

**From Demiurge to Midwife:
Changing Donor Roles in Kenya's Democratization Process**

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Introduction

Since 1989, almost all international donors have issued statements on how foreign aid allocations would take into account democracy, good governance and human rights in recipient countries. Virtually overnight, with the disappearance of Cold War superpower rivalry and the East-West ideological battle, domestic political arrangements took a central place in donor development discourse. Whereas pro-Western authoritarian regimes had long been praised for their allegedly higher rates of capitalist-oriented economic growth and superior potential for eventual democratization, bilateral aid donors, especially the United States, suddenly exalted the virtues of rapid democratization. Most multilateral agencies were prohibited from expressing a preference for any particular form of government and therefore hid behind the language of good governance, as did some bilateral donors. Thus, donors were propelled onto the international stage as central actors in the democratization process, in particular in Sub-Saharan Africa.¹

A growing literature examines donors' democracy promotion and questions the strength of their actual commitment beyond the level of rhetoric (Brown 2005; Burnell 2000; Carothers 1999; Cox, Ikenberry and Inoguchi 2000; Crawford 1997; Hook 1998; Olsen 1998; Pridham, Herring and Sanford 1997; Rose 2000/01; Stokke 1995). In numerous cases, donors turned a blind eye to continued authoritarianism, usually for trade or strategic reasons, either weakly enforcing aid sanctions or failing to apply them altogether.² Countries subjected to political conditionality—the tying of democracy-related strings to foreign aid—are usually less important commercial partners or military allies of donor countries. The practice is therefore most commonly found and applied more stringently in Sub-Saharan Africa, the world's most aid-dependent and marginalized region, where donor self-interest holds less sway. In other words, African transitions to democracy are most likely to be influenced by international actors than those in other regions.³ Under these circumstances, it is not surprising that donor intervention has played an important role in Kenya's democratization process. In fact, the donors' coordinated activities in Kenya in 1991-92 are widely recognized as key influences on political liberalization and the holding of multiparty elections. Still, the donors' individual and collective roles have rarely been considered over the longer term and within a theoretical framework.

This chapter aims to undertake that very task. It argues that the form and intensity of donor intervention has shifted several times since 1989, obtaining significant results but also creating sometimes contradictory effects. While at times donors helped bring about rapid political change, they also sought to shape the outcome of the democratization process, sometimes holding back aid to prevent the process from taking a form of which they disapproved. As a result, donors are best described as having one foot on the accelerator, the other on the brakes. With multiple donors pursuing differing agendas or disagreeing on the best road to take, one could add that far more than one pair of hands was on the steering wheel.

Below, I begin by providing an overview of post–Cold War democracy promotion and presenting the analytical tools to be used to characterize Kenya’s recent experiences. I then examine in turn four periods in Kenya’s history from the point of view of aid and democratization: the single-party era under President Daniel arap Moi (1978-1990), the return to multipartyism (1990-1991), electoral authoritarianism (1992-2002) and, briefly, the current presidency of Mwai Kibaki (2003–). The conclusion sums up my analysis of the Kenyan case and explores the lessons for similar analysis elsewhere.

Before proceeding, a word of caution: While the rest of this book focuses on a wide range of domestic actors, this chapter’s goal is to analyze the role of international ones. By adopting this particular focus, it inevitably overemphasizes donors’ role at the expense of longstanding and crucial local contributions to democratization. I certainly do not wish to imply that donors did or could have suddenly brought democracy to Kenya on their own (though some of them might like to think so!). Domestic and international efforts were undertaken concurrently and often mutually reinforced each other. Similarly, I hope this chapter will prove complementary with the other ones in this book, collectively painting a complex and balanced portrait of the struggles for democracy in Kenya.

Analyzing Democracy Promotion

What do donors do to influence democratization? Most commonly, they communicate their opinions and preferences, though means such as publications and policy statements. Often they offer specific advice mainly to governments, but also to other actors, euphemistically referring to this as “policy dialogue”. They can provide or suspend financial assistance, not only to governments but also to non-governmental organizations (NGOs). They can provide some protection for activists, sometimes by pressuring the government on their behalf and reminding the regime that the world is watching; if the situation deteriorates, they can provide individuals with asylum. They can bring various opposition groups together, encourage them to cooperate, as well as bring government and opposition to the bargaining table. By promoting dialogue, donors can influence agendas and therefore outcomes, making more probable certain reforms, but also discouraging or even preventing other changes or results. Finally, donors can provide assistance to key components of democratization, such as the organization, funding, monitoring and certification of elections.

Why do donors undertake these activities? No consensus exists on their motivation. From a liberal internationalist perspective, a strong normative preoccupation with democracy and human rights emerged at the end of the Cold War. The new international context allows states to accord greater weight to their concerns about domestic governance, which had long existed but were overshadowed by superpower rivalry. That is certainly how donors prefer to present themselves, as having long being preoccupied with the rights of the citizens of the recipient country, but only recently been able to act. Public opinion, including editorials in influential donor country newspapers, reinforces the embarrassment at being seen as supporting dictators, especially in Africa.

From a more “realist” or “neo-realist” perspective, donors respond to their own wider economic or geopolitical interests when formulating foreign policy.

Democratization could be, for instance, a convenient tool for replacing old-school autocrats who resisted economic reform with more market-friendly regimes. In fact, donors sometimes do explicitly link political liberalization with economic liberalization, free votes with free markets. At other times, democratization virtually disappears from the donor agenda, for instance, when seeking to reward allies for contributions to donors' international endeavours, such as the "war on terror".

