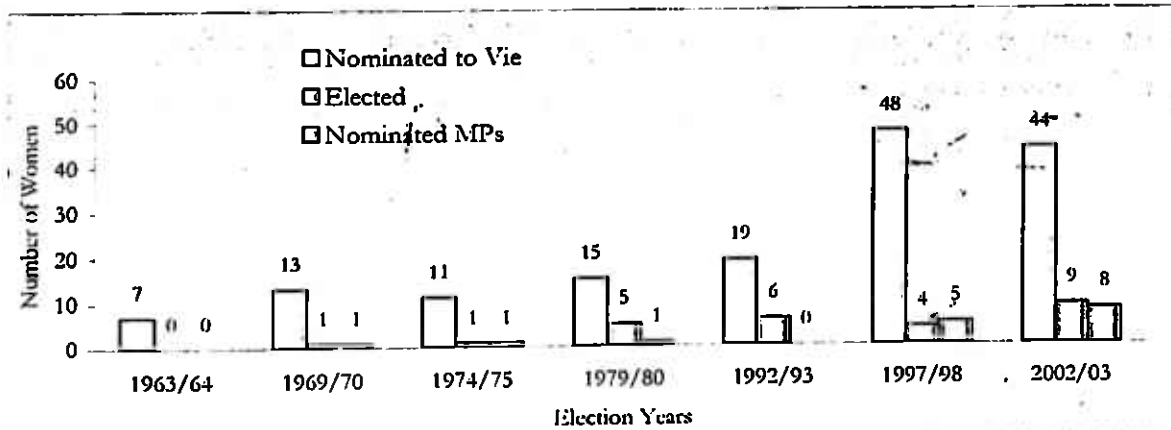
3.2.11 Women Empowerment

In Kenya there has been increased gender sensitization in relation to politics. During the 1992 elections, the number of women vying for political office increased substantially, with six women making it to parliament. Although in 1997 elections the number of women elected to parliament dropped slightly to four, the number of nominees increased even more, with two of them vying for presidency. In the 2002 elections, a total of nine women were elected to parliament⁹⁷. As illustrated by figure

⁹⁷ Nzomo, M., *Op. Cit.*, in Oyugi, Wanyande and Mbai, pp. 180-181.

4.6, generally, women's participation in politics has not been very impressive over the years.

Figure 3.6 Performance of Women in Parliamentary Elections (1963-2002)



Source: ECK Records, 1963-2002

The political transition has not favoured the progress of women in the country. Whereas in the KANU regime, civil service was headed by a woman and an additional six women were permanent secretaries, in NARC administration, the number reduced as only three women were appointed permanent secretaries⁹⁸. A publication of the Commonwealth Women in Politics, indicates that democracy will only assume its true dynamic significance when political parties and national legislations are decided upon jointly by women and men with equitable regard to interests of both genders⁹⁹.

Due to women's proximity to oppressive power of the state, their role is crucial in the transformation of all societies aspiring to achieve vibrant democracy. Kenya has witnessed women standing up and forging a movement to hold the repressive KANU regime accountable for mysterious disappearance of their husbands and sons, who were viewed as political threats to the government. Mothers of political prisoners

⁸ Nzomo, M., *Ibid.*, pp. 180-185.

⁹ Mitullah, W., "Commonwealth Women in Politics", in Oyugi, Wanyande and Mbai, *Op. Cit.*, p. 212.

formed the little-known Release Political Prisoners movement in bid to highlight the brutality of KANU regime and to pressure the government to release political prisoners, all of which did not bear much fruit.

Nevertheless, several attempts have been made in political fora to emphasize on the need for gender balance though with limited success in changing mindset of the people. For instance, in 1997 a female Member of Parliament (MP) moved a motion on Affirmative Action in parliament. Despite all the attempts to pass the motion, it did not succeed due to a large number of male MPs, who still view women from the traditional perspective. In 2002, another female MP revived the motion on Affirmative Action motion, but it was defeated again. The Affirmative Action Bill proposed the need to reserve a third of all opportunities in parliament, public service to women and other competitive spheres. It also proposed the creation of the office of district women representatives throughout the country and an increased number of women nominated to parliament. The rationale of the bill indicated that a greater proportion of women legislators would make significant contributions in the political transition process, while also addressing specific concerns of women¹⁰⁰.

