

POLITICAL PARTY  
ORGANISATION AND MANAGEMENT  
IN KENYA

AN AUDIT

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## PREFACE

One of the most remarkable features of the 1997 general elections in Kenya was the increased political party presence and activity. From a restricted one-party political space in the 1970s and 1980s, the country since 1991 has gone through a process marked by a proliferation of political parties. There are now 28 registered political parties in Kenya, with several applications still pending before the Registrar of Societies. As the country gears up to make fundamental changes to its constitutional order, the role of political parties will be subjected to closer and more systematic scrutiny. In particular, the capacity of political parties to shape and give life to the constitutional changes will be a matter of great interest to Kenyans in the coming months and years.

Some key questions are apposite here. Are our political parties living up to the realities of the fast-changing political landscape in Kenya? To what extent do they deliver their stated promises? Are they capable of putting new wine into old wineskins?

The Institute for Education in Democracy (IED), with the aid of a team of a team of four researchers, carried out a study of Kenyan political parties in 1997 in an effort to answer these and other questions. After months of library research, field research, and interviews and discussions with key players in the Kenyan political scene, IED now publishes its findings in this report.

*Political Party Organisation and Management in Kenya: An Audit* is an attempt to critically examine the relationship between official party pronouncements and the parties' actual behaviour in the context of the unfolding Kenyan democratization process. In order to provide a full context for this analysis, the audit also examines the evolution and development of political parties in Kenya from independence to the present day.

Our concern is with the evolving scene and its democratic vistas. We realize that democracy does not just grow and flourish anywhere, but only where certain enabling conditions exist. One of these conditions is a vibrant and competitive political climate in which, to use a now-hackneyed expression, politics is a marketplace of ideas.

*Political Party Organization and Management in Kenya: An Audit* is intended for every person in Kenya who would like to gain a deeper insight into Kenyan political parties and the country's democratic development. Every attempt has therefore been made to produce a publication that is easy to read yet rich in valuable information.

I would like to conclude by restating the umbilical nexus between democracy and development. Whether a country develops economically depends to a large extent on the calibre of the individuals and organizations that control and steer the ship of state. In a true democracy, the people determine who these individuals and organizations are and how the resources of the state should be utilized for economic prosperity.

Where, then, does this leave us? As this audit makes clear, there is at present little difference in the objectives, structures, and leadership styles of the Kenyan political parties. Even in terms of policies and programmes, the differences are not very significant. Most of the parties have no clear or credible ideology, and their lofty promises are not based on discernible ideals. Moreover, internal democracy is not yet a reality in most of them, while financial constraints sap their strength and hamper their development. In addition, ethnicity dominates the political parties in much the same way that it dominates other spheres of Kenyan life.

On the other hand, we have come a long way since 1991. Kenyans struggled and sacrificed to restore multipartyism, and we must continue to struggle in order to ensure that the hard-won right to create and support political movements of our choice will lead to meaningful democracy. As this audit shows, we may need to go back to the drawing board and reorganise our political parties in some fundamental ways, but the road is now open. It is up to all of us to push forward towards the goal of a thriving, competitive, peaceful multiparty democracy. We believe this is the aspiration of all Kenyans.

Grace Githu  
Executive Director

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Finally, we owe our gratitude to all those Kenyans, both men and women, who willingly gave interviews and answered the research questions. To them, this work is dedicated.



## CHAPTER OUTLINE

This work is organised in five chapters. Chapter one deals with theoretical, conceptual, and definitional issues concerning political parties. It defines and describes the main features and significance of political parties situated within specific historical and material circumstances. A survey of various political systems is also attempted as a way of further highlighting the variant character of party systems. Chapter two then looks at the history and development of political parties in the modern age. It gives a broad world context before concluding with an overview of the political parties in Africa in general and Kenya in particular.

Chapter three contains a comprehensive description and analysis of the major political parties in Kenya. The focus is on the parties' constitutions, manifestos (and other policy documents), and organisational and leadership structures. A deliberate attempt is made to subject these parties to an audit. Thus, a democratic searchlight is put on the parties' organisations and leadership structures.

Chapter four focuses on the participation of women in political parties. This is necessary because women have so far played a peripheral role in Kenya's politics. Conventional opinion holds that the wider political space accompanying the re-introduction of a multiparty system in Kenya has raised the participation of women in politics through various avenues, including political parties. The validity of this opinion is tested here against the practical realities of Kenya's politics. For purposes of conceptual and analytical clarity, a clear delineation is made between women's participation in the one-party system and in the multiparty system. However, this chapter also acknowledges the continuities between the two systems.

Chapter five contains a general conclusion regarding the issues surveyed in the text. Appendix one makes available to the interested reader the field research questionnaire administered in Kitui and Nairobi. Appendix two provides a data analysis of the field research findings.

## ABBREVIATIONS AND GLOSSARY

de facto	existing in fact, whether recognised by law or not
<i>de jure</i>	recognised by law
DP or DPK	Democratic Party of Kenya
FIDA	International Federation of Women Lawyers (Kenya)
FORD	Forum for the Restoration of Democracy
FORD-Asili	Forum for the Restoration of Democracy-Asili
FORD-Kenya	Forum for the Restoration of Democracy-Kenya
GAP	Green African Party
IED	Institute for Education in Democracy
IPPG	Inter-Parties Parliamentary Group
Legco	Legislative Council
KADU	Kenya African Democratic Union
KANU	Kenya African National Union
KENDA	Kenya National Democratic Alliance
kipande	Identity card issued by the colonial government
KNC	Kenya National Congress
KPU	Kenya People's Union
KSC	Kenya Social Congress
mlolongo	queue (as in queue voting)
NDP	National Development Party
NGO	Non-Governmental Organisation
Ombudsman	officer who addresses complaints against public official by members of the public
PICK	Party of Independent Candidates of Kenya
SDP	Social Democratic Party

# CHAPTER 1

## INTRODUCTION

### 1.1 The Political Parties Audit Project

Kenya restored political pluralism in 1991. Before this, it had been a *de jure* one party state since 1982 and a *de facto* one-party state since 1969. Since the restoration of pluralism, Kenya has held two general elections, the first on December 29, 1992, and the second on December 29-30, 1997.

With the legalisation of alternative political parties in 1991, their role in the political process in Kenya has taken centre stage. The development of democracy in Kenya during the past seven years has mainly been determined by the growth and development of its political parties.

However, despite the increasingly important role of parties, in the political process, little if any attention has focused on the character of these parties and what makes them appeal to particular constituencies. To be sure, the popular view of political parties in Kenya is that they revolve around certain powerful individuals and are anchored in specific ethnic constituencies. This work investigates these popular assumptions about political parties but also goes beyond this to subject major political parties to an audit: What informs the behavior and practice of political parties in Kenya? Is it the visionary statements of intent found in many a political party's documents or *real politics*? These and others are some of the vexed questions addressed in this work.

The political parties studied in this work were selected according to the following criteria:

- ◆ being registered by the Registrar of Societies
- ◆ having a reasonable level of activity and public visibility
- ◆ having at least one member in the seventh parliament.

The parties that met these criteria were:

- ◆ Democratic Party of Kenya (DP)
- ◆ Forum for the Restoration of Democracy-Asili (FORD-A)
- ◆ Forum for the Restoration of Democracy-Kenya (FORD-K)
- ◆ Kenya African National Union (KANU)
- ◆ Kenya National Congress (KNC)
- ◆ Kenya Social Congress (KSC)

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- ◆ National Development Party (NDP)
- ◆ Party of Independent Candidates of Kenya (PICK), which elected one member in the seventh parliament, who later lost an election petition
- ◆ Social Democratic Party (SDP). Though not officially represented in the seventh parliament, this party became highly visible in 1997 mainly due to its presidential candidate, Charity Ngilu, officially a Democratic Party MP in the seventh parliament.

At the beginning of the research period (November 1997), the number of registered political parties in Kenya went up from eight to a total of 27. This increase was mainly the result of a pre-election agreement by the Inter-Parties Parliamentary Group (IPPG) to clear a large backlog of pending registration applications by political parties.

IED then chose to include one of the newly-registered parties, Safina, in the research. We did so because Safina was a unique case. It had been denied registration for at least two years, but it had members, though not officially, sitting in parliament and had played an active and highly visible role in the agitation for constitutional reforms. The rest of the newly registered parties had yet to make any impact in national politics.

The methodology used in this project involved the collection, collation, and analysis of available data on these political parties. A two-phase research methodology was adopted. First, researchers carried out preliminary library research to gather basic information on the theory and history of political parties, the development of political parties in Africa, the specific histories of the selected parties, and their constitutions, manifestos, and other official publications. The following were the main sources:

- ◆ academic books and journals
- ◆ statutes
- ◆ constitutions, manifestos, and other publications of the selected political parties
- ◆ reports and other publications of NGOs working in the democratisation and civic education sector
- ◆ magazines and newspapers.

The second phase of research involved the collection of primary data from members of the public. This involved administering a detailed questionnaire (see Appendix 1) on people's knowledge, perceptions, and opinions about political parties in Kenya. Two sampling sites were selected: the City of Nairobi and Kitui District in Eastern Province. Nairobi is the capital of Kenya and can be

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considered the proximate representation of the entire country in both socio-economic profile and political party representation. Kitui, on the other hand, was selected mainly for comparative purposes. It is a largely rural area in contrast to Nairobi, yet not very far from Nairobi. The latter fact was an important logistical consideration.

The objective of the questionnaire was to gather information on political parties' policies and practices from the perspective of the voting population. Because of time and distance constraints, the sample was limited in both size and geographical range and cannot be regarded as representative of the Kenyan population as a whole. However, we believe that this shortcoming is largely mitigated by the detailed data gathered-from secondary sources.

Moreover, careful attention has been given to the analysis and interpretation of data from the questionnaire. Where certain interpretations are only plausible with regard to the sites surveyed, this has been acknowledged. In addition, the researchers also attended a number of political party campaign rallies and conducted interviews with leaders of the political parties studied.

### 1.2 Political Parties: Towards a Definition

Political parties have been defined in various ways. But the myriad definitions reflect more the various perspectives and areas of emphasis informed by one's disciplinary background than a fundamental difference in meaning. Consensus exists on two key definitional issues: that political parties are formally organised and that they aim at capturing or gaining control of the government.

The key elements of political parties are captured in the following definition:

Political parties are associations formally organised with the explicit and declared purpose of acquiring and or maintaining legal control, either singly or in coalition with other similar associations, over the personnel and the policy of the government of an actual or prospective state (Dowse and Hughes, 1972).

It should perhaps be emphasized that what broadly differentiates a political party from, say, a football team, a welfare Organization, or a trade union is a political party's expressed and explicit objective to control governmental or state powers.

### 1.3 The Main Features of Political Parties

Besides the objective of controlling governmental powers, there are specific features unique to political parties. Some of these features include the following.

#### 1.3.1 Ideology

A political party's ideology differentiates the party from a mere lobby group and also gives it a distinctive character different from other political parties in the same country. An ideology is basically a philosophy or set of principles that underlies a political programme. It consists of the shared beliefs, attitudes, and assumptions that cause a certain group of people to join together and develop and advocate specific political programmes.

For example, socialist parties hold the ideology that the good of the community is more important than the interests of individuals, whereas parties that support capitalist or free-market policies have their basis in the opposite ideology. Liberalism is an ideology founded on a belief in progress and tolerance of difference, whereas conservatism grows out a belief that society should be unified and stable. An ideology is therefore a view of the world that produces, at least in theory, consistent approaches to a range of specific political and social issues.

#### 1.3.2 The *Party Manifesto*

A political party's ideology is a set of principles that leads to a certain set of policies, sometimes called the party "platform." The ideology, and the policies that flow from its ideology are put down in writing in a party manifesto (or blueprint or action plan). This manifesto is a statement of the goals and principles the party promises to pursue if voted into power.

As a contract with voters, the manifesto spells out the party's perception of the country's problems and states how the party proposes to address problems and help achieve the collective aspirations of the nation if elected. The manifesto sets out the measures which the party proposes to take in order to improve public services such as health, education, and transportation, promote national development issues such as trade, industrialization, employment, and address public concerns in areas such as technology, the environment, and crime.

However, for a responsible and effective political party, it is not enough **to** propose policies. A credible party manifesto must also justify the party's plans prove its commitment to them, and persuade the public that these plans **are**

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feasible. Political parties that have had Previous experience in government can do this by spelling out their achievements and accounting for their failures. However, a party's abilities and the efficacy of its policies can only be fully tested when it forms the government-and attempts to implement its programme.

### *1.3.3 Organisational Structure*

Political parties are usually required by law to have certain organisational structures, such as a constitution, particular officers, and a network of local branches. The specific legal requirements vary from country to country, and different political parties have different organisational structures within the law.

The underlying purpose of the organisational structure of any political party is to enable the party to develop popular polices, broaden its support, and campaign effectively in elections. Therefore, political parties require an organisational structure which leaders and members can use to run the party, choose their leaders and officers, and determine party policies. Usually, this organisational structure is defined in the party constitution.

Like other types of constitutions, the constitution of a political party is the party's "basic law." Its sets out the principles and operating procedures of the party, specifies the rights and responsibilities of members and officers, and lays down the rules for the internal governance of the party. The ultimate aim of a party constitution is to provide a democratic structure and ensure that this structure is observed in practice. The constitution should therefore be very clear about the party's leadership structures, the rights and powers of the leaders and members, and the nomination and election procedures.

Democracy within a political party can be achieved in various ways. It is therefore up to each political party to decide exactly how it should govern itself. However, the basic principles of democracy - transparency, accountability, and popular decision making by the people, or in this case by the members must be observed. Therefore, the constitution of a political party should be in harmony with the interests of the members. In particular, it should ensure that the members are the ones who ultimately choose the party's policies and leadership. A political party should be more than a vehicle for the political ambitions of its leaders. It should be a vehicle for citizens sharing a common political agenda in which the members, not the leaders, are the foundation and the reason for the party's existence.

In addition to being democratic, a party's organisational structure also needs to be effective. A political party is much more than a "talking shop." Its mission is action-oriented: to develop policies, sell them to the electorate, and win

power in elections. Therefore, its organisational structure has to be efficient in terms of day-to-day management and forward planning (the next party conference, the next election). At the same time, it also has to ensure that party leaders are aware of the views, needs, and problems of the party membership and the entire country. This is normally accomplished through a party branch network that enables grassroots members to be represented in decision-making processes.

#### ***1.3.4 Membership Base***

Another essential characteristic of a political party is the membership base. Generally, political parties try to build as large and broad-based a membership as possible. The larger the membership base - and the more varied in terms of age, gender, education, occupation, social class, ethnicity, region, and so on - the more credibility the party will have and the more successful it is likely to be in winning elections.

In addition, the membership base is vital for the internal functioning of a political party. A political party recruits people who are committed to its ideology and principles and who will be able to participate in party governance, policy formulation, and campaigning. From among these members, the party leaders are elected. The membership base is therefore vital to the future of a political party.

The membership base of a political party is also an important aspect of citizens' participation in national politics. People who join political parties are usually more politically aware and activist than the average citizen. By joining a political party, members of the public achieve a higher level of political participation than those who merely vote. Therefore, the level of membership in political parties among the voting population of a country is an important indicator of the political maturity of the people.

Members of parties are able to shape the ideology and policies of their parties. They can demand more accountability from their leaders and even become party leaders themselves. As party leaders, they have a better chance of being nominated as candidates in national elections and therefore of participating directly in policy making and governance. By building their membership base, therefore, political parties make a contribution to the overall development of responsible citizenship.

However, regardless of the nature or breadth of the membership base of a political party, the ultimate responsibility of the party should be to the nation as a whole. A truly national political party is interested in the welfare of the nation,

not the welfare of its own members or supporters only. Otherwise, it is really only a political faction whose aim is to advance the restricted interests of its members whether or not such interests promote the common good.

## **1.4 Functions and Significance of Political Parties**

In democratic societies, orderly competition for power is the definitive function of political parties. Parties offer ideologies and programmes that the public can choose whether to support or not. Party members and their leaders have certain common aspirations, principles, and policies, and they join together in a political party mainly in order to sell their ideas to their fellow citizens. The ultimate goal is to put these ideas into practice in government for the good of the nation. Parties field candidates in elections so that the aspirations, principles, and policies of the party can be implemented through government programmes.

### **1.4.1 *Political Parties and Governance***

Whether or not they win control of the government, political parties participate in governance. There are two ways political parties participate in governance either directly as the party in power or indirectly as the opposition. The government, of course, is constituted only by the party or parties that control a majority of seats in the legislature, but the losing parties still play - or should play a vital role in the overall governance of the nation.

