

## **Kenyan Election 2002: The End of Machiavellian Politics?**

**Mohamed Bakari\***

On the 27th of December, 2002, Kenyans went to the polls to elect a 210 member National Assembly. This was Kenya's 8th election in the last 40 years as an independent state. For all these years, the government was dominated by the ruling party, Kenya African National Union (KANU). In fact through a series of strategies, KANU had managed to perpetuate itself in power as a de facto, and later, a de jure, one party state. With the fall of the Soviet Union in 1990, politics and states in much of the world was transformed in many ways. In Kenya, the early nineties ushered in a serious opposition movement, the Forum for the Restoration of Democracy, which was an alliance of disgruntled politicians, young political idealists and other groups that were yearning for change from the autocratic politics of Daniel Toroitich Arap Moi and the power elite. The most prominent among these was the veteran politician and one time Kenyan Vice President and with populist tendencies, Jaramogi Ajuma Oginga Odinga. The mass movement, which by and large played by the rules, wanted to dismantle the notorious Section 2 (A) of the Constitution of Kenya which barred the formation of other political parties. But the winds of change in the early nineties were so violent and irreversible that the incumbent government had to bow down to increasing internal pressure from its opponents, and external pressure from international donor agencies, powerful foreign governments and human rights organizations like the Amnesty International and Human Rights Watch. All these pressures did finally pay off when KANU revoked the relevant clause in the constitution to pave the way for the politics of multipartism. If it were not for the

constant wrangling within the opposition ranks, KANU could easily have been dislodged from its dominant position in 1992. But it was not to be. The opposition parties were fragmented, largely thanks to the strategy of KANU throwing spanners in the opposition works and the buying off of potential politicians who posed a threat to KANU's stranglehold on power. As it turned out, KANU won the 1992 election through fair and foul means and the opposition lost the chance of writing a new chapter in Kenyan politics. Because KANU had the resources and the infrastructure to organize themselves, they were able to repeat their success in the subsequent election in 1997, though with a considerably reduced majority in Parliament.

From 1992 Kenyans, like the Americans, go to the polls on a predetermined date of 27th of December of the election year. This has very little to do with the emulation of American democratic culture. It had everything to do with the decidedly Machiavellian nature of Kenyan politics, where situations were manipulated to derive the maximum advantage to those in power. By the early 1990s KANU was seen more as a tool of self-enrichment and self-aggrandizement by both the party politicians and the general public at large. It had increasingly lost its credibility as development oriented and it had degenerated into the classic Fanonist conception of post-independence African political parties, which start off well as nationalistic, anti-colonial and well-intentioned, until the national bourgeoisie discover the usefulness of the party as a conduit to personal wealth, self-preservation and absolute power. KANU, in its forty years in power vindicated Fanon by living up to all the fears that he had for the future of political parties in Africa.

A number of well connected politicians and party functionaries made a fortune for themselves, some losing it out of their own recklessness, like the Kamba politician, Paul Ngei, who had the dubious distinction of being the only former political detainee who served time in detention with the founding father of the Kenyan nation, Jomo Kenyatta, after the

infamous Kapenguria trials, to be declared bankrupt and thus ineligible to contest any public office. He had increasingly been alienated by those who jostled for power and who saw in him as a likely rival, and thus driven out of KANU, to form an unsuccessful ethnically based party. Other more astute politicians played the game as they were expected to and became immensely rich.

In the first 15 years a number of charismatic politicians lost their lives through political assassinations or perceived assassination. The most prominent among these were Pio Gama Pinto, Thomas Joseph Mboya<sup>1</sup> and Josiah Mwangi Kariuki<sup>2</sup>, Ronald Ngala, and Dr. Robert Ouko<sup>3</sup> and later, Bishop Muge. Mboya, the most charismatic politician that Kenya has ever had, was assassinated in July, 1969, in a busy Nairobi street in broad day light; Kariuki, affectionately known as “J M,” was brutally murdered and abandoned a few kilometers outside Nairobi, in the Ngong forest. His body was found on 5th March, 1975. Ronald Ngala died in a mysterious accident on a Christmas day. Robert Ouko was burned beyond recognition at Got Alila, virtually his own backyard, in 1990. These three politicians commanded country wide popularity and were national figures who transcended the narrow and parochial confines of their ethnic constituencies. From early on, Kenyan politics, or to be more precise, KANU politics, had all the characteristics of that brand of politics that is described by the epithet of Machiavellian: politicians who came in the way of particular interests were forced into line through persuasion, bribing, intimidation and harassment, and if all those did not work, then resort to physical elimination was not ruled out.