Since independence, Kenya has had quite a few women in mainstream politics and decision-making positions. Prior to the 2002 polls, only 32 women had been to parliament. Of this number, 21 were elected, while 11 had been nominated. An outstanding realization is that the seventh parliament had no nominated women MPs. This indicates the low level of commitment on gender inclusion in politics and decision-making. During the 1997 polls, Mrs. Ngilu set the pace for Kenyan women in politics, by becoming the first woman presidential candidate. In the run-up to the 2002 elections, Mrs. Ngilu quit her party to join forces with Mr. Kibaki and Mr. Wamalwa to form NPK. The decision was prompted by the move by male politicians in SDP to render her

¹⁰⁰ Mitullah, W., "Gender Inclusion in Political Transition: A Review and Critique of Women's Engagement", in Oyugi, Wanyande and Mbai, *Op. Cit.*, pp. 212-215.

apt to lead the party by questioning her academic credentials. She stood her ground in
AK and defeated an attempt by male politicians to relegate her to lower positions in
e party hierarchy. Generally, the country has experienced a minimal engagement of
omen in politics in the transition period from the KANU to NARC's regime. The
mber of women in mainstream politics remains below expectation, at least according
proposals of the Affirmative Action Bill. In the 2002 elections, more than 200 women
ught parliamentary nominations but only 44 (22%) went through the process, as
posed to 1,037 men¹⁰¹.

e ninth parliament saw an improvement in gender balance. The country had a total
15 women in parliament, with 3 having ministerial posts and another 3 as Assistant
nisters. Women aspiring to venture into mainstream politics face numerous
allenges including inadequacy of financial resources required for the electoral
mpaigns. In relation to this, Kweyu¹⁰² notes that Kenyan women can barely cope
th campaign challenges posed by huge amount of resources spent to purchase party
kets and win support of the electorate. Prior to the 2002 elections, some female
irants could hardly afford nomination fees required by political parties of choice. In
dition, election violence as well as weak negotiation and lobbying skills also pose a
ious challenge to women engaging in mainstream politics.

lthough political parties have made attempts in addressing gender disparities in the
l to promote democratic principles and practices, a large number of women political
irants are yet to benefit from the processes. In this regard, political parties should
deavour to formulate and implement gender responsive policies to increase the
rticipation of women in mainstream politics and decision-making.

Mitullah, W., *Ibid.*

Kweyu, D., "No Women's Contribution, No Growth", *The Daily Nation*, December 13th 2002, cited by Mitullah,
Op. Cit., p. 212.

Table 4.6 indicates growth in the number of women succeeding to parliament within the reference period.

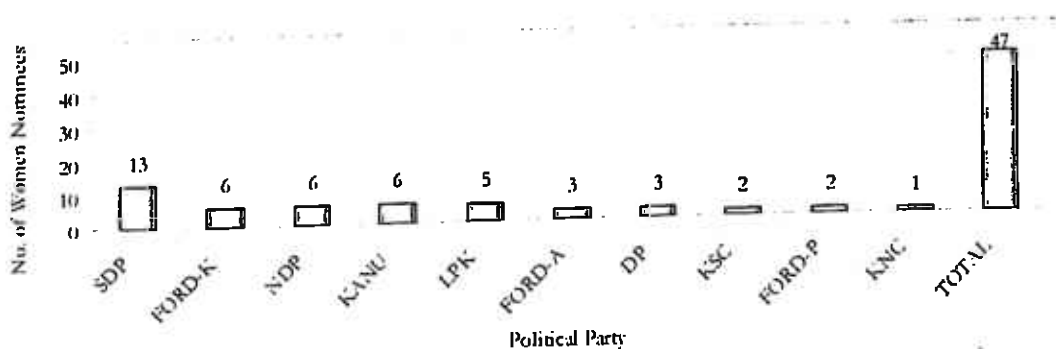
Table 3.6 Proportion of Women who made it to Parliament

Year of election	Elected Women	Nominated Women	Percent of women MPs
1992	6	1	3.5
1997	4	4	3.6
2002	9	8	7.6

Source: Secondary Research Data, 2007

The table shows that the number of women making it to the National Assembly has been on the rise since the re-introduction of multi-party democracy in the country. However, this has been realized at a very slow pace, despite the numerous sensitization initiatives carried about by the government and CSO's, targeting the role of women in political leadership on the country. Again the IPPG consultative forum made it mandatory for political parties to provide at least one-half of the nomination slots to women. The requirement arose prior to the 1997 polls. As illustrated by figure 3.7, many political parties ensured that women were issued with tickets to vie for parliamentary positions.

