

POLITICS IN KENYA :
Post Kenyatta Period (1978—1987)

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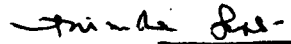
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DECLARATION

This is to certify that the dissertation entitled 'POLITICS IN KENYA: POST KENYATTA PERIOD (1978-1987)', submitted by MISS SABIRA QURESHI in partial fulfillment of the requirements for the degree of MASTER OF PHILOSOPHY (M.Phil) of the university, to the best of my knowledge is her own work and may be placed before the examiners for evaluation.


(ANIRUDHA GUPTA)
SUPERVISOR



PREFACE

The objective of the proposed study '**Politics in Kenya: Post Kenyatta Period**' is to analyse the political situation in Kenya during the Moi regime and analyse the political developments. How could Moi, being a member of minority tribe, gain strength and how did the Kikuyu responded to it? How did Moi strengthened his position among the Kikuyu? How did Moi face the economic crisis and what measures he adopted to meet the grievances of the people? What were the political repercussions of the economic ciris? How did Moi meet the growing discontent in the country. Why was Kenya made a de-jure one party system? How far has the democractic set-up of the country been affected due to the policies of the government? What is the relevance of elections in Kenya? These are the main objectives and guidelines of the study. My aim is to analyse the political developments in Kenya since 1978.

The methodology adopted for this study is historical and empirical. The work is mainly based on the secondary sources available to me.

I sincerely express my gratitude to my supervisor, **Prof. Anirudha Gupta** for his intellectual stimulation, guidance and affectionate encouragement in writing this dissertation.

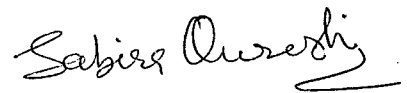
I acknowledge my sincere gratitude to **Prof. Z.M. Khan** (Jamia Milia Islamia), **Prof. Vijay Gupta** and all the teachers of my centre for their suggestions and encouragement. I am

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I am indebted to some of my friends with whom I had an opportunity to discuss various problems concerning Kenyan politics and to receive their valuable suggestions.

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I acknowledge the responsibility for any mis-statement and other errors relating to interpretation and emphasis.


SABIRA QURESHI

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CHAPTER - I

CHAPTER - I

INTRODUCTION

Kenya became independent on 12 December, 1963 and since then till 1978, Kenyatta dominated over the political scene of Kenya - first as the Prime Minister and since 1964 onwards as the President of Kenya. In the 1960's when most of the African nations experienced interruptions in leadership, economic stagnation and political violence, Kenya under Kenyatta enjoyed stable position and economic progress. The main asset of the country i.e. political stability was slightly affected by Tom Mboya's murder in 1969 and that of J.M. Kariuki in 1975 who was an outspoken critic of the government for its economic policies.

Most of the commentators have attributed the Kenyan stability to the Charismatic leadership of Jommo Kenyatta and revered him as the father of the nation but this is doubtful because soon after the independence the Luo expressed their dissatisfaction with Kenyatta's leadership by forming an opposition party, Kenya people's Union (KPU) in 1966 under the leadership of Oginga Odinga, Luo expressed their anti Kenyatta feelings after Mboya's death and rose criticism against him among the members of his own tribe (as was done by J.M. Kariuki). Which resulted in the anti-government and anti-Kenyatta campaigns after the murder of J.M. Kariuki.

Hence the view that Kenyatta's Charismatic personality was the key to understand Kenya's political stability seemed to reflect the official myth than the reality. Kariuki's murder in 1975, resulted in the shattering of Kenyatta's image badly. Besides this, Kenyatta's involvement in politics since 1970 onwards started decreasing firstly due to his ill-health and, secondly, old age. Thus he spent most of his time in his State House at Nakuru or at Gatunda which was his native place and less time in Nairobi, the government seat. Hence, his role became more symbolic than real. The Kenyan politics and stability in the Kenyatta regime which was an outstanding example of regime building in Africa was in reality a shift from the president to the presidency and the elaborate power-structure built around Kenyatta.

The Kenyan political stability rested on the neutralisation of military system, centralisation of power within the state structure and on the neutralisation of organised opposition.

The security forces had resulted in instability in many countries of modern Africa whereas in Kenya, military had played an important and positive role in enhancing political stability in Kenya. As a result of which in 1964 when East African countries were facing a wave of mutinies, Kenya was slightly affected by it. In 1964 an army mutiny also took place in Kenya whose main grievance was considered to be poor pay.¹ Again in 1970 a plot to overthrow the government

1. A.A. Mazrui and D. Rothchild, The Soliders and state in Africa: Some theoretical conclusions on the army mutinies of 1964, and A.A. Mazrui, Violence and Thought: Essays on Social Tensions in Africa (London, Longman, 1969 p. 3-23.

was discovered and immediately suppressed and the ring leaders were convicted and imprisoned. When in 1971 the sedition trial followed, the Chief Justice of the High Court, whose name was linked with the plot was forced to resign and instead of him an expatriate judge from England was placed in whom the Kenyatta government had faith.² In order to neutralise the military, the government began to redress the ethnic balance within the army which composed of the officer at rank and file levels, which were mainly from Kamba and Kalenjin tribes since independence. But the political power was in the hands of Kikuyu. Kenyatta himself was a Kikuyu and Kikuyu also dominated in the cabinet. The government started entering Kikuyu blood into the army mainly in officers corps, which consisted of 22.7% as compared to that of the Kamba with 28% in 1967.³

In 1960's, the General Service Unit (GSU, para-military force) was established by the government to operate as a praetorian guard of the regime. It consisted of well-disciplined, well-equipped and highly mobile force but in number smaller than the army (about 2,000 against 7,500).⁴ It could be used selectively with effectiveness. In principle army is an apolitical force which guards the country against the external aggressions and threats but GSU was a political force used to curb in fact, internal threats and enemies. It helped in maintaining

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2. For details see, Colin Leys, Underdevelopment in Kenya: The Political Economy of Neo-Colonialism (Berkeley: University of California Press) 1975, pp 234-243.
 3. J.M. Lee, African Armies and Civil Order (London, 1969) p.110
 4. Africa Contemporary Record, 1975-76, P.B. 222.

peace when tension was caused due to Kariuki's murder in 1975, helped in curbing students demonstrations, illegal squatters on large farms and where its presence was considered essential. It was commanded by a Kikuyu, Ben Githil along with its officers corps of the same tribe.

By 1968, the Kikuyu held control nearly overall instruments of coercion such as Police, CID and Special Branch. The officers at higher ranks in security forces had access to material wealth besides status, prestige and pay. Thus military did not pose any serious threat to the government, unlike many other African countries, rather it supported in the country's stability with the help of ethnic solidarity and material interest.

While the military system was characterised by a neutralising balance then the political system was represented by the centralisation of power in and around the President. When Kenya became independent it had a regional constitution with its Prime Minister as Kenyatta. The constitution restricted the Prime Minister's authorities and vested authority in various regions. So the regional constitution was abolished in 1964 and Kenya became a Republic with Kenyatta as its President and combined the functions of the Head of the state as well as the Executive which enhanced the President's role and authority. The executive power now vested with the President instead of Cabinet. The President appointed the Vice-President and other Ministers and could remove them at will. Constitutionally the Cabinet is formed to aid and advise the president

but no procedure was laid to force the President to act on the advise, which made Kenyatta free to accept or reject the advice of the Cabinet Ministers.⁵ It resulted in the introduction of important Bills and taking decisions without the prior consent of the cabinet. Kenyatta formed a small group of adviser comprised of Ministers, relatives, friends and high ranking civil servants belonging to his tribe Kikuyu, such as Chrales Njonjo (Attorney - General), Mbiyu Koinage (Minister of state in President's office) and Dr. Njeroge Mungai (Foreign Minister). Kenyatta's closest advisers used to originate policies and then take decisions without even consulting the Minister concerned or even Kenyatta (when he gradually retired from active politics). Hence the presidency more than the President, was the basis of centralisation of executive power in the Kenyatta regime.⁶

The President enjoyed paramount position in Parliament also. The freedom to criticise it's policies was granted by the Government but when J.M. Kariuki severely criticised it, he was found murdered under mysterious circumstances. The Parliament became a vital stepping stone for the aspiring politicians. Ambitious MPs, were promoted to an assistant ministerial post and other benefits were also accrued on them which resulted in the holding of extra-parliamentary government

5. M. Tamarkin, "The Roots of Political Stability in Kenya", African Affairs, 77, 1978, p.302.

6. Ibid., P. 303

appointment of nearly half of the KANU backbenchers. So, the President and his inner circle had freedom of action due to weak Parliament.

The bureaucracy also gave their support to the regime because their vested interests were safeguarded by the Government and they were allowed to indulge in business.

Immediately after independence the process to eliminate opposition in Kenya started. The first step taken was to defer the implementation of Majimbo (regional) constitution. It was easy to make amendment in the constitution because of the main opposition party KANU was weakened by a series of defections and KANU had 75% majority which was required in the Lower House.

In a state, political parties are considered to be the potential competing power bases. Kenya was constitutionally a multi-party state but Kenyatta favoured single party state and thus favoured the elimination of opposition. The only opposition party after independence, KADU, was merged with KANU and thus its leader were absorbed into KANU and the government. In 1966, the Luo became dissatisfied by government's policies and demanded more radical and populist policies, particularly the abolition of the debts imposed on the small holders settled on the former white highlands, land distribution, nationalisation of foreign owned industry and free education.

As a result of this dissatisfaction Oginga Odinga, Bildad Kaggia and a few others formed KPU. KPU was continuously harrassed by the government until it was finally banned in 1969 with its leaders detained.⁷

Thus de-jure Kenya continued to be a multi party state till 1982 whereas it remained to be a defacto single party system. During the elections the majority of the constituencies had more than one candidate, but all were required to be from KANU and supposed to apply for permission and clearance and thus obtain a clearance chit from the High command of the KANU party. No party opponent was provided with a clearance chit. Thus the system appeared to be democratic for the KANU contestants and the rulers whereas it was authoritarian for the masses and the opponents of the regime. The opponents of the regime during Kenyatta were met severely and held in detention for years without their know abouts and thus the opposition was curbed.

Thus the regime's stability in Kenya during the Kenyatta regime vested in the President and the inner circle of the President which enjoyed unlimited power and controlled the power of the state by neutralising the potential opposition power bases.

7. Colin Leys, Underdevelopment in Kenya (London, 1975), P. 220 - 238.

Thus till 1978, the Kikuyu dominated the KANU and were the main beneficiaries of economic and political developments in the country whereas the hostility and dissatisfaction among the other tribes was gradually becoming greater. But the contrast appeared after Kenyatta's death when a member Daniel Moi, of minority tribe (Kalenjin) became the President of Kenya through a peaceful transition of power. He could influence the masses through his rehtoric speeches of following in Kenyatta's footsteps, pledged to release all political detainees, remove corruption from the government and provide free education. All these forced the Kenyans to believe that Moi could prove to be a good President caring for the masses in general. He even ensured the masses and the parliamentarians of the free political discussion which was seldom practicised during Kenyatta's regime. Besides all this the two main members of Kikuyu, Mwai Kibaki and Charles Njonjo favoured Daniel T.arap Moi. Even constitutionally also his succession to power after Kenyatta's death was correct because Moi had served as the Vice-President of Kenya more than any body else. Moreover there were other parliamentarians who did not want Moi from a minority tribe to succeed Kenyatta. Their efforts to hinder Moi's succession failed and Moi was elected as the President of Kenyan Republic. Thus in the second chapter of this dissertation an attempt will be made to study the transition of power from Kenyatta to Moi and his search for legitimacy. Was the transition of power was peaceful or it appeared so? How the Kikuyu members responded to the succession

of Moi? Was there conflict and crisis in the party, if so, then how Moi strengthened his position and eliminated his opponents?

When Moi took over the reigns of the government in his hands, Kenyan economy had started declining. The Kenyan balance of payments which was positive in 1977 started showing deficit in many million shillings by the end of 1978. There was a severe food crisis in Kenya from 1979-81. Although there had been bumper production of crops i.e. of wheat and maize. If there was bumper production of crops then why were the Kenyans starving? To keep the food aid flowing and maintain stability Kenya was forced to enter into a secret agreement with USA and in turn had to provide it with naval and air-bases for the US Indian Ocean Rapid Development force. It even had to import maize secretly from South Africa. The declining economy of Kenya and the Government's failing efforts to meet with the minimum needs of people resulted in the growing chaos and criticism against the government among the masses and the back-benchers.

In the third chapter an attempt will be made to study the declining economy of Kenya since 1978 and its political repercussions. How did Moi meet with the crisis and what were the measures adopted by him to meet the minimum needs of the people? If there was bumper production of crops, then were the public servants and ministers involved in Mal-practices?

During the period 1981-82 there were intense factional disputes within the government which had occurred due to economic instability in Kenya. In 1982, the Luo Leader Qdinga criticised the government for its economic policies and forming a military pact with US, and even expressed need of a second political party in Kenya. This ultimately resulted in the constitutional amendment of 1982 making Kenya a single party system, as a reaction of the government. How did Moi meet with the growing criticism against the regime? Did he bring back detention without trial before the expiry of his chairmanship of OAU? The 1982 coup attempt was a result of the economic crisis which took place in the country because the rebels were dissatisfied with the government for it had failed in fulfilling the basic necessities of the masses whom Moi had impressed through his rhetoric speeches and in practice had not been able to fulfill his promises, rather used detention without trial against his opponents.