When elected to participate directly in government, party leaders are expected to promote their party's ideology and carry out its legislative agenda. They do so by taking the appropriate actions according to the constitution of their country, such as appointing officials, setting up commissions and task forces, and drafting and passing laws. Being in government is a political party's opportunity to implement its programmes. In some cases, such as coalition governments, a political party will support policies of other parties if these ensure that some of its own goals are achieved.

When political parties fail to be elected to form the government, they form the opposition. The role of the opposition is to criticize government policy and prevent abuses of power. This role is essential for ensuring good governance, minimizing mistakes and corruption, and protecting the rights of citizens. Without an effective opposition, there is no ongoing check on the power of the government. On the other hand, an active, vigilant opposition keeps the government "on its toes" and not only prevents abuses from arising but also encourages more efficient policy making and implementation.

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The key to both good government and effective opposition is free competition for power. This requires a constitutional and administrative framework that enables competing political parties to freely market their ideas and policies to the people. It is this framework that distinguishes competitive, democratic political systems from non-competitive ones:

In non-competitive ... political systems, the only party in the country places and maintains people to be in control of government machinery without any formal competition from any other quarters. In other system however, each party seeking to gain power must compete for popular support with another group or groups holding divergent views (Newman 1956).

However, for political parties to participate effectively in competitive politics they also need the internal capacity to bring their ideas and project public attention and influence public opinion. At election time in particular, they require the machinery, infrastructure, skills, and resources to campaign throughout the country and make good use of whatever instruments available.

Therefore, political parties are also channels of communication which circulate political ideas, principles, and policy options among their members and entire society. As such, they perform a vital educational role in the maintenance and development of democracy in a country. However, if political parties distort their messages, mislead the public, or incite ethnic or racial animosity in order to influence public opinion, they undermine democracy.

### **1.5 Political Party Systems**

Political parties operate within specific political systems. The general characteristics which underpin a particular system can enhance or circumscribe the freedom of a political party to function effectively. Two approaches are usually employed in classifying party systems, first, according to the numbers political parties in a country and, second, in terms of the origins of the parties the social, political, economic, and other conditions that led to their formation. The two methods are complementary, not mutually exclusive, and we analyse the various party systems in this report using a combination of the two approaches.

### ***1.5.1 Single-Party Systems***

In a single-party system, there is only one legal political party. Alternative parties are banned, and elections only offer the electorate a choice of candidates from the ruling party.

The precursors of the single-party systems were the communist and socialist party systems. These were based on the ideological belief that the working class had an inherent right to constitute the dominant political group to which all other societal interests should be subjugated. The ideological argument behind this belief was that in the capitalist countries political parties are instruments of the capitalist classes for the oppression of the workers. For this reason, when the working class liberates itself from capitalism, it is duty-bound to constitute itself into a workers' party to which all other interests must submit.

In theory, this system could be considered democratic as long as there is free competition of ideas and policies within the ruling party. In practice, however, the communist party's monopoly led to dictatorship. Without competition from other parties, the workers' party had no check on its powers or activities, and its leaders soon became a small, tyrannical elite.

In Africa, the end of colonialism coincided with the height of the Cold War between the communist and capitalist states. Though most of the newly independent African states began as multiparty democracies modelled on the systems of their former colonial rulers, within a few years they evolved into single party systems. The single-party system dominated African politics until the late 1980s and early 1990s, when the collapse of communism forced a re-evaluation of the relevance of the single-party system in Africa. The resulting clamour for democracy has generally led to the demise of the one-party system in most African states, including Kenya.

### ***1.5.2 One-Dominant-Party System***

The one-dominant-party system falls somewhere between the multiparty and the single-party systems. Technically, this system is multiparty, but in practice one dominant party controls the electoral environment and restricts the ability of other parties to effectively compete for power.

In Africa, typical examples are Egypt, Senegal, and Botswana. All three countries have practised multipartyism for many years, even when single-party dictatorships were predominant in the continent. However, in practice the ruling parties in these countries so entrenched themselves in power as to preclude a serious possibility of the opposition parties winning. Further, an emerging trend

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has been observed since the re-introduction of the multiparty system in Africa in the early 90s, where ruling parties manipulate elections to perpetuate themselves in power. The opposition is harassed and reduced to a symbolic role.

### *1.5.3 Two-Party Systems*

Sometimes, multiparty systems are so thoroughly dominated by the two parties that they effectively become two-party systems, as none of the parties has any real chance of forming a government or in most cases having an impact on government policies. This has been the case in the United States for most of its history. The Democratic and Republican parties dominate the national and state legislatures, as well as local politics in most states. Other parties are free to compete, they are rarely able to elect representatives even at the local levels.

The chances of other parties becoming important in two-party systems vary from place to place. In the United States, the Republican and Democratic parties are so entrenched at all levels of the political process that only a major upheaval could open up the political space to meaningful participation by another party. In Britain, however, which was effectively a two-party state (Conservative Labor) for forty years following the second World War, dissatisfaction with polarized politics led in the 1980s to the formation of the Liberal Democratic Party, which now has a substantial following.

### *1.5.4 Multiparty Systems*

Ordinarily, multipartyism means the presence of three or more political parties in a country. Under this system, all parties have an opportunity to run elections. The party that wins the most constituencies (parliamentary system) or the most votes (proportional representation) forms the government. Although the rules differ from country to country, a coalition government can sometimes be formed if no single party gains an outright majority of seats in the legislature. In a coalition, two or more parties agree to form a government together in order to command majority support in the legislature. In some multiparty systems as in South Africa, candidates not affiliated to any party (independent candidates) are also allowed to stand for election. In Kenya, however, candidates have to be nominated by a registered political party.

## **CHAPTER 2**

### **POLITICAL PARTIES IN HISTORICAL CONTEXT**

#### **2.1 Origins of Political Parties**

Before political parties emerged, political legitimacy in most of the world derived either from God (“the divine right of kings”), from hereditary right (for example, automatic succession by the ruler’s first-born son), or from the will of a small elite (as in some city-states). Beginning in Europe in the seventeenth and eighteenth centuries, however, citizens began to challenge these old ideas of political legitimacy. As demands grew for greater participation and as challenges to the legitimacy of existing structures of authority became more radical and revolutionary, mass movements of citizens emerged.

Historically, therefore, political parties emerge when the activities of a political system reach a degree of complexity that requires the development of new and wider political formations. In other words, political parties become necessary when a society becomes diverse, classes become conscious of their interests, and large numbers of citizens demand the right to participate in political affairs. The emergence of political parties can be traced back to eighteenth-century England. Following the 1688 revolution which established parliamentary rule, the English middle classes captured political and economic power. They then began to organize themselves into groupings led by prominent members of their class in order to control the state and promote their ideological aims.

In the course of the eighteenth century, two main political groupings emerged in England: the Whigs and the Tories. The Whigs mainly represented the interests of traders and manufacturers and favored free trade, low taxes, the growth of the cities, and an aggressive foreign policy. They also supported the expansion of personal liberties and opposed the traditional privileges of the aristocracy. The Tories on the other hand represented the old landed families and other large property owners. They favoured protectionist trade policies and the preservation of traditional ways of life and wanted to restrict political power to the wealthy and propertied classes.

These two groupings were the ancestors of the modern Liberal and Conservative parties. As British society developed, more and more citizens gained the right to vote and participate in politics, and the political issues became more complex.

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In response, the Whigs and Tories gradually transformed themselves from informal groupings of important men and their supporters into more and formal organisations. By the middle of the nineteenth century, they acquired most of the organisational structures of modern political parties

In other European countries a similar process took place. As in England, the rise of the middle class, the expansion of representative democracy, and the opening up of forums for political discussion and participation were the main catalysts for the formation of political parties. Thus, early forms of political parties arose in France on the eve of the 1789 revolution and in Germany at the time the 1848 revolution. The emergence of political parties in other countries generally followed a similar pattern.

As universal suffrage (one citizen, one vote) became prevalent throughout the West in the early part of this century, political parties turned into complex and highly organized mass organizations. In Western Europe and North America, as well as in some parts of Latin America and Asia, forms of democracy based on competition among political parties became the standard political system. On the other hand, in Eastern Europe, Russia, and China, the old monarchies gave way instead to communist one-party systems. While the multiparty systems of West generally developed into increasingly sophisticated and flexible methods of enabling citizen participation and choice, the one-party systems of Eastern Bloc perfected the “party of the workers” as an instrument of social mobilization and control.

Despite momentous progress in industrialization and modernization, the one party systems generally failed to achieve sustained economic growth. In contrast, the multiparty systems of the West were able to deliver both growth and stability. In the late 1980s, therefore, most of the communist state abandoned their one-party systems and adopted variations of the Western model. At the same time, the one-party states of Africa and Asia came under intense pressure to liberalize their systems. During the 1990s, most of them tried to do so, with varying degrees of success.

Today, political parties form the central pillars of multiparty political systems in most countries around the world. The main exceptions are some hereditary and religious monarchies such as Saudi Arabia, where there are no legal parties at all, and the People’s Republic of China, the major surviving one-party communist state. Given the trend of the past two hundred years, it is reasonable to predict that political parties will continue to dominate political activity and determine the course of political development in most countries of the world for many generations to come.

However, it is much more difficult to predict the specific forms political parties or multi-party systems will take in the years ahead. For example, globalization and economic liberalization are greatly increasing the political as well as economic importance of multinational corporations. This development **poses** a threat not only to state sovereignty but also to genuine party participation. Meanwhile, in Africa the emergence of one-dominant-party systems threatens to stall the democratization process and make multiparty irrelevant. The solutions to these and other challenges will largely depend on how effectively political parties can respond and adapt their structures and methods to ensure that they remain genuine vehicles of citizen participation.

## **2.2 The Emergence of Political Parties in Africa**

As we have seen, the development of political parties worldwide has its roots in the desire of citizens to participate more fully in their political systems and have leaders whose power derives from the will of the people. The underlying issue has been what makes a regime and its leaders legitimate.

In Africa, the development of political parties was a revolutionary process based on excluded groups. As in Europe, the essential issue was the legitimacy of the rulers, but in Africa the rulers were foreign colonialists, and the excluded groups consisted of the whole African population. Racism played a key role, as the colonialists used pseudo-scientific theories of racial superiority to argue that Africans were incapable of self-government.

Political parties in colonial Africa therefore began as nationalist movements whose ultimate aim was to restore ‘ the sovereignty of the indigenous people. They generally started out as small groups trying to open up opportunities for indigenous political participation and resist specific instances of colonial racism and exploitation. When the colonial administrations refused to make reforms, these groups became more and more radical and populist. They broadened their support among the people and gradually developed into mass movements and eventually into fully-fledged political parties. Most of these nationalist parties were centered around strong personalities who were pioneers in the struggle for freedom and founders of their parties. In many cases, these individuals had also served long sentences in colonial jails and had become embodiments of the freedom struggle. Notable examples include Kenya’s Jomo Kenyatta, Algeria’s Ahmed ‘ Ben Bella, Kwame Nkrumah of Ghana, and South Africa’s Nelson Mandela.

However, the formation of parties around strong personalities is not a new phenomenon nor is it peculiar to African independence movements. In Europe,

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some of the oldest parties, including the Conservative and Liberal parties in Britain, were founded and dominated in their early years by outstanding personalities such as Robert Walpole and William Pitt. Even during the modern period, a strong party leader like Margaret Thatcher has sometimes been able to dictate a party's policies and approaches. In the United States, the Democratic and Republican parties have often been dominated by strong willed leaders such as Thomas Jefferson and Abraham Lincoln and, more recently, Bill Clinton and Newt Gingrich.

This phenomenon is often repeated in emerging democracies, where political movements and parties, especially new ones, tend to be centered around an influential personality, often the leader of a particular community. This is not necessarily detrimental either to the development of democracy or the development of the party. Indeed, in many cases the opposite is true. On the other hand, the phenomenon has risks, especially in countries where society is unstable due to mass poverty or tribal and regional tensions.

Another important feature of ant-colonialist nationalist movements, both in Africa and other regions, was their internal fragility. To pursue a credible nationalist agenda, these movements had to become genuine mass movements. This meant uniting diverse social elements into an effective political force. In most cases, these movements held together during the pre-independence period as a result of a common dedication to the goal of national independence. Among both the leadership and the grassroots, however, there were conflicting interests which were submerged for the sake of the common struggle.

At independence, most African countries had multiparty political systems as a result of a deliberate colonial policy to bequeath political systems to their former colonies which resembled as closely as possible the system in the mother country. But after independence, these structures were quickly dismantled, giving way to one-party systems. African leaders sought to justify the imposition of one-party rule on many grounds. For example, Julius Nyerere of Tanzania argued as follows:

Where there is one party, and that party is identified with the nation as a whole, the foundations of democracy are firmer than they can ever be where you have two or more parties each representing only a section of the community. My argument is that a two-party system can be justified only when the two parties are divided over some fundamental issue. Otherwise, it merely encourages factionalism (Nyerere, 1962).

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In effect, Nyerere was putting the case that under the conditions existing in Africa - dominated by imperialism - an “African democracy” could only be created under a unifying single-party system.

Re-echoing the same sentiments, Mugabe of Zimbabwe had this to say:

We feel that a multiparty state is an oddity. It is a strange phenomenon to us, and we say this in all genuineness. We feel that it makes unnecessary **division** in our society that our own traditional style of oneness - we are a family, under one chief with various headmen under him and if we can use this concept to create one political society, allowing for expression of opinions of various kinds, that would be better than a multiparty state and its divisional nature (*The Herald*, December 31, 1986)

Like Nyerere, Mugabe is oversimplifying the African situation to justify his political standpoint. The traditional Zimbabwe which he advances as his model did not have a single chief before colonialism, and the social Organisation was not similar in all communities.

The argument that single-party rule has its roots in African tradition is difficult to sustain. Not only were political institutions in Africa very varied and full of internal contradictions themselves, many were destroyed under colonialism and new ones created to make it easier to rule the continent. Even if the one-party system is capable of providing democratic governance in theory, the African experience over almost thirty years has been to the contrary. In almost every case, the one-party state degenerated into one-man rule. Divergent political opinions were ruthlessly oppressed. Political dissidents were harassed or thrown into jails. This was true of Kenya, Malawi, Zimbabwe, Zambia, Ghana, and Nigeria, to mention only a few. Ironically, this intolerance then gave impetus to new movements clamouring for broader-based political participation and genuine competition. The ultimate result has been the transformation of previously single-party states into multiparty ones in most parts of Africa over the past decade.

In the next section, we discuss the historical development of political parties in Kenya. We focus on the salient trends and features of the colonial era (when African participation in governance was officially repressed), the nationalist movements of the 50s and 60s, the single-party era of KANU monopoly in the first three decades of independence, and the rebuilding of political pluralism since 1991.

## 2.3 Political Parties in Kenya: An Overview

### 2.3.1 The Colonial Period

The rise of political parties in Kenya can best be understood in the wider context of the reaction by Kenyans to colonial rule. From a very early stage of colonial experience, Kenyans organised themselves in different forms to count their economic and political exclusion and fight for their rights. To begin with, these forms of political mobilisation were not political parties. At first, they took traditional forms. Later, trade unions grew up that focused mainly on trying to protect and extend the rights of African wage-earners. However, these unions also provided an opportunity for the first generation of anticolonialist leaders to share ideas on wider issues and gain experience of grassroots mobilisation.

The first indigenous political groupings were organised along ethnic lines but **did** not restrict themselves to ethnic issues. For example, the Young Kikuyu Association, formed by Harry Thuku in 1921, addressed a broad range of grievances shared by all indigenous Kenyans. At this point, most grievances were still closely related to labour issues, for example forced labour, high taxation, and the introduction of mandatory “native” identification cards (known as the kipande). Other ethnic-based organisations formed at around the same time included the Young Kavirondo Association in Nyanza and the Central Association in Murang’a.

As resistance to colonialism deepened and grew more sophisticated, and as more and more Africans moved to towns and cities and mixed with those of other ethnic backgrounds, the first cross-ethnic political movements developed. In 1944, the Kenya African Union (KAU) was formed. Though at the beginning KAU had a mainly Kikuyu following, it was the first indigenous Organisation to reflect a Kenyan national outlook.

Whatever their ethnic composition or outlook, all these early nationalist movements shared common goals - overturning white colonialism, ending racist and exclusionist policies, and replacing the colonial government with an indigenous one. Related concerns included reclaiming alienated land, defending the indigenous cultural heritage, and promoting the economic social development of Kenyans. With such an agenda, the nationalist movements were considered enemies of the colonial state. They were refused registration, and their leaders were constantly harassed and often imprisoned.

However, no amount of repression could counteract the will of the people, and with the beginning of the Mau Mau insurgency in the late 1940s the independence struggle greatly intensified. The state of emergency decreed by

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the colonial government in 1952 and the imprisonment of key nationalist leaders were designed to finish Mau Mau. However, the colonialists soon realised that they could not fight the Kenyan independence movement forever. In 1954, they therefore began to move towards a constitutional settlement with representatives of the African majority.