Figure 3.7 The Number of Women Parliamentary Aspirants by Political Parties in 1997



Source: ECK Records, 1997

The improved number of women aspiring to venture into political leadership may largely be attributed to the transition from a one-party state to a multi-party system as well as the success of gender sensitization programs. Since 1990, there have been efforts to integrate women into policies and decision-making mechanisms. There have been calls for affirmative action to enhance women participation in parliament and other public offices. Ever since, women have been elected to the national assembly; they have been appointed permanent secretaries, high commissioners and provincial administrators; they continue to occupy high positions.

Of all the respondents interviewed, 77% reported that SDP had played a very important role on women empowerment. 50% of these respondents were women and their response is partly because Charity Ngilu, the SDP presidential flag bearer in 1997, was one of them. However, 23% reported that SDP had done nothing about women empowerment. The party had only expressed its wishes but the same had not been translated into policies and programs that would enhance women empowerment. Other respondents, 68% (NDP), 62% (DP), 58% (FORD-K) and 50% (FORD-P) reported that these parties had made some contributions towards women empowerment. They had helped to recruit women to public offices. However, some respondents, 32% (NDP), 30% (DP), and 50% (FORD-P) reported that these parties had done very little to improve the well-being of women. This was partly because of the low number of women holding top party positions in these parties and due to the failure of the parties to capture state power since 1992. It is normally the party in power that is credited with positive achievement.

Interestingly, 38% of all the respondents supported the role played by KANU in involving women in participation and competition in political processes. These respondents reported that all the appointments made since 1992-2002 were the work of KANU as stipulated in its manifesto. But respondents, 62% dismissed KANU's role; it had stifled affirmative action and had only responded recently as a result of intense pressure to eject it from power. KANU had hoped to regain some ground by re-visiting affirmative action. 68% responded that NARC had played a very significant role in

empowering women. This was partly so because the NARC coalition removed KANU from power. 8% of the respondents, however, dismissed NARC. They reported that NARC had been a coalition of weak parties coalesced to remove KANU only. That individually, they could not and that is why they had to go into a coalition. In this regard, respondents retorted that NARC was just desperate for power and that affirmative action was not a priority to them. Despite the achievements, all parties combined, performed poorly in 1990, 1992 and 1997; there was however, considerable improvement in 2002.

3. 2.12 Impediments

3.2.12.1 Ethnicity

Ethnic politics is a phenomenon considered by many as a perennial problem that is the core of instability. Ethnic consciousness has led to the culmination of varied problems that range from ethnic hatred, civil wars, favouritism, and nepotism to mediocrity.

Ethnicity is a concept that has largely drawn negative senses, feelings and experiences.

Ethnic sentiments undermine and undercut the sense of nationhood and common good.

In Kenya, ethnic affiliation was evident in the voting patterns and party support in 1992, 1997 and 2002 as shown on figure 3.8 below:

Figure 3.8 Voting Patterns for Presidential Candidates in the 1997 elections

Candidate	Coast	Central	Eastern	Nyanza	Western	Rift Valley	North Eastern	Nairobi
C Ngiu	38,089	30,535	349754	15,301	3,429	11,345	440	39,707
(%)	9.35	3.04	33.28	1.67	0.50	0.69	0.45	10.85
D Moi	257,056	56,367	370954	215,923	314,669	114,019	70506	75,272
(%)	63.09	5.60	35.30	23.52	45.95	69.37	72.89	20.56
R Odinga	24,844	6,869	7787	519,180	11,458	36,022	311	59,413
(%)	6.10	0.68	0.74	56.56	1.97	2.19	0.32	16.33
V Kibaki	51,909	891,484	296335	138,202	9,755	343,529	20404	160,124
(%)	12.74	88.64	28.20	15.05	1.42	20.90	21.09	43.74
J Wamalu	11,306	3,058	7017	14,623	338,120	102,178	4431	24,971
(%)	2.77	0.30	0.67	1.59	49.37	6.32	4.58	6.82

Source: ECK Records 1997

In 2002, KANU's composition of leadership was derived from Rift Valley Province. The top five national officials¹⁰³ came from one community as indicated in table 4.6 below.