In chapter four an attempt will be made to study the politics of post-coup attempt period. In the after-math of the coup attempt Moi realised that sheer speeches would not work and hence some concrete action was to be taken to re-establish the legitimacy of his regime. What were the measures taken by Moi government to regain populist support? Was there any change in the leadership style or it remained the same? What was done with the officials found unable to crush the coup attempt in 1982? How did the conflict between Njonjo and Moi arise? Why did Moi choose nationalism (African capital and

enterprises) at the cost of conflict with Njonjo a prominent and powerful Kikuyu leader? How could Moi eliminate Njonjo? All these questions will be examined in detail. In this chapter the 1983 elections will also be dealt with which resulted in the elimination of most of the Kikuyu from Kenyan politics, and had the personal stamp of Moi on cabinet members for the first time since his election as the President of Kenya.

Chapter five will deal with the present politics in Kenya. Such as the increasing power of the President and his growing intolerance against government criticism, unrest among students, the violation of human rights in Kenya and the wide use of detention without trial against the opponents of the regime and the changing role of Parliament in Kenya.

In conclusion, chapter six will deal with the critical analysis of all the above five chapters and that how far the democratic set up of the country been affected due to the policies of the government? What is the relevance of periodical elections in the country?

In this proposed study all the above questions will be the guidelines as well as aims and objectives of the study.

CHAPTER - II

CHAPTER - II

Transition of Power to Moi and his search for Legitimacy

The issue of Kenyatta's succession had been a central feature since independence. Later in early 1970's, due to Kenyatta's old age and failing health, it became a hot political issue and the factions which were to play the leading role in the succession struggle emerged on the political scene. There emerged two groups viz., (a) the old one included the Kalenjin Vice-President Daniel arap Moi and Charles Njonjo (the Kikuyu Attorney-General), and Kibaki, and (b) the other group included Dr. Njoroge Mungai, who was the then Foreign Minister and close relative and Physician of Kenyatta. The first group, which was known as Moi-Njonjo-Kibaki group was of the view that the second President should be a non-Kikuyu which would be in the best interest of Kenya, whereas the Kikuyus and particularly Mungai considered it to be their legitimate right. Mungai and Moi were considered by 1973 to be the two contenders for the Presidency. But as Mungai lost his parliamentary seat in 1974, as a result of which he was no more acquiring ministerial position, he was not discouraged from contending.

The competing factions came in open to consolidate their support and assert themselves in mid 1970's as Kenyatta's health had started worsening. A rally was held in Nakuru to call for the revision of section-6 of the constitution according to

which the Vice-President was to be appointed as the acting President for not more than 90 days at the end of which a new President was to be elected in case the then President was incapable of taking out the functions properly or had died.

The rally was attended by Ministers like, Paul Nagei, James Gichuru and Jackson Angaine. The Chairman of Gikuyu-Embu-Meru Association (GEMA), Njenga Karume, Kihika Kimani (MP) and Dr. Njoroge Mungai were the other attendants. All except Paul Ngei, Belonged to the GEMA tribes dominated by a group of Kikuyu M.P.s. This faction was called as the change-the-constitution Group which aimed at undermining Moi's position and feared that the constitutional arrangement existing that time (i.e. section 6) would give a considerable amount of advantage to the acting President and Moi would automatically succeed Kenyatta according to the section 6 of the constitution. The change in constitution movement led by a powerful person, Dixon Kimani,¹ aimed to prevent Moi from automatically succeeding Kenyatta by proposing amendment in the section 6 that after death or resignation of the President, a triumvirate of the Speaker, Chief Justice, and Head of the Civil Service would organise presidential elections. It was widely believed that they were motivated by ethnic rivalry to and did not want Moi, who belonged to a minority Kalenjin group of tribes, to succeed Kenyatta.

1. Dixon Kimani was a representative of the 'inner', Central Province bourgeoisie - Chairman of the Nakuru branch of KANU, head of the Ngwataniro-Mutukanio group of companies, and treasurer of the powerful Gikuyu-Embu-and Meru Association (GEMA).

However, before the challengers of the constitution could gain momentum, Moi's associate Charles Njonjo, the then Attorney General crushed the agitation by warning the challengers that they would even be punished by death sentences.² Due to such threat Moi-Njonjo group was able to control the agitation and the agitators tried to avoid open confrontation.

On the other hand Kenyatta had neither named his successor nor did he lay any such procedure which could help in transition of power after his death. Thus as a result of these many observers feared that his death would result to a scramble for power among politicians, outbreak of ethnic violence and may even result in any army coup.

But none of these happened when Kenyatta died on 22 August, 1978. The transition of power from Kenyatta to Daniel arap Moi was very peaceful, orderly and constitutionally correct because section-6 of the constitution considered it to be correct. However, such a peaceful transition could have become very difficult without the help of Charles Njonjo, the Attorney General, who conducted all this in such an orderly manner.³ He announced

2. The details of his warning was "In view of the recent sudden wave of statements at public rallies about the alleged need for amendment of our constitution, I would like to bring to the attention to those few who are being used to advocate the amendment, that it is a criminal offence for any person to compass, imagine, devise or intend the death or the deposition of the President. Further, it is also an offence to express, utter or declare such compassings, imaginations, devices or intentions by publishing them in print or writing. The mandatory sentence for any such offence by a citizen is death and any person who aids in any such offence by being an accessory after the fact of it is liable to imprisonment for life. Anyone who raises such matters at public meetings or who publishes such matters does so at his own peril!" Source : The weekly Reivew, Nairobi, no.87, Oct.11, 1976. p.3.

3. The Weekly Review, 22 Dec. 1978

in an emergency cabinet meeting held on the very day Kenyatta died, that Moi was sworn in as President and would serve as the acting President until 90 days till the elections for the Presidency would be held. He also announced that on 6 October, 1978 Party's delegates' conference would be held to elect a candidate for presidential election. Another surprising thing came to light that by September almost all the branches of KANU supported for Moi as the sole candidate for the Presidency of the party (KANU) as well as the Republic.⁴ Only Moi's name was registered till the closing date for nominations, as the only candidate for the Party's presidency. He was unanimously elected as KANU's President and was also approved as the only candidate for the country's presidency. He was declared President on 10 October and was sworn in as the President of Kenya on 14 October, 1978.⁵

But, such a peaceful transition of power would have become very difficult without the support of all the major segments of society and polity. Such expressions came from Mungai and Odinga also, which was surprising because Mungai was one among the challenger's group and was anti-incumbents (Moi/Njonjo/Kibaki alliance). He made an statement that he was "enraged by those foreign newspapers who have been saying I would be running for the post. We all support his Excellency the President!"⁶ Besides Mungai and Odinga such expressions came

4. The Nairobi Times, 10 Sept. 1978

5. Ibid, 15.10.1978

6. The Standard 5.9.1978

from the Cabinet also which unanimously passed the following resolutions on 1 September.

"We Cabinet Ministers who had the privilege to serve the leadership of the Founder of the Nation and being dedicated disciples of Mzee's teaching of love and unity, do now pledge and proclaim our total confidence in and loyalty to our President and we call upon the Kenyans to do the same."⁷

Thus the basic questions which arise here are that why Moi, who belonged to a minority tribe, obtained support and loyalty from major sections and even challenger's group? or was this support of superficial show-up? Why not there emerged any ethnic violence or other crises as was predicted at that time?.

In fact what seemed to be a smooth transition was in reality would have taken a different course had the traitors of Ngorko Affair been successful in their plan to murder Moi, Kibaki and Njonjo. This could have led to violence, bloodshed and a military coup. But their plan was not materialised due to unexpected death of Kenyatta in Mombasa, instead of Nakuru where the conspirators had planned to materialise their strategy.⁸

7. The Daily Nation, Nairobi, 2.9.1978

8. The conspirators consisted of a group of at least 200 men highly trained and concealed in the Police stock unit, based in Nakuru. They expected Kenyatta to die in Nakuru state House. After his death Moi, Kibaki and Njonjo were to be called to the state House on the ground of the critical illness of Kenyatta and claiming his desire to see the three men and on their arrival they were to be killed in the room where Kenyatta's body was to be riddled with bullets, so that later the news would be given the three were involved in shooting Kenyatta and in turn were dastardly killed by the guards. This news was in fact disclosed by Charles Njonjo himself in the Parliament. Source: Africa Contemporary Record, Vol. XI 1978-79, P.B. 267.

The another factor for peaceful transition was that Moi adopted "Nyayo" (Swahili for footsteps) as a philosophy of government and a sign to the nation, and to the Kikuyu in particular, that he planned to follow in Kenyatta's footsteps.

The third factor was that his long association with Kenyatta was considered to be as his best qualification by many. Moi had served Kenya as the Vice-President longer than anyone else. It was stated by the civil servants Union's Secretary General that "during this time as Vice-President Moi must have observed much of that quality of leadership that made Mzee (Kenyatta) a legend."⁹ It was expected that Moi would follow Kenyatta's policies. And Moi got full support when he responded to such supporters by expressing loyalty to Kenyatta by saying that. "I followed and was faithful to him until his last day, even when his closest friends for sook him."¹⁰ He even pledged that "with the help of God I will try my best to carry on with the work President Jomo Kenyatta had already started. As a mark of respect we must not stay away from these visions of our late President."¹¹

Another factor was that the Kikuyu who constituted 21% of population inevitably resented their loss of influence as Kenya's power broker, but remained divided among themselves, as evident by the constant personal rivalry between two leading

9. Daily Nation, 4.9.1978

10. Daily Nation, 12.9.1978

11. Daily Nation, 28.8.1978

Kikuyus, Njonjo and Kibaki, who were in fact aspiring to become Vice-President and thus successor of Moi and each of them whole heartedly supported Moi to obtain his favour. While other Minority tribes (see Table-1 , for major tribes and their percentage in

Table : 1

Ethnic Groups, their population and the share of their population in the total population (1969).

Ethnic Groups	Population \ (in Million)	% in total population of Kenya
Kikuyu	2.20	20.6
Luo	1.52	14.2
Luhya	1.45	13.6
Kamba	1.20	11.2
Kalenjin*	1.19	11.1
Kisii	0.70	6.6
Meru	0.56	5.2
Mijikenda**	0.52	4.9
Somali	0.25	2.4
Turkana	0.20	1.9
Maasai	0.15	1.5
Embu	0.12	1.1
Taita	0.11	1.0
All others	0.50	4.7
Total	10.68	100.0

Notes: (a) * The Kalenjin group includes sub groups such as Kipsigis, Nandi, Tugen and Elgeys.

** Mijikenda are a collection of coastal groups such as Digo and Giriama.

(b) The official population census lists 42 separate ethnic groups, however, the above first five comprise the three-fourths of the total population.

Source : - Africa South of Sahara 1976-77 (London:Europa Pub. 1976) P.441.

Kenya's population) seemed to have supported Moi because they wanted a change in leadership. As since independence they had been dominated by Kikuyus, they hoped a better treatment under Moi who belonged to a minority Kalenjin group and not Kikuyu.

Thus, all the above factors led to a peaceful transition of power, however this would not make a strong base for support in future for Moi. This was fully realised by Moi who started the search for legitimacy to obtain stability of his rule over Kenya. The main areas he had chosen to obtain support after becoming President were the people, military, para-military bureaucracy and politicians.

The People :

To get the support of populace Moi stressed on his Nyayo philosophy which initially meant that he and his ministers would follow in Kenyatta's footsteps. Further, the 'Nyayo' philosophy was elaborated as peace, love and unity.

Moi laid new emphasis on stamping out smuggling and illegal transactions at high level. He considered money to be the root cause of all evils and asked Kenyans not to be led by greed for money. While attacking bitterly on corruption he said, "I am against corruption. If you were taught to live with it, you must know from now on that corruption is no more... I will deal drastically with whoever is found engaged in magendo (corruption)".¹² It was a direct attack on practices tolerated

12. Ibid, 16.9.1978; The Standard, 21.9.1978

under his predecessor's regime. He warned those leaders who were abusing their positions for personal enrichment. He made special reference to land grabbing and suspended allocation of all plots throughout Kenya and assured Kenyans of a land reform.

He showed his bias towards the poor by saying that "the rich who use their money to harass and oppress wananchi (citizens) will be cursed and wananchi will be free to elect decent leaders. Who have the welfare of the people at heart."¹³ He showed his concern for the ordinary man. On his Jamhuri Day Speech he pledged to give free milk to children in schools at primary level, to end illiteracy and to bring 10% increase in employment. He even announced the releasing of all political detainees and promised that his government would make use of political detention only as a last resort.¹⁴

By all the above measures, Moi became a popular leader among the masses by the end of 1978, and his popularity reached unprecedented heights. People hoped that he would make Kenya a better and just country. He even became popular among the university students who for the first time demonstrated in favour of government and chanted Pro-Moi songs, which had never happened during Kenyatta's regime.¹⁵ Even Bildad Kaggia (who had been

13. Daily Nation, 11.12.1978

14. The Weekly Review, Nairobi, 15.12.1978, P.5

15. Ibid.

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against the economic policies of the Kenyatta government) asked Kenyans to "help Moi build a better Kenya".¹⁶ Moi was even enthusiastically welcomed by Luo people when he visited Nyanza in mid-November, while Kenyatta had been badly treated by Luo's on his last Presidential visit to Luo-land.¹⁷

Thus his rhetoric speeches rallied the people around him and provided a solid popular base. Now it was for Moi to prove how much reality was there in his rhetoric speeches.