Kenyan politics was for a long time all about money. He who had the money controlled the politics, and Moi used money, or access to money in the form of fat government contracts, high governmental positions that were virtually sinecures, and in the last decade, access to land. The months leading to the first multiparty elections in 1992 was

the high point in the abuse of public land. Government land became KANU's new cash cow. It was a short-cut to instant wealth and a source of campaign cash.

### **The Last of the Autocrats : Moi and the Politics of Conformism**

When President Moi succeeded Jomo Kenyatta as the next President of Kenya in 1978, Kenyatta had already ensured that the Kikuyu, and in particular the Kiambu Kikuyu, dominated the governmental bureaucracy in the Civil Service, the banking system, the parastatals and other corporations that the government had a stake in, and also key jobs at the University of Nairobi. Also, a number of settlements were set up to resettle the landless Kikuyu from their densely populated areas in the Central Province to the Coast and the Rift Valley Provinces. In short, the Kikuyu dominated the national economy. The underestimated Arap Moi, on accession, made the dismantling of the Kikuyu power base the main plank of his domestic policy. The Kikuyu were until then, statistically the most numerous tribe in the country, followed by the Luo. The Luo tended to be mostly professionals but did not have a grip on the economy. He had less to fear from them than he did from the Kikuyu. In his relentless pursuit of the Kikuyu Moi enlisted the support of the minority tribes to virtually gang up against the Kikuyu. By using the time honored technique of divide and rule he was able to perpetuate himself in power for the next twenty four years.

Moi had a big axe to grind with the Kikuyu, at least the Kikuyu elite. When Kenyatta suffered an initial heart attack and recovered, those Kikuyu politicians close to Kenyatta got a wake up call to find one of their own to take over the Presidency after Kenyatta was gone, and who was then already in his eighties. The main stumbling block was the constitution which stipulated that on the death of a President, the Vice President automatically assumed power for ninety days until the elections are called. And the Kiambu politicians headed by Mbiyu Koinange could not countenance this situation of a non-Kikuyu assuming the presidency. An anti-Moi campaign was orchestrated to deny him his constitutional right and a

'Change the Constitution' movement was set in full gear. But other self-interested Kikuyus like the former Attorney-General and an incurable anglophile Charles Njonjo had an agenda different from their other clansmen. He joined forces with the non-Kiambu faction of the Kikuyu and other Kenyan minorities who saw a window of opportunity in supporting a minority leader and challenging Kikuyu dominance. Moi won the day, appointed Mwai Kibaki the Vice President, presumably on Njonjo's advice. It was expected that he would not last for very long. As it turned out, he was the most underestimated politician in the short Kenyan political history. The 1982 attempted Coup d'état was to have far reaching repercussions on Moi's presidency.

President Moi underwent a metamorphosis from a timid politician who lacked confidence to a skillful welder of autocratic power. It was this 1982 abortive attempted coup led by John Ochuka, a low ranking airforce officer, that spurred Moi to reinvent himself as a confident politician who was his own man. The fateful coup was quickly put down by a loyal Somali Muslim soldier, General Mahmoud Mohammed. The suppression of the coup restored a measure of confidence in Moi and he gradually consolidated his power and became a fully-fledged autocrat who totally dominated the political scene, by the use of public office to reward loyal party members or their supporters, who would indirectly support Moi. Merit had no place in this new cronyism and client politics. Putative loyalty was the sole criterion for selection and appointment to often lucrative public office. The result was the paradoxical situation where some barely literate cronies were appointed to ministerial positions to the exclusion of the more competent, better educated and qualified individuals who did not meet his own criteria. He was able to hide behind the alibi of ethnic and regional representation and balance. In reality he was comfortable with and constantly in search of yes-men, the type that Lenin described as "useful idiots". He also created a covey of bell-wethers like Shariff Nassir Taib, Kariuki Chotara and Mulu Mutisya. Through constant reshuffles, in the cabinet,