Table 3.7 National Officials (KANU)

Name	Title	Community
Daniel Arap Moi	National Chairman	Kalenjin
Nicholas Biwott	Organizing Secretary	Kalenjin
Julius Sunkuli	Director of Elections	Masai (Kalenjin)
William Ruto	Director of Elections	Kalenjin
Kipng'eno Arap Ng'eny	Deputy Treasurer	Kalenjin

Source: Oyugi, W. O., Ibid.

Other provinces had two representatives in the national executive council. The composition of the leadership was tilted towards the Kalenjin ruling elites as opposed to other ethnic subpopulations. This group played a significant role in controlling the party and the government to the disadvantage of other ethnic groups. This ethnic variable remained very contentious. In some instances, it led to violence that almost degenerated into civil war. In 1992, 1997, we had conflicts that almost tore the country apart. In 1992 and 1997 conflicts spread in Nakuru District (Molo and Oleuguruone), Bungoma, Trans Nzoia, West Pokot, Kakamega, Kisumu, Kericho, Kisii, Nyamira, Bomet, Nairobi, Eastern, North Eastern and Coast Province. A parliamentary committee and the judicial commission were appointed to inquire into the tribal clashes in the country. They concluded their reports and submitted them to the government. The documents have been made public but no action has been taken to implement the recommendations.

¹⁰³ Oyugi, W. O., *Op. Cit.*, in Oyugi, Wanyande and Mbai, *Op. Cit.*, pp. 5-7.

2.12 Intra-party Conflicts

Oyugi¹⁰⁴ argues that political parties have been at war with each other. In the 1992 and 1997 General elections, parties had serious factional wrangles. Lack of access to top positions in FORD-K led Mr. Odinga to take over NDP, which gave him the ticket to contest the presidency in the 1997 general elections. Mrs. Charity Ngilu walked away from DP to become a presidential candidate of SDP in the 1997 elections. According to Jonyo,¹⁰⁵ the ethnic elites from the president's ethnic group are assured to get jobs from which huge kickbacks are drawn and lucrative government contracts. Moreover, these elites can borrow big loans from state-owned banks and other friendly banks without the threat of penalties for defaulting on the repayment since they enjoy protection against drastic recovery mechanisms. Of course, selective inclusion was done to other ethnic sub-populations but on the basis of a policy of extending the carrot and stick. Royal sycophants were rewarded while problematic ethnic rivals were punished, instantly harassed and isolated.

In 2002, NARC brought together political parties in an effort to unite them in order to defeat KANU. Many of the respondents who rated poorly the role of the opposition, reported that the coalition was not meant to unite the various ethnic groupings, but rather, to get the number to defeat KANU in the two general elections. The coalition was merely a vehicle to capture state power. Ethnicity, therefore, played a retrogressive role as it made parties weak and unreliable.

2.14 Youth and Violence

Post election violence has been witnessed in Kenya since 1992. All subsequent elections have been followed by some degree of violence. During campaigns too, violence was

Oyugi, W. O., *Ibid.*

Jonjo, F., "The Centrality of Ethnicity in Kenya's Political Transition", in Oyugi, Wanyande and Mbatia, *Op. Cit.*, pp. 155-206.

rampant in areas that were allegedly owned by certain political parties. There were KANU zones and opposition zones, areas that were exclusively out of bounds to those with an opposing view to that of the favored party. The long tongue and recourse to physical force are signs of barbarism. Yet democracy can function only if political minorities are also given a platform to freely express their views. This is their constitutional right that gives them the opportunity to win a majority by argument and persuasion.