In 1954, the Littleton Constitution increased African representation in the Legislative Council (Legco) and created the constitutional foundation for a future legislative assembly. In 1957, the African seats in the Legco were made elective (though the electors' roll was very restricted), and in 1958 the Lennox Boyd constitution increased the number of elected African members to fourteen, which was equal to the number of European representatives. Though African political parties remained banned, nationalist leaders continued to agitate for independence, and by 1960 it had become clear that majority rule was on its way.

In March, 1960, a leader's conference in Kiambu founded the Kenya African National Union (KANU). KANU at this time had a generally left-of-centre ideology. Its platform called for immediate independence, a centralised, unitary state, a republican government, and a strong state presence in the economy. In reaction, leaders who favoured a federal system of government joined forces at a meeting in Ngong in June of the same year and formed the Kenya African Democratic Union (KADU). Like KANU, KADU demanded independence, but it wanted a federal state and a limited central government in order to protect the interests of minority ethnic groups. In ideology, KADU was generally more conservative and favored a capitalist economic system with minimal state interference.

In 1961, the British government finally conceded the principle of majority rule, began the Lancaster House constitutional process, and lifted the ban on African political parties. This allowed KANU and KADU to operate legally and paved the way for the first general elections in Kenya in which African political parties were free to compete for power. These elections were held in March 1961. Thanks mainly to support from the large Kikuyu and Luo communities, a broader base in the urban centers, and better Organisation, KANU won the elections with 61% of the vote and 19 seats in the Legco compared to KADU's 16% and 11 seats. However, in protest at the continued imprisonment of Jomo Kenyatta, KANU refused to take office. A government was then formed by the KADU members of the Legco with support from European and Asian members.

At the second Lancaster House conference in February and April 1962, KANU was forced to accept the KADU proposal to incorporate federalism in the independence constitution. However, it did so under pressure from the British

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government, which felt that federalism would protect the interests of Kenya's white settlers. After winning a large majority in the independence election in May 1963, KANU began almost at once to dismantle the federal system and create a unitary republic.

### *2.3.2 Independence and After*

Though some small ethnic parties also existed and had a limited impact at polls, at independence Kenya was basically a two-party state. However, it did not continue as one for very long. On November 10, 1964, KADU dissolved itself and merged with KANU.

During the brief period between independence and the dissolution of KADU, multipartyism did not function in a meaningful way. In particular, the opposition did not fulfill its role effectively, nor did the government take the idea of opposition seriously. Instead, the main dynamics of the first period of multipartyism emphasised ethnic rivalries, cronyism, and contradictions between the ideal of national unity on the one hand and entrenched ethnic and regional orientations on the other (Ojwang, 1981).

The federalism of the independence constitution was an awkward compromise which KANU was committed to dismantling, and there was an absence of underlying social structures, such as a network of civil society organization, that could have sustained the party system and helped it to develop. In general, the political players lacked commitment to the basic ideals of multiparty democracy and were distracted by the post-independence struggle for power and influence in the new state.

When KADU members crossed the floor, the KANU backbench was left as the only forum for expressing views critical of the government. However from 1965 the government launched a vigorous assault on independent opinion in parliament and neutralized critics on the backbench by removing them from all committee positions. As a result, debate fizzled out. What remained of party activity became the initiative of the executive or of alignments centered on mavericks such as Oginga Odinga.

When Odinga and his followers left the government in 1966 and formed the Kenya People's Union (KPU), there was a brief revival of multipartyism. KANU responded to the KPU defections by passing a constitutional amendment that forced the rebels to seek re-election. The mass by-elections that followed, known since then as the "little general elections," were Kenya's last experience of multiparty politics until 1992. However, "the little general elections" were hardly models of competitive politics. KPU was systematically hindered by the

government from campaigning freely. Legal registration of the party was delayed until nomination day, preventing KPU from organising effectively. During the campaign, KPU candidates were denied licenses for meetings, KPU supporters were harassed, and the Voice of Kenya, most voters' only source of news, gave the party a blackout. In spite of this distorted electoral environment, KPU got more total votes than KANU but won only a quarter of the contested seats.

In 1969, shortly before the next general elections, KPU was proscribed and its leaders detained. KANU's monopoly became complete. From then on, the only opposition" was provided by independent-minded members within the party such as Martin Shikuku, Jean-Marie Seroney, and J M Kariuki, and a few prominent dissidents outside the party such as Oginga Odinga. In theory, KANU remained open to criticism from within, but in practice the party's disciplinary provisions were used to stifle internal democracy. With no opposition parties, KANU members who did not toe the line had nowhere to go except the political wilderness. As a result, KANU became less and less effective as a mass movement or a genuine vehicle for policy development.

In 1982, after thirteen years of de facto one-partyism, Kenya became a de *jure* one-party state through the enactment of the Constitution (Amendment) Act Number 7 of 1982, which made KANU the sole legal political party. The period that followed saw increased repression through the use of detention without trial, crackdowns on dissidents and "underground" movements, banning of publications, and expulsion of dissenting members from the ruling party. With the option of forming an opposition party now legally closed, KANU brought more and more aspects of the state under its control and became progressively bolder in silencing dissent both inside and outside the party.

However, KANU's dictatorial policies only produced increasing dissent and general discontent among the citizens. In addition, the late 1980s saw a global resurgence of democracy precipitated by the collapse of the Soviet Union. The end of the Cold War removed the West's incentive for propping up unpopular regimes in the developing world, and as a result international pressure for change was now added to the clamour of the Kenyan people themselves. The notorious mlolongo elections of 1988 were a turning point. The queue-voting system that KANU imposed for these elections, and the glaring rigging that followed, brought dissatisfaction with the one-party system to new heights. A groundswell of demand for change led to the *Saba Saba* (July 7) riots of 1990 and to increasing international pressure, culminating in an aid freeze the following year by major donors. At this point, KANU was forced to recognize the inevitable and restore the right to form alternative political parties. This paved the way for multiparty elections in December 1992.

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### **2.3.3 Development of Political Parties 1991 - 1997**

Since the restoration of multipartyism in 1991, the Kenyan political scene has been characterized by uncertainty and instability. Twenty-six new parties have sprung up, and innumerable defections and redefections from one party to another have occurred across the political spectrum from the municipal level to the cabinet. Many of the new parties have had little impact at national level, but the main ones have developed considerable following in different parts of the country. There are now few areas of Kenya where opposition does not have significant support, and there are large areas opposition parties enjoy majority support.

On the other hand, no opposition party has been able to build a large enough national following to capture state power, and, though many alliances have been struck to try to remedy this situation, none has lasted. KANU has remained firmly in power through two hard-fought general elections. It has used its control of the machinery of state, particularly the office of the Registrar of Societies, the police, the courts, and public funds to destabilize opposition parties whenever the opportunity has arisen.

It must be said that the opposition has provided KANU with plenty of opportunities. The history of opposition in Kenya since 1992 is one of division, infighting, and a consistent inability to cooperate to achieve common goals. Despite efforts by various individuals and pressure groups to facilitate a united opposition front for the 1992 and 1997 elections - and in particular to promote the idea of a single opposition presidential candidate - no lasting alliance could be formed. In 1992, Matiba denounced the idea of a single candidate as undemocratic, using a slogan, "Let the People Decide" that then became his trademark. Odinga and Kibaki accepted the principle of fielding one opposition presidential candidate, but they could not agree on which of the two it should be.

The ambition to become leader of a party and to vie for the presidency has led to a series of splits in the original FORD coalition. First, FORD split into FORD-Asili, led by Kenneth Matiba, and FORD-Kenya, led by Oginga Odinga. Later, Raila Odinga left FORD-Kenya to lead the National Development Party, and Kenneth Matiba left FORD-Asili to form Saba Saba-Asili. The result is that the original multi-ethnic FORD, which had a substantial following in virtually all parts of the country, has been replaced by four parties whose support is largely confined to the ethnic communities of their leaders. Voting patterns in both the parliamentary and presidential elections in the 1997 general elections clearly show this (IED, *Report on the 1997 General Elections in Kenya*). It is difficult to

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avoid the conclusion that most opposition leaders are more interested in their personal ambitions than the cause of democracy.

In addition, little progress appears to have been made in defining party ideologies or developing policies and programmes. Though the major opposition parties, and some of the minor ones, have issued manifestos, their approaches to issues have been obscured and muddled by internal wrangles. As a result, it is difficult for voters to tell what the different parties really stand for, apart from the ambition to form the government. The frequency of defections and leadership wrangles indicates that many opposition politicians have not been motivated by principles or constructive policy commitments and that the only real issues for many are power and ethnicity.

In terms of structure and Organisation, the opposition parties have been hampered by misadministration and persistent problems with internal democracy and transparency. Party elections, particularly in FORD-Kenya and FORD-Asili, have been marked by confusion, incivility, widespread charges of rigging, and even violence. Party structures and lines of command often appear to be unclear, inefficient, or haphazard.

In comparison, KANU has retained an image of unity despite persistent allegations of the existence of KANU A and KANU B factions and the looming Moi succession issue. However, the party has refused to hold internal elections in defiance of its own constitution, and its governing and policy-making structures remain opaque to say the least. Though the KANU manifesto is very detailed, most of the promises it contains are old ones, and there is little evidence of a genuine commitment to implement them. As with the opposition parties, it is difficult to avoid the suspicion that ideology and policy are more shadow than substance.

In summary, between 1991 and 1997 the development of political parties in Kenya has been conditioned largely by the ambitions of leaders and by ethnic loyalties centering around these leaders. As a result, most opposition parties have been unable to develop national followings or distinctive policies and programmes based on coherent ideologies. In fighting based on leadership and ethnicity have split the formerly united opposition movement into factions, crippled their organizational capacities, and prevented them from working together on common agendas such as constitutional reform, fighting corruption, and curbing political violence.

On the other hand, several opposition parties have developed relatively strong grassroots networks, and citizen participation in the political process has been greatly enhanced. Despite the failures of the opposition parties - or perhaps



## CHAPTER 3

# THE ORGANISATION AND PERFORMANCE OF POLITICAL PARTIES

### 3.1 Introduction

With the repeal of Section 2A in December 1991 and the registration of many new parties since then, the space for political participation in Kenya has been considerably broadened. The December 1992 general elections, though seriously flawed, were the first genuinely competitive elections in Kenya since independence. Though the ability of the opposition parties to campaign freely and effectively was seriously curtailed by state interference and the parties' own internal problems, opposition candidates won almost two-thirds of the popular vote in presidential polls and nearly 60% of the vote in parliamentary polls. However, due to Kenya's "first-past-the-post" system, KANU retained the presidency and control of parliament because its support was more evenly distributed.

Nevertheless, there has been a strong opposition presence in parliament since 1992, and critics of the government both inside and outside parliament have been able to express dissenting points of view much more freely than in the one party days. Privately owned media is freer than before, though the government's refusal to open up television and radio frequencies remains a major concern. Kenyans generally can now ask questions and make comments that were previously taboo.

However, six years down the road, the underlying issue is whether the repeal of Section 2A and the re-introduction of multiparty politics have led to as much of an increase in personal freedom and political competition as they could have. When Section 2A was finally repealed, public expectations were very high, and people often speak now of the "euphoria" of those days. Have the last six years lived up to these expectations? Have Kenyans achieved the far-reaching democratic changes they were demanding?

The degree to which Kenyans have succeeded in the democratisation process since 1991 has very largely depended on the performance of the political parties. This chapter examines the performance of political parties since 1992. In particular, it reviews the most important provisions of the party constitutions, especially those that either enhance or curtail internal democracy, and compares these provisions with what the parties have actually done.

In order to understand how political parties operate, the key factor is the actual political behaviour resulting from particular institutional and legal arrangements. For example, knowledge of the details of the American constitution does not tell us much about the American political process in action. It does not tell us how political decisions are actually made or how they are implemented. The principle objective of this chapter, therefore, is to compare what the part important documents and rules stipulate with what the public has actually observed the parties doing.

### 3.2 Kenya African National Union (KANU)

KANU is the oldest surviving political party in Kenya, having been founded March 1960. It formed the first government at independence in 1963, and except for brief periods in the 1960s, it excluded other political parties from legally participating in politics until 1991. From 1969 until 1982, KANU preside over a de facto one-party state, preventing other parties from emerging but not making political competition officially illegal. In 1982, however, Section 2A of the constitution made KANU the only legal political party and from then until restoration of multipartyism in 1991, Kenya was a de jure one-party state.

During the twenty-two year period of one-party rule, political participation was only possible in Kenya through KANU. In theory, KANU was open to internal debate on policies and leadership issues, but in practice all important party matters were dictated by the President either directly or through a network of local and regional bosses whose power depended on their personal loyalty to him. Dissenting views were not tolerated, and non-conformers were disciplined or silenced by suspension and expulsion.

KANU's long history has given it by far the strongest party structure and branch network of all the political parties in Kenya. Its control of state facilities and resources, uncontested during the one-party era and still largely intact, gives it enormous strength and solidity compared to the opposition parties. It **remains** the only political party in Kenya that fields candidates in all constituency and can campaign in any part of the country.

As previously noted, KANU was born at a leaders' conference at Kiambu March 17, 1960, which was attended by most elected African members of the colonial Legco. The main original goal of the party was to push independence as quickly as possible and form a nationalist government that would unite all Kenyans under a unitary, centralised system of government.

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However, the main movers behind KANU were members of the two largest ethnic communities, the Kikuyu and Luo. For various reasons, these two communities had been the most highly politicized by colonialism and therefore tended to be the most militant players in the fight for independence. By the time KANU was founded, it was clear that independence was on its way. The main issues, therefore, were what form the new state would take and who would govern it. Fearing domination by the Kikuyu and Luo, leaders of a number of smaller ethnic groups met at Ngong on June 25, 1960, and founded the Kenya African Democratic Union (KADU). Its main goal was a federal state with strong regional governments to protect the interests of the smaller tribes.

In the end, KANU was forced to accept a federal constitution. However, after winning the independence elections in 1963 with a large majority, it immediately set out to dismantle the federal system and create a unitary republic. In October 1964, KANU succeeded in passing a constitutional amendment making Kenya a republic and reducing the powers of the regional governments. In November 1964, KADU voluntarily dissolved itself and merged with KANU and, from this point on, KANU pursued its goal of centralising state power with increasing confidence. In December 1964, another constitutional amendment withdrew the regional government's taxing powers, making the regions completely dependent on the central government. Over the next several years, a series of constitutional amendments and other laws transformed Kenya into a fully unitary state with both central and provincial administrations controlled by the executive and power concentrated in the presidency.

Within KANU, however, some members were expressing discontent with the increased powers of the President. In 1968, for example, Ronald Ngala, the former chairman of KADU, observed that KANU had become a party dominated by one man, the President. A KANU backbench group also tried to maintain some internal debate on policy matters, but it was dissolved by the President in 1965.

The main critical voice within the party during this period was provided by Oginga Odinga, Kenya's first vice-president'. He had increasing differences with President Kenyatta and the KANU mainstream over policy and party governance and resigned as vice-president in 1966 after a stormy party conference in Limuru approved a new party constitution that reduced his powers within the party. Odinga and 28 other members of parliament later resigned from KANU and formed a new party, the Kenya People's Union (KPU). KPU was decimated in the by-elections that followed (the so-called little general elections of June 1966). In 1969, shortly before the next general elections, the party was banned.

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With the departure of Odinga and his followers from KANU, criticism within party was left to a handful of independent-minded backbenchers such as Martin Shikuku, Jean-Marie Seroney, and J M Kariuki. However, they isolated voices and had little impact. As the 60s and 70s wore on, and especially after the banning of KPU, KANU grew more and more intolerant of critic less and less responsive to the grassroots. Though it maintained developed structure of branches and sub-branches, these became little more than vehicles for the ambitions of local party bosses, and KANU largely ceased to function as a genuine mass movement.

The charisma of President Kenyatta often made it easy during this period to overlook the inactivity of KANU at the grassroots level. Nevertheless, the deterioration of the party as a vehicle for the will of the people was occasionally well captured, as in the following analysis in the *Weekly Review*:

The party has suffered from atrophy at the branch level in many districts ... National elections for the party have not been held for nearly a decade now, and the party's administrative machinery could use and better paid permanent personnel (*Weekly Review*, July 28, 19

Meanwhile, KANU continued to identify itself more and more closely with the state. In July 1975, for example, its annual delegates conference decreed that civil servants had to be party members. This represented a major deviation from the Westminster constitutional tradition which Kenya had adopted at independence. In this tradition, the political neutrality of the civil service is a part of the constitutional system of checks and balances.