the civil service, the diplomatic service, and government corporations he could appoint at will whom he chose and fired whoever failed to toe the line or fell out of favor. And in the bargain kept everyone guessing who would be next. The promotion and demotion announcements were made over the radio, and often at the lunch hour news bulletins from the State controlled Kenya Broadcasting Corporation. Most appointees or the demotees were notified by their friends or relatives. But the jewel in the crown was the Preventive Detention Act, which empowered him to detain anyone arbitrarily for long periods of time, and only release them at his own pleasure. This particular law was a remnant of the colonial legacy which in Britain was only resorted to in times of war. In Kenya it was an instrument to be welded against political dissents. Among those who became victims of this arbitrariness were politicians, intellectuals, rare bureaucrats and academics. These included Oginga Odinga, a former Vice President, and his son, Raila Odinga, the famous Kenyan novelist and academic Ngugi Wa Thiong'o<sup>4</sup>, Dr. Willy Mutunga, Gibson Kurian Kamau, Dr. George Katama Mkangi, Koigi Wa Wamwere, Dr. Alamin M. Mazrui and Kenneth Matiba. These excessive powers, which were amenable to abuse, were enshrined in the constitution, and were a throwback to the constitutional arrangements that were put in place when Kenyatta came to power in the wake of nationalist euphoria. The main architect of this constitution was none other than the distinguished African-American jurist and Supreme Court judge, Thurgood Marshall. The constitution, like Swiss cheese, had enough loopholes to enable the incumbent to exhibit what Ali Mazrui famously described as the "monarchical tendencies in African political culture." Important executive orders were made in an impromptu manner in political rallies or at the roadside. A Swahili slogan, "fuata nyayo"- follow in the footsteps- became the rallying cry of the sycophant politicians to force everybody to sing the tune of conformism. Nyayoism was elevated to a "philosophy", only that there was no one to explain exactly what constituted this "philosophy", if it was a philosophy at all. It is interesting that the U.S. based Kenyan

political scientist Ali Mazrui had earlier anticipated, in his book *The Political Sociology of the English Language in Africa* that in Africa, slogans are too readily elevated to “philosophies.”

When the government was confronted by new demands for new standards of human rights observance, harassment degenerated to naked and unbridled thuggery where targeted politicians' property was vandalized, just to send home the message that the more things changed the more they remained the same. It was this context that gave birth to the Forum for the Restoration of Democracy (FORD), a loose coalition of all aggrieved and disgruntled individuals who felt that change was needed. Young, better educated and articulate politicians who saw no room for themselves in the political space in the context of African veneration for age before education and competence started to pose considerable challenge to the old order personified by Moi. This period of active oppositional politics gave rise to new political faces like those of Paul Muite, Professor Anyang' Nyong'o, Richard Leakey, Raila Odinga, Khalid Balala, among many others, who refused to play by Moi's rules; they had their own game plan. These were all members of a different generation from that of Moi and his cronies. The average age of the younger generation was forty. This batch of politicians was christened by the local press as “the Young Turks.” Among this new breed of politicians Raila Odinga emerged the most astute and capable and with a clear and formidable ethic following.

### **The Rise and Rise of Raila Odinga and the Fall of Daniel Arap Moi**

Raila Odinga, a relatively young mechanical engineer trained in what was then East Germany came into politics more in default than by design. A scion of a distinguished political family, the son of one of the most famous Kenyan politicians with international reputation as a socialist of some sort, Raila got involved in politics more out of spite than a real love of politics. For one thing, he was living under the charismatic shadow of his

towering father who was still active in politics until he died , in 1995, in his eighties.Despite his age, he was seen by many as an embodiment of all that was moral in Kenyan politics.In a word he was an idealist of the first rank. He was above all considered the most persecuted politician in post-independence Kenya having been detained for long periods by both Kenyatta and Moi.Over the years he had assembled young Luo intellectual admirers whom he engaged and sought advice from .Among these were Dr. Elisha Stephen Atieno-Odhiambo, then a professor of History at the University of Nairobi, and Dr. Anyang' Nyong'o, University of Chicago trained political scientist teaching at Nairobi also.It was these contemporaries of his that had worked with his father that Raila Odinga relied upon in working a strategy to capture power.Odinga was the Chairman of the original FORD party, until new alliances were formed and the party broke into two wings, FORD – KENYA and FORD- ASILI.The party fragmented further into FORD-PEOPLE, led by Mr. Kenneth Matiba, who had fallen out with Moi, and became the focus of Kikuyu support and mobilization.On the death of his father in 1994 Raila Odinga was nominated to lead the party.Dr. Atieno-Odhiambo became a close confidante of Raila , just as he had earlier been to his father.Soon after the abortive coup of 1982 Atieno-Odhiambo was briefly detained for interrogation.When he was released he found his way to the United States, via Oxford, where he still teaches at Rice University in Texas.He is one of Raila's chief political strategists.Early on the strategy was to capture power in the long - run, and in the short-term to forge alliances with other ethnic groups and to cultivate an image of a national rather than an ethnic politician<sup>5</sup>. He was already on his way towards being a politician of national stature by virtue of the fact that he chose an urban constituency, Nairobi , to stand for parliamentary elections.His brother, an Oginga Odinga look-alike, stood in Bondo, their father's constituency when he was not in detention.Raila is the most popular Luo politician among his own ethnic group and among the Kenyan lumpen-proletariat, as the new Mr.