How can one categorize donors' democracy promotion strategies? In his book *Embedded Autonomy*, Peter Evans (1995: 13-14, 77-81) describes four types of roles that states play in national economic development: custodian, demiurge, midwifery and husbandry. As custodian, the state acts as a kind of regulator and protective security force, assuring that certain basic rules are set and followed. As demiurge (named for a deity that created material things), it plays a more active role in ensuring basic common goods, recognizing that not other actor is able to produce them and acting as a substitute for them. Midwifery implies a less proactive role, limiting intervention to facilitation, be it in the emergence of new actors, working with others or encouraging them to work together. Finally, husbandry is similar to midwifery, but implies a more aggressive approach in bringing actors together—sometimes through cajoling or arm-twisting.

Though Evans developed his typology to help understand state intervention in the economies of the newly industrializing countries (NICs) of South America and Asia (specifically Brazil, India and South Korea), this analytical framework is also helpful to in examining Western states' intervention in African countries' political systems. I thus use Evans' conceptual tools to analyze the role of international donors in Kenya's democratization process. The typology does not justly characterize every role that donors play, yet it does help map out the changing patterns and results of donor intervention, including at times a role arguably inimical to democratization. Like Evans' NICs, donor states can be positive or negative forces, developmental or predatory.

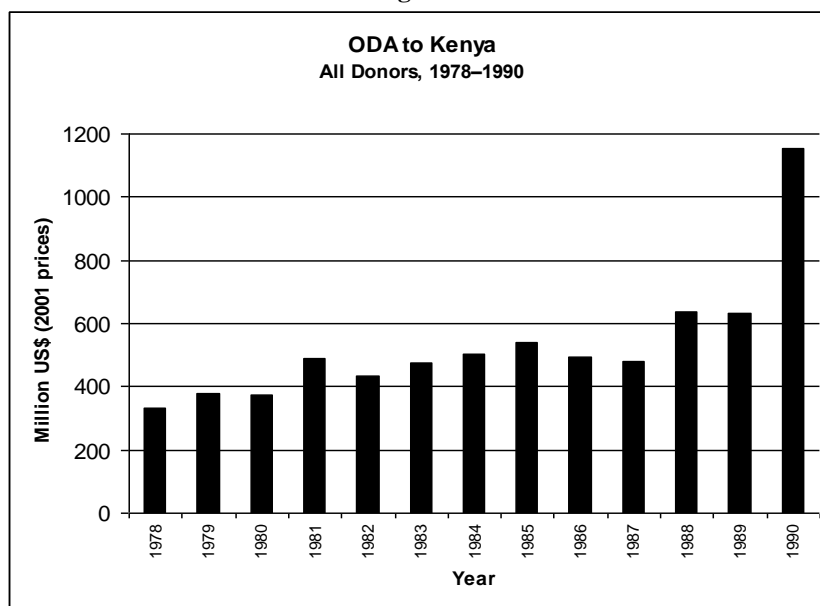
Single-Party Rule under Daniel arap Moi, 1978–1990

Prior to 1990, donors showed very little concern for internal governance in their client states. Throughout the 1970s and '80s, Kenya consistently ranked among the top five recipients of official development assistance in the region. Its espousal of capitalism and pro-Western alignment made it a trusted ally. In addition, Kenya seemed immune from the violence and instability that characterized many other African nations. Its large number of European inhabitants increased donor interest, especially Britain's. Kenya's qualities shined even brighter when contrasted with its neighbours: socialist Tanzania, Cold War hot-spots Ethiopia and Somalia, civil war-torn Sudan, and chaotic and conflict-ridden Uganda. Kenya's stability and economic growth earned the country the rare epithet of an African "success story." Moreover, according to the provisions of a 1980 military agreement, Kenya provided the US and its allies with a key naval base in Mombasa on the Indian Ocean, which proved useful for the US and UN operations in Somalia and was close to the volatile but strategically important Persian Gulf. In comparison, human rights abuses and restricted political opportunities in Kenya seemed relatively unimportant to donors, as did the increase in corruption and state repression

that occurred under President Daniel arap Moi, who assumed power in 1978, upon the death of independence leader Jomo Kenyatta.

During this period, aid flows continually multiplied. Official development assistance to Kenya tripled between 1978 and 1990, increasing from \$334 million to almost \$1.2 billion—see Figure 1 below.⁴ The United States sharply increased its aid program in the late 1980s, making Kenya the largest recipient of US and total aid in Sub-Saharan Africa in 1990.

Figure 1



Multilateral institutions were important contributors as well. The European Community and the World Bank's disbursements grew in the 1980s, especially the latter's. In need of concessional loans, Kenya began a series of Bretton Woods-led structural adjustment programs (SAPs) in 1986, though their implementation was erratic. The SAPs seriously undermined the base of political support for the government, since, in a fundamentally neopatrimonial system, patronage is necessary to retain elite and popular support. For example, the IFIs convinced the government, in 1990, to reduce real salaries and eliminate civil service positions, as well as end the practice of guaranteeing jobs for university students upon graduation. Another core element of economic reform, privatization, diminished the government's ability to use parastatals' financial resources and employment opportunities for private or party benefit. Since they eroded the regime's patronage resources, the government only slowly implemented many of the economic reforms to which it had committed itself, wearing down the patience of donors, including the IFIs. These structural factors, in part, set the stage for the transition to democracy.

Moi's rule was put at a disadvantage by a period of economic stagnation. From 1980 to 1993, per capita GNP grew by an annual average of only 0.3% (though this was still better than the average rate of -0.8% for Sub-Saharan Africa) (World Bank 1995: 162-63; UNDP 1996: 187). For the average Kenyan, living conditions worsened. For example, between 1982 and 1990, real wages fell by 16.3% in the private sector and 22.2% in the public sector (Swamy 1996: 212). Some causes were beyond the

government's control, such as the decline in export commodity prices. Other factors, however, resulted from government