The Military, Para-Military and Bureaucracy :

In the post-colonial Africa military had played a major role in most of the transition of powers. So it became essential for Moi to ensure the loyalty and support of the military who controlled the state's potential foci of Power. Moi conferred with the commander of the army, Maj. General Mulinge; the Director of Intelligence, Kanyotu; the Police Commissioner, Bernard Hinga; the Permanent Secretary in the President's office and the head of the provincial administration, G. Kariithi on 25th August, soon after his becoming acting President, and got their full support. He praised Mulinge for his "good sense of discipline and high dignity with which he had maintained the army"¹⁸ for his role played in the peaceful transition of power. Mulinge was promoted to the rank of Lt. General with

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16. Daily Nation, 28.12.1978
17. The last Presidential visit to Luo land was a bitter experience by Kenyatta when he went there after Mboya's assassination. Luo people considered the government responsible for assassination and got enraged and stoned Kenyatta's car. His body guards had to shoot their way out killing at least 10 people and many injured.
18. Daily Nation, 27.10.1978

the overall command of army, navy and airforce given to him and thus, was suitably rewarded for his services. Kariithi held his twin positions and he ensured the support of the Omni potent provincial administration. The provincial PC, Mahihu of the coast Province, associated to Kenyatta's family, made a call supporting Moi that "Let us pray for the party to elect only one candidate - Mr. Moi."¹⁹

Thus Moi and his associates were able to get the support and could have their control over the military, para-military and bureaucratic foci of power of state by adopting constitutional method.

The Political Field :

After getting the support of the people, military, para-military and bureaucracy Moi could now concentrate on the political field and influence the politicians and get the further support of the public. For this, on 11 October, 1978 he reshuffled the Cabinet without any Minister being dismissed. Mwai Kibaki was appointed as the Vice-President of the country while still holding the Ministry of Finance, Stanley Olotiptip was made the Minister of Home Affairs, Omolo Okera became the Minister of Power and Communication. Information and Broadcasting was handed to Mutinda, Ministry of Economic Planning and Community Affairs was handed over to Dr. Robert Ouko and Mbiyu - Koinanage was made the Minister of Natural Resources. But the actual power was vested

19. Ibid 4.9.1978

in the hands of Moi, Njonjo and Kibaki, who formed a triumvirate.²⁰ Thus the control over the Cabinet was secured.

However, a strong political base could not be made in Kenya without the full control over the only de-facto KANU party. Moi and his group now concentrated on the October 28 (1978) elections for the posts of the KANU executive. The elections were heavily contested but Moi and his associates did not leave anything on fate. They organised their supporters with utmost care and they came out in open with a list of their candidates for all the executive posts.²¹ On the list, all the candidates were the same ones who were sponsored by the 'incumbents' in early April 1977 and in this contest, all won with overwhelming majorities.²² In the election of provincial representatives to the party's governing council the same thing happened except Jackson Angaine who was the only elected representative who belonged to challengers group. Some of the opponents were so badly discouraged that the persons like Mungai, who wanted to contest for KANU Governing Council as a representative of Nairobi branch of which he was Chairman, withdrew his candidacy on election day.²³ GEMA, the powerful tribal association which was sympathetic to Mungai's cause was declining due to heavy pressure from Moi-Njonjo-Kibaki group. Same was the fate of Kihika Kimani, one of the initiators of the 'Change the Constitution' move of 1976 and the Kiambu elite.

20. Daily Nation, 12.10.1978

21. Daily Nation, 28.10.1978

22. Ibid. 29.10.1978

23. The Weekly Review, 24.11.1978, P.4.

Thus Moi and his associates were successful even in getting the support of the politicians both inside the Cabinet and the party by the end of 1978. But still there was one institution which was left for a change, the National Assembly, which could be done only after the Parliamentary elections which was due to be held in the late 1979. The elections were important not only to finally legitimize Moi's team but also for rewarding some of the dedicated supporters who had not yet been rewarded on the one hand, and on the other, to judge the mood of people that whether they wanted change in the power structure and policies or not.

General Elections of 1979 :

The General-elections in Kenya were held on 8 November, 1979. Procedure wise the elections were held for 158 seats and more than 700 candidates entered their names. All candidates had to contest on individual bases and the victory depended more on their personal popularity and less on ideological issues as was in the past. Similarly the elections were confined to only those candidates who were cleared by KANU. The clearance procedure was never clearly explained but it was believed (to some extent true also) that this procedure barred those who had caused trouble to the party in the past, especially those who were ever connected with the banned party KPU. It was because of this reason that Oginga Odinga and Achieng Onoko and a number of other KPU leaders (who had joined KANU) were not given clearance terming them to be at "security risks" by the Secretary General of the party, Robert Matano.

Moi and Mwai Kibaki were elected unopposed as there was no candidate to contest against them but most of the seats were hotly contested with as many as 12 candidates for one seat in some constituencies. For the first time since independence, an Asian and a white won seats from predominantly African constituencies in Nairobi, viz., in the Nairobi sub-urb of Langeta, eight African opponents were defeated by Philip Leakey (white) and in another constituency of Nairobi (Parklands), Satish Gautama (an Asian Lawyer) won against one Asian and Six Africans.²⁴ Another development in the general elections was the defeat of the Chairman of KANU in Luo land for he was held responsible for Odinga's troubles.

The major outcome of the 1979 elections was that some of the politicians who had opposed Moi's succession were defeated. Some of them were Kihika Kimani from Nakuru and a Cabinet Minister, Taita Toweett. A few faces from business circles also contested and succeeded such as Kenneth Matiba (the Chairman of Kenya Breweries) and Njenga Karume (a reputed millionaire).

But besides above result the main achievement was that the 1979 elections consolidated the power of Moi-Njonjo and Kibaki group. The poll resulted in 60% of Parliament consisting of new members which showed that Kenyans wanted a change and it was for Moi now to prove his ability. In Cabinet the number

24. Africa Contemporary Record, Vol. XII, 1979-80, PP. B 231-232.

of Kalenjins doubled than the past, the share of Luo and Luhya tribes also increased considerably and the percentage of Kikuyu slightly decreased (See Table-2).

Table - 2

Comparison of Ethnic Composition of Cabinets in 1974 and 1979

<u>Year</u>	<u>1974</u>		<u>1979</u>	
	No.	%	No.	%
Kikuyu	7	31.8	8	29.6
Kalenjin	2	9.1	4	14.8
Luo	2	9.1	3	11.1
Luhya	2	9.1	3	11.1
Kamba	2	9.1	2	7.4
All Others	7	31.8	7	25.9
Total	22	100.0	27	99.9

- Sources :
- 1) Africa Research Bulletin (Political Series)
 - 2) The Weekly Review (Nairobi) Nov., 1979

Appointment of Dr. Robert Ouko as the new Foreign Minister reflected the government's desire of having closer and cordial relations with the nations in Western Europe, as he had been a diplomat for a long time and could get favour of many Western countries.

The end of the election also marked the end of Moi's period of grace and the students who demonstrated against the government's restricting Odinga's election were punished severely.

However, there was still one supporter of Moi, Charles Njonjo. The attorney general of Kenya, whose adjustment in the cabinet was yet to be made. This was done after the April 1980 by-election when he was elected unopposed and by a later cabinet reshuffle he had been provided a new and powerful post of Minister of Home and Constitutional Affairs created by Moi. With this post Njonjo had control over CID and even had considerable amount of hold over judicial appointments.

Thus with 1979 elections ended the phase transition of power and Moi became a legitimate President of Kenya. Against all predictions his transition was peaceful and was supported by all major sections of population. Much credit goes to his populist methods without which it would have been quite impossible to get the support of the people, military, para-military, bureaucracy and politicians who helped him in obtaining Presidency. From now on a new chapter in Kenyan politics had to start which would test the rhetoric claims of Moi and his abilities in the light of practice and also in the light of ethnic, political and economic situations in Kenya.

CHAPTER - III

CHAPTER - III

Economic Crisis and its Political Repercussions

In the post-independence years, the Kenyan economy expanded rapidly with gross domestic product averaging an annual growth of 6%.¹ But since 1978 onwards the Kenyan economy had started worsening. There was a fall in the prices of Kenya's exports and rise in the prices of its chief import, oil. Kenyan economy had been badly affected by the world recession. Besides it Kenyan goods were continuously and increasingly smuggled to the neighbouring countries especially Uganda, which was economically ruined. The balance of payment which was positive in 1977, showed a deficit of 580 m Shillings² in the end of 1978. From 1979 to 1981 Kenya experienced a most severe food crisis. But this food crisis was not because of the fact that there was low production of crops. Rather there had been bumper crops of wheat and maize, the staple food of Kenyans, in 1977 and 1978. The main cause was that these food materials were being smuggled to Uganda throughout 1978 and the government was unable to check it. On the other hand, at the end of 1978 the government announced that it was obliged to import wheat, but it had plenty of maize in the storage.³ Similarly after a few months the maize was also short. This led the country to rely on the United States for concessionary food loans to purchase wheat,

1. Africa Report, Nov-Dec. 1983, P.13

2. Kenya : The end of an illusion, Race and Class, XXIV,3, 1983, P.226

K.Shs 19/- = £ 1 Sterling

3. Kenya : The end of an illusion, Race and Class, XXIV, 3, 1983; P: 227

rice and maize. Maize was also secretly imported from South Africa (with which it denied having any trade links). This maize was yellow maize which Kenyans considered coarse and fit only for animals, but they were forced to eat these as there was no alternative. But even these food imports were unable to cope with the demand leading to frustrations and huge queues of the people outside the food shops. But at the same time (mid-1980) Kenyan maize was being sold in London. The maize exports were authorised despite low stocks.⁴ Such lack of effective control over the food import and export, its distribution and smuggling led to the shattering of government's popularity.

Government's popularity also shattered as the public officials had been engaged in smuggling of commodities and currencies. Local authorities took more advantage and corruption had become a way of life. Though such corruption was not new in the country but whereas this was under control under the regime of Kenyatta, Moi did not do much to control the public officials. On the other hand his consociational attitude gave a boost to the bureaucrats and politicians, who might have thought to be all powerful and less fearful of the head political executive.

The worst hit section were the poor and ordinary people who were even unable to get adequate milk, butter, rice, maize and bread, while for the rich section shops remained full of expensive imported items. Though, to ensure Kenya's stability

4. Walker, Richard, Kenya, Africa South of Sahara, 1986-87, P.534

US kept flowing the funds for food imports but even then the shortages, particularly of food, continued throughout 1980-81. Kenya had become unable to feed its countrymen without depending on foreign assistance. By the end of 1980 it had a deficit of 1,800 m shillings. Even the imported food was not totally reaching the people. Some of the US officials privately expressed that the food was being re-exported by prominent politicians and civil servants.

The Economic Review (1982) predicted that the balance of payments deficit for 1982 would be in the region of K£ 260-270m.⁵ In 1982, oil imports cost the equivalent of 57% of export earnings and static export earnings from coffee, tea, tourism, and refined petroleum products, added to a debt service ratio of around 20% all amounted to a balance of payments deficit of some \$ 364.9 million in 1982.⁶

The prices of commodities in Kenya were so high that to relieve the workers the government, in May 1980, made a long overdue increase in the minimum wage, raising it from 175/- per month to 215/- per month in the rural areas, and from 350/- to 450/- in the towns. But the wage increase failed to keep pace with increase prices of basic food materials, rents, and other necessary commodities.

5. Kenya, Africa Contemporary Record, Vol.XV.1982-83, P.B. 201.

6. Africa Report, Nov.-Dec. 1983, P.13

This state of economic crisis in Kenya was fully exploited by the countries specially in US, who provided assistance. Kenyan government on the other hand wanted stability which could only be obtained if the Kenyans were fed properly. This led the government of Kenya to agree with the US demand of making naval and air-bases for the US Indian Ocean Rapid Development Force on Kenyan territory. Daniel arap Moi signed this military treaty in June 1980, which was a 48 m harbour project.⁷ The government, aware that the deal would be unpopular with the people insisted that the US keep it secret.⁸

For the economic problems the government blamed the nature and the world recession. But this could not satisfy the people. Economic difficulties compounded with corrupt practises on the part of civil servants and politicians smuggling and lack of government's ability to redress the situation resulted in: people's unrest and violence. The growing unrest in the countryside resulted in the uprooting of the cash crops in the central Province and burning of sugar plantations in west. There were large number of strikes and demonstration by the students against government's policies. Student's unrest became more severe, when government banned Odinga in 1981 from contesting for parliamentary seat of Bondo, mainly because he had criticised the government for economic crisis and launched an attack on land

7. Africa Contemporary Record, 1982-83, Vol.XV, P.B.178

8. Kenya: The end of an illusion, Race and Class, XXIV, 3, 1983, P.227

grabbers including Kenyatta's family. Even doctors had gone on strike for more pay and private practice and the bank workers had also threatened to go on strike.