Clean of Kenyan politics and the champion of the dispossessed. He was the most feared by Moi among the Kenyan politicians because of his ability to stir up his supporters to wreck havoc, when necessary. In his jostling for power he has practiced *real politik*, by forming alliances with non-Luos from all areas of the republic. For example he supported Prof. Rashid Mohamed Mzee, a Muslim politician from the Coast, as the deputy Chairman of his new party, National Development Party of Kenya. When the turn came to select a Nominated member of parliament he shrewdly suggested a Muslim Digo woman whose father was a long time Odinga supporter from the Kenya People's Union days, formed after Odinga was provoked into leaving KANU after the infamous Limuru Conference of 1966, where Tom Mboya was especially instrumental in hounding him out of the party and out of the Vice – Presidency of Kenya. While all along Mboya was recognized as the leading Luo politician, he was suddenly now dubbed as an Abasuba, meaning a nilotized Bantu, ethnically closer to the other Bantu groups but culturally Luo. In fact the majority of the Suba had no knowledge of Kisuba but for all practical purposes spoke Dholuo, the language of the Luo people<sup>6</sup>. During the Moi era the Suba identity was encouraged to alienate the larger Luo tribal group. Raila was cognizant of all these developments and seemed to learn from the mistakes of his father. This is where he probably differs from his father: Odinga senior was known for his impulsiveness, he was short tempered, whereas Raila is more circumspect. He realises the necessity of bidding one's time in politics, for, as the saying goes, one week is very long in politics. And this is precisely what happened with Odinga junior.

Come the General Elections 2002, a series of unexpected events unfolded that precipitated in unprecedented alliances. Opposition alliance as a united front had been eluding the opposition parties since the early 1990s. The major political parties in the opposition such as Ford-Kenya, Ford- People, Democratic Party, Safina, Social Democratic Party and others could never agree to field one Presidential candidate to oppose Daniel Arap Moi, partly, as

we noted, through the hidden hand of KANU. Ironically it was Moi who sealed the fate of KANU when he chose a relative greenhorn, Uhuru Kenyatta as his appointed successor, an outsider within the KANU inner circle and the so called kitchen cabinet, composed of those closest to the president. Moi's choice, generally believed by many to have been determined more by personal rather than national interests infuriated and thus alienated a significant portion of ambitious KANU loyalists who felt snubbed by the choice of this virtually apolitical nominee from a now less regarded Kenyatta family. This trump card of Moi's did not work and had the unexpected effect of hemorrhaging membership of KANU into the lap of the opposition parties. The opposition was already trying to get its act together, as they always tried to around the election times, by forming the National Alliance of Kenya, as an umbrella party to take into its fold all the dissenting voices. There was little in the form of an agenda that was common to these opposition parties; they were only united in their determination to see Moi removed from power. They sensed that once Moi was out of the way, he was going to create a domino effect internally and KANU was going to fall like a house of cards. During the fateful party convention at the Kasarani Centre, Moi played Machiavelli and through duplicity ensured that George Saitoti, the incumbent Vice-President, was removed out of the way and all the other ambitious potential contenders were properly reduced to size.

But this was a new KANU which had come into being through the dissolution of Raila Odinga's party, NDP, which months before had merged with KANU and had been sufficiently assimilated to give cabinet positions to Raila and a few of his former party colleagues. Moi thought he could outflank Raila and get his wish carried through to nominate Mr. Kenyatta, with little or no opposition. Raila, as a shrewd politician challenged Moi by questioning the criterion on which this selection was made. Raila had an agenda of his own, to insinuate himself into a sufficiently critical position and to eventually grab as much power as

possible and get himself nominated as the KANU presidential candidate.. Both Moi and Raila had hidden agendas of their own and each tried to use the other to advance their barely concealed interests.Moi used the bugbear of kikuyu-phobia to intimidate Raila into his alliance against the Kikuyus.Raila knew that in the new KANU he was the only charismatic leader who could carry the day for the party and who could shrug off any Moi orders.On his part Moi assumed that he could use Raila to get for his party the block Luo vote and thus completely trounce the fargmanted Kikuyu.The choice of the Amherst educated Uhuru was doomed from the start: he was a Kikuyu insider outsider.He had already been disowned by his people by being rejected in the last parliamentary election from his own Gatundu home constituency.He had been perceived as a Moi lackey who had been planted to sow mischief among his tribesmen.By astute maneuvering Moi was able to gradually bring into the KANU fold some of his bitterest Kikuyu critics who saw him as an undisguised anti-Kikuyu.These politicians sure were stuck in the tribal politics of the late 1960s and 1970s and who saw Kenyan politics in Manichean terms of ‘us Kikuyus’ and ‘them non-Kikuyus.’They saw this as an opportunity to return to the old days of Kikuyu glory.Among these politicians included Njenga Karume, the linchpin of GEMA politics and Kihika Kimani, the Nakuru demagogue who had personally benefitted from playing the tribal card.What escaped the notice of these politicians of bygone days was that the younger Kikuyus, by virtue of their education, cosmopolitanism and the bitter experience of the anti-kikuyu mood of the country after the the death of Kenyatta and the ascension of Moi fanned by the old KADU elements in KANU, had left behind ethnic politics in favor of forging alliances with other groups in the country.Besides, Kenyan society had become better educated, more integrated and more sophisticated than it was when Moi took over power and recogized the importance of the new politics of consensus and coalition building. It was this climate that paved the way for the possibility of realignment of opposition forces , facilitated by the mass exodus of disgruntled