Eventually, the inactivity of the party at the grassroots became a sensitive matter which even led to the detention under the Preservation of Public Security Act of two MPs, Martin Shikuku and the then Deputy Speaker Jean-Marie Seroney. During a parliamentary debate, Shikuku had referred to KANU as dead, and Seroney had ruled that there was no need to substantiate such an obvious. The two MPs were arrested shortly afterwards in the precincts of parliament. The detention of Seroney and Shikuku was evidently meant to warn other critics that utterances which challenged the political legitimacy of KANU would not be tolerated. The warning appears to have been effective, as from that point the voice of dissent within parliament was silenced.

However, during the mid and late 1970s, another persistent feature of KANU's internal power struggles began to emerge. Conflicts between sitting MPs and KANU branch chairmen became common. Branch chairmen had come to wield immense powers and easily undermined MPs whom they did not like. Since the party had no clear conflict resolution procedures, Kenyatta often had

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to step in personally to resolve the problems. This had a chilling effect on the little that was left of healthy debate within the party:

It speaks very well of the strength of the president, for he is looked upon as the measure of the national loyalty and the norm of political behaviour. But at the branch level of the party's activities, it makes for a curtailment of open discussion. KANU party chairmen ... have managed to identify themselves more openly with the presidency than parliament has hitherto been able to do (*The Weekly Review*, October 27, 1975).

With the failure of any alternative opposition party to emerge, Kenyan politics in the 1970s revolved around a small clique of party insiders. As President Kenyatta's health declined, the succession struggle took centre stage and split the insider clique, pitting Vice-President Daniel arap Moi and his allies against a group opposed to Moi. The visible sign of this struggle was the so-called change the-constitution movement of 1976, which wanted the constitution changed to prevent Moi from automatically assuming the presidency after Kenyatta's death. However, the movement was effectively sidelined by pro-Moi insiders, and when Kenyatta died on August 22, 1978, the vice-president was able to take over without incident.

The elections that followed in November 1979 were largely focussed on consolidating the new President's position. President Moi was openly involved in campaigning for his allies and made it clear that he wanted his own men in parliament and particularly in key positions of government. The provincial administration used all means to ensure that the candidates endorsed by the President won. In the years that followed, KANU continued to cement its hold on power and Moi to consolidate his position within the party. One of the most destructive aspects of this process was the dismemberment of civil society. The KANU leadership became increasingly intolerant of independent voices in the trade union movement, the university, and the media. The civil servants union was banned, a strike by doctors was suppressed, numerous independent publications were banned, and a crackdown on dissidents in the university saw a number of prominent lecturers and student leaders detained.

In reaction to KANU's inflexibility and increased repression, demands for a new political party intensified. In June 1982, Oginga Odinga and George Anyona attempted to register the Kenya African Socialist Alliance (KASA). KANU responded by passing a constitutional amendment that inserted the notorious Section 2A into the constitution: "There shall be in Kenya only one political party, the Kenya African National Union." After this, KANU and its leaders wielded so much power that there was no distinction between party and government policy.

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Between 1982 and 1991, KANU exercised absolute power with great intensity. KANU members who made even mildly critical comments were expelled **from** the party, effectively expelling them from politics. Many “dissidents” were forced to flee the country. Others were detained under the Preservation of Public Security Act or charged with belonging to underground organisations such as Mwakenya and jailed after highly dubious trials. Many were tortured in police custody. The law enforcement agencies were used less and less to enforce legitimate laws and more and more to curtail the freedom of people deemed to be anti-government. Massive crack-downs were witnessed after the 1982 coup attempt and during the Mwakenya trials of the mid 1980s. Many lawyers, university lecturers, authors, priests, and teachers ended up in prison or in exile.

### 3.2.1 *The KANU Constitution*

Article I of the KANU constitution states the aims and objectives of the party. This article also contains what can be considered the ideology of KANU: African Socialism. African Socialism is an unclear concept first propounded in Sessional Paper No. 10 of 1965. It is a post-independence euphemism which suggests a balance between capitalism and communism and invokes ideals of Afrocentricity. In reality, it was invented to cut short political debate and mollify left-leaning members of the party.

A major objective, stated in Article 1, is the removal of tribalism. However, given KANU’s record, it is questionable whether the party has really sought to govern and benefit the whole country or just to serve the tribal interests of its leaders. For instance, top officials of KANU have often demanded that certain communities vote for the party as a bloc.

The KANU constitution concentrates power in the hands of a few individuals. Ten national officials provided for in Article 4 are also members of the National Governing Council (Article 6), National Executive Committee (Article 5), Annual Delegates Conference (Article 7). There is no limit to the number of times an official can seek re-election, nor are there provisions for proportion representation. A recent change preventing national officials from also being elected as branch-level officials (Article 4) is welcome but is virtually the constitutional limit to the power of KANU leaders.

The mode of election for both national officials and branch officials is specified as queuing (Articles 4 and 12). However, queuing is now well known to be inimical to fair elections ‘as voters are easily intimidated.’ Oddly, the mode prescribed for civic and parliamentary nominations is the secret ballot (Article 22). It is not clear why KANU prefers queuing for party elections and the secret ballot for party nominations.

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The KANU constitution vests enormous powers in the National Chairman (until recently known as the party president). The National Chairman has the power to suspend a party member as a disciplinary measure (Article 4), though in theory this is subject to ratification by the National Governing Council within three months. All national officials are enjoined to act under the National Chairman's direction. He also appoints branch executive officers. (Article 8). During the annual delegates conference, no item under "any other business" can be discussed without the National Chairman's approval (Article 7). He determines the composition of the disciplinary committee (Article 24) with the approval of the National Executive Committee, and he may dissolve any branch or subsidiary party organ and order fresh elections (Article 24) or call off elections at any time (Article 12). The National Chairman may also convene party national conventions whenever he wishes, and these conventions discuss matters prescribed by him. Such extensive powers in the hands of one party official clearly undermine internal democracy.

KANU's concentration of power in national and branch offices disenfranchises the party's rank and file. According to Article 19 of the KANU constitution, which deals with amendments to the constitution and party rules, only party branches and the National Executive Committee may suggest amendments. If a resolution emanating from a sub-location committee is ignored by the local branch, it is unlikely to ever see the light of day. Furthermore, KANU's rules for nominations imply that the party wishes to exclude non-elite classes from leadership positions. Article 22 stipulates that to qualify for nomination, prospective candidates must hold a valid KANU life membership certificate, which costs KShs 3,000. In addition, a nomination fee of KShs 5,000 (civic) and KShs 10,000 (parliamentary) have to be paid. These high charges mean that most members of KANU cannot afford to vie for elective office. This undermines the democratic electoral process.

Despite being the oldest political party in Kenya, KANU has few democratic structures. All important power rests with the National Chairman, who has since independence also been Kenya's President. These excessive powers have enabled KANU's top officials to control discontent, stifle criticism, and generally dominate the party by undemocratic means.

KANU has sometimes flouted its own constitution and basic principles. For example, it used an ungratified draft constitution to delay party elections because the existing constitution did not permit the party chairman to do so. As late as 1997, it revoked the nominations of candidates who did not enjoy favour at the national level, while forcibly nominating others who were rejected by party members but were politically well-connected. As recently as 1996, KANU Secretary General Joseph Kamotho, who was also the Minister for Education at

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the time, instructed teachers countrywide to teach the KANU manifesto in schools. He justified this by arguing that since KANU was the party in power there was nothing wrong with teachers explaining the manifesto to students.

KANU is also notorious for encouraging extra-constitutional bodies like the “Youth for KANU ’92” and “Operation Moi Wins,” which clearly lacked constitution basis but were still allowed to operate. This has allowed some of its branches of youth wingers, such as the Nakuru one, to operate like terror and extortion gangs. Youth wingers in Nakuru have arrested hawkers for trading without licenses, levied “fees” on transporters, and imposed an illegal KShs 1,000 levy on the town’s business people.

Although any party’s nominations are always a controversial affair in Kenya, the KANU nominations in 1997 exceeded expectations. For example, Dahus Mbela’s appeal over his loss at the nomination stage was rejected by the nominations appeals tribunal only to be overruled by Secretary General Joseph Kamotho. Although rejected by party members, Mbela then vied for the Wundanyi parliamentary seat in the general elections. A new clause in the yet-to-be ratified KANU constitution made it possible for well-connected incumbents like Mbela to bypass the normal nomination process. The new clause allows the National Chairman to nominate candidates of his choice directly.

### 3.2.2 *The KANU Manifestos*

KANU issued its first manifesto in 1960. The manifesto sought peoples’ support to intensify the ant colonial struggle, first, to secure the release of Jomo Kenyatta from prison and, second, to gain independence as early as possible. The manifesto also emphasized the party’s commitment to a unitary state and promised to:

- ◆ end racism and all forms of oppression and exploitation
- ◆ work for speedy economic reconstruction after independence
- ◆ encourage local and foreign investment, both public and private
- ◆ safeguard the rights of workers
- ◆ develop all parts of the country without discrimination
- ◆ adopt positive neutrality in international affairs
- ◆ provide free basic medical care.

This manifesto was the basis for KANU’s campaign in the 1961 elections. However, it is difficult to decide how much this manifesto helped KANU to win these elections, Independence was the overwhelming issue, and KANU was identified with the independence struggle.

The next KANU manifesto, published in 1963, was formulated with the focus on running the first independence government. This followed the attainment of independence and KANU's clear domination of the post-independence political scene. The 1963 manifesto promised that the party would democratise the country by providing political freedom, equality of personal rights, and security of property, while systematically Africanizing the economy. The manifesto assured investors that, if any industry owned by Europeans was taken over, fair compensation would be paid. The party further promised that the rights of the individual as provided in the Bill of Rights would be firmly guaranteed. However, KANU soon started contradicting this promise, for example by curtailing the operations of KPU and detaining citizens who expressed opposing views.

The 1969 KANU manifesto was produced in the midst of a crisis following the assassination of the party's Secretary General, Tom Mboya, in July 1969 and the banning of KPU and detention of its leaders shortly afterwards. This manifesto basically asserted KANU's position as the ruling party, described Kenya's progress over the six years of KANU government, and outlined the party's long-term plans, which mainly reiterated the policies outlined in the previous manifesto. The 1974, 1979, 1983, and 1988 KANU manifestos were largely reproductions of previous ones. They made no attempt to offer reasons for long-unfulfilled promises regarding fair distribution of wealth and equitable development of resources. Even the 1992 and 1997 manifestos were basically the same as that of 1969. However, one small but fundamental item was introduced in 1992 by way of a new clause on the aims and objectives of the party. This stated that KANU is a political party with the aim "to form the government of the country." The party then reminded readers that it brought independence and restated its commitment "to guiding Kenya along the constitutional path to democracy."

It appears that when the multiparty political structure was forced on KANU by internal and external pressure, the party did not take time to generate many new ideas. Neither did KANU's actions change fundamentally. Since 1992, the state's administrative and security offices have been used by KANU, as they were in the one-party days, to protect KANU's position and frustrate the opposition. These actions, which include harassment of opposition leaders and supporters, banning of publications, refusal to liberalize the air waves, refusal to register some parties, and many other undemocratic tactics, are not consistent with KANU's stated commitment to help build multiparty democracy. Instead, the party has managed to introduce a variant of the multiparty system, in which KANU is the single dominant party and manipulates the political and electoral process to prevent the full development of other parties. Perhaps this can be explained by what the KANU manifesto says about good governance - the manifesto restates this priority in terms of state security, peace, and stability.

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In both the 1992 and 1997 manifestos, KANU avoids defining what it means by democracy. These manifestos also avoid addressing accusations that the party has violated the human rights and trampled on the liberties of the citizens. **The** manifestos make no apologies for the party's misuse of state machinery since independence. Thus, Nick Wanjohi sees KANU's promises as suspect:

What does the manifesto mean when it promises establishment of a loyal and dynamic nation? To what extent could this be a restatement to of KANU's desire to make sure that the nation remained loyal to the KANU government whether the people like it or not? (Wanjohi, 1997)

Although the party's 1992 manifesto asserts its commitment to safeguard freedom of worship, in the July 1997 crackdown on constitutional reforms state machinery invaded the All Saints Cathedral in Nairobi, where pro-reformists had taken refuge. The fact that freedom of worship was selected for special abuse suggests a lack of interest in upholding other rights and freedoms. Appropriately, therefore, the KANU manifestos steer clear of making any guarantees against abuse of power.

In sum, KANU's organisational structure and its policy documents reflects its character as the party that presided over the demolition of the independence constitution and entrenchment of single-party rule. Its concentration of power in the hands of a few top officials, its lack of policy on important areas such as women's and youth issues, and its often-repeated-but-never-fulfilled promises on employment and economic empowerment portray a party with no clear vision other than hanging on to political power.

### 3.3 Forum for the Restoration of Democracy - Kenya (FORD-K)

Following the original FORD's successful campaign to pressure the government into repealing Section 2A, the movement was driven by internal conflicts governance and the method of selecting a presidential candidate. Thereafter it split into two main factions, FORD-Kenya and FORD-Asili. The FORD-K faction was registered as a political party on October 8, 1992. Its motto Uhuru, *Haki, na Ukweli* (Freedom, Justice, and Truth) underscores its history as a struggling to compel KANU to respect these three basic tenets of democracy.

#### 3.3.7 *The FORD-Kenya Constitution*

The FORD-Kenya constitution was last revised in 1997. Article 2 states the aims and objectives of the party. In this article, FORD pledges to work for the repeal of all unjust and oppressive laws, to promote a market economy, and to

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implement sound investment, monetary, and economic development policies. Article 2 also makes a commitment to promote international cooperation, national unity, and the full implementation of international human rights instruments.

Article 2 further states that the party is committed to promoting the participation of youth and women in public affairs. However, a reading of the entire constitution shows little specific commitment to the interests of women and youth. For example, although Article 4 promises a students' and youth congress and a women's congress, there are no concrete plans to address youth and women's issues from the branch level and below or even in the national party organs.

Article 3 provides that one of the conditions of membership is that FORD-Kenya members cannot be members of another party. However, this provision has not been enforced by the party. During their tenure in the seventh parliament, prominent FORD-Kenya members Paul Muite, Farah Maalim, and Kiraitu Murungi openly declared that they belonged to the then unregistered Safina party but were not disciplined.

Article 5 provides for national officials but makes the top end of the party's governing structure rather crowded. It provides for both first and second deputies and first and second assistants. The result is that FORD-Kenya has 40 national officials, a very unwieldy leadership structure. However, it is worth noting that some of these offices are highly specialized. For instance, there is a secretary for the environment, one for international affairs, and another for human rights.

Article 6 on the duties of national officials states that no national official can hold an office in the branch or sub-branch of the party at the same time. It also states that no branch officials can hold an office in the sub-branch or lower echelons. These provisions are meant to prevent concentration of power by individuals at all levels of the party right from the grassroots up. Article 6 further states that the National Delegates Congress is the highest organ of the party. This categorical declaration, which is sometimes lacking in other party constitutions, is laudable and means that the most representative body in the party is supreme. However, one notes that the national party officials are all members of the NDC as well as members of the General Council and National Executive Council. A more innovative party structure is needed to distribute power to other members, make the party more democratic, and prevent authoritarian tendencies.

FORD-Kenya's constitution provides for an extensive grassroots network. It provides for branch (district), sub-branch (constituency), location/ward, and

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sub-location party organs. If utilized effectively, this structure would be a effective one for mobilizing grassroots support for party programmes and activities.

Clause 4 of the party's nomination rules states that the National Executive Council will establish a National Nominations Committee consisting of chairman and four other members, all of whom have to be party members of good standing. They themselves or their close relatives must not also be seeking nomination. This requirement can go a long way in ensuring fair play at nominations. Clause 8 provides for a secret ballot at the nomination stage which can also be seen as ensuring fair play.

Part 3 of the FORD-Kenya nomination rules provides for an electoral college, select the party leader. This is a provision that was introduced in place of section 13 of the original FORD constitution which provided for direct election. This section was opposed by the faction that eventually became FORD-Asili. As convenient as an electoral college is, there can really be no substitute for a direct vote of party members when it comes to truly reflecting the wishes of the membership. In addition, the provision for an electoral college contradicts the principle of universal suffrage through which members of parliament and the party President are elected. Clause 17 of the nomination rules provides that the party chairman is automatically nominated to vie for the presidency. This is modification of section 13 of the original FORD constitution, which provided for a direct vote for the party's presidential candidate.

Clause 12 provides for nomination fees that appear too high. Those seeking nomination for a civic seat, for example, have to pay KShs 5,000 and seeking a parliamentary nomination pay KShs 25,000. As in KANU, these high fees effectively rule out participation by rank and file members of the party and promote elitism.

FORD-K has sometimes contravened its own constitution. For example, after the death of its first chairman, Oginga Odinga, the National Executive Council appointed the second vice-chairman to act as chairman because the first vice-chairman, Paul Muite, had earlier resigned. However, the National Executive Council does not have such power. The constitution (Article 6) clearly states it is only the first vice-chairman who can automatically assume the chairman duties. According to the constitution, the correct action would have been to call a National Delegates Congress (Article 8).