(b) Increase in Parliamentary Criticism : In 1980 Parliamentary criticism against Moi government shapened as it was unsuccessful in keeping peace in the country.

(c) Emergence of Dissidents in the Party - KANU : Dissidence against the government emerged even in KANU. This can be best judged from the KANU delegates conference held in Nairobi in March 1980, in which a Nairobi delegate denounced the government's inconsistent and contradictory statements and policies. It was said that the government had only itself to blame for student unrest, and that it had best mend its ways for kenyans had no desire to live under military rule.

Rather than address itself to any of the fundamental issues being raised by the protestors, parliamentarians or dissidents, the government responded with repression and intolerance of the criticism which had been a common feature of Kenyan government for a long time (including the Kenyatta period). Marxist lecturers were accused of being used by neighbouring countries jealous of Kenya's stability and progress to foment unrest and sabotage the economy. They were charged of arming students and planning to carry out political assassinations. The University Academic Staff Union was banned in 1980 on the charge that it was not taking a proper nyayo line. The second organisation which came under governments attack and was banned

by it was the largest union in the country, that of the Kenyan civil servants.

Not only these, Moi's actions of the next few months suggested that he was apparently determined to eliminate any organisation which could conceivably embarrass him politically. He banned all 'tribal' associations in October 1980. This action was specially taken to end the influence and power of GEMA, the powerful Gikuyu - Embu - Meru Association, which had been a focus of capital accumulation and political power for the Kikuyu in Kenyatta's last years. This association was more unpleasant to Moi because of the fact that it had identified itself with change-the-constitution group of 1976. Thus banning GEMA and similar association but at the same time this had the added effect of frustrating the emergence of an indigenuous class of capitalists. Due to the banning of GEMA the Kikuyu predominance over the political power in future, was bound to be weakened which could facilitate Moi in strengthening his position.

Government responded similarly to the striking doctors. They were arrested and if they hid themselves then their wives had to meet the same fate. The bank workers were also threatened of meeting the same fate and even a mass sacking if they went on strike. The government even announced to take drastic measures against the political agitators. The University in Nairobi was closed by mid 1981 and the male students were ordered to report every week to their chiefs. However, as Moi had become the Chairman of the OAU, he avoided to use detention without trial

and claim that Kenya was a rare African country without a single political detainee. He wanted to keep this image till the tenures of his OAU leadership, though we could not do so.⁹

The above repression of the government could not redress the economic situation. The census revealed that the country had the highest rate of population growth in the world, i.e. 4.1%. While half of its population was under the age of 15. This caused problems to the schools who could not accommodate the large number of school-aged children. The University students were unable to get jobs. Due to bad economy even civil service had to put on embargo on both recruitment and promotion in the late 1981, while the public sectors had little opportunity of employment. The beginning of 1982 marked that the Treasuries were empty and the government departments were unable to pay the salaries of staff. The economic situation had become so grim that even the government controlled trade union, COTU, had threatened the government to raise the wages by approximately 700% to 1,471/- per month in rural areas, and 3,194/- in the urban areas.¹⁰ In the rural areas productivity had been declined as the small farmers were unable to buy expensive inputs like fertilizers and fungicides, while the large scale farmers were often absentee and seldom made intensive use of their land holdings. This led to large scale migration of small

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9. Moi remained the chairman of the OAU from 1981-82. But in face of severe economic crisis leading to political crisis, he had to resort to the detention without trial in May 1982 before his chairmanship could end.
10. Kenya: The end of an illusion, Race and Class, XXIV,3,1983 P.231.

farmers in search of job. The marketing co-operatives exploited the farmers and neglected to pay them their dues which also resented farmers who were already hard hit by the low productions and high inflation. There was even pocketing of funds by officials. This time, in early 1982, President Moi blamed Asian retailers and manufacturers of hoarding and smuggling and drastic outflow of funds from the country, and for endemic shortage of basic commodities. President said that their hoarding forced prices to rise. But there is clear indication that Moi and his government had always avoided to punish corrupt officials, who continued to practice unfair means in distribution and marketing and who had become channels for smuggling commodities out of the country. For instance, when the commissioner for cooperatives appointed by Moi in 1982 for patching up the situation and looking into the affairs of cooperatives of the Central Province, tried to bring prominent thieves to court he was told by the President to desist as :

"If we were to prosecute all those involved in mismanagement and embezzlement then many people would go in."¹¹

In the same year some of the parliamentary backbenchers presented a document accusing the attorney general, the Minister of Labour and a CID officials to be involved in corrupt dealings with the Bank of Baroda. The document indicated that the Attorney General and the Minister of Labour had a loan of 4 m. shillings

11. Race and Class, XXIV, 3, 1983, P.232

without having any account with the bank. The same group of backbenchers had exposed earlier that the army Chief and Minister Mr. Mulinge had spent more than 1 m. shillings of Public money on the wedding of his son. But the government did not harm corrupt officials. Rather backbenchers were accused of abusing parliamentary immunity and were threatened with detention.

What does the above policy of tolerating even corrupt public servants and ministers indicate? No doubt it indicates dereliction of duty on the part of President. But more than this it shows the inability of the President to sack the corrupt officials. Actually, it were these officials who had supported him in becoming President and on whom the power of President was actually based. President had lost his popularity which he had created during the period of transition by his rhetoric speeches and other populist actions. The three years' severe economic crisis and government's inability to redress the situation had shaken the faith of common people in Moi's government. At the same time government's repressive measures had resented them most though most of people tried to remain silent in order to avoid repression. In such a situation lack of popular power the only base which could provide stability to Moi was the government officials - in military, bureaucracy and cabinet. And it was this fact which had compelled him even to tolerate the corrupt officials and use repressive measures to silence the people and obtain stability, and it was this fact which was responsible for making Kenya a de jure single-party state a few weeks later.

Towards de jure Single-Party System :

As it has been said above Kenya had been facing serious economic crisis leading to the political crisis. This political crisis was further accentuated by corruption among civil servants and Ministers on the one hand and repression by the government on the other. It was the time when detention without trial was about to be reinforced as the government had become intolerant of criticisms.

At the same time the government was challenged by a group of politicians headed by the Luo leader and former Vice-President, Oginga Odinga. Odinga and George Anyona¹² held a press conference in April 1982 and condemned economic policies and large scale corruption of Moi's government. They attacked government for the military pact with the US allowing it to build naval and military base in Kenya. According to them the pact could draw Kenya into a nuclear war and was against the country's policy of non-alignment. It might give US a chance to interfere in the internal affairs of the country. They demanded the President to come out straight and tell the nation the details of his pact with the US as the government had allowed the US to establish 'naval and military bases without full discussions and the consent of our people through their representatives in the legislature.¹³ In the next month in London Odinga even

12. George Anyona was an ex-detainee and widely respected former MP for Kisii. He since his release from detention in 1978 had been unable to get a job.

13. Oginga Odinga, Letter to the Delegation Head, US Armed Services Committee, Race and Class, Vol. XXIV, 3, 1983 P. 318.

expressed his belief that Kenya needed a second political party¹⁴ a move which was then completely constitutional since Kenya was only a defacto one-party state. He gave a speech before members of the British parliament "analysing African politics in the 1980s and asserting that the experience of one-party systems in Africa had proved to be extremely un-democratic.... there was a need to open the political process to contending shades of political views through multi-party systems...the socialist party should be the party of the future in the continent."¹⁵

The above speech of Odinga was interpreted by the Kenyan government as the "declaration of intent by Odinga and like-minded Kenyans to launch a socialist opposition party."¹⁶ It was seriously taken by the government, and though the government had the opportunity to block the formation of a new party by refusing it registration, even then it declared that an amendment to the constitution would be made to make Kenya a one-party state. And on 10 June, 1982 Kenya was made a de jure one-party state in approximately forty five minutes.

Ironically the main architect of the amendment, Charles Njonjo, declared that the government was merely "following the wishes of the people", while in fact, all outspoken backbenchers had been formerly threatened with detention if they made any trouble or did not vote in favour. Thus except one all back-

14. Earlier also Odinga had been the founder member of a radical Party KPU which was banned in 1969. And since 1969, Kenya had been a de-facto One-party State.

15. The Politics of Justice in Kenya, Race and Class, XXIV,3. 1983, P.257.

16. Ibid.

benchers voted in favour. In the meantime the government had already brought back detention without trial and before the amendment Odinga and Anyona had already been detained. The government had also detained their lawyer, John Kahminwa. University lecturers like Mutunga, Oyugi, Wang' Ondu, Wachira, Mazrui etc. had been arrested on the charges of possessing a seditious news-paper called Pambana (Struggle)¹⁷ and later detained. It is surprising that if the government was having evidence (which it claimed) to this effect then why it did not bring them to trial, but choose instead to attack unwelcomed international attention by using the widely-detested device of detention without trial against those who were having "no national standing or reputation outside academic circles."¹⁸ Mukaru Njanga, who was the single backbencher who did not vote in favour and had announced before the constitutional change that any Kenyan had a right to form a second party, was also detained later. Thus Kenya was made a single party system amidst detention and arrest of almost all those who had either expressed a view towards a second party or given any support to such persons. When the arrest and detention of political opponents was going on before the amendment, the three colleges had staged more or less simultaneous demonstrations, which were violently quelled by the police without listening to their demands. Government had resorted to worst form of repression to eliminate opponents from every corners but there had been no indication

17. This had attacked government policies and exposed corruption among the government officials

18. Mau Mau after Thirty years, Race and Class, XXIV,3.1983. P.266.

that it was interested in understanding the basic cause behind the country's worst crisis since independence, till the attempt of 1 August coup, and fulfill the wishes of people. Crisis in economic field leading to worst political crisis was bound to generate a serious challenge for the survival of the government and the challenge came in 1982 in the form of 1 August coup attempt.

The 1982 Coup Attempt :

On 1st August 1982 in Nairobi the support troops of Kenya Air Force attempted a coup. In Northern Kenya a large number of air force personnel and army men were involved in making the coup successful. The capital was in the hands of the rebels by the early part of the day. The airport, broadcasting station 'Voice of Kenya, Central Post Office, Tele-communication centre etc.' were seized by the rebels. The rebels seized these sites without much resistance, the only serious resistance was met by them at Wilson airport.

The rebels were supported by the hundreds of university students and the citizens.¹⁹ Later the army and the police also joined them. The citizens were invited to support the insurgents so that if any counter attack from army takes place then it would hesitate to shoot so many people. Approximately 400 shops were looted by the civilians in the city of Nairobi. The occasion was celebrated by slaughtering the goats. In Lodwar

19. Citizens were invited by the KAF personnel through an announcement on 'Voice of Kenya' and were asked to enjoy the occasion of the overthrow of the corrupt regime of Daniel-arap-Moi by the patriotic forces of Kenya.

the Police freed the prisoners and in West Pokot and other parts of Kenya shops were looted.

When the coup attempt took place in Nairobi, President Moi was staying in his country home outside Nakuru, for about four hours no attempt was made to suppress the coup by GSU nor did army or police come forward to suppress the frenetic looting and harassment of the people, mainly of the Asian Community.²⁰ Later the army Deputy Commander, Maj. Gen. Mohamoud Mohamed, the army and GSU were successful in crushing the coup, killing and wounding the airmen and the civilians who participated in the looting and supporting the KAF personnel.²¹ Within a few hours the coup was crushed and situation was brought under control but it is believed that the looting continued for several days. A 12 hours curfew areas as imposed in Nairobi, and Nanyuki town and the law-breakers were ruthlessly treated. The government announced that everything was back to norms and that the people should go on their work. But Nairobi remained a deserted city for week and the horror of 'Black Sunday' (as it was termed by the President and various newspapers) continued.

20. Asian Community, mainly the less affluent Asians who had inhabited neighbourhoods bordering the huge squatter settlement of Mathare Valley, were the chief target of the looters who considered them to be in the way of the betterment of Kenyan Africans. Looters expressed their rage by carrying everything they could from Asian households and destroying whatever they could not carry with them. It is believed that at least 40 Asian women were abducted and mass raped. Their official loss came nearly at C.\$ 110m, which was mainly uninsured. Even some African women were raped but they were mostly the students or the wives of KAF men.

21. The official figure of those died in the coup attempt came to 159. Whereas on contrary the hospital morgues put the number in thousands. The bodies were piled in a heap and the relatives of those killed were asked to remove them from there. Source: Africa South of Sahara Europa publication, 1986-87, P.532.

Most of those killed during the coup attempt were the KAF personnel. It is said that the wounded KAF men at the Armed forces memorial hospital were taken from their beds and killed. Some of the KAF rebels were forced to lie down at Hurlingham army headquarters and army truck was run over them.²² The Kenyan Air Force was disbanded. The actual death toll was never known but most of them were killed, arrested or detained in various prisons in the country.