elements that, now that Moi's exit was irrevocably inscribed in stone by the constitution, they could afford to stage mass rebellion and lose nothing for it. Only the deferential and the obsequious like Katana Ngala, and the indcisive and irresolute Mudavadi stayed put in the party. They had miscalculated and misread the public mood for a new start and a clamor for a more democratic and open society that was free of corruption, coercion and the violation of human rights. Moi, at 78, was already losing the will to fight and his characteristic instinctual politics had for once failed him. He was booed in virtually every political rally that he addressed. The massive crowds that he was used to when he came to power had degenerated to rallies with only forced school children in attendance, or positioned opposition supporters only there to hackle him and his entourage of civil servants and the few loyalist politicians. The writing was already on the wall. Among the first to jump ship after the formalization of the charade that was the KANU nomination of Uhuru Kenyatta to contest the presidential elections on its ticket, was Raila Odinga. Because it was too late in the day to form a new political party he revived the little known and almost moribund Liberal Democratic Party as a staging post into the new opposition secret weapon of National Rainbow Coalition or NARC, as it came to be widely known. All the astute politicians who read the national mood for change properly jumped into the Narc bandwagon. For the first time the already ambitious opposition politicians saw this as the last chance to garb power. The main players were Raila Odinga, Mwai Kibaki and Anyang' Nyong'o. Those who could not see themselves taking orders from Raila Odinga, like James Orengo or Anyang' Nyong'o, went on their own; but the electorate was no longer sympathetic for loners. James Orengo, one of the most iconoclastic politicians who could insult Moi at the height of his authoritarianism put his name as a presidential candidate. He lost both the presidency and his parliamantary seat that he had held for almost two decades. He lost his parliammentary seat to Archbishop Ondiek, an almost forgotten ex-parliamentarian whose only thing going for

him was that he was Raila's choice and had his blessing. Like his father before him, Raila just has to show up his face and point to a certain candidate for that candidate to win an election. And like his father again, he is the uncrowned king among the Luo. Luoland is marked as Raila's political fiefdom. In his last political gasps and in moments of despair, just to spite Raila, Moi described the former as a 'tribal chief' rather than a leader with a national outlook.

Anyang' Nyong'o is the most idealistic among the relatively younger generation of Kenyan politicians. Intelligent, urbane and not much given to hero-worshiping, he could not see himself beholden to the kind of politics that Raila practiced: accommodation tempered by a little threat of force. On defecting to the opposition, and confident of certain victory, Raila made it clear in public that if the opposition wins the forthcoming elections and Moi refuses to relinquish power, he promised that his gangs were going to storm the State House, the official residence of the Kenyan President. He was not to be taken lightly. As it turned out the opposition alliance won the majority of the seats and Raila did not have to live up to his threat. Anyang' as noted earlier, was very close to Raila's father, but he is too decent to contemplate the use of any kind of force. He is the most democratically minded Kenyan politician who is completely devoid of ethnocentrism of any kind. His vision, surmised from his writings and public statements is of a democratic, multicultural and progressive Kenya. Foremost among his ideals is a desire to see Kenya, and by extension the African continent, governed by the principles of rule of law and primacy of national institutions, rather than the current practice of government by charisma, where charismatic figures subordinate national institutions to their own personal whims. As one of the main architects of the alliance of opposition parties he felt confident to work with all those progressive forces that wanted to see the dawn of a new era in Kenyan politics and subordinated their own personal ambitions for the common good. In this regard he was pragmatic enough to accept

that he might have to work with Raila who is perceived as someone who encourages hero-worshipping among his Luo ethnic group, who sees himself as the man who should call the shots in his tribal homeland of Nyanza, where Anyang' Nyong himself hails from. It is also quite obvious that Raila had a hand in the defeat of Nyong'o in the last general election after refusing to play the ethnic card and wanting to be judged on his own merit. He had played an important role as a voice of reason in the previous parliament as one of the parliamentarians who contributed significantly to the debates in the House on national and international affairs. It was therefore not surprising that although his defeat was more out of design than default, he was sent back to parliament as a nominated member for the Social Democratic Party. Previously a very conscientious scholar and now a hardworking politician, he is likely to make significant contribution to the revitalization of the nation. With Kibaki at the helm, Nyong'o has found a kindred spirit in their desire to move Kenya forward.