In 1992 and 1997 the youth featured in the parties' mobilization activities such as providing security and countering violence by rival party youth, activities that instigated violence. During this period, the role of the youth was twofold. First, they attended meetings as ordinary party supporters and spectators. However, some of them also played a prominent role as hecklers and more often than not caused chaos in meetings. As in 1992, large numbers of rowdy youths were used to parade as party supporters, causing tension in political meetings and often instigating fights. These youths usually attended political meetings drunk, often with the prior intention of disrupting them. All parties were, in one way or another, involved in rowdy, intimidatory acts using youths.¹⁰⁶

In many different constituencies, young men were paid between 100-200 shillings to drive around the towns in hired lorries dancing and chanting party slogans on behalf of KANU, SDP, DP, NDP and FORD-K. During campaign meeting in Mvita constituency, a group of rowdy KANU youths unleashed violence on the local people and looted shops in the area. In Kisumu Town East, a KANU youth winger was beaten to death by NDP supporters after a group of KANU youth wingers invaded the venue of an NDP rally armed with crude weapons. In yet another meeting convened by presidential candidate Charity Ngilu in Sotik constituency, youths threw stones at her entourage after unsuccessfully demanding bribes. In Eldama Ravine, Democratic Party candidate Joseph Leboo, was unable to hold campaign meetings due to intimidation and

¹⁰⁶ Report on the 1997 General Elections, Op Cit., p. 62.

harassment by KANU youth wingers. In Sirisia, KANU's Moses Wetangula formed a student Association to campaign for him round the clock. The youths were actually used to buy voters cards at Ksh. 500 each.¹⁰⁷

In 2002 campaigns, youth involvement in electoral campaign violence was minimal. In short, political parties displayed a remarkable degree of maturity in their campaigns and in most cases preached peace and denounced violence. This has restored some level of public confidence in political parties.

3.3 Conclusion

This chapter has shown that despite difficulties, political parties have played various roles in the transition to democracy. The parties encouraged the formation of other civic organizations, which enhanced citizen participation in the political activities that were geared towards the opening up of the democratic space. Civil and political liberties were thus enhanced with the emergence of political parties. Internally, the political parties became more democratic given the restructuring that was legally required for them to operate.

Apart from introducing competitive politics, political parties gave individuals the opportunity to run for any elective position including that of the presidency. This made Kenyans better citizens because a good citizen is one who participates in the affairs of the country either by voting or being voted for. The agitation for freedom of the press ensured that the media got a wider space to collect, organize and disseminate information without intimidation. The activities of political parties also pushed the government to accept the amendment of the Public Order Act making it easier for opposition activists to assemble publicly and campaign in a more conducive atmosphere. Party policies and programs equally became open to public scrutiny and criticism given the call by the parties for transparency and accountability in the operations of the institutions of governance.

¹⁰⁷ Ibid. p. 63.

The introduction of coalition politics is a direct consequence of political parties. A democratic system can function better in a situation where many parties compete and also find a common ground upon which some can work together. Apart from that, coalition politics brought a good percentage of the Kenyan population closer during the 2002 general elections. This created a sense of nationhood that was for a long time lacking in the country.

The activities of political parties have also raised the issue of women and the youth in politics. For this reason, gender parity has been engendered in the institutions of governance, especially with the introduction of the affirmative action. In addition, there are many reforms that were introduced by the IPPG, which ensured that the political affairs of the country are run fairly, transparently and with the consultation of the various stakeholders. The youth have also been recognised by political parties not as instruments of waging war during campaigns but as an important bloc that is critical during elections.

Although political parties introduced novel ideas, rules and ways of operation, they failed to check some of their excesses. Some political parties for example, never followed their own guidelines during party nominations. Others pursued sectarian, tribal or regional interests. The re-emergence of ethnic hostilities following the 1997 General Elections also affected the performance of political parties. Political leaders merely made calls for peace but never took concrete steps to bring it to fruition.

CHAPTER FOUR: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

4.1 Summary and Conclusions

Both internal and external forces spearheaded transition to democracy in Kenya. The donor organizations and other bilateral partners assisted the civil society and the opposition political parties. They combined pressure, which finally compelled the government to concede to the amendment of section 2A of the constitution of Kenya, paving the way for the 1992 multi party elections. This was followed by a series of political and judicial reforms from 1990 to 2002 that eventually culminated in the removal of the one-party regime.

The central objective of the study was to assess the role of political parties in the transition to democracy from 1990 to 2002. Specifically, the study examined the contributions of political parties in the enhancement of constitutional reforms, elections, competitive selection of candidates, proliferation of political parties, policies and programs, media freedom, and women empowerment in our political system. In pursuit of these objectives, the research sought to answer the following questions: To what extent have political parties promoted meaningful and extensive competition for state power? How have they enhanced political participation and sufficient civil and political liberties? The study also sought to prove or disapprove the hypothesis that the widening of the democratic space in Kenya from 1990 to 2002 was a direct consequence of the activities of political parties. The study applied modernization theory. Political parties were treated as independent variable, political activities as intervening variables and democracy as the dependent variable. Political party activities influence development, positively related to democracy.