Now the question arises that what was the motivation behind such a mass slaughter? It is believed that the army or a section of it was involved in the planning and execution of the plot and others were suppressed to join the plotters as soon as the things got underway. Hence when the coup failed then the army did not want to leave any witnesses aware of such a collusion and thus resulted in the mass slaughter of the KAF men and thus an highly educated section of the arms forces was eliminated.

22. Kenya : the end of an illusion, Race and Class, XXIV, 3, 1983 P.240.

CHAPTER - IV

CHAPTER - IV

POLITICS OF POST-COUP ATTEMPT PERIOD

The Army and the GSU (General Service Unit) succeeded in overcoming the August coup attempt, a threat to the survival of Moi and his cabinet, but this did not end the problems of Moi. The soliders and the para-military men who jointly crushed the mutiny were in a powerful position. For several week afterwards they enforced night curfew in the Capital (Nairobi, and also in Nanyuki) and exercised unlimited powers to stop and search people including seven Ministers, to seize any goods for which no receipt could be produced. It was visible that the government was heavily dependent upon the Army and even it was expected that General J. Mulinge, the Chief of Staff, would assume an increasingly prominent political role.

Change in the Leadership Style :

Repression continued in the post-coup days; hundreds of the people who participated in August coup were in detention, large number of socialists, university teachers and students were arrested, tortured, or murdered, the university was closed indefinitely (which reopened after more than one year, in October, 1983). But President Moi did seem to realise that repression alone was going to serve only the interests of the military men and para-military police, and that his long term survival would require a political initiative to regain the support of the people, and specially small traders, farmers, hotel managers, cafe owners, fishermen and other professionals of

similar category,¹ - as it was apparent that their response to the coup attempt indicated little support for the President and his government. They were the people who had supported Moi following Kenyatta's death and whom Moi had promised a more open regime, an end to corruption, a reduction of the gap between rich and poor, and the abolition of the land buying companies that had become associated with the extortion of small scale farmers and the landless poor. But these promises were not fulfilled.

It seems that due to the above realisation the leadership style of Moi shifted again more towards the mass-populism. In August 1982, he organised mass rallies in which he appealed directly to the people (wananchi) for support, and again promised them to end corruption and disloyalty in government officials, and improve the economic conditions of the people. However, this time mere assurance was not going to work. There had to be concrete action in these directions to re-establish the legitimacy of his regime.

The President was having three main problems before him which needed immediate concern:

- a) As the country was heavily dependent on Western aid and investment, it was necessary to restore the appearance of stability, to keep aid and investment flowing.
- b) To root out actual and potential conspirators, without a reaction of the people, as that would have further created a problem for stability;

1. Whom Marxists writers interpret as. 'petty-bourgeoisie'.

- c) and accentuating economic problems, including the closure of some major industries,² increase in unemployment, lack of foreign exchange,³ and devaluations of Kenyan currency (Kenyan Shilling was devalued by 15% in December, 1982) and greatly increasing dependence on foreign capital and labour due to the operation of large number of transnational companies (T.N.C.S.) and expatriate staff. Between 53 to 65 percent of profits earned by TNcs in Kenya were repatriated.⁴

President responded to these problems with populist and nationalist style. He attempted to identify directly with the wananchi (People) and to distance him from 'big people' in both the civil service - including for example, District Officers - and the Government.⁵ The press started referring more to the President's action and engagements, while the reference even to Njonjo, the strong man⁶ of Kenyan politics, became less frequent. Moi Launched a recruitment drive for K.A.N.U to re-built a mass party. His campaign lasted till April 1983, as a result of which 22.12% of all Kenyans over 18 years of age had been registered as KANU members. It cannot be said that KANU became a mass party of poor. Even K.Shs, 1000, needed

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2. Like the Kisumu Cotton Mills
 3. Caused mainly by the fall in the value of Kenyan exports, since the end of the coffee boom in 1977.
 4. International Labour Office, Employment, Incomes & Equality: a strategy for increasing productive employment in Kenya(Geneva,1972).
 5. Kate Currie and Larry Ray, 'State and Class in Kenya', The Journal of Modern African Studies, Vol.22, No.4, 1984 P-571
 6. Njonjo was as strong man of Kenyan politics because he had supported Moi more in his accession to power and in post-Kenyatta period he had aquired more power, influence and confidence of the President. On his initiative many major reforms, including single party system had been done.

for becoming life member, necessary to hold national office in party, served as hindrance for poor. However, it fulfilled the purpose of Moi, as it appealed more to the small farmers, professionals and the business community - petty - bourgeoisie, whose support the President needed most at that time.

A large number of officials were sacked and subsequently convicted of having taken insufficient action to prevent the August coup attempt. Some of those were; P.N. Kariuki, the Major General of the Kenyan Air Force; Ben Githi, the commissioner of Police; Peter Mbutia, the commandant of GSU. Apart from their insufficiency they were also suspected to be involved in the coup. But in sacking these and several other officers, there was the reflection of reducing Kikuyu old guards in armed forces who were most feared by dissidents as well as by ethnic groups in Western Kenya. Thus it seemed more to be an attempt to muster the faith and support of the other ethnic groups, by Moi.

In further attempts to establish the appearance of stability several hundred students and Air-force soliders, who had played a minor role in rebellion were released in early 1983. Judicial proceedings against the son of Odinga (Raila Odinga) and some others were withdrawn and all remaining outstanding cases were dropped, though the detention of Raila Odinga and others continued.

This action served the purpose of Moi in other sense. As the proceedings were stopped and cases withdrawn, their references or news in the newspapers also stopped. This was needed in order to divert the attention of the people of the programmes of Moi.

And for further mass-mobilisation and apparent stability Moi called a general election for September 1983.

For developing the Kenyan economy Moi's strategy was to give more importance to nationalism and Africanisation in economic sector. But Moi's ideology of nationalism and Africanisation collided with Njonjo's pro-western emphasis. This was bound to generate a conflict between the two leaders. It was not easy for Moi to over-rule the position of Njonjo since he (Njonjo) had created party bosses, especially in the Kikuyu-Embu-Meru areas, unaccustomed to mass involvement in KANU. Even Njonjo himself was a staunch pro-western leader and was on close personal terms with several British, Israeli⁷ and South African politicians. As a Minister for constitutional Affairs he had even banned demonstrations against Kenyan subsidiaries of TNCs with South African investments.⁸

Now the question which arises here is that - why Moi had chosen nationalism or favouring African capital and enterprises even at the cost of conflict with Njonjo? The answer is that it was his part of strategy to mobilize the support of Kenyan Petty-bourgeoisie for himself. This section of Kenyan society had become dissatisfied with the working of TNCs and their growth had been hindered. In 1982 weekly Review had made the following criticism about TNCs role:

"Once foreign companies register themselves as local companies and sell a few shares to some Kenyans the Government appears to

7. Njonjo had even advocated breaking with O.A.U. line and restoring diplomatic relations with Isreal, Source: Currie and K. Ray, No: 5, p-573

8. Ibid.

forget that it has any responsibility to develop truly indigenous firms. Most ironical and pathetic of all is the spectacle of Kenyan Africans - both in government and outside government - falling over themselves to help foreign owned companies make profit while doing their very best to sabotage truly indigenous concerns. It makes one wonder about all the talk of Africanisation or indigenisation which has been the stock of Kenyan leaders since independence."⁹

The above criticism was propted in fact, by the news that many primary school children would go without text-books in 1983. Thousands of new titles ordered by the Kenyan school Equipment Scheme were not printed, because it was more profitable for the mainly foreign owned publishers to re-issue old titles. Foreign firms were more interested in increasing quantity of sales rather than quality. Such roles affected Kenyans at large. On the other hand small holders of the land had suffered at the hands of large farms owned by corporations and individuals. Small holders now occupy "only half of Kenya's arable land, the rest being covered by 3,000 large farms owned by corporations and individuals. Over half of the small holders occupy 15% of arable land with average plots of under two hectares."¹⁰

No doubt, since independence the government has attempted to provide conditions for the penetration of international capital. But the government has hoped and adopted the policy of stimulating local industry by the importation of foreign capital without sufficient

9. Weekly Review, 3rd December 1982, editorial.

10. Currie and Ray, n.5, p-582, foot Notes No: 1.

protection of Kenyan markets. This had resulted in the ability of T.N.C.S. to hinder the development of local capital.¹¹

Not only this, the above policy also resulted in a close co-operation between state and the T.N.C.S. at lower level as the T.N.C.S. had always been assisted by the state officials in continuous supply of raw materials and labour force. This resulted in commercialising subsistence farmers brought into the scheme of T.N.C.S. This also ensured, at the same time, their subordination, dependence and exploitation at the hands of T.N.C.S. As the T.N.C.S. had become, in some field as the sole buyer of their products or labour. Out of the prices paid to the farmers, there were generally deductions to be made for loans, fertilizers and equipment supplied in the case of tobacco farmers by B.A.T. (Kenya) Ltd. It even used to make advance contract with farmers specifying the production of quantity, quality, and type of tobacco grown, as well as price per kg.¹² Thus the integration of foreign manufacturing capital, state support and local finance capital might have hindered the formation of a petty-bourgeoisie in rural sectors.¹³

However, despite all the emphasis on Africanisation and nationalism it was not possible for Moi to suggest any limitation of drastic

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11. Exemplified in London's analysis of the Local soap industry. Steven W. Langdon, 'Multinational Corporations, Taste Transfer and Underdevelopment: A case study from Kenya' Review of African Political Economy, 2, January-April 1975
 12. Catherine Currie and L.J. Ray, 'The Class Location of BAT contract Farmers in the Kenyan Economy' Department of Anthropology, University College, London, Dec. 1982
 13. Colin Leys, Underdevelopment in Kenya: The Political Economy of Neo-Colonialism, 1964-1971 (London, 1978)

nature of above forms of penetration by international capital, because of the fact that the country was not only heavily dependent, but rather it was in the urgent need to invite even more foreign capital in order to avert the economic crisis. Any drastic limitation was bound to reduce and even stop further inflow of foreign capital. Thus there was a situation of conflict and danger in adopting any extreme. This, as we hope, was realised by Moi also. Who did not come out with any limitation of the forms of operation and penetration by international capital. Rather he charged the officials of corruption and inefficiency in the state sector. This, no doubt, was going to encourage the aspirations of the autonomous petty-bourgeoisie, who were frustrated due to bureaucratic regulations and corruptions. Moi did increase the degree of protection for Kenyan enterprises, as well as the increasing restrictions on the issue of import licences, which would tend to favour locally owned, labour-intensive firms, rather than capital-intensive T.N.C.S. Thus by offer and effort of creating conditions for more profit, more job, and even hope of petty-bourgeoisie's penetration in an area of economy previously dominated by parastals and TNCs, Moi tried to mobilise to support African bourgeoisie. Apart from this, as it has been said by Currie and Ray that Moi might have believed that he could isolate the radicals and socialist dissidents by emphasising the need to control the activities of state and foreign capital. But still Moi had to overcome an obstacle, Njonjo, who was against his policies. Let us see how Moi could eliminate such a powerful man like Njonjo.

Intra-Elite Struggle (Moi vs Njonjo) :

As it has been said earlier the root cause for the emergence of conflict between the two top leaders, - President Moi, and the

Minister for Home and Constitutional affairs, Charles Njonjo - was the ideological differences. In the post coup attempt period President's shift to the policy of nationalism and Africanisation in economic sector collided with Njonjo's Pro-western, pro-Israeli, Pro-South African policy and his favour for T.N.C.S. Though, even the President was not against the T.N.C.S. or foreign capital, rather he wanted to attract more foreign capital for solving Kenyan economic crisis but also at the same time wanted to protect African enterprises and interests, even then the differences gradually assumed the shape of struggle and open conflict leading to the fall of Njonjo. One of the reasons is that once the differences grew Moi might have visualised in Njonjo a potential threat to his power and would have thought it better to eliminate him, but at the same time Njonjo's own faults, like his owning of an engineering works in South Africa, illegal currency dealings, large scale favour to the European firms, his dealings with lecturers and students etc. had continued much to his fall.

However, President Moi seems to have started his campaign against Njonjo in such a way that it appeared that he (Moi) was acting only as a result of irresistible pressure from 'the People'. Njonjo's name was not referred for a long time. But by April, 1983, nearly one year after the coup attempt, it had become clear by reports in the news-papers that some differences among elites had occurred. Later in April an outspoken nationalist radical M.P., Martin Shikuku, spoke in at Maningo that the leadership of Kenya was "full of thieves and hyenas," and a few politicians and officials were holding the country to ransom, and were "sore with the President because he has refused to allow them to revive magendo" (Corruption)¹⁴. This was given

14. Weekly Review, 15th April, 1983.

wide publicity by the newspapers. However, it is doubtful that such a speech was without Moi's approval. Similarly some other M.P.s and even some Ministers like Elijah Mwangale alleged that some Cabinet Ministers were dissatisfied with Moi. Justus Ole Tipis, treasurer of KANU said that some leaders who shouted Nyayo the loudest were plotting against the Government, and stressed the need to fight them outside Parliament. In May, Paul Ngei, a Cabinet Minister, said that "The man in question to have brought President Moi to Power", and had roamed the countryside sowing seeds of discord by claiming that some leaders were anti-Nyayo. All these references gradually pointed towards Njonjo (the man in question), however, there was no sufficient ground to openly question Njonjo and he could not yet be accused by name.