### **Winner Takes all Politics:**

The National Rainbow Coalition in the apt phraseology of Andrew Harding, the BBC correspondent who was covering the Kenyan elections, was “a coalition of genuine reformers and opportunists.”<sup>7</sup> The coalition was hastily put together and expanded literally by the minute as former KANU supporters defected from the party they saw was doomed to certain defeat. Many of these defectors were hardcore KANU supporters who were alienated for one reason or another, but mainly because they failed to gain their former party nomination to stand for election. The logical thing to do was to go to the party that was winning more supporters from the electorate. Opinion polls conducted by a number of organizations, including that of the country's leading mass daily, *Daily Nation*, had predicted that the opposition alliance was poised to win a landslide. And they did. NARC swept the results with 125 out of the possible 210 parliamentary seats. KANU was second with 64 seats, FORD-People 14 , SAFINA 2, SISI KWA SISI 2, FORD-Asili 2, and SHIRIKISHO

1. According to the constitution NARC was strengthened to 132 after nominating 7 of the 12 nominated members. This gave NARC a clear majority that entitled it to form the next government. The nature of KANU politics was such that the laws were constantly changed to suit particular situations, which they never anticipated might work in favor of their opponents. A law was passed to completely rule out any possibility of a coalition government, which seems now to be almost the norm in the contemporary world of politics world-wide. Given KANU's party infrastructure and access to all the resources essential to win an election, like the control of public media, funds and the administrative and bureaucratic structure, there was no doubt in the minds of the KANU leadership that they were there for the long haul. One thing that they did not factor in in their calculations was the changed public mood. They should have read the signs when the opposition political rallies were increasingly drawing larger and larger crowds. The electorate was also predominantly young; KANU had by now alienated all the significant sections of the Kenyan electorate including Muslims, women and minority ethnic groups. The only KANU stronghold left was the North Eastern Province, inhabited by pastoralist groups like the Somali and Boran, and the Rift Valley Province, Moi's stronghold. The opposition had over the years managed to make inroads into this KANU stronghold especially among the Marakwet and the Nandi, led by such fearless politicians as Kipruto Arap Kirwa who easily sailed through in his Cherengany constituency where he polled 16,878 votes, way ahead of his nearest contender by 10,000 votes<sup>8</sup>. Kirwa dared call Moi a dictator when he was still in KANU.

The entire election was given a clean bill of health by international observers and the Electoral Commission of Kenya. While early on there were attempts at vote-buying, these were nipped in the bud by the Anti-corruption squad and the initiative of local whistleblowers and watchdogs who were determined to check election rigging and election malpractices which had been the stock-in-trade of the previous government. But the real credit

must go to the ordinary voters who not only refused to be cowed but also refused to be corrupted by any means. This was a real boon to the opposition who did not have any resources to speak of. They depended entirely on the goodwill and the desire for change of the electorate. The real shocker was the elimination of KANU die-hard Shariff Nassir Taib in the Mvita constituency in Mombasa by the young and untried Najib Balala, the defeat of the then just appointed Vice President Musalia Mudavadi. Other casualties included the lacklustre Cabinet Ministers Katan Ngala, Cyrus Jirongo, Chris Obure, Francis Nyenze and Haroun Mwau. A number of Assistant Ministers were also swept off by the new euphoria. NARC was now set to form a government of their own choice without needing support from either other opposition parties or KANU. The law that was rushed in parliament to give a one-party government to the party with the majority number of parliamentarians now came to suit the needs of the opposition for whom the law was intended in the first place to shut out the opposition from participating in government.