On other occasions, FORD-Kenya has failed to follow its own nomination rules. In 1992, after Mr Jim Adero Agengo beat Joab Omino at the nominations for Kisumu Town constituency, Oginga Odinga persuaded Adero to step down in

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favour of Omino, who was a close associate. He also went to Kendu Bay just before nominations and publicly urged people to “give” him Mrs Phoebe Asiyo, another old friend. Later, he wielded powers which he did not constitutionally possess in order to nullify nominations he did not favour in Alego-Usonga, Muhoroni, and Nyando. In the 1997 nominations, the trend of imposing nominees on the electorate seemed to continue. In Bumula constituency, Billy Wanjala’s supporters abandoned FORD-K after Wanjala garnered 5,399 votes to Lawrence Sifuna’s 5,285 but the latter was declared the winner. Mr Wanjala alleged that the party was arbitrarily imposing outgoing MPs on the electorate.

FORD-Kenya’s party elections have also been conducted in the same unconstitutional manner and have caused many court cases, coups, and rifts. It has been mainly during election-related disputes that the constitutional clauses on arbitration have been trampled on. Some members of the party have preferred to seek court intervention without first seeking arbitration as expressly provided for in Article 21 of the FORD-Kenya constitution. Violence has also entered party elections and has severely tainted the image of FORD-Kenya, particularly during the rivalry between Raila Odinga and Kijana Wamalwa over the party leadership.

### *3.3.2 The FORD-Kenya Manifesto*

The FORD-Kenya manifesto starts by decrying the continued deterioration of the government’s capacity to provide necessary public services. It laments the systematic collapse of the agricultural and tourism sectors and the deterioration of security during KANU’S, and particularly Moi’s, rule. The manifesto alleges that this general decay has mainly been caused by plunder and misallocation of resources by top KANU leaders.

The manifesto declares FORD-K’s commitment to good governance, separation of powers, and the rule of law and outlines a number of specific measures that the party would implement to ensure that these ideals would become a reality if the party were in charge of the government. Although FORD-Kenya has not been in power and has therefore not had a chance to implement its promises, its own party governance has not provided inspiring examples of these ideals. The manifesto is also silent on how the party would actually implement its promises.

## 3.4 Forum for the Restoration of Democracy - Asili (FORD-A)

FORD-Asili is one of the two factions that split from the original FORD. It was founded by Kenneth Matiba and Martin Shikuku, who become chairman and secretary general respectively when the faction was registered as a political

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party on October 16, 1992. At that time, the secretary general outlined FORD- Asili's main ideas as follows:

- ◆ KANU's corrupt deals must be exposed.
- ◆ Government institutions and the civil service must be delinked from KANU
- ◆ All repressive laws must be repealed.
- ◆ The government must be forced to lay down structures for a peaceful and orderly transition of power.
- ◆ The proposal to field a single opposition presidential candidate, which had been mooted by other opposition parties, was inconsistent with democracy, as the people should be given as many options as possible

### 3.4.1 *The FORD-Asili Constitution*

Unlike FORD-Kenya, which amended and improved the original FORD constitution, FORD-Asili adopted the original FORD constitution almost verbatim Article 2, which contains the aims and objectives of the party, is virtually a carbon copy of the original FORD'S. It pledges to remove unjust laws but does not commit itself to incorporate international human rights conventions in the laws of Kenya.

Compared to FORD-Kenya, FORD-Asili shows even less commitment to youth and women. Article 4 only provides for the formation of the party's parliamentary group. However, Article 5 provides for fewer national officials. It also bars national party officials from holding office in any branch or sub-branch of the party in order to avoid concentration of power in a few hands. As with FORD-Kenya, Article 8 declares the Annual Delegates Congress to be the highest authority in the party.

Unlike both FORD-Kenya and KANU, FORD-Asili does not have a Nation Governing Council (KANU) or a General Council (FORD-Kenya). Considering that FORD-Asili's National Executive Committee (NEC) is not very representative-it is made up only of a representative from each province and the chief whip (Article 9) - it would be useful to have either a national council made up of branch chairmen and secretaries or party trustees or expand the composition of the NEC.

FORD-Asili retained the spirit of section 13 of the original FORD constitution (Article 13) by providing for direct elections in nominations of civic parliamentary, and presidential candidates. In addition, the party chairman does not automatically become the presidential nominee. The presidential nominee is selected by a general vote of the members, a highly democratic but expensive and complicated procedure. However, the branch structure only

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goes down to sub-branch level and no further. This could undermine broad participation. The arbitration clause states that the decision of the arbitrator is final, but this has not been well observed. In any case, the courts are legally the final arbitrators in any dispute.

FORD-Asili was the only party to make a fair show of electoral democracy by nominating its 1992 presidential candidate through direct voting. Kenneth Matiba triumphed over Martin Shikuku and Dr Patrick Chege Njuguna. However, after the 1992 general elections the party disregarded its constitution on numerous occasions. The National Executive Committee, the body meant to formulate party policies, degenerated into a group of individual members acting as they pleased. NEC members repeatedly quarreled in public, sometimes to show defiance to party leaders they did not like.

Serious disciplinary problems have dogged FORD-Asili from the beginning. The only mention of discipline in the party's constitution is in Article 6, which gives responsibility for discipline to the party chairman. This is clearly a major flaw, as the chairman has often shown that he needs to be subjected to disciplinary measures himself. Hence, when the National Executive Committee called both the chairman and the secretary general for disciplinary proceedings, they both snubbed the proceedings and dismissed the suspensions handed down on them.

In fact, the FORD-Asili constitution does not define the kind of conduct that can attract disciplinary action. At one time, some FORD-Asili leaders called for the then Nairobi Mayor Steve Mwangi to be disciplined for making a "clandestine" visit to State House. However, the party's constitution does not outlaw visiting State House. This example illustrates that failure to define what constitutes indiscipline does not promote a party's internal democracy.

As in other parties, the issue of party elections has been a very controversial one in FORD-Asili. The party's constitution provides for national officials to be elected every four years (Article 5), but this did not stop Matiba from calling elections before the expiry of that period. Likewise, the party's constitution does not permit the chairman to call an annual delegates congress or even a special delegates congress. This can only be done by the NEC or at the request in writing by at least one-third of the delegates from the preceding delegates congress (Article 8). Again, this did not stop Matiba from calling these meetings, one of which had to be stopped by a court order.

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### *3.4.2 The FORD-Asili Manifesto*

In 1992, FORD-Asili did not write a manifesto in the strict sense but rather adopted materials contained in a pamphlet entitled *A Dream for Kenya* written by the party's presidential candidate. The pamphlet expressed the party's belief that leaders have to have integrity and firm principles, giving examples such as Matiba's abstention from voting on the 1982 constitutional amendment that made Kenya a de jure one-party state. The pamphlet also discussed Matiba's commitment to the struggle for multiparty democracy in Kenya and recounts his fight, along with Charles Rubia, against the KANU regime. The pamphlet appears to claim that the measure of a party is its leader's personal performance especially as a business manager before going into politics. Matiba implies that he will successfully carry his business acumen into politics.

Apart from the weakness of this "manifesto" in making Matiba's abilities **the** focal point of the party, it fails to lay down any clear party policies. In the section entitled "FORD-Asili Promises," Matiba laments some of the problems facing Kenyans and makes several wishes regarding the Kenya he would like to create but he does not specify how he would go about this.

## **3.5 The Democratic Party of Kenya (DP)**

DP was registered on January 17, 1992. Its founders, including Mwai Kibaki, Njenga Karume, John Keen, and Eliud Mwamunga, were mainly moderate KANU notables who were unable to reform KANU from within and therefore founded a party similar to the KANU they would have wanted to see. Thus, has always had a middle-of-the-road image.

Like other parties, the Democratic Party of Kenya has had its share of disciplinary problems and intraparty strife. For example, many of its founding members, including Protus Momanyi, Agnes Ndeti, and John Keen, later defected back to KANU. In 1996, Mr Ngengi Muigai, then a leading member of the NEC, attempted to dethrone the party's chairman Mwai Kibaki. Instead of waiting **for** legal elections as specified in the constitution, he organised meetings to disrupt' the party. At one point, the party had to seek judicial intervention when Ngengi Muigai called an "illegal" National Delegates Convention. Eventually, he **was** expelled from the NEC. When the party was still in its infancy, four members threatened to sue the chairman for acting in an interim capacity without calling party elections before the general elections. They argued that the chairman had therefore been declared the DP presidential candidate illegally.

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The first national DP elections were held on July 5, 1993. Although these elections provided the first national officials, they were marred by protests and walkouts triggered by claims that there was a list of favoured candidates. The then secretary general, John Keen, even proposed that, since the voting pattern showed that Western province would not get a seat, one should be reserved for them. This balancing of ethnic representation was in clear contravention of Article 2 of the DP constitution.

Despite these problems, DP has generally avoided the upheavals that have rocked opposition political parties and has stayed relatively solid despite internal criticism of its leadership style from time to time. Although it has been deserted by some of its members of parliament and senior officials, it has not split into factions.

### ***3.5.1 The DP Constitution***

Article I of the DP constitution states the party's guiding principles, and Article 2 lays out the party's basic aims and objectives. According to Article 1, the party is founded on the democratic principles of unity, justice, freedom, and equality. In Article 2, DP pledges to repeal all oppressive laws and never to introduce new ones. Article 2 also promises that DP will "promote a free market economy and pursue sound economic policies in order to achieve rapid and sustainable human and physical development."

Regarding human rights, Article 2 is very important in this era of wanton land grabbing, as it seeks to protect all public land. However, it does not explicitly pledge to incorporate international human rights treaties in the laws of Kenya. Article 2 also pledges to strengthen parliamentary committees, an extremely important pledge in view of the KANU government's recent attempts to weaken these vital watchdogs.

Article 5 of the DP constitution provides for a parliamentary group, a women's congress, and a congress of young democrats. The procedures for forming these organisations and determining their functions, rules, and regulations are also provided for in this article. Article 18 provides for full participation of women and youth at all levels of the party hierarchy and substantial representation of women and youth in all party organs. None of the other parties has a national coordinator for women affairs (NCWA) or a national coordinator for youth affairs (NCYA). The DP constitution also states that least one-third of the total national positions must be held by women.

The DP constitution further provides for a shadow cabinet to be appointed by the national party chairman when the party is not in power (Article 7). The

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purpose of the shadow cabinet is to scrutinize, criticize, and comment on the manner in which public policy is being implemented and to act as a “government in waiting.” Until very recently, however, the DP shadow cabinet either did not exist or maintained such a very low profile that it was invisible.

The DP National Delegates Convention (NDC) and National Governing Council (NGC) are fairly representative (Articles 9 and IO). A party electoral commission is provided for in Article 12. This commission has ten members and employs a director and deputy director of elections. It is responsible for organising and supervising all party elections as well as nominations of presidential, parliamentary, and civic candidates. However, commissioners and their relatives are not barred from vying for office.

An important innovation in the DP constitution is contained in Article 15 on standing ad hoc, and specialized committees (SASC). These may be established by the National Delegates Convention, the National Governing Council, or the National Executive Committee. Their purpose is to carry out research in a specified area and report back to the party organ which formed them. The reports are to include specific proposals and recommendations for implementation. If properly used, this provision could result in a very sound policy platform for the party.

The DP branch network is developed down to the grassroots level (Article 17). It has branch, sub-branch, location/ward, and sub-location/ward party organs. Article 20 avoids concentration of power in a few hands by providing that a party member can hold a maximum of two positions at any one time. It also disqualifies from party leadership any person convicted by a court of law of offences such as corruption, theft, misuse of public funds, drug trafficking, and those who have been jailed for over six months.

The first appendix to the DP constitution provides for a code of conduct for leaders of the party. There is also a provision that requires leaders to be of a high standard of integrity, not to involve themselves in corruption, discriminatory, and criminal practices, and to avoid favouritism of any kind. Appendix 3 relates the procedures for nominating party candidates. An important democratic feature of this process is that the party chairman is not necessarily its presidential nominee. Any party member can contest for this nomination. However, the nomination fees of Ksh 10,000 (presidential), Ksh 5,000 (parliamentary) and Ksh 2,000 (civic) are rather high. They effectively bar members who are not well-off from contesting nominations.

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### *3.5.2 The 1997 DP Manifesto*

The DP manifesto's key declaration is that "Kenya will be the land of plenty for us all." The manifesto asserts that DP has stood the test of time since its foundation in 1992 and has grown to be one of the leading political parties in the country. It further declares that DP is now a strong national party with national officials from all regions of the country and that it has successfully promoted the role of women and youth in its national leadership.

The DP manifesto pledges constitutional and legal reforms in a continuous, evolutionary process. However, the party promises to carry out comprehensive reforms immediately it comes to power in order to replace oppressive laws and ensure an accountable and transparent leadership. It promises to establish an independent electoral commission, limit the tenure of the chief justice to one seven-year term, and establish a supreme court. It also pledges to make international laws and conventions on human rights applicable to Kenya and establish the office of an ombudsman. It would do away with "repugnant" and "outdated" laws and make the issuance of identity cards and registration of voters continuous.

DP promises to make its government participatory and to form a government of national unity in which all parliamentary political parties would be represented. The government would have a president, two vice-presidents, one prime minister, four deputy prime ministers, and 16 Ministers. A DP government would make parliament autonomous. It would have its own calendar and the power to impeach the President and prime minister. Parliament would have to approve all appointments to the cabinet, and all constitutional offices would be subject to approval by parliamentary committees.

DP's stated economic policy is that of free enterprise, which the manifesto claims will lead to sustainable economic growth. The party blames KANU and KADU for Kenya's postcolonial predicament, saying the two parties "choked Kenyans with lies and broken promises." The DP manifesto goes into considerable detail to show how a DP government would improve the economy over the course of a five-year term of office. The manifesto promises to balance the budget and fix government spending at 20% of the gross domestic product. DP promises to promote trade by upgrading Kenyan missions abroad into "export business promotion centres" and to finance a people-driven economy from off-shore borrowing at interest rates of less than 10%. DP also gives a social angle to its development agenda by proclaiming its commitment to a welfare state. Within two years, a DP government would also start a medium-sized industry in each district to promote employment.

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The DP manifesto argues that, although the Kenyan people are the most heavily taxed in the world, the services they get in return are appalling. It claims that **the** KANU government cannot account for over Ksh 900 billion collected in taxes over the last five years. DP promises to cut corporate taxes from 35% to 25% **over** two years, exempt house building companies from taxation for at least ten y improve tax collection methods, and freeze tax increments for the next three years.

DP claims that the fight against corruption must be spearheaded by the President and that this office must be occupied by a person of unquestioned integrity. If the President is corrupt, the manifesto asserts, anti-corruption squads and commissions can do little. To tackle corruption, DP promises to fill government offices with incorruptible officers, indiscriminately prosecute all those suspected of corruption, form an anti-corruption squad within **three** months of taking office, and involve religious organisations, NGO's, and **the** general public in the fight against corruption.

Regarding the health sector, the DP manifesto decries the way the **KANU** government has taken the health of Kenyans for granted. It states that an unhealthy society cannot be a productive one, as human resources are **the** most important factor in the development of any nation. DP promises to **revamp** the health sector by promoting preventive health and traditional medicine **and** by streamlining the management of public health facilities and services. **A DP** government would establish private wings in every provincial, district, **and** divisional hospital as a cost-sharing measure, facilitate the establishment of provincial and district health insurance services, and promote well-managed family planning and community health programmes.

On education, the DP manifesto declares that this is a right and not a privilege. Among the reforms a DP government would carry out in this sector include **the** reduction of examinable subjects at primary level, reduction of class sizes to **a** maximum of 30, and provision of government bursaries to those who cannot afford school fees. A DP government would also introduce entrepreneurship education at all levels and work with NGO's, religious organisations, and **local** communities to provide better formal and informal education. Although there are 210 constituencies in the country and DP has already promised not to **raise** taxes for at least three years and to reduce corporate taxes by 10%, the party also promises to build public libraries, social halls, and seminar facilities at all constituency headquarters within five years.

A DP government would also settle all landless people on arable government land that is idle. It also promises to promote profitable agriculture and ensure

food security through low interest credit facilities, pre-shipment financing for nontraditional agricultural exports' and larger grain reserves. The manifesto also promises to convert 35% of Kenya's land mass into forest reserves. It further promises to harness water resources to make arid and semi-arid lands "green acres." DP would achieve this by building ten small and medium-sized dams in all 210 constituencies.

DP also treats housing as a basic human right. To increase the supply of housing, it would exempt housing companies from taxes, lower interest rates on mortgages, and promote the use of inexpensive local building materials. DP would also make it a priority to rehabilitate existing roads and construct new ones. It promises to rehabilitate "tea roads" within three years and promote local management of them. DP would also privatise the building of trunk roads, allowing investors to charge tolls for ten years.