But this phase ended soon and Njonjo was even blamed by the Press for precipitating the attempted coup of 1982.¹⁵ He was charged on 20th May, 1983 of instigating the Editor-in-Chief of Standard, George Githi, to demand the release of dissidents. It was said that this was an attempt by Njonjo "to destabilize the Government and to ease his own rise to power."¹⁶ In the following two months Njonjo was gradually blamed for almost all the problems of Kenya in the previous eighteen months, viz., the corruption in the civil services and other sectors, the economic problems like - food crisis, smuggling, the increasing tension between Western Kenya and the Kikuyu centre, students' unrest etc. In the Parliament a Cabinet Minister, Paul Ngei claimed that Njonjo had received 40 million K. Shillings from Israel

15. Currie and Ray, N.5 P-577

16. Ibid.

and South Africa. In the meantime two of his 'appointees', the permanent secretary to the Minister for water development (Job Omino) and the Deputy Speaker (Keino) had to resign. The deputy speaker was accused by the M.P.s for having given inadequate time to church incident discussion in which Njonjo was involved in paying the Pastor to pray for him, and most of the M.P.s demanded the resignation of Njonjo from the Cabinet, and even shouted for his expulsion from KANU, by the President. Though Njonjo had repeatedly protested that he was loyal to the President, but by this time even his close friends were abandoning him. Such as Mutwol, who joined those who called for his resignation, George Nthenge (the Minister for Higher Education) blamed him for all university problems and claimed that the so-called dissident lecturers and realised earlier than the Parliamentarians of what was happening, whom Njonjo termed as anti-Nyayo.¹⁷

Njonjo was bitterly attacked by an M.P., Martin Shikutu who claimed that he received money from South Africa, was a partner in a South African engineering firm and was involved in the smuggling of ivory. He held four allegations, responsible in parliamentary proceeding for Njonjo's fall :

- (a) the main factor responsible for his downfall was favouring the Europeans and the Indians whom the Kenyans have fought during the struggle for independence;
- (b) he had influenced judiciary to gain protection from investigation;

17. Hansard (Nairobi), 13th June, 1983

- (c) from Njonjo's account more than 1 million K Shs. were withdrawn in cash from Chase Manhattan Bank and 340,000 K. Shs. from a London Bank after the attempted coup;
- (d) lastly, he had been an owner of an engineering works in Pietersburg, South Africa, violating the Kenyan Laws.

All these implicated that Njonjo was involved in the 1982 coup attempt and received money from western government and to install the Moi regime by that of one committed to international capital.¹⁸

Njonjo was suspended by President Moi in July 1983, from the Cabinet and announcement was made that a judicial inquiry would be made into his serious irregularities. Njonjo then resigned from both of his parliamentary seat and the Chairmanship of the Kikuyu branch of KANU. And by this came an end to the power of the strongman of Kenyan politics.

In the whole struggle Moi had maintained public distance from the various allegations aimed at Njonjo. However, it has been maintained by Currie and Ray that "Moi was certainly closely involved with them." Currie and Ray seem to be right as the involvement of the President in such a case can rarely be denied particularly when his objectives and programmes, are at clash with his Minister who himself was having a wide connection (national and foreign) and ethnic support of Kikuyu. But, at the same time, elimination of Njonjo was an effort of the President to clean the government of corrupt practices and make it more nationalistic.

18. Currie and Ray, P.579

On the other hand the attack on Njonjo was an attempt to materially readjust relations between local and international interests. During judicial enquiries also Moi had adopted the policy of apparent aloofness and leaving the matter to be pursued on a legalistic level, and thus creating a position of being above sectional interests, while at the time he had given wide publicity to the judicial enquiry of Njonjo to fulfil his populist objective and gain the support of the people by creating an image that he wanted to root out corruption from high offices in the state. However, weekly Review had rightly commented that : "Njonjo is not merely a person. He is a system, and though Njonjo the person has fallen, his system is still in place, and it is going to take the government a long time to dismantle or neutralise that system."¹⁹

It was not easy to root out corruption at once, but the success in the struggle against Njonjo, which had been ideologically linked with nationalist aspirations, gave Moi an upper hand in implementing his Africanisation programme. He immediately started this programme in the judiciary and civil services. Courts were chosen as there was slow implementation of this programme in the courts for which Njonjo had been responsible. Njonjo was criticised by the press for having had poor relations with the African legal profession, and there were calls for an end to 'non-citizen' judges. Thus the government announced the resignations of several members of the judiciary and civil servants who had been close to Njonjo: Joginder Soki Singh and A.M. Khan (both Assistant Commissioners of Police), Sharad Rao (Deputy Public Prosecutor), P.K. Jani (Director of Kenya Airways)

19. Weekly Review, 8th July, 1983.

and James Mutunga (Principal Immigration Officer), all except the latter being Kenyan Asians. These posts were filled by the Africans. This programme gave wide publicity and solidarity of nationalists to Moi. A 'Leaders' strength lie in the masses - he must "identify with their aspirations and anxieties" - This was the comment in the Weekly Review of 12 August, 1983. But the effect of Njonjo's removal had yet to be seen at ethnic level (on kikuyu). On the other hand Luo were also angry with the government due to its repression of their leader Odinga, his supporters, Luo teachers and students. So whether the government's strategy of appealing petty-bourgeoisies could also appeal and mobilize large number of poor Luo and kikuyus, - had yet to be tested in the forthcoming general elections of September.

September 1983 General Elections :

Elections for the National Assembly were held in September, 1983. The election turned Moi unopposed as President for the second terms. But the outcome of the elections showed two major phenomenon. Firstly, the elections attracted only 48% of the electorate which had been the lowest turnout since independence. Even this turn over was very very low in the Luo areas. This was a major problem since it revealed that despite its all populist and nationalist measures the government had failed to mobilize the people and there was the lack of mass involvement in the political progress. This might pose a threat to the government in future particularly such loss of popular power could encourage the non-political organ of the government, viz., the military to interfere and dominate over the civil government.

Secondly, the elections showed that Njonjo still had support

amongst voters in central province (kikuyu area). The candidate, Peter Kinyanjui, who was most closely identified with Njonjo, won with 75% of the votes in one of the highest polls in the country (i.e. 63.17%).²⁰ Two other politicians close to Njonjo, Clement Gacharja (in Dagoretti) and Andrew Ngumba (in Mathare), won with clear majorities. Even further Magugu, the former Finance Minister and Njonjo's supporter, returned with 60% of the vote in his constituency despite enormous pressure and campaign against him. The man in cabinet who attempted to stand up to Njonjo during the traitor affair, Charles Rubia (Housing Minister) was likewise re-elected.²¹

Thus it proved that the government measures had failed to mobilize masses on the one hand, while on the other, the Kikuyu were not happy with the things were being done.

Moi's response to the elections was that he wanted to drop Rubia from the new cabinet along with other Njonjo supporters, such as Stanley Oloitipitip, the former Minister of Culture and Social Services. Even Magugu was demoted. All these were charged by Moi as an anti-Nyayo elements.

The major questions which faced Moi after election was how to ensure political stability in Kenya when the two major tribes, Kikuyu and Luo remain outside the mainstream of politics. In past Moi always maintained a balance between the ethnic groups in the cabinet, where as, after 1983 elections he for the first time had his personal stamp on the new cabinet and was without the influence

20. Currie and Ray, No.5, p. 591.

21. Rick Wells, 'What Mandate for Moi', Africa Report, November - December, 1983, p.12.

of Njonjo.²²

Thus Moi was successful in establishing apparent stability in the country. Though the long term survival of this stability was doubted, however Moi has used repression as a tool to silence the discontent, and at the same time a populist method to promise something to most factions and eliminate powerful obstacle (Njonjo and his group) by keeping himself aloof from the struggle, has worked much. His promises to main factions include : (1) to the local petty-bourgeoisie that there will be increased scope for capital accumulation; (2) to professionals that Africanisation will produce career mobility; (3) to investors that they will have the pickings of privatised state shareholdings; and (4) to western nations that Kenya is still safe for their economic and military interests. His latter promise (No.4) was really very important for his survival after the removal of Njonjo, who most closely associated with the British and American interest. Due to this he was able to get the continuous flow of foreign capital. But the Volcano inside the apparent stability was bound to burst, if it was not powerfully contained.

22. Ibid.

CHAPTER - V

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PRESENT POLITICS IN KENYA : SINCE 1984

During the progress of Njonjo's judicial inquiry also Moi apparently tried to remain detached from the process and not to be identified with a particular faction but at the same time his government gave wide publicity to the inquiry to build his image as a clean and efficient man and due to this technique he was appearing to be firm. It was an a result of this that he pardoned Njonjo in 1984, and drew his and Kenyan's attention towards building a strong and united Kenya. It appeared that Moi intended to control the government within certain firm limits although being against free public debate than had been possible before the attempted 1 August coup. He opened a new session of the national assembly in March, 1984 and emphasised on the need to reduce unemployment and inflation and emphasised on increasing Kenyan reserves of foreign currency and to bring increase in agricultural production of the country. The President's authority over the front bench of Parliament was reaffirmed when the cabinet Ministers ¹ were supposed to produce a letter from President which stated that they were not at liberty to criticise or differ from the government outside the immediate circles. The direction followed in the immediate dismissal of a vocal critic of government the Minister for Co-operative Development, Mukusa Mango. ² In this chapter we will study some of the main issues like invitation to dissidents, students unrest, re-vitalisation of KANU, Mwakenya movement, increase in President's power and violation of human rights, to understand the basic problems and present political trends in the country.

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1. The cabinet members included 40% of members of the assembly.
 2. Africa South of Sahara, Europa Publication, p.531.

An Invitation to Dissidents :

A Presidential amnesty for Kenyan exiles abroad, offered some conciliation to the political left which resulted in the returning of Chelaget Mutai in April, 1984 and that of James Ovingo, both were former members of Parliament. Both were the vocal critics of the government. Mutai was arrested in 1981 with the charge of filing false mileage claims on her government car and in July 1982 Ovingo was arrested with the charge of three counts of forgery and theft of the money of a client. At that time the dissidents were being jailed even for minor violations; so both of them chose to jump the bail and fled to Tanzania. Ovingo along with the participants of the 1982 abortive coup attempt were sent back from Tanzania at the end of 1983 when the relations between the two countries came to normalisation. Later he was released and the charges were dropped. Chelaget Mutai returned to Kenya voluntarily when she came to visit her terminally ill mother and then decided to remain in Kenya. No charges were brought against her by the government.

Thus it appeared that the Moi government wanted to extend an invitation to all dissidents for its purpose of 'Nation Building.' But there were some of her exiles who were not welcomed by the government such as Anyang Nyong'o, who was a former professor of political science at the University of Nairobi. While the opposition group felt that such invitations to dissidents was an attempt to divide the exile community of Kenya which had developed cohesion and was gaining impact in Kenya as well as abroad.³

3. Africa Report, July-August, 1984 p.42.

Students' Unrest :

President Moi had announced a programme of National Youth Service soon after his accession but it was indefinitely postponed. It was finally reintroduced in 1984 with the introduction of restructured educational syllabus with emphasis paid on technical and vocational studies. During 1984 there were meetings between the President and the student leaders, after the Educational Minister had a dialogue at the Nairobi University between the students and the government. By February, 1985 this new found stability could not last for long and resulted in the boycotting of classes by the students when fourteen students were charged in connection with a student demonstration at Nairobi University and were sentenced to six months imprisonment.⁴ The protestors had ignored the orders to return to their classes and called a meeting at athletic field of the University. To disperse the students' assembly, tear gases were fired as a result of which students hurled stones and shoes at the Police. The government report accorded the death of one student and dozens of them injured. But the unofficial sources placed the death figure to at least at twelve.

President Moi accused certain unnamed Kenyan Politicians to be misleading the students and conducting various subversive activities in the country.⁵ He even claimed that the students had foreign backing with whose help they were creating chaos and tension in the country. In the past decade the University was closed every year except for 1984, due to the disturbances caused by the students. The University was closed for six times between October 1979 and August, 1982.

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4. A group of students had participated in protesting against the earlier actions of government against eight student leaders - expulsion of three and the cancellation of the scholarship of five students. Mwandawiro the leader of the students' organisation was one of those expelled.
 5. Africa Report, May - June, 1985. p.40.

In 1985 student unrest occurred at a time when political tension in Kenya was heightened and party elections were scheduled at for the end of the year. The recruitment drive for the KANU members was underway since January. The University was reopened after several days of the trial against the protestors. The majority of the students returned to their classes after fulfilling the requirements of government's readmission criteria which included the clarification from local clients regarding students conduct during the shutdown.