Political parties played a significant role on constitutional reforms as witnessed between 1990 -2002. These reforms anchored on constitutional reforms, the penal code, KBC Act and Administrative reforms. As a result, democratic transition herald political freedom, competition and participation. Lifestyles, general well-being and dignity of the people

generally improved. They expanded space for individuals and groups in order to interact and influence policies. They also played some minimal role in voter education- they helped Kenyans to understand the importance of general elections, created awareness of their rights and duties in the general elections, and persuaded many to register and vote wisely. Political parties were instrumental in the nomination and selection of candidates to various political positions. They provided personnel for the 1992, 1997 and 2002 elections.

Political parties sponsored candidates and provided materials for the campaigns. They paid for advertisements in the newspapers and electronic media. In this way, political parties supplied officials to the government. They did so through competitive and participatory means. As a result of constitutional reforms, many political parties, NGOs, CBOs, women organizations and welfare organizations were registered. The state was no longer a monopoly to public life. Human rights NGOs also increased, providing an invaluable check on the performance of the government. The media also experienced a wide freedom. There was increase of newspapers and magazines. Opposition political parties now have a fair coverage in KBC, previously the monopoly of the party in government, KANU. Limitations and restrictions have somehow been put to a halt.

Political parties were also instrumental in the empowerment of women; many women have been nominated /elected to parliament; appointed permanent secretaries, ambassadors, provincial commissioners and to commissions. This is a significant achievement given our political processes. The affirmative action was also introduced as a result of political parties' agitation. It is currently a requirement that there must be 30% representation of women in the top organs of every political party. Apart from empowering women, political parties made an attempt to employ the youth in a more meaningful way. The youth agenda featured prominently in the 2002 General Elections prompting parties to co-opt a youth wing in their campaign programs.

Despite the achievements mentioned above, political parties experienced a wide range of impediments. They were found to be generally weak, baseless and lacked effective organizational framework. Most lacked adequate resources to finance various party

activities. Institutional legal framework, though in place now, lacked at the time making it difficult to operate effectively. Ethnicity, personality cults and internal squabbles undermined their ability to perform effectively. Corruption and misuse of resources too contributed to their poor performance.

Hostilities and violence brought about by political party activities in most cases boiled down to ethnic clashes. Before the 1992 General Elections, clashes were witnessed in sections of the Rift Valley province. After the 1997 elections, there were similar outbreaks of political violence in Laikipia, Njoro and Baringo in which People lost lives and property. The clashes were directly linked to political party activities and the voting behaviour of certain groups of people. The government accused opposition parties, church groups and individuals critical of it for having instigated the clashes. This impacted negatively on the role of political parties in the transition to democracy.

Political parties have not brought all the democratic values desired by Kenyans. The playing field was expanded, providing political freedom, participation and competition; but the citizens have yet to realize the full benefits as expected. The main political players have basically remained the same. Even those who served under the authoritarian KANU regime re-invented themselves as the 'champions' of real change. The proliferation of political parties did not in any way usher in the full democracy expected. The poverty index is still very high, inhibiting the poor from taking up high profile positions. There are no serious challengers to their positions.

4.2 Recommendations

The study recommends that the government should provide a conducive environment for political parties to participate more actively in political processes. It should provide the right type of political education for the citizens so that they can effectively participate in the electoral process. Further more, the government should

avail an impartial and free press in order to raise the general level of education and intelligence of citizens to enable them participate actively in the political affairs. The government should provide adequate funding to all legally registered political parties. An Act to this effect is already in place but is yet to be implemented by the government. Political parties on the other hand should provide the right type of leadership in order to inspire the people. They should be truthful, honest and committed to their political policies and programs. They should also adhere to their internal party rules and procedures to ensure maximum opportunity and fair intra-party democracy. They should be accountable to their members and the electorate in general in all their activities.