The DP manifesto promises to follow up its commitment to human resources development by giving special attention to the enormous potential of women and youth in the political, social, and economic development of the country. DP has a women's development plan that seeks to ensure that there is at least one woman MP in each district, and that at least one-third of nominated councillors are women. A DP government would also ensure that one vicepresident, a deputy prime minister, five ministers, and ten assistant ministers are women. In addition, it would strengthen the lending capacity of institutions such as the Kenya Women Finance Trust (KWFT) by opening a branch in every district and injecting Ksh 50,000,000 in each branch. A parallel programme for youth, the "Finance Trust for the Youth," would also be established.

DP's foreign policy would be led by a vision of "domesticating" globalisation and making Kenya a regional leader and a major international player. Under a DP government, Kenya would play a leading role in the East Africa Community, the Common Market for Eastern and Southern Africa (COMESA), the InterGovernmental Authority on Development (IGAD), the Organisation of African Unity (OAU), as well as in the United Nations and other world bodies.

### **3.6 The Social Democratic Party of Kenya (SDP)**

The Social Democratic Party was registered on February 5, 1992, with Johnstone Makau as its chairman. Soon after, Makau redefected to KANU, was elected to parliament, and appointed Minister for Information and Broadcasting. The party then became dormant until Charity Kaluki Ngilu, together with Anyang' Nyong'o and Apollo Njonio, revived it prior to the 1997 general elections.

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### *3.6.1 The SDP Constitution*

In its preamble, SDP proclaims its commitment to the welfare of Kenyans through the promotion of political and social democracy. Among its key aims and objectives are promoting greater participation of women in the conduct of political affairs and struggling against gender discrimination at all levels of the society (Article 2).

On membership, Article 3 creates a unique category called “sustaining membership” open to individuals who pay Ksh 5,000. Their rights and obligation are to be defined in rules and regulations which have not yet been formulated. However, considering the amount of money paid by this category of members, there is a danger of creating an elite class within the party. This proves therefore discriminatory and undemocratic.

The line-up of national officials (Article 4) does not demonstrate sensitivity to women and youth issues and contradicts Article 2. Women and youth leaders are not represented in it, showing that the party does not practise affirmative action. However, national officials are not allowed to hold branch offices, which is good for distribution of power. Among the national officials are secretaries for publicity and information, public policy and economic affairs, and foreign affairs. However, SDP has no secretaries for other important matters such as environment.

Article 6 provides for specialised bureaus. The first bureau is styled “the National Political Bureau.” This is in charge of political leadership and direction within the party and consists of the party’s chairperson, secretary general, national treasurer, chairperson of the bureau of women’s affairs, chairperson of the young social democrats, and five others recommended by the first four. However, it is not clear how different the roles of the bureau are from those the National Executive Committee, the National Working Committee, the National Leaders Conference, or the Commissioner for Elections.

The National Political Bureau appears to concentrate too much power in national officials. This makes the party vulnerable to autocratic tendencies. For instance, among the National Political Bureau’s functions are the appointment of the chairpersons of the women’s affairs bureau and the bureau of young democrats. Singling out these two bureaus for appointment rather than election seems contemptuous and contradicts SDP’s professed commitment to the advancement of women’s and young people’s rights. In the run-up to the **1997**

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general elections, youthful members of Ngilu's campaign in Kitui threatened to abandon her, as they claimed they were being neglected by local SDP leaders. Although this may not in itself be evidence, it is an indicator of the kind of problems older party leaders create when they fail to include young people in the mainstream of party affairs.

Article 2 gives the National Political Bureau the responsibility for hearing appeals regarding party nominations. This bureau also fills vacancies among national officials pending approval by a leaders' conference and also vets candidates for presidential nomination on the party ticket. Clearly, this is too much power in the hands of a few national officials.

An interesting innovation in the SDP constitution is the party's civic group, similar to a parliamentary group but at the local authority level. If well utilised, this group can coordinate SDP programmes and actions in local authorities and promote the party's local presence.

The highest authority in the party is the National Leaders' Conference. It has representatives only down to the branch level, and even these are officials, not delegates. For the most powerful party organ, the National Leaders' Conference is not representative enough. It needs to be expanded to represent ordinary members at the local level, perhaps through a delegate system. On nomination, the procedures are largely democratic except for the ominous role of the National Political Bureau in vetting presidential candidates and serving as a nomination appeals tribunal.

The nomination rules contain a unique innovation. No party office holder is eligible for party nomination to any elective public office. This is intended to stop party officials from taking advantage of their party offices to become electoral candidates. However, in 1997 the implementation of these rules was controversial. On one occasion, the party's secretary general, Dr Apollo Njonjo, was roughed up by civic and parliamentary aspirants who accused him of bias in clearing candidates. They claimed that Njonjo had issued certificates of clearance before the nominations and to recent defectors to the party.

The SDP constitution also provides for the establishment of an Institute for Democracy, Liberty, Peace, and Development Studies. If this is established and functions effectively as an autonomous institute, it will go beyond the standing, ad hoc, and specialized committees of other parties. The formation of an NGO-like body within the party will form a better foundation for party policies through research. However, SDP has not yet started this institute.

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There is little data available to show whether SDP has actually been following its constitution. This can be attributed to the fact that, after Makau's departure in 1992, the party was dormant until it was revived in 1997 by Ngilu's presidential bid. However, there have already been allegations that Ngilu was not nominated in accordance with the party's constitution. Questions have been raised as to how she became the party's presidential candidate in the absence of party elections.

### ***3.6.2 The SDP Manifesto***

SDP is one of those parties that do not have a manifesto. Its major policies are articulated in various publications and statements by its top leaders, such as the presidential candidate's blueprint for the 1997 general elections.

If elected to power, key among SDP's priorities are to institutionalise democracy and reverse the downward trend in the economy by tackling corruption and pursuing sound economic policies. SDP also pledges to bring women and young people into the mainstream of political and economic life. It is noteworthy that the party sponsored the highest proportion of women candidates in the 1997 general elections. However, like other parties SDP has a disproportionately number of women and young people in top party leadership positions.

## 3.7 Party of Independent Candidates of Kenya (PICK)

PICK was registered on March 18, 1992. However, it seems to have become dormant since its "Boss" (the official title of the party leader) decided to support KANU in the 1997 general elections. The "Boss" has since resigned in order to head the government's anti-corruption authority, arguing that it would not be fair to remain partisan while at the same time "handling a national assignment on corruption." Previously, apart from a petition against President Moi's election in 1992 on technical grounds (PICK claimed the nomination was submitted on the wrong size of paper) and an occasional press conference, the party has shown little activity.

### ***3.7.1 The PICK Constitution***

In a long list of aims and objectives, PICK explains why it chose its name: 'to act as a party for registering and nominating all qualified voters and candidates, thus ensuring that no persons so qualified are denied registration on nomination' (Article 2). Article 2 goes on to state that PICK aims "to ensure that members/candidate is granted the liberty to expose their stand, opinions,

principles, ideas without oppression or undue pressure.” Thus, PICK is intended for those who would like to contest elections as independent candidates. Since this is not permitted by Kenya’s electoral laws, such persons need a party which will not interfere with their personal beliefs or programmes.

Membership in PICK (Article 3) is for citizens of Kenya who “love God, thinking, working, making money and cherish liberty.” The party may also confer honorary membership on persons who have rendered exemplary service (to which country, party, or cause is not stated). It also offers honorary membership to anyone who makes a contribution of Ksh 5,000 or more to the party. This provision appears to contradict PICK’s principle of offering an accessible alternative to candidates who do not wish to join other political parties.

In Article 5, the PICK constitution provides for a women’s league and a party youth congress. In addition, women and youth are represented among the national officials.

The two national party organs are the National Delegates Conference (NDC) (Article 9) and the National Executive Committee (Article 10). The NDC consists of members of the NEC and two delegates from each branch, while the NEC consists of national officials and three other people elected by NDC. This number is not large enough to be representative. In addition, the branch network is unsatisfactory, as it goes only to branch level. The party has no subbranches or location/ward and sub-location/village units. The party cannot therefore be said to have any real grassroots network.

The nomination of party candidates seems to follow democratic principles. However, nomination fees are high. Presidential candidates pay Ksh 50,000, parliamentary candidates Ksh 20,000, and civic candidates Ksh 5,000.

### **3.7.2 *The PICK Manifesto***

The PICK manifesto is contained in a booklet by the party leader. It reflects the personal convictions of the author and differs sharply from manifestos of other parties that are formulated by a cross-section of party leaders. The booklet, entitled *Think, Work, and Grow Rich*, engages readers in a rather philosophical discussion on how to succeed in life by doing (working), having (earning), and growing rich. The manifesto refers to Judeo-Christian beliefs regarding God’s care for His people and reminds readers that it is God’s wish that all people act honestly and diligently to create wealth. The author then traces the development of the individual from childhood to adulthood, the role of women, government, politicians, law, and the truth. He touches on the issue of the Asian

community in Kenya, accusing them of having taken over business opportunities that should have been available to indigenous Kenyans.

In general, PICK's manifesto puts too much emphasis on ideological issues. The manifesto is vague about what PICK would do if it attained power. Its teachings about the philosophy underlying various goals in life would sound vague to the average member of the electorate interested in how his or her life will improve if the party comes to Power. Perhaps the basic underlying problem with PICK's manifesto is that it represents one man's ideas and therefore does not reflect broad Policies and statements that can be used by a party. The document is not a manifesto in the strict sense but rather an awareness brochure reflecting ideas of the party's "Boss." Prior to the 1992 general elections, PICK distributed stickers advising people to "think, work, and grow rich." Like the booklet, these messages cannot have achieved much, as they are silent on how to accomplish these goals.

### **3.8 The Kenya National Congress (KNC)**

KNC was registered on February 7, 1992. During its first year of existence, it played host to some defectors from the original FORD, including Charles Rubai, Kimani wa Nyoike, and Henry Kinyua. However, KNC was only able to win seat in parliament through Ileri Ndwigo, who later defected to KANU. The party's 1992 presidential hopeful, Dr Chibule wa Tsuma, did not make any impact and did not even win a parliamentary seat.

#### ***3.8.1 The KNC Constitution***

Interestingly, the first aim of KNC is to promote African traditions by legalising such things as "traditional beers" and traditional marriages - the writers of this constitution seem unaware that customary marriages are already legal. It **also** aims to guard against tribal domination, so that every tribe in Kenya will have the right to rule. KNC's constitution also pledges to promote sports.

KNC provides for life membership for a fee of Ksh 2,000 (Article 3). The only other party with a life membership provision is KANU. According to Article 4, party national officials are to be elected by secret ballot at a party national convention every four years. Despite this, KNC has been plagued by coups **and** counter-coups between Prof Katama Mkangi and Dr Chibule wa Tsuma. **The** latter has since issued a party manifesto and sacked the party secretary general, even though KNC's constitution states that disciplinary action is the preserve **of** the National Executive Council. In turn, Prof Mkangi has declared that Dr Tsuma is not even a party member.

KNC also provides for a youth congress and women's league. However, it does not specify their structures or functions. The list of national officials does not include women and youth representatives. The Annual Congress of Delegates (ADC) is the highest organ of the party and has broad representation (Article 5). The National Executive Committee is made up of national officials. Nominations for party elections are decided directly by members, and the nomination fees permit cross-sectional participation. The branch network also has good grassroots reach.

### ***3.8.2 The KNC Manifesto***

The KNC manifesto opens by laying out the objectives of the party as follows:

- ◆ provision of essential basic needs for all Kenyans, i.e., the right to food, shelter, and health care
- ◆ creation of a democratic culture by writing a constitution for the 21<sup>st</sup> century, eliminating oppressive laws, reducing presidential powers, promoting gender parity, and integrating marginalised groups such as youth and disabled people into governance
- ◆ eliminating corruption
- ◆ enforcing the right to work.

The greatest strength of KNC's manifesto is its attempt to directly address areas that the ruling party has constantly ignored. KNC promises to ensure good governance by establishing a government of national reconciliation, guaranteeing and protecting human rights and freedoms, devolving power, ensuring the supremacy of parliament, and tackling corruption while ensuring that Kenyans get the basic necessities of life. However, like those of other political parties, the KNC manifesto is vague about how the stated goals would be achieved. For example, when the party promises to provide basic needs like education, shelter, and food, it does not state where the money will come from.

## **3.9 The Kenya Social Congress (KSC)**

KSC was founded in October 1992 by Chairman George Moseki Anyona. Anyona registered KSC after losing his bid to register a party under the name Kenya National Congress (KNC).

### ***3.9.1 The KSC Constitution***

Article 2 of the KSC constitution contains the party's principles and aspirations. Among these are the sustenance of plural society and multiparty democracy

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in Kenya with full protection and respect for minority rights, the creation of an egalitarian and humane society through democratic avenues and pragmatic policies, and vigilance against all forms of political authoritarianism, dictatorship and totalitarianism. As with other parties, these lofty ideals are hardly observed. The KSC presidential candidate for the 1997 general elections, George Anyona, was quoted asking his Abagusii community to show their solidarity by voting as a block during the 1997 general elections. According to him, since the current politics in Kenya are tribal, the Abagusii should show their tribal loyalty in the general elections. This thinking represents a clear breach of the ideals of the KSC constitution.

Also included among the aims and objectives of the party are the publication of a newspaper, *The Citizen*, and other publications. The purpose of these is to articulate KSC's aspirations, objectives, and policies throughout Kenya.

The KSC constitution tackles the party structure from the village level up to the national offices rather than the other way round. This indicates the high regard in which KSC holds the grassroots. Women and youth are represented right from the village level to the national level.

The National Congress is the supreme organ of the party. It consists of the Central Executive Bureau, National Secretariat, Parliamentary Group and delegates from the District Congress. However, there are no provisions for delegates from below this level. Neither is the number of delegates from each district specified. Other national party organs are the Central Executive Bureau and National Secretariat. The National Secretariat has an elaborate structure of bureaus. The bureaus are intended to formulate policies on constitutional and legal affairs, agriculture and lands, research, and science and technology. Virtually all significant sectors have a bureau headed by a director.

In addition to women and youth congresses, the KSC constitution also provides for student, cooperative, and labour congresses. Elections of all congress officials are supposed to be conducted by secret ballot. However, vacancies on committees are filled by appointments (Article 7).

Parliamentary and civic nominees are not required to pay any deposits. This provision should contribute to the enhancement of equal opportunities in the party. KSC has also outlawed the practice of "clearing" candidates for elections. This practice was introduced by KANU and is still practised by other parties.

### **3.9.2     *The KSC Manifesto***

KSC has not developed an official manifesto document in the strict sense. Instead, its policies are expounded in its newsletter, *The Citizen*. However, owing to financial difficulties *The Citizen* is extremely irregular and has very limited circulation. Like PICK, KSC seems to be a one-man party. Its identity revolves around the chairman George Anyona, and its policies are likely to reflect only the vision of this one person.

### 3.10 National Development Party of Kenya (NDP)

NDP was registered on May 6, 1996, under founding chairman Stephen Omondi Oludhe. However, it was relatively inactive until Raila Odinga and his associates from FORD-K took over the party. Since then, NDP has built a considerable following and has become a major player in the political scene.

#### 3. 1 0.1 *The NDP Constitution*

In the introduction to the NDP constitution, the party pledges to promote freedom, equality, dignity, welfare, responsibility, and solidarity for both men and women. NDP is also committed to a mixed economy with limited government participation. Among its “aims and values” (Clause IV), NDP promises to introduce and maintain a dynamic economy, a just society, open democracy, and a healthy environment.

Membership in the party is open to individuals in two categories (Clause 111). Regular members are required to pay only Ksh 20 annually, while “covenant” members pay Ksh 5,000 to join and Ksh 1,000 annually. However, NDP gives both categories of members the same rights and privileges. The NDP constitution enables trade unions, cooperatives, women’s groups, youth groups, and other lobby groups to become affiliate members.

The National Convention of NDP (Clause VII) is the highest party organ. Its mandate is to direct and control the party. It is fairly representative, with one delegate from each regional NDP office. There are four delegates from each branch (at the constituency level), two of whom represent youth and women’s groups. Members of the NDP parliamentary group and the National Executive Council are also delegates to the National Convention.

Several categories of ex-officio members of the National Convention are provided for. The National Executive Council is the administrative organ of the party. Its members are to be elected every two years by the National Convention, and it is fairly representative. In addition to national officials, there are secretaries for public policy and economic affairs and their deputies. In

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addition, there are two representatives - one man and one woman - from each region, two youth members, and one women's representative.

NDP has not merely established special party organs for youth and women. It specifies their objectives, Organisation, functions, and management from **the** national level down to the sub-location level. There is even an NEC women's committee which consists of all women members of the NEC. The NEC **in** conjunction with constituency associations has the power to determine **that in** particular constituencies only women applicants may be validated. This structure sounds very progressive, and what now remains is for the party to implement these rules on the ground.