Revitalisation of KANU :

President Daniel Arap Moi in early June, 1984 announced that grassroots elections for the sole party, Kenya African National Union (KANU), would be held on June 22-25, which were the first since 1976. The time allotted for the campaigning was three weeks, to avoid the possibility of further divisive campaigning which had characterised the drive for the new members of the party. The recruitment was carried throughout the country from January to April 1984. Kenyans were pressurised from several directions to join the party.⁶ The Christians were urged to join the party to vote in the party elections by the Rt. Rev. Ndingi Mwana's Nzeki who was the Chairman of the Kenya Episcopal Conference and Bishop of Nakuru. Membership for the government employees and parastatal institutions was compulsory.⁷ Their membership fee was deducted from their salaries.

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6. The Kenyans were pressurised by some party and Government Officials by saying that the party membership card was required to make purchases from local stores and markets. Some Kenyans reported the police harassment to those who had not joined the party till then.
 7. President Moi directed all civil servants to join the party whose membership costed five shillings. It was stated that in future only the party members would be considered for government work. The move indicated President's efforts to consolidate his power in the aftermath of 1982 August coup attempt.

High priority was given to the recruitment drive by the members of Parliament. In late April and early May Parliament was adjourned for several weeks to get the assistance of the members in the campaign for new members. They (party officials) campaigned in their home districts and used the membership drive as a platform against the political opponents.

However, KANU had assured an active and powerful role in the political life, which led to the expulsion of 15 party members in 1984 which included several Parliament members also. All of them had been associated with the former attorney general, Charles Njonjo. Previously only two members of Parliament had been expelled from the party.

Mwakenya Movement :

The growing discontent in Kenya have led to the emergence of Mwakenya Movement. Mwakenya is a Swahili word meaning 'the patriotic front for the liberation of Kenya'. It came to public attention at the end of 1985 when the government announced the arrest of several dissidents and lecturers accusing them of conspiring to overthrow the government, and once others were charged of possessing or distributing the organisation's publication Mpatanishi (Swahili for the arbiter) while others were accused of failing to report the activities of Mwakenya to authorities.

It is believed that this organisation was founded in 1981 in the Kikuyu division of Kiambu district outside Nairobi. One of the detainees told that he could not report about its activities to the authorities because he had been required to take a secrecy oath on death penalty. Two of the prisoners under the preservation of public

security act, a former dean of Nairobi University, Ngotho wa Kariuki and a lecturer at the University, Kariuki Gathutu were held in commu- nicado without access to family or counsel. The other detainees held in prison for circulating pamphlets which was critical of government's actions. Among them Oyangi Mbaja and George Chitechi Osundwa were business associates of the opposition leader and former Vice-President Oginga Odinga. There were other detentions also of those who appa- rently had no connection with the organisation (Mwakenya) such as Julius Mwandawiro Mghango, who was a former student leader at Nairobi University and led the boycott of classes in 1985 which had resulted in violent confrontation between the police and the students.⁸

At least 100 former Kenya Air Force personnel were arrested in Western province in connection with Mwakenya. Thirteen factory workers were detained in Thika for possessing the seditious publication of Mpatanishi in May, 1986. It is believed that a stock of Mpatanishi was lying on a Kisumu street corner but no pedestrian touched it out of the fear of being arrested and when bundles of literature were dumped in Nyeri, the Mayor warned that his clean up crews were not meant for collecting rubbish but had better things to do.

President Moi made an attempt to suppress public discussion about Mwakenya and cancelled all public meetings scheduled on a natio- nal holiday on the grounds that attendance at these events would keep the peasants away from their fields at the time of planting. He also warned the diplomats and journalists about spreading rumours regarding the issue and said that Mwakenya was under foreign control. When

8. Africa Report, May-June 1986, p.52.

the accused were taken to the court for trials, the officials were forbidden from describing in detail about Mwakenya publication, only the magistrate could read the full texts. The President attempted to turn public against the dissidents. He condemned the foreign masters of the dissidents to promulgate ill-conceived ideologies.

He blamed education for the entire affair in a speech in Nairobi stating that "when people acquire education, they think they have migrated to a new planet. Are the Ugandans who are suffering all over the world roaming from one place to another, ordinary Ugandans. No, they are not. They are educated people. Who caused the chaos in Uganda? ... It was these same people. That is why I prefer ordinary Kenyans, common man. I have no problems with the ordinary citizens and neither am I a problem to them. It is the educated people. Even robberies are planned by the educated people." ⁹

Many persons received imprisonment for being involved with the organisation as well as many were held without charge who were mainly instructors or students at Nairobi University including the student's leader Julius Mwandawiro Mghango who was found guilty of possessing seditious public-actions of Mwakenya and attending its meetings, was sentenced to five years imprisonment. Most of those detained without charge or serving prison terms belong to the largest ethnic group of Kenya - the Kikuyu.

It is believed that Mwakenya is an organisation which is divided into small cells along the times of Kenya's anti-colonial movement, Mau-Mau. Members never meet in large groups and take blood oaths.

9. Africa Report, July - August, 1986, p.51.

Even one cadre wouldn't know the names of the members except a few of them. Though the government claimed of having detained the leaders of Mwakenya but there is no reliable source to be sure of who they were.

Some additional background about Mwakenya came to the forefront when a noted author and publisher, Gakaraar Wanjau was arrested in connection with the organisation. After being released from custody he issued a press statement that Mwakenya was a continuation of the Twelfth of December Movement (DTM), which became active after the 1st August coup attempt through its publication of Pambana from 1982-1984.¹⁰ But according to Kenya's Weekly Review, the court martial following the coup attempt did not indicate that DTM had anything to do with the journal, Pambana. Wanjau revealed that most activists of Mwakenya were involved in other leftists political activities in the country. He said nothing about the secrecy oaths and that members were allegedly forced to form cells of two or three members who do not know anything about the other members of the organisation.

Increase in President's Power :

President Daniel Arap Moi has been successful in increasing his executive authority through the constitutional amendments. In January 1987 the National Assembly agreed to a Bill in a vote of 131 to nil. The Attorney-General, Mr. Justice Mathew Muli said that it would make the constitution more efficient. The new legislation would in practice remove various obstacles which Moi considers as delaying of implementation of important programmes of the government. The major change in the constitution brought by the legislation was

10. Michael Maren, 'Hear No Evil', Africa Report, Nov. - Dec. 1986. pp. 68-69.

the abolition of the post of Chief Secretary and giving way to the head of Civil Service with diminished powers. The Chief Secretary post was created through an amendment to the Constitution made in 1982. This legislation would effect the present Chief Secretary Mr. Simeon Nyachae's successor. Although Mr. Nyachae was trusted by Moi but there was a feeling that senior civil servants had been using the established procedure of obtaining Chief Secretary's prior approval for all decisions as an excuse for delay in the programmes implementation (as the former attorney-general Charles Njonjo used the Chief Secretary's post to build a rival base against the Presidency).

The new legislation, besides the abolition of Chief Secretary's post enabled President Moi to remove an attorney general or an auditor general from office like any other civil servants as they no longer had guarantee of their security of tenure. ¹¹

Thus the government is successful in reducing the powers of civil servants but at the same time Moi has created facilities for his autocracy. The consequence of this is the increasing violation of human rights by a civil dictatorship.

Violation of Human Rights :

The Chairman of the US House Foreign Affairs Committees sub-committee on Africa on 17th January, told a news conference in Nairobi that there had been a decline in freedom of expression in Kenya, emasculation of Parliament and of growing concentration of executive power with the President. He said that unless Kenya's record of human rights improve there would be instability in Kenya and would

11. African Recorder, January 1-14, 1984, p.7190.

be harmful for Kenyan-American relations. He alleged that the police prevented him from meeting a presbyterian minister, Rev. Timothy Njoya, who is considered to be an outspoken critic of Moi government. A member of Wolpe's Staff said that before Njoya was due to talk to Wolpe, the Police appeared and took Njoya out of the room. The Staff members present at Njoya's Church that time that he had been told by the police that it was not in the interest of the state for him to meet a Congressman.¹² But the Foreign Minister Mr. Elijah Mwangale denied that police prevented anyone from meeting congressman. He said that he was "most surprised that a man of congressman, Wolpe's stature should have made such a scandalous and unfounded statement against Kenya with which his own country, the United States, enjoys such cordial and productive relations."¹³

The three daily newspapers of Kenya which never publish anything critical of President Moi or of his policies condemned Wolpe's statements in three editorials. The standard said it to be a 'cogglomeration of his and allegations against the country', the Daily Nation stated "Mr. Wolpe arrived in Kenya expecting everything to happen exactly as he himself has planned it" further adding that 'when some of his ideas did not work out according to his plan, he began calling us some unprintable names' and the Kenya Times (which is owned by KANU) asserted that 'Mr. Wolpe, on his whirlwind stopover in Nairobi, wanted to set up a makeshift orderly room into which his appointees would be methodically ushered to listen to his unpredictable dilatation upon any subject of his own choice'.¹⁴

12. African Recorder, March 12-25, 1987, p.7245.

13. Ibid.

14. Ibid.

It is believed that in the year 1986 more than 60 persons were arrested or detained on political or unknown charges. The recent changes in the Constitution have abolished the guarantee of independence from the executive to the attorney general and the auditor general. The Roman Catholic Bishops of Kenya, due to the growing concentration of power in the hands of KANU stated in a memorandum that KANU was assuring a totalitarian rule which represents a fundamental change in the Kenyan political system.¹⁵

The Amnesty International (AI), the worldwide human rights organisations said that prisoners of conscience were tortured and indefinitely detained without any trial or change whereas others have been tortured to make false confessions and jailed after unfair trials for years and thus are illegally and secretly detained. Most of the victims have been detained on suspicion of having links with an opposition group Mwakenya whereas others have only criticised the way government have been running the country.

There had been various complaints about torture and prolonged disappearance of prisoners during interrogation which had been ignored by the courts. No defendant is provided with a lawyer to defend him in court. Since March, 1986 hundreds of opponents including lecturers, students, journalists, lawyers, businessmen, civil servants, leaders and farmers have been arrested but none of them was brought to the court within 24 hours as required by law. Many have been forced of being guilty. It is said that a businessman initially pleaded not guilty, was released but was again arrested outside the court and then disappeared. Later for the same charge without any query

15. Ibid.

from the Magistrate he pleaded guilty. ¹⁶

Responding to the assertions that Kenya had been guilty of human rights abuses and political threats, President Moi announced that it was necessary for all senior government officials to have permission from foreign Ministry for visiting foreign diplomats. He further said that the foreign Minister and his deputy must take President's assent for such visits. ¹⁷ Moi even denied of having any torture in Kenya. He even said in an interview that the US congress was considering a Bill to make foreign aid conditional to Kenya due to the abuses of human rights in Kenya, to remain out of the internal affairs of the country. President Moi said that Kenya was the freest country in Africa. He disconnected the reports of police torture for extracting confessions from the dissidents. Whereas the documents of the courts alleged of such coerce confessions through torture. ¹⁸

As a result of such outspokenness against the abuses of human rights in Kenya, an official of KANU Mr. Laban Kitele quoted on 31st March that the party might soon censor the reports of foreign journalists. Mr. Kitele criticised reports of human rights abuses by the Moi government printed in western press and criticised the reports and articles on the spread of Acquired Immune Deficiency Syndrome (AIDS) in Kenya and turned it to be "Orchestrated move by certain foreign powers and self exiled Kenyan dissidents". ¹⁹

On 2nd September, 1987, President Daniel Arap Moi announced,

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16. African Recorder, Sept.24 - October 4, 1987, p.7386.
 17. African Recorder, March 12-25, 1987, p.7245.
 18. African Recorder, July 16-29, 1987, p.7334.
 19. African Recorder, April 9-22, 1987, p.7268.

no Norwegian or Swedish journalists would be allowed in Kenya in future and all foreign correspondents who are already in Kenya would have to get their status reviewed. The attacks on Kenya's human rights record resulted in the cancellation of official visits of President Moi to Oslo and Stockholm. Mr. Moi declared that the status of foreign journalists based in Nairobi would be reviewed as a result of the attitude of Swedish and Norwegian governments towards Kenya.

In Kenya more than 100 foreign journalists including some Scandinavians are based in Nairobi. The independent human rights monitoring group, AI published reports on torture, political detentions met with unfair trials. All these issues were widely covered by the Norwegian and Swedish press just before the period when Moi was due to visit those countries.

In Kenya two cases rose the concern among the Kenyans and foreigners when two people died in police custody. A businessman, Mr. Peter Karanja was picked up by the police in Nakuru in February, 1987. He died after 22 days in police custody in Nairobi. The post-mortem report revealed that he had been beaten severely which resulted in his death. The government postponed the inquiry into the case. Another detainee, Mr. Stephen Karanja (not relative of Peter Karanja) was shot dead in the police custody and his body was buried without informing his family. A Nairobi judge demanded that the police should produce the body and explain the reason of death but the Chief Judge of Kenya ordered off the case.²⁰ A lawyer of Kenya who was one of the leading human rights behaviour was arrested

20. African Recorder, October 8-21, 1987, p.7397.

by the police the next day when he had notified his intention of swing the government for the reported torture of the potential detainees. Mr. Gibson Kaman Karia, the lawyer has since then been held at an undisclosed prison in incommunicado. The government turned him to be a member of a subversive group.