Given that this study dealt with a short period of just twelve years, it is obvious that a lot can still be studied on the role of political parties in the transition to democracy. Of interest would be the performance of the coalition government and the reversed role of KANU as an opposition party. This study only covered seven political parties that participated in the 1992, 1997 and the 2002 general elections. This therefore implies that there are many other smaller parties whose contribution may have been obscured. Their roles need to be studied as well.

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APPENDICES

COVER LETTER

Dear friend;

I am Davis N. Chelogoi, a student of Nairobi University, Department of Political Science and Public Administration. I am carrying out a research on the Role of Political Parties in the Transition to Democracy in Kenya, 1990-2002. As part of this process, I would like to seek some information from you on the role of Political Parties. You have been selected to participate on this survey- thus your opinion will represent the opinion of many people much like yourself.

The information you will provide will contribute to this important study and may also be used to influence government policy.

I promise your confidentiality under the academic ethical standards of the University of Nairobi. Your name will not be revealed or associated with your responses nor will anyone outside the study be allowed to see your response. Thus while the University may be interested in the policy implications of my study, they will not be furnished with any information which in any way identifies you as the individual.

I appreciate your willingness to help in my research effort. If you would like a copy of completed study, please let me know. I will ensure that you receive a copy of my results.

Sincerely yours,

Davis N. Chelogoi

Department of Political Science and Public Administration.

APPENDIX 1

QUESTIONNAIRE (TO ALL RESPONDENTS)

The questionnaire is in two parts, "A, and "B"

Part "A". Deals with factual questions designed to elicit objective information from the respondents.

Instructions: You do not have to write your name on this questionnaire. Kindly provide the answers.

Did political parties select leaders through popular elections? How?

	Yes	No
Election 1992	<input type="checkbox"/>	<input type="checkbox"/>
1997	<input type="checkbox"/>	<input type="checkbox"/>
2002	<input type="checkbox"/>	<input type="checkbox"/>

2. Did political parties recruit officials through regularized processes? How?

Yes No

3. In your view, did political parties encourage competition? Explain?

Yes No

4. Did political parties encourage or oppress opposition?

Yes No

5. Did political parties remove restrictions on the basis of gender, race, education, religion and economic issues? How and why?

Yes No

6. Did political parties play any role in constitutional reforms, 1990-2002? Explain.

Yes No

7. Did political parties play any role in accessing equal and balanced media coverage?

Explain.

Yes No

8. Did political parties participate in the multi party elections of 1992, 1997 and 2002?

Explain.

Election	Yes	No
1992	<input type="checkbox"/>	<input type="checkbox"/>
1997	<input type="checkbox"/>	<input type="checkbox"/>
2002	<input type="checkbox"/>	<input type="checkbox"/>

9. Did political parties select candidates for the multi-party elections 1992, 1997 and 2002? How?

Election	Yes	No
1992	<input type="checkbox"/>	<input type="checkbox"/>
1997	<input type="checkbox"/>	<input type="checkbox"/>
2002	<input type="checkbox"/>	<input type="checkbox"/>

Please proceed to part "B"

Part "B" deals with questions on knowledge, opinions, and attitudes of respondents towards political parties.

Instructions:

Please answer the following questions;

10. In your assessment, did political parties influence the ongoing constitutional reforms? Explain

.....
.....

11. In your view, did political parties support legislation on affirmative action? How?

.....
.....

12. In your opinion, do you think political parties influenced media expansion? How?

.....
.....

13. In your assessment, what role did political parties play in voter education? Explain.

.....
.....

14. What problems would you say affected the impact of the political parties? Explain.

.....
.....

15. What suggestions would you like to give in order to improve the performance of political parties? Explain.

.....
.....

COVER LETTER:

Dear friend;

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Sincerely yours,

Davis N. Chelogoi

Department of Political Science and Public Administration

APPENDIX 2:

Interview guide

1. Background

1. Could you tell me more about yourself?
2. How old are you?
3. What is your highest level of education?
4. What do you do for a living?
5. What is your religion?

2. Political party affairs

1. Are you an active member of a political party? Why or why not?
2. What does your party do?
3. What does your party offer to its members?
4. What programmes does your party have?
5. What other political parties do you know of?
6. Why do people join political parties?
7. Are there ways in which political parties can make life better?
8. What would make people leave political parties?
9. What useful things have you known about political parties?
10. What things don't you like about political parties?