Disciplinary matters are in the hands of the National Constitutional Committee. The NDP constitution provides for 11 members elected by the National Convention. There is an elaborate procedure for pursuing disciplinary matters (Section 4). The procedure is set out in great detail, including such specifics as service of the charge, witnesses, and legal representation.

At first glance, the nomination process seems democratic, since candidates directly voted for by members (Clause XIX). However, the candidature of all persons seeking NDP nomination must be approved by the NEC (Clause). Additionally, the selection of prospective candidates is not regarded as complete until endorsement has been given by the NEC, whose decision is final (Clause XIX). In the end, it may turn out that party nominees are largely selected by the NEC, with the nominations being reduced to mere formalities.

During the 1997 nominations, the party leader faced many accusations of disregarding even these imperfect nomination procedures. In Kisumu Rural constituency, university students claimed that candidates were handpicked by Raila based on such undemocratic criteria as clan. They claimed that the party nominated Ochoro Ayok, who had garnered 299 votes instead of Dr Fred Owino, who had 2,999. In Isiolo, the party's returning officer nullified nomination of Aden Jirma after another candidate, Fatuma Musa, produced a nomination certificate and covering letter from NDP headquarters. The outgoing MP for Nyando, Otieno Karan, asked for his nomination fees to be returned **after** Paul Otita was allegedly nominated without any voting taking place. In Kisumu Town West, Dr Bill Kariuki quit NDP after Raila nominated Joab Ominyo.

### **3.10.2 The NDP Manifesto**

The party's manifesto begins by attacking the KANU government for its failure to guarantee basic human rights and eradicate poverty despite being in power for over thirty years. NDP then proposes fundamental political, economic

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constitutional, social, and cultural reforms to correct KANU's mistakes. Among the issues addressed in NDP's manifesto are good governance, economic reconstruction and development, social policy programmes, industrialization, and foreign policy.

Under good governance, NDP covers issues that the ruling party has been ambivalent about, such as the promotion of democracy and the rule of law. NDP also promises to reduce the excessive powers of the President and make parliament more powerful through vetting of senior public service appointees. The party guarantees the independence of the judiciary and supremacy of parliament. In addition, NDP would introduce an ombudsman, delink the operations of the ruling party from the government, introduce a provision for coalition government, and create the post of prime minister as head of government. An NDP government would also ensure that nominated MPs represent special interest groups and would separate the office of the attorney general from that of the director of public prosecutions. The manifesto also promises to allow independent candidates to run for election and to strengthen provisions which ensure the enjoyment of human rights and civil liberties.

Though clearly progressive, NDP's manifesto has some of the same vagueness as other party manifestos. For example, when the party promises to strengthen the judiciary, the civil service, and the electoral commission by removing impediments to efficient and effective operation, it does not define these impediments. Similarly, it is not clear how it will delink the ruling party from the government, just as it does not define the special interest groups to be represented by nominated MPs.

### 3.11 Safina

Safina was founded in 1995 by a group of FORD-K officials who were disillusioned by the wrangles and, as they saw it, lack of internal democracy in FORD-K. These officials included MPs Paul Muite, Kiraitu Murungi, and Farah Maalim. They were joined by lawyer Muturi Kigano and the former director of the Kenya Wildlife Service Richard Leakey. This group was evidently perceived as a threat by the KANU government, as the party's registration was delayed for more than two years. Safina was officially registered on November 26, 1997, in line with the IPPG deal. However, the party had significant political clout long before it was registered. Three sitting MPs - Paul Muite, Farah Maalim, and Kiraitu Murungi were openly, though not officially, members of the party.

Because of its late registration, Safina had not established a firm party structure or published an official manifesto by the time this study was undertaken.

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However, according to Hon Paul Muite in an interview with IED's researcher, the party is now recruiting agents at the grassroots to sell its ideas at the local level. According to Muite, as soon as at least 60% of the members are from the grassroots, the party will hold elections for national offices. This is intended to make the party truly national and representative. For national elections, the party plans to set up a committee made up of the founder members in order to vet candidates.

Though no manifesto exists, a brochure published by the party outlines its **ideas** on achieving freedom, development, justice, security, human rights, and discrimination. Safina pledges to ensure that everyone's right to life is safeguarded and that all citizens can securely go about their business. It pledges to establish a government controlled by the people, which cooperates with all parties and provides basic necessities such as water, food, health, education throughout the country. A Safina government would also reform or repeal oppressive colonial laws in order to build a true foundation for multiparty democracy.

On constitutional reforms, Safina has been steadfast in its support for the National Convention Executive Council (NCEC). Safina insists that the proposed Constitution of Kenya Review Commission should be scrapped and replaced with an independent national constitutional convention to collect the views of Kenyans and draft a new constitution that truly reflects the will of the people. The convention would be mandated to work for up to three years. Parliament then dissolve itself and form a constituent assembly to ratify the draft constitution.

On the economy, Safina decries the growing gap between the rich and poor. The party argues that economic growth can be achieved through the creation of wealth by private individuals balanced by sensitivity to the less fortunate members of society - in other words, social democracy. Safina promises to ensure the expansion of a free-market economy and the sustainable investment of public resources. It would use tax money to ensure that all citizens provided with adequate health services, education, housing, and other basic needs.

The Safina brochure deplors the extent to which corruption has penetrated all corners of Kenyan society. The party attributes this mainly to the fact that top leaders are corrupt. It therefore promises to form a government made up of people of integrity and to prosecute all corrupt public officials.

Safina also believes in a strong system of local authorities. It argues that local authorities should be able to raise taxes and use them to develop and maintain infrastructure and other amenities without having to rely on the central

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government. This may sound at first like *majimboism*, but in an interview by IED's researcher Muite argued that local people must have more control over their communities and the leaders they elect. Under a Safina government, local authorities would therefore be directly answerable to the people and would have the power to manage their own resources. For example, rice-growing areas would control milling, processing, and marketing of the produce, as well as distribution of income from it, as opposed to the current control by the National Irrigation Board.

As a late starter, the main problems that Safina faces include finding sufficient funds to organise and run the new party. Safina also argues that the administrative and political environments are still hostile towards opposition political parties.

# CHAPTER 4

## PARTICIPATION OF WOMEN IN POLITICAL PARTIES

### 4.1 Introduction

As with other sectors of Kenyan society, women have been - and continue to be - dismally represented in Kenyan political life. This is despite the fact that women make up about 52% of Kenya's population. Poor representation of women is very evident in political parties, which despite their stated policies mostly continue to give women mainly minor roles. One only needs to look at the history of women's involvement in Kenyan politics in general and party affairs in particular to confirm this. During the drafting of the independence constitution in the Lancaster House conferences of the early 1960s, seventy Kenyan members of the Legislative Council were appointed to participate. Only one of the Ingasiani Abwao, was a woman.

### 4.2 In the Single-Party Era

During the one-party era in the first three decades of Independence, this disregard for women was entrenched in the political system. There was little representation of women in policy-making positions, and the most common role for women was only to dance and entertain the mostly male KANU leaders. Within KANU, women were rarely elected as national leaders, and the party made no effort to promote the participation of women on anything like an equal footing with men. As a result of this neglect, the one-party era saw **very** few women in parliament and even fewer in leadership positions within **the** party.

In particular, KANU did not adequately use nominations to parliament as a means of increasing the participation of women in national affairs. Such a policy would have been easy to justify in terms of the disadvantaged position of women in competitive politics as well as in relation to the ideals of **gender** equality pronounced in KANU manifestos. KANU never appointed more than **two** women nominees to each parliament, while the rest of the seats were taken **by** male politicians who in some cases had failed in elections.

The first woman member of parliament, Grace Onyango, was not elected until 1969. The first female nominated MP, Jemimah Gecaga, was appointed at the same time. Previously, KANU had justified its failure to nominate any woman **to** parliament by arguing that women were not yet qualified for political office. This was not very convincing, given that most of the male politicians nominated at independence were political beginners (*Sunday Post*, August 1964).

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The situation improved slightly in the 1974 general elections, when Onyango was joined by three other elected women, Nyiva Mwendwa, Chelegat Mutai, and Julia Ojiambo, and by two nominated members, Jemimah Gecaga and Eddah Gachukia. However, in the 1979 general elections the number of women members of parliament fell to five through the defeat of Nyiva Mwendwa. Although Gecaga was not nominated this time around, an additional female elected member, Phoebe Asiyo, joined parliament.

In 1983, the number of women in parliament dropped again. Only Julia Ojiambo and Phoebe Asiyo were elected, and only two female nominated members, Rose Waruhiu and Grace Ogot, were appointed. The situation grew even worse in the 1998 mlolongo elections, as only Grace Ogot and Agnes Ndetei were elected, and only Nyiva Mwendwa was nominated.

Thus, after a late and inadequate start to female participation in national politics, there was some cause for cautious optimism during the 1970s, only to be followed by backsliding during the Moi one-party era. From 1963 to the reintroduction of multipartyism in 1991, during which Kenya had six parliaments, a total of only thirteen women were elected, while only seven were nominated. This was despite the fact that the country had 158 constituencies until 1983, and 188 in 1988. The female MPs during this period represent less than two per cent of the total MPs. This is a shocking and pathetic statistic.

### 4.3 In the Multiparty Era

At first, multipartyism appeared to have a small but significant positive effect on the proportion of women in parliament. In the 1992 multiparty general elections, the number of women elected to parliament rose to six (Nyiva Mwendwa, Phoebe Asiyo, Agnes Ndetei, Martha Karua, Charity Ngilu, and Mary Wanjiru), the highest number since independence. Unfortunately, KANU, which formed the government, maintained its old ways, and did not nominate a single woman, allocating most of the 12 seats to KANU hatchet men rejected at the polls. KANU only nominated a female MP, Catherine Nyamato, after the death of Lawrence Sagini, apparently not so much because of her ability to articulate women's issues, but because she came from the same ethnic community as the deceased.

Although the 1992 elections had given some hope that the election of women to parliament was back on an upward trend, in 1997 the number of women elected as MPs dropped to only four (Martha Karua, Beth Mugo, Charity Ngilu, and Marere Mwachai). However, thanks to the IPPG deal that gave all parties a form of proportional representation among nominated MPS, the current

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parliament will actually have the highest-ever number of women parliamentarians, most of them nominated through a deliberate policy of affirmative action. These include DP's Tabitha Seii, KANU's Grace Mwewa and Zipporah Kittony, and Mariam Matano of NDP, bringing the total number of women MPs to eight. The nomination of women members, especially by opposition parties, is an encouraging development. However, eight MPs represents less than 4% of members of parliament. In any case, according to the Kenya chapter of the International Federation of Women Lawyers (FIDA), it is a constitutional requirement that at least **50%** of nominated MPs are women, and it is up to the electoral commission to ensure that this is so. FIDA currently has a case before the courts on this matter.

When one looks at the political parties themselves, the under-representation of women in national offices is evident. Although many parties make ringing declarations in their manifestos and constitutions that they are committed to promoting women's participation, very few have policies to ensure that women are in positions of leadership. In most political parties, the few leaders who are women have gained their positions through extraordinary determination and luck rather than because of a conducive party policy environment.

In 1997, only the DP manifesto explained exactly how it would promote women's participation. DP seeks to ensure that there is at least one woman MP in each district, and that one-third of nominated councillors are women. As previously noted, a DP government would also have a female vice-president, deputy prime minister, five ministers, and ten assistant ministers.

The other parties have scarcely addressed the participation of women in leadership. Many of them provide for the creation of women's leagues along with youth leagues, as if women and young people do not qualify to be part of mainstream party leadership. Even when they provide for these special bodies, most party constitutions do not state how they will function or be organised. In some parties, it seems that the creation of women's leagues is a deliberate way of keeping women from competing for more challenging positions. In 1985, the KANU secretariat created the position of the Director of Women and Youth Affairs, leading to the appointment of the first woman to hold a national executive position in the party. KANU also linked itself to the previously autonomous Maendeleo ya Wanawake Organisation, apparently not to promote women's issues but to keep tabs on the women's movement by influencing its leadership and policies.

When it comes to forming a government and appointing policy makers, KANU has been treating women with the same disregard as it does internally. Despite forming all governments since independence, it was not until the mid 1980s that

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the first woman permanent secretary was appointed. This was then the most senior position ever occupied by a woman in the government. At one point, a government minister who was closing an International Women's Year seminar found it appropriate to tell an all-female audience:

I am forced to believe that the woman is lazy in her mind. She is too lazy to think. You women think and believe that you are inferior to men. This is a psychological problem and 99.9% of women suffer from it (*Sunday News*, May 25 1975, qtd in Maria Nzomo, 1987).

Ruth Habwe explained this kind of attitude when she said the following about male resentment of her parliamentary candidacy:

I am aware of the difficulties men face when they consider the possibility of women gaining political influence. They harbour the inevitable fear that if women reached the same level ... [men] would fall from the exalted position/status they have held for so long (*Sunday Post*, August 23 1964, qtd in Wipper, 1971).

In the last government, a woman minister was appointed to the Ministry for Culture and Social Services. In 1998, the only female KANU elected MP was made an assistant minister in the same ministry.

### 4.4 Barriers to Women's Participation

The impediments to women's participation in political parties have to be seen in the light of the tradition of patriarchal society and male domination of political and economic life. As a result, women have not had equal opportunities to participate in building society. Male domination has made sure that this inequality is sustained and that male politicians usually do not face any real competition from their female counterparts. Although political parties profess to promote women's participation in the political process, they do very little to make this a reality on the ground. For example, DP has very progressive gender policies, yet out of the 34 women parliamentary aspirants in the party, only 16 were nominated. This is less than half for a party that proclaims its support for affirmative action to promote women's participation.

Political patronage from male politicians has also hindered the development of a meaningful women's political voice. Some of the most prominent women politicians have succeeded through such patronage rather than by the advocacy of women's rights. Nyiva Mwendwa, the only woman ever appointed to the cabinet, got into elective politics only after the death of her husband, Kitili

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Mwendwa, a former MP for Kitui South. Nyiva Mwendwa's clout derived largely from the Mwendwa family, of which her husband was the leading Patriarch. It is unlikely that she would have made it to parliament without family and KANU patronage. Probably because of this background, it is noteworthy that Mwendwa never became an articulator of women's rights. She is well remembered for her role during the Beijing conference in 1995, where instead of addressing important issues affecting Kenyan women, she chose to focus on the controversy about lesbianism.

It is because of male patronage that many political parties create women's "leagues" or "wings" as appendages to the mainstream party. Explaining why she quit the FORD Asili party for DP, the MP for Gichugu, Martha Karua, said that by creating a women's league the party was ensuring that women will always be sidelined. More recently, she declined a post as shadow Minister for Culture and Social Services in DP, as she felt that this was a token appointment. She pointed out that DP was behaving like KANU, which relegated women to junior ministries like culture and social services.

As we have already seen, women's Participation is often curtailed by the failure of women to support their own. Although Charity Ngilu, the only serious female presidential candidate in the 1997 elections, is an excellent articulator of women's issues, she only got about 9% of the vote despite the fact that women make Up 52% of the electorate.

In conclusion, the impediments to women's Participation in political parties cannot be isolated from the causes of gender inequity in general. It will take a basic change of attitude towards women by both men and women themselves in the whole society before equity can be achieved in the political arena.

## CHAPTER 5

# CONCLUSIONS

Generally speaking, there is little fundamental difference in terms of objectives, structures, or leadership style among political parties in Kenya. There are many differences in emphasis regarding particular structures, issues, or programmes in the parties, but not to the extent of significantly differentiating a particular party from the rest.

One notable but negative similarity is that all the political parties reviewed have no discernible ideology. Party manifestos, although consistently full of lofty promises, are not based on coherent principles. Moreover, in many cases there is no attempt to explain how the promises will be fulfilled. In the current political parties, ideologies are at best expedient posturing by the leaders and at worst vague or non-existent. KANU's purported ideologies are "African Socialism" and "Nyayoism," both of which are mainly cynical tools of maintaining political control. As for FORD-Kenya, on one occasion Raila Odinga claimed it was a liberal party and affiliated it to Liberal International. However, there was little attempt to explain to the members or the public what this actually meant. Later, Kijana Wamalwa announced that FORD-Kenya was now a social democratic party. Despite the change of ideology, there was no noticeable difference in FORD-Kenya's conduct.

The frequent defections and redefections experienced in Kenya point up the lack of an ideology in parties in general and in the defectors in particular. If parties have no strongly held ideals, then virtually anyone can join and when the time comes leave. Thus, the suitability of a political party mainly revolves not around what it stands for but the opportunities it offers for the advancement of personal political careers.