### **The Revival of Mwai Kibaki and the End of Ethnic Politics**

Mwai Kibaki won a comfortable 62.2 per cent of the vote ( 3,646,713) to Uhuru Kenyatta's 31.3 per cent ( 1,834,468). He had a clear mandate to lead the Kenyan nation as the third post-independence President. This was beyond Kibaki's wildest dreams. He had unsuccessfully contested all the previous two elections on his own party's platform, the Democratic Party of Kenya. He was then perceived as a Kikuyu choice, or at least that is what KANU hammered on. He was also written off as a spent-force and talk was then of a younger future leader, just as had happened in Western Europe and the United States of America. Infact Moi used the age-factor as a viable stick to beat all the aging opposition contenders for the presidency. Only that the gambit did not work. The new review constitution had already taken care of that: the future president was to have his powers whittled down to a bare minimum so that he will end up more as a ceremonial figure-head than an all powerful autocrat of the



Moi mould. The opposition parties had negotiated the alliance with the spirit of the impending constitution in mind. The new innovation in the new constitution is the creation of the post of Prime Minister a la United Kingdom or Germany with the Bundes kanzler welding real political power and overseen by parliament. There is also the creation of two positions of Deputy Prime Ministers. The likelihood is that Raila Odinga will emerge as the future Prime Minister if the alignments stand as they are to date, once the constitution is ratified and voted on by the new chamber. At 71 Kibaki is less energetic than he was in the prime of his life, when he served in the successive Kenya governments under Jomo Kenyatta, and then under Moi. Although universally respected as an able former Finance Minister at the time he held that portfolio, Kenyan economy at present is not what it was in the late sixties and the seventies. The economy is now battered through years of mismanagement and the plunder of the national treasury and the added burden of debt repayment to the international lending institutions have all but left the country with just its head above water. It is badly in need of fixing. The best person to do the job might not be Kibaki himself, but he has sufficient goodwill from the donor community and the Bretton Woods institutions to revitalize the economy. He at least has a pool of talented Kenyans both at home and abroad that he can mobilize to rethink the economy. The scale of the problem is such that he cannot wait to get the job started. Infact he already has set the wheels in motion by assembling a team with varied talents. Most notable about the team is its representativeness, their education, its youthfulness and its enthusiasm.

The top priority job of National Planning has gone to Anyang' Nyong'o; that of Finance has gone to Mwiraria, a close political ally for a long time, but whether he is up to the job only time will tell. Kibaki has clearly reinvented himself as far as ethnic politics are concerned. The older generation of Kenyans still remember that when he was the Finance Minister he appointed his Kikuyu tribesmen to handle the key levers of the economy. All the

major banks that were owned by the government , Kenya Commercial Bank and the National Bank of Kenya and of course the Central Bank of Kenya he manned with Kikuyus. John Michuki headed KCB and Stanley Githunguri NBK , while Duncan Ndegwa was at the helm at CBK.It was obvious that Kenyatta and his cronies had something to do with that state of affairs.Only after Moi came did non-Kikuyu faces appear in those vital institutions that made sure that the politically correct people got access to credit.Moi on his part, as he cynically put it, was “ following in the footsteps of the great Mzee” and stuffed those positions with his fellow Kalenjin technocrats, or at best , people who could be trusted to play to his tune.But the decade that Kibaki had been in the cold, and the period he served under both Mzee Jomo Kenyatta and Moi taught him the lesson of the banality of ethnic politics.Besides, the young idealists in the new cabinet should act as a counter-balance to the ambitious and opportunistic elements in NARC.It would be hard for the opportunists to play by the new set of rules after spending years in the midst of landgrabbers, sinecure holders and deal-makers whose sole purpose in politics was wheeling and dealing for themselves and their loved one.The countervailing aspect is the culture of debate that has developed in the former opposition , a long way from the days of fractious and sometimes violent politics in their ranks, occasioned often by frustration.In an optimistic address to the nation President Mwai Kibaki showed off his diverse and talented team and what their future mission is:

“The National Rainbow Coalition represents the future of Kenyan politics.Narc is the hope of this country.Our phenomenal success in so short a time is proof that working together in unity, we can move Kenya forward.

Look around you , see what a gorgeous constellation of stars we are, just look at this dazzling mosaic of people of various ethnic backgrounds, race, creed, sex, age, experience and social status.

Never in the history of this country have its leaders come together as one indivisible entity with one vision. It is the love of Kenya that has brought us together. We chose to let go our individual differences and personal ambitions in order to save this nation.”<sup>9</sup>

He went on to add :

“We want to bring back the culture of due process, accountability and transparency in public office. The era of “anything goes” is gone forever. Government will no longer be run on the whims of individuals. The era of roadside policy declarations is gone. My government’s decisions will be guided by teamwork and consultations. The authority of Parliament and the independence of the of the Judiciary will be restored and enhanced as part of the democratic process and culture that we have undertaken to bring to foster.

Fellow Kenyans, I am inheriting a country which has been badly ravaged by years of misrule and ineptitude. There has been a wide disconnect between the people’s aspirations and the government’s attitude toward them. I believe that government exists to serve the people and not the people to serve the government...