It was these repressive activities brought into public by the US congress that threatened Moi to cancel his long-planned visits to Norway and Sweden. He knew that if he visited those countries he would be questioned for such atrocities in Kenya. He visited Finland only. While he was in Helsinki, the reporters were told by us Foreign Minister that Kenya might break diplomatic relations with Norway and Sweden and would stop future development aid.

Moreover, Kenya's Permanent Secretary for Foreign Affairs Mr. Bethel Kiplajat said in Nairobi that the Western critics failed in understanding Kenya's political history where they have had detainees and trials of those who wanted to overthrow the government since independence. He further said that 12 persons were held incommunicado under the presentation Security Act, without the right to trial because they were considered as Security risks.

Since then the government have been using various methods to respond to outside criticism, such as the officials are ordered not to visit foreign embassies in Nairobi without the prior permission of the President's office. The lawyers in Kenya are warned not to send any false information to the Amnesty International about the country. The suggestion of reducing foreign journalists in Kenya came from President Moi. Since then a Labyrinthine procedure for their accreditation had been instituted by the Information Ministry.

On the basis of the above issues it can be said that the government is firm in its policy of curbing any opposition. No doubt some dissidents have been given invitation but the main opponents of the regime are not allowed. Even the role of Parliament is changing in practice. The MPs are not provided with freedom of expression in Parliament. They are not exempted from arrest or harassment for anything said inside the Parliament (Parliamentary immunity). The Parliament functions under the subordination and control of the executive branch. Members are often arrested in the Parliament building for their criticism of governmental policies and actions. The bills are passed unanimously by threatening the opponents of meeting detention. There does not seem any hope for multi-party system even. Besides this every effort is made by the government to provide stability to KANU. The government has been forcefully curbing the unrest and Mwakenya movement to maintain apparent stability but these clearly reflect the discontent among the people. The denial of human rights is certainly going to threaten the stability in future, if not at present.

CHAPTER - VI

CHAPTER - VI

C O N C L U S I O N

Despite the fact that the death of Kenyatta would result to - (1) a scramble for power among the politicians; (2) outbreak of ethnic violence; (3) and even result in an army coup, the transition of power from Kenyatta to Daniel Arap Moi was very peaceful, orderly and constitutionally correct. The transition of power to Moi was successful firstly because of the fact that he had got the support of two strong Kikuyu - Charles Njonjo and Kibaki. These two Kikuyu were having the support of Majority of Kikuyu, and both of them were aspiring for the post of Vice-Presidentship and thus wanted to become successor of the President. Kikuyu inevitably resented their loss of influence as Kenya's power broker, but remained divided between Njonjo and Kibaki, both became rivals later on. Secondly another factor was that Moi himself had identified with the nation and to the Kikuyu in particular by adopting Nyayo philosophy, that he planned to follow in Kenyatta's footsteps. The third factor was that his long association with Kenyatta as Vice-President, was considered to be as his best qualification by many, and particularly by top officials in civil and military services.

After accession to power Moi chose the people, military, para-military, bureaucracy and politicians, as the main areas to obtain support. To obtain the support of military, para-military and civil officials he rewarded most of the top officials. To appease politicians, he reshuffled the cabinet in 1978 without any minister being dismissed. He rewarded most of the politicians who had supported him in accession to power. However, the actual power was not only vested in Moi, rather it was in the hands of Njonjo, Kibaki and Moi who formed a triumvirate. KANU election (de-facto party) were held to eliminate

the challengers and form a strong political base. In this also the Moi - Njonjo & Kibaki group was successful. To get the support of the people, Moi and his group stressed on Nyayo, i.e. following the footsteps of Kenyatta. Latter on this, philosophy was elaborated as peace, love and unity. Moi emphasised on stamping out smuggling and corruption, showed concern to poor and promised more employment and free milk to children in schools. Even announced release of all political detainees and promised to provide them with freedom of expression which was very rarely provided during Kenyatta's regime. These assurances made Kenyans ensure their cooperation to Moi and his group. On the other hand, the tribes other than Kikuyu were seeking some change in power structure and in Moi's leadership they were expecting better treatment.

Thus due to his above populist methods Moi and his group could muster support from the people as well as government officials and politicians. Even Luo enthusiastically welcomed Moi in Luoland on his visit, where the last President Kenyatta had been bitterly treated. Moi even become popular among the University students who for the first time demonstrated in favour of the government and chanted pro-Moi songs, which had never happened during Kenyatta's regime. Even the people like Bildad Kaggia, who had been against the economic policies of the Kenyatta government, asked Kenyans to help Moi build a better Kenya.

In the general elections of 1979, people's support for Moi was tested which not only provided grand mandate for Moi but even some of the politicians who had opposed Moi's succession were defeated (like Kihika Kimani, Taita Toweett etc.). And thus Moi became full-fledged President from the acting President. However, like past

elections, the elections in 1979, also were not very open forum. Only one political party, the ruling KANU Party, was allowed to contest the parliamentary elections and there were preliminary elections before it, mainly on the personal basis and local issues. But even then it started a new move in the history of Kenya, from then onwards the country was ruled by a person belonging to a minority tribe. This also started increase in the political participation of Kalenjins.

But soon after Moi's becoming President, the country started facing severe economic problems. There was fall in the prices of Kenyan export and rise in the prices of its import. The economy was badly affected by the world recession. Smuggling of Kenyan goods, particularly food materials to the neighbouring countries caused shortage of basic food material in Kenya, thus, though Kenya was having surplus production of crops. There was severe food crisis in the country from 1979 to 1981. The government was unable to check smuggling and malpractices of officers and depended on food loans from outside. The worst hit section were the poor and ordinary people. The prices in Kenya went too high to enable the poor to buy plenty of food material, on the other hand the food help provided by outside countries was not properly reaching the people. There were complaints that the food was being re-exported by prominent politicians and civil servants. The increase in import and prices caused a serious balance of payment problem and the payment deficit rose to \$ 364.9 million in 1982. This solution of economic crisis was fully exploited by the countries who provided assistance, specially US. To keep US food aid flowing, Moi government had to agree (secretly) to US demand of making naval and air bases in Kenya (for US forces).

Though the government continued to blame the nature and

the world recession for economic problems but this could not satisfy the people. It resulted in (a) people's unrest and violence, (b) increase in Parliamentary criticism and (c) emergence of dissidents in the party - KANU.

Rather than address itself to any of the fundamental issues being raised by the protestors, dissidents or critics, the government, responded with repression and intolerance of criticism. It started eliminating any organisation which could conceivably embarrass it politically. It banned all 'tribal' associations in 1980. The government despite its severe repression, was unable to silence the criticism and protest against it, neither it could stop its ministers and officials from indulging in corruption and malpractices. For further repression it brought back even detention without trial.

In order to avert the threat of the formation of another party Kenya was made a de jure single party system by a constitutional amendment on 10th June, 1982 and KANU became the sole political party of the country. This amendment further reflected the dictatorial style of rule of Moi and his associates. The arrest and detention continued and even the MPs had been threatened with detention at the time of the amendment, who had to vote in favour of one-party system. The government was resorting to worst form of repression but there had been no indication that it was interested in understanding the basic cause behind the country's worst crisis since independence.

The above situation had generated a serious challenge for the survival of the government and its stability. In such a situation, a major challenge came which shook the stability of the government

and the government had to mend its ways and respond to the people. This challenge was the August coup attempt by airforce personnels. Before this the major protests were mainly tribal in form in which Luo were the main participants. Though the coup attempt was suppressed on the same day after a few hours by Army and GSU, the government of Moi remained dependent upon Army and GSU for several weeks afterwards, and even there were expectations that the Chief of the Army Staff was to assume an increasingly prominent political role. Repression and detention continued but Moi did seem to realise that repression alone was likely to serve only the interests of the soldiers and paramilitary police, and the long term survival of his civilian government would require a political initiative to regain the support of the people.

To end conspirators a large number of official were sacked and the students were punished even for a minor role. But at the same effort to mobilize masses continued. He kept on participating in and organising public meetings, rallies and speeches. He even withdrew the judicial inquiry against the son of Odinga and some other political opponents to divert the attention of the people. For further mobilization even elections were called in 1983. Victory of the President in 1983 election gave him new legitimacy and vigour for his further action. But if we analyse the elections we find that only 48% of the voters took part in the election. This is a clear case of Lack of popularity of the government, since there was 70% turn over in 1979 elections. On the other hand 40% of Assembly members (previous) and a large number of cabinet and Assistant Ministers were defeated.

In Kenya the elections are held regularly. The question

arise that what is the relevance of elections in the one party system of Kenya? Several persons with rival personalities within the KANU are put before the electorates and the people are free to reject those whom they do not think fit. However, for some important leaders particularly the President and his very close cabinet members, to them the party has always tried to ensure unopposed candidature. For those unopposed, the elections hardly matters but when a candidate contests with five to seven rivals the fight becomes very tough and victory is uncertain because of the fact that in every general elections people have rejected a large number of MPs, assistant and cabinet Ministers.

A rift had emerged in the post-coup period between President Moi and Njonjo, because Moi's shift to the ideology of nationalism and Africanisation to solve economic problems and gather popularity collided with Njonjo's pro-western emphasis and pro-Israeli, pro-South African policy and his favour for TNC. However, more than the clash of ideology which ultimately resulted in the elimination of Njonjo from the cabinet and KANU, it was the alleged involvement of Njonjo in the August 1982 coup and several charges of corruption which had irritated the President and he might have thought to remove Njonjo as he had become a potential threat to the President. But the President adopted the technique of keeping himself apparently aloof from the critics who charged Njonjo in the Assembly and the outside, and when demands of Njonjo's removal came to President he readily accepted that. This way it looked that the President was acting on the pressure of the people rather than himself, while in fact he was very much involved and was a party to the critics (Chapter - IV).

From 1984 onward President Moi has increased his powers

by several methods. It has become necessary for the ministers to obtain a letter from the President stating that they are not at liberty to criticise or differ from the government outside the immediate circles. This rule is strictly followed. Though a Presidential amnesty for Kenyan exiles abroad in 1984, offered some conciliation to the political left, however it was not welcome for all exiles. President reconciled with students in 1984. However this stability could not last for long time and the student's unrest again started in 1985 when 14 students were charged in connection with a students' demonstration at Nairobi University and were sentenced for six months imprisonment - with students' unrest the government is also on its way of repression.

President started a drive to revitalize KANU, the sole political party of Kenya, in 1984. Recruitment of new members was carried out through out the country and Kenyans were pressurised from several directions viz., by politicians, religious leaders, police etc., to join the party. Even elections were called for party posts in June 1984, which were the first since 1984. The party has assumed, active and powerful role in eliminating opponents of Moi and his group.

The President had further increased his powers by reducing the powers of civil servants and abolishing the post of Chief Secretary by getting passed a bill by the Parliament (National Assembly) which was opposed by none, rather none could dare to oppose. The same bill enabled the President to remove an Attorney General or an Auditor General from office like any other civil servants as they no longer had guarantee of their security of tenure.

Such a legislation not only reduce the powers of officials but rather this also reduced the powers and autonomy of Parliament.

For instance the Auditor General is an officer of the Parliament and his function is to examine all the expenditure done by the executive branch and also, the efficiency and procedures adopted. He has to provide true report for the parliamentary security. But this legislation makes him a puppet in the hands of the President, who can remove an unfavourable Auditor General any time or pressurise him to give favourable audit. Thus the parliament cannot exercise a control over the executive branch if the audit is not correct. In such situation it is very surprising that even such a legislation, which limits powers of the parliament are passed, and that too unanimously. This reflects the extent to which the executive branch controls the parliament.

Today the government in Kenya cannot tolerate any kind of criticism against it and has adopted the norm of hear no evil against the government. The powers in Kenya are abused by the authorities and the President's executive powers are growing with the time. Those who criticise the government policies are held in detention and severely tortured and harassed by the police. All opponents are turned as to be related to the subversive group - Mwakenya. Moi had concentrated powers in his hands and has began building his own empire by putting his people into the key positions of the government and even allows them to begin amassing private fortunes.

The Kenyans are living in difficult situation now a days and to many the future seems to be more frightening. Most of the Kenyans think that the overthrow or change of government is not an answer to their problems because they know what happened in Uganda and Ethopia after the overthrow of the government. Most Kenyans

consider. the present government to be not too bad in comparison to the neighbouring countries and hope that the things would turn around democratically. But even that mechanism has been destroyed by the government by an announcement of KANU which abolished the secret ballot in Kenya and the voters are now supposed to line up behind the candidate of their choice while casting their vote and if a candidate receive 70% votes in the primary elections than he would stand unopposed in the general elections. KANU officials said that the procedure is so established to eliminate the fraud votes. But in practice it means that the new procedure would assure that no candidate opposed by KANU could be elected because no Kenyan would dare to elect KANU opponent. This is violation of the Kenyan rights and Moi's drive to consolidate power beyond the point of diminishing return.¹

People are doubtful whether Moi runs the country or some one else is pulling the strings . Moi is considered to be craving public approval and at heart being a populist but these characteristics are at odds with the way he rules for that is authoritarian. The democratic set up of the country has been shattered by the authoritarian regime of Moi and will continue to be such, unless the government bring changes in its dictatorial rule.

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