As for the fundamental question of how democratic the parties are, there is little evidence of internal democracy in most parties. Though constitutions and manifestos spell out relatively democratic practices and progressive ideals, virtually all parties have failed to hold fully democratic elections for party offices. Party leaders and top party organs seem to be bent on interfering in internal elections, leading to a ridiculous festival of splits, defections, and violence. The nomination of party candidates is another indictment of political parties in Kenya. Party leaders and top party organs routinely control who gets nominated. Intimidation, violence, vote buying, and even the side-stepping of the entire process **have** been seen in all the major political party nominations. The manner in **which** parties are currently financed also impacts negatively on internal democracy. **Many** parties appear to be financed mainly by their leaders. This makes the **parties** dependent on the whims and ambitions of these

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leaders and highly vulnerable to defections. A party that depends financially on the wealth of its leader is likely to be run as if it is the leader's personal property.

The fundamental cause of undemocratic practices and lack of transparency is that party structures concentrate too much power among a few top officials. No party has a functioning national network reaching to local communities. Even in KANU, which has the most extensive branch network in the country, decisions seem to be made through cronyism and patronage rather than democratic procedures. Party leaders also seem to lack a means of communicating and interacting with their members. Although almost all parties have manifestos and constitutions, few distribute them widely. With little decentralisation of power, there are few means of checking excesses by top leaders. In general, party branches seem to function sporadically, and most parties cannot claim to have genuine input on party policy from the local levels.

Our survey of party constitutions and manifestos shows some attempt by most parties to appear democratic and make promises that will endear them to the electorate. However, as we have seen, the parties routinely flout their own constitutions in practice, and the manifestos are laden with promises but no plans of how they will be achieved.

If political parties have no ideologies and are not internally democratic, why do Kenyans join them? From where is the party membership drawn? Going by voting trends in the last two general elections, it is evident that parties draw their support mainly along tribal lines. As some commentators have put it, the public perceives parties as ethnic enclaves and vehicles for ethnic aggrandisement with the party leaders playing the role of tribal patrons. This is a reality that Kenyans must confront if sounder criteria for political participation are to be found.

Having reached the conclusion that political parties in Kenya are largely undemocratic tribal groupings controlled by a small elite of top officials, the question is: can these parties be expected to provide democratic governance? The answer, at the present time, is clearly no. However, this is not cause for despair. The Kenyan political system has come a long way from the dark days of the height of one-party dictatorship in the late 1980s. In only a decade, the people of Kenya, through great struggle and sacrifice, have managed to restore their right of political choice and have made considerable progress toward ensuring that this right is operative on the ground. The 1997 multiparty elections were a significant advance over those of 1992, and if we continue our hard work the 2002 elections will be a further step on the road to full multiparty democracy.

## CONCLUSIONS

The political parties, despite their many shortcomings, have played a vital role in this process. Most of them are still in their infancy, and it will take time for them to mature and overcome the legacy of the one-party state. The upcoming constitutional review process will be a crucial opportunity to lay this legacy to rest and create a foundation for more responsible and constructive party politics.

# APPENDIX I

## FIELD RESEARCH QUESTIONNAIRE

### Background information

Age -----

Sex -----

Level of education:

'Never went to school----- Primary            Secondary            University/College

Occupation .....

Constituency in which you live .....

What do you understand by "political party"? .....

.....

.....

.....

.....

2. Are you a member of any political party?

YES ..... No .....

2.1 If YES, which one?

.....

.....

.....

2.2 Why did you join this party?

.....

.....

2.3 If you are not a member of any political party, what are your reasons?

.....

.....

3. What do you understand by "party manifesto"?

.....

.....

3.1 Have you read any party manifesto(s)

YES ..... NO .....

3.2 If YES, which party (ies)?

.....

.....

FIELD RESEARCH QUESTIONNAIRE

3.3 If you are a member of a political party, **have** you read your party's manifesto?

YES ..... NO .....

3.4 Does it address issues that **are** important to you?

YES, VERY WELL ..... TO SOME EXTENT .....

NOT AT ALL ..... I DON'T KNOW .....

4. What do you understand by "party constitution"?

.....  
.....  
.....

4.1 Have you read any party constitution(s)?

YES ..... NO .....

4.2 If YES, which party (ies)?

.....  
.....

4.3 If you are a member of a political party, have you read your party's constitution?

YES ..... NO .....

4.4 In your opinion, does your party follow its constitution?

YES ..... NO .....

4.5 How often does your party elect its officials?

Every year ..... Every 2 years ..... Every 3 years .....

Every 4 years ..... Every 5 years ..... I don't know .....

Other (Specify) .....

4.6 In your opinion, are your party's elections free and fair?

YES ..... NO ..... I DON'T KNOW .....

4.7 Do you think **that your party's** nominations for the 1997 general elections were free and fair?

.....  
.....  
.....  
.....

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<b>Presidential</b> .....	Free and fair .....	Not Free and Fair .....	I don't know .....
<b>Parliamentary</b> .....	Free and fair .....	Not Free and Fair .....	I don't know .....
<b>Civic</b> .....	Free and fair .....	Not Free and Fair .....	I don't know .....

5. In your view, are the existing Political **parties** different from one another?

YES ..... NO .....

5.1 If YES, in what ways are they different?

.....  
.....

5.2 If NO, in what ways are they the same?

.....  
.....

6. Do you participate in your political party's activities?

YES ..... NO .....

6.1 If YES, which activities?

.....  
.....

6.2 If NO, why?

.....  
.....

7. In your opinion, do women participate in your party's activities?

YES ..... NO .....

7.1 If YES, which activities?

.....  
.....

FIELD RESEARCH QUESTIONNAIRE

7.2 If NO, why?  
.....  
.....

7.3 How do you rate women’s participation in your party’s activities?  
Very active ..... Active ..... Not active .....

8 Do you think that many political parties weaken or strengthen democracy?  
Strengthen ..... Weaken .....

8.1 State your reasons for the answer in question 8 above.  
.....  
.....  
.....

*Thank you very much for taking time to fill in this questionnaire.*

## **APPENDIX 2**

### **FIELD RESEARCH DATA ANALYSIS**

#### **Introduction**

The second phase of research for the Political Parties audit involved a survey of public knowledge about Political Parties and the multiparty political system. The survey was carried out in the City of Nairobi from December 24 to December 31 1997, and in Kitui District in Eastern Province from January 12 to January 18, 1998. The survey was carried out by three researchers using a questionnaire as the research instrument.

The research instrument consisted of a three-page questionnaire containing 30 structured questions in addition to questions eliciting demographic information. The questionnaire was administered in person. A total of 529 people were interviewed. Of these, 260 were from Nairobi and 269 from Kitui District. The Nairobi sample represents an urban population, while the Kitui sample represents a rural population.

Basically, the questionnaire sought to gather primary data on general civic literacy with particular emphasis on political parties, political party membership, political party management, democratic practice, and women's participation in political party activities. The survey was intended mainly to provide a context for the library research undertaken earlier, but the results also proved interesting in their own right.

#### **Demographics**

Nearly 60% of the people interviewed were between 16 and 30 years of age. Slightly more than 30% were between 31 and 45 years. Slightly under 10% were between 46 and 60 years, and only about 1% were older than 60. Although reliable and up-to-date census data is not available in Kenya, this distribution was probably somewhat skewed towards younger respondents. About 35% of respondents were women, and about 65% were men, which is obviously unrepresentative of the population as a whole. In general, the results of the questionnaire can be said to over-represent the views of young males.

## FIELD RESEARCH DATA ANALYSIS

In terms of education, only about 2% of respondents said they had never been to school. Almost 20% only had primary education, but more than 40% had been to secondary school and 36% said they had college or university level qualifications. The sample was therefore much better educated than the Kenyan population as a whole, and their responses probably reflect a considerably higher level of awareness of political concepts and processes than would be found in the Kenyan population as a whole.

### Summarised Results

#### *Understanding of Political Parties*

Despite the fact that more than 75% of the respondents had been educated to secondary or higher levels, less than 40% understood what a political party is. This included those who said they did not know, those who did not respond to the question, and those who gave erroneous or ambiguous definitions.

In analysing the responses, the data analysis team had to decide which answers indicated an understanding of political parties and which ones did not. Clearly, this decision could not be completely objective. In cases that were uncertain, the team generally gave the respondent the benefit of the doubt. Therefore, there is a slight margin of error on the side of overestimating the public understanding of what political parties are.

Some of the definitions of a political party that were considered erroneous or ambiguous included the following:

*“A group of people that come together who have similar ideas.*

*“A party of different kinds of people elected or nominated to form a government. “*

*“A ticket to parliament”*

*“Parties which help people to overcome their problems and improve their economy”*

*“A group of people who come together for development.*

Considering the, disproportionately high level of education of the sample compared to the Kenyan population as a whole, the poor understanding of the nature of political parties by upwards of 60% of respondents is disturbing. It

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indicates that lack of understanding of political parties by the population as a whole is probably very high indeed. Political parties are a key element of the multiparty political system, and a good understanding of the political system by the electorate is vital for a healthy democracy.

### *Membership in Political Parties*

Almost two-thirds of the people interviewed said they belonged to a political party. This is a surprisingly high proportion which, if carried over to the population as a whole, would indicate a remarkably high level of political commitment. However, it is possible that the question was misunderstood by some respondents, especially given the poor overall understanding of political parties that was shown by them. It may be that some respondents did not understand the nature of political parties well enough to understand the difference between supporting a party and being a member of it.

On the other hand, it is very easy and cheap to become an ordinary member of most political parties in Kenya. Usually, the purchase of a party card for as little as Ksh 20 is all that is required. Some party leaders even give away free membership cards. Therefore, it is also possible that the responses to this question were accurate. If so, the low level of understanding of political parties by more than 60% of the respondents would indicate that the high level of membership in political parties probably does not translate into a high level of constructive participation in party affairs.

### *Reasons for Joining Political Parties*

The responses to this question were highly varied. The largest number of respondents, a little over 25%, said they had joined a political party because of its good leadership. About 16% said they had joined because of the party's track record. Slightly less said they had made their decision on the basis of the party's constitution or manifesto, and about the same number had personal reasons (for example, "My boss is a member" or "My spouse is a member"). Just under 10% chose their party because they felt it could bring "development," and about the same number made their choice on the basis of the party's "appeal." About 4% chose their party because it was the only one they knew well ("it is the only party I have known since I was born"). Another 3% could give no reason.

### *Reasons for Not Joining a Political Party*

Those who were not members of a political party (about 35% of the sample) were asked to state why they had not joined any party. Here the responses were even more varied. The largest number, about one-third, said they were not

interested in Political Parties, while about 20% said they disliked all the existing parties. About 15% were undecided about which party they liked, and about 7% said they had religious objections to party membership (for example, “I feel that as a Christian, it is vital for me to play a non-partisan role.”) About 6% had a problem with the composition or structure of all the existing parties, and the same number said they could see nothing to gain from joining a party. A little over 5% said all the political parties were “personalized” and for that reason not worth joining. About 3% said they could not join a party because they were civil servants.

### *Understanding a Party Manifesto*

About 52% of respondents appeared to understand what a party manifesto was, an interesting result in view of the low level of understanding of political parties in general. This is presumably accounted for by the highly public nature of party manifestos and the fact that manifestos address issues of clear and often pressing concern to most members of the public. This result, along with the relatively high proportion that said they chose their party on the basis of its manifesto, also shows that political parties have an interest in making sure their manifestos are as effective and widely read as possible.

### *Reading Party Manifestos*

Nearly 45% of the respondents said they had read party manifestos. The largest proportion of these, about 44%, said they had read the KANU manifesto. Among the opposition parties, the SDP manifesto had been read by almost 30%, and the DP manifesto by about 16%. Manifestos of other parties had very small readerships. The NDP manifesto had been read by only by 3%, the FORD-K manifesto by about 2.5% of the respondents, and Safina’s and FORD-A’s by just under 2%. The KENDA, KNC and FORD-P manifestos were also mentioned but all by less than 1% of the respondents. Of those who said they were members of parties, only about 55% had read their own party’s manifesto.

### *Addressing Issues*

Of the respondents who were members of a political party and had read their party’s manifesto, one third said it addressed issues that were important to them and that it did so very well. About 21 % said the manifesto addressed important issues **only** to some extent, and about 9% felt their party’s manifesto did not address **issues that** were important to them. A significant percentage, just over 30%, said **they did not** know to what extent their party’s manifesto addressed issues that **were important** to them.

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### *Party Constitutions*

Only a little more than 40% of the respondents understood what a party constitution was. Of these, nearly a third said they had read one of the party constitutions while two-thirds had not. As to which party constitution they had read, about 44% said they had read KANU'S, 24% said they had read DP's, and about 22% had read the SDP constitution. The NDP constitution had been read by only about 3%, FORD-K's, FORD-A's, and Safina's by 2% each, and KNC's and GAP's by less than 1%. Of those who said they were members of a party, about 40% said they had read that party's constitution. Of these, a high percentage, 80.5%, felt that their party generally adhered to its constitution.

A somewhat smaller percentage, about 70% ' said they felt their party's elections were free and fair. About the same number also felt that the nominations of presidential candidates in their parties were free and fair. By comparison, only about 60% felt the parliamentary nominations were free and fair and 55% that, the civic nominations were free and fair.

### *Differences among Political Parties*

About 58% of the respondents thought the existing political parties were different from one another. 21% thought they were not different, and about 20% had no opinion.

Those who thought political parties were different from one another had various ideas about what the main differences were. More than half, almost 53%, felt that the main difference lay in the different manifestos and constitutions. About 20% said the parties were mainly different in their leadership styles, while a little less than 15% thought the main differences were in party structures. About 6% said the parties were different in terms of fulfilling their pledges, while 5.5% said they were different in terms of adherence to democratic standards, with some parties being referred to as dictatorial.

### *Similarities*

About 42% of respondents claimed that there were no major differences among the existing parties. Over 43% of these said this was because all the parties had similar constitutions and manifestos, while more than a quarter said it was because they all had similar standards of internal democracy. 12% thought all the parties were similar in appeal, 8.5% said they all had similar party structures, and 6% said they were all the same because none of them fulfilled their pledges. A small number, only 2.6%, said the parties were basically the same because they all had the same style of leadership.

## FIELD RESEARCH DATA ANALYSIS

### *Participation in Party Activities*

Of the respondents who were party members, an encouragingly high number, more than 66%, said they participated in party activities. Around one-third, however, said they did not. Of those who participated, the largest number, over 37%, said they participated in party elections. Almost as many, nearly 33%, said they participated in party campaigns. A substantial number, slightly more than 12%, participated in fund raising activities, but only 8.5% participated in civic education activities and only about 5% in party recruitment activities. The smallest number, 4.5%, said they had held party office. Of those who did not participate, nearly 40% said it was because they had no interest in party activities, while nearly 30% said they had no time. Almost 20% said they would like to participate but had not been given the opportunity. Around 5% said they did not participate because there was nothing to be gained by it, and 7% could give no specific reason.

### *Women's Participation in Party Activities*

90% of the respondents who belonged to a political party said women participated in their party's activities. Only 10% said women did not participate. Nearly 30% reported that women participated in campaigns and party elections, and more than 22% said women held party office or helped coordinate party activities. Nearly 13% mentioned women's leagues, while 2.5% said women entertained at party functions. Less than 2% said women participated in party recruitment drives or fund raising. Almost 87% said women's participation in party activities was active, with 40% of these stating that women were very active in their parties. Only a little over 13% said women were not active. Of those who claimed women did not participate in their party's activities, 40% blamed entrenched prejudices about the role of women, 32% blamed domestic limitations, and 28% said traditions and cultural inhibitions were the main factors.

### *Parties and Democracy*

Almost 58% of the respondents agreed that many parties strengthened democracy. However, 42.5% said many parties weakened democracy. This demonstrates that though many Kenyans are in favour of multiparty democracy, pluralism has yet to take deep root or win the confidence of an overwhelming majority.

Of those who viewed many parties as conducive to democracy, 20% said this was because many parties gave people choices. About 13% cited the increased checks and balances that many parties created, while about 11% said many parties increased political participation. The same number said many

parties promoted diversity of views. Only about 6% said many parties enhanced development, while less than 2% felt that they enhanced debate or dialogue. Of those who thought many parties weakened democracy, nearly 20% said they brought divisions, around 8% said they spread confusion, and around 7% said they increased leadership wrangles. Of those who thought democracy was strengthened by many parties, the largest number, nearly 45%, had secondary education, while almost 38% had college or university qualifications. This shows that the more educated understand multiparty democracy better.

In terms of gender, it was interesting to find that only a little over 50% of female respondents thought many parties strengthen democracy compared to more than 60% of the male respondents. It is not clear why women have less confidence in multipartyism than men, but one likely reason is their lower level of participation in party activities. This indicates that a political party has an interest in promoting women's participation, as doing so is likely to increase women's confidence in the party and gain more votes for it.

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