Government is not supposed to be a burden on the people, it is not supposed to intrude on every aspect of life , and it is not supposed to mount roadblocks in every direction we turn in life. The true purpose of government is to make laws and policies for the general good of the people, maintain law and order , provide social services that can enhance the quality of life, defend the country against internal and

external aggression, and generally ensure that peace and stability prevails.

Corruption will now cease to be a way of life in Kenya, and I will call upon all those members of my government and public officers accustomed to corrupt practices to know and clearly understand that there will be no sacred cows under my government...'<sup>10</sup>

The transatlantic idiom of “disconnect” is clearly far from Mr. Kibaki’s generation. It reflects the spell cast by the younger minds in his government and a new political mindset. The will is there to change the nature of society as it is currently constituted since, except for the kleptocracy, the general mass of the people felt constrained by the non-performing national institutions which had been neglected in pursuit of the politics of divisiveness, greed and obsequiousness. Considered a decent and gentleman, the main saving grace is that there are no known people around him of the same putative reputation of either Mbiyu Koinange during the Kenyatta regime, or Kipyator Arap Biwott during the “Nyayo” era. It was widely believed these two politicians had an inordinate influence on the two presidents behind closed doors. They had emerged as powerful power brokers. Kibaki is a self-confident man fully conscious of his abilities. He is likely to have advisers in the Western liberal sense, rather than ‘advisers’ in the sense commensurate with established practice in African political culture where such figures are viewed with skepticism. The New York Times captured the nature of government during the Moi era when they editorialized that : “The departing Mr. Moi, 78, was from the old – school of African politicians that demand absolute loyalty from the populace. For much of his tenure it was against the law to speak ill of him.”<sup>11</sup> The style of government is likely to change.

## Conclusion

The dramatic change of government in Kenya is the culmination of a series of events that had precipitated over the last forty years of KANU. The party had evolved from a vibrant nationalist institution to a tool of the power-elite for self-preservation and aggrandizement. Cracks in its edifice began to show after the collapse of the Soviet Union when the West demanded more accountability before the lending institutions and donor countries could make aid available, from which most African governments sustained themselves. The emergence of a new generation of leaders with better education, sophistication, and idealism made it possible to not only challenge the old order, but also gradually undermine its claim to legitimacy. The fact that corruption, blatant abuse of human rights, divisive ethnic politics had been ingrained in the Kenyan body politic did not help matters for the ruling elite. They had almost completely lost credibility as a group, to turn things round. But ultimately, the decision on the part of the fragmented opposition to close ranks and work toward the defeat of KANU paid dividends in the end. The classic Machiavellian politics played by the previous regimes seem have no place in the new dispensation. The new constitutional arrangements are sure to stop potential autocrats in their tracks.

\* Prof. Mohamed Bakari is a faculty member at Fatih University

## NOTES

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<sup>1</sup> See Goldsworthy, David : Tom Mboya: The Man Kenya Wanted to Forget. Africana Publications. 1982.

<sup>2</sup> See, Kariuki, J.M. Mau Mau Detainee. Oxford University Press, Nairobi. 1964.

<sup>3</sup> See Anguka, Jonah: Absolute Power: The Ouko Murder Mystery. Pen Press Publishers. 2002. Also see E.S. Atieno-Odhiambo: The Murder of Robert John Ouko, Foreign Minister of Kenya, 12-16 February, 1990. In *Exceptional Spaces*, Dolla Pollick ( ed.) Chapel Hill, University of North Carolina Press (1998), Pg. 77-97.

<sup>4</sup> See Wa Thiong'o, Ngugi: Detained. Heinemann. London. 1978.

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<sup>5</sup> Dr. E.S. Atieno-Odhiambo, personal communication, African Studies Association Annual Conference, Seattle, Washington, 1992. He just returned from Kenya where he played a role in the election strategy, and prior to that, in the negotiations leading to the formation of NARC, e-mail correspondence to the author dated 31/1/200. Also see E.S. Atieno-Odhiambo, Jaramogi Oginga Odinga. East African Educational Publishers. 1998.

<sup>6</sup> For the history of the Kenyan Luo people see Ogot, B.A.: A History of the Southern Luo. East African Publishing House, Nairobi, Kenya, 1967. Also for Luo nationalist politics see the autobiography of Odinga, Oginga Odinga, : Not Yet Uhuru, Heinemann, London, 1968.

<sup>7</sup> BBC-World news, 29<sup>th</sup> December, 2002.

<sup>8</sup> Electoral Commission of Kenya results.

<sup>9</sup> Inaugural address, New President Spells out his Vision: <http://www.nationaudio.com/News/DailyNation/Today/News/News3112200231.html>

<sup>10</sup> *ibid*

<sup>11</sup> <http://www.nytimes.com/2002/12/31/international/africa/31KENY.html>