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PART I

Kenya, the succession crisis and prospects for political stability in the post-Moi era

by
Rok Ajulu*

The anxiety over Kenya's next election, scheduled for the end of the year, and the expected exit of president Moi from the state House after nearly 24 years of occupancy, has provoked panic of unprecedented proportions from within his ruling coalition. The succession debate, which has occupied the better part of Moi's second term, exploded in the open a month ago when president Moi imposed Uhuru Kenyatta as his preferred successor. The Uhuru factor has split the ruling Kenya African National Union (KANU). The departure of the Rainbow Alliance (the faction opposed to the Uhuru candidacy) from KANU now threatens it with loss of power for the first time in 39 years. The question now is: what happens if the ruling KANU were to lose the December election? Will the leading lights of this class simply pack their bags and vacate the state house?

This policy brief, in two parts, provides an analysis of Kenya's succession crisis and evaluates its impact and implications on Kenya and the wider Eastern Africa region. This first part will sketch the broad historical and political background of the Kenyatta and Moi regimes which forms an important backdrop against which a more nuanced analysis of the current tensions in transition politics in Kenya makes sense. The second part of the brief deals more pointedly with the Uhuru factor in the succession crisis and the probable outcome of the forthcoming December elections.

Kenya gained its independence from Britain in December 1963 under a quasi-federalist constitution with two main parties, Kenya African National Union (KANU), and Kenya African Democratic Union (KADU), under a Westminster parliamentary system. KANU secured the majority of seats in the bi-cameral Assembly and formed the first independent government with Jomo Kenyatta as the head of government, with KADU making up the opposition. The differences between the two parties, although superficial, were a subtle reflection of the impact of uneven development of a settler colonial economy.

KANU was the party which constituted advanced sections of the indigenous embryonic classes of capital, the petty-bourgeoisie and aspirant African middle classes. For historical reasons these were located predominantly within the majority nationalities, the Kikuyu, Luo, Akamba, and sections of the Luhya. KADU, on the other hand, was an alliance of weaker sections of these classes, mainly from the minority nationalities - the Nilotic ethnic groups in the Rift Valley (the Kalenjin), sections of the Luhya tribal groupings, and the coastal Bantu groupings. It was this perceived fear of the minorities, which from the British point of view, had necessitated a federalist constitution.

Institute for Global Dialogue

8th floor, Braamfontein Centre

23 Jorissen Street, Braamfontein

Johannesburg, South Africa

P O Box 32571, Braamfontein 2017

Tel +(11) 339-6585

Fax +(11) 339-6616

e-mail: info@igad.org.za

www.igad.org.za

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patronage resources for this class, a process that certainly transformed into a predatory political elite.

That has been the state of the Moi regime over the last decade. The unmitigated plunder of the state assumed different forms – dubious contracts (contractocracy), questionable purchases by government departments and parastatals, unauthorized expenditures, non-payment of duties on imported goods, award of government land to cronies and subsequent sales to well connected business persons, the sale of government houses to cronies at knock-down prices, awarding of non-existent consultancies to dubious consultancy firms. This was the period of the infamous Goldenberg scandal, in which a local firm, Goldenberg International, owned by an Asian businessman, Kamlesh Pattni, was allegedly paid KSh51.5 billion as export compensation for gold and diamonds exports. Kenya produces neither. According to the Parliamentary Public Accounts Committee (1998), close to KShs1, 500 billion was either lost, or irregularly expended between 1994 -1996.

Having looted so much, Moi and his team dug in their heels, and increasingly began to view the surrender of power as a threat to their personal security and material wealth. This broadly explains why this ruling elite was unwilling to be subjected to democratic accountability. The problem from Moi's point of view, however, is that when he conceded political space in 1992, he unwittingly agreed to the constitutional amendment which thereafter restricted presidents to serve a maximum of two five-year terms. So as the end of the presidential term approached, panic deepened within the party, and it then turned its attention on how to hold on to power after 2002.

However, it was not quite clear how they proposed to do so. Initially, there were indications that he would opt for a third term. Once this was ruled out, there were attempts to fiddle with the constitutional review process in order to craft a constitutional dispensation which would substantially weaken the incoming regime. In fact, having ruled out a third term, it is not clear how Moi proposed to handle the succession issue. Forced to surrender control, President Moi has spent the last eighteen months weighing his options. The protracted constitutional review process, the merger with Raila Odinga's National Democratic Party, has all been part of a bigger plan towards this end. But nothing appears to be working according to plan. If rumblings from the capital, Nairobi, are anything to go by, the sun might be

about to set on KANU's 39-year rule.

***Rok Ajulu is an Associate Professor of Political Economy in the Department of Political Studies and International Studies - Unit of Rhodes University.**

Suggested Reading

Ajulu, R., (2001) 'Kenya: One Step Forward, Three Steps Back', *Review of African Political Economy*, volume 28, no. 88, pp 197-213

Ajulu, R., (1998) *Kenya's Democracy Experiment: The 1997 Elections*, *Review of African Political Economy*, no. 76, pp 275-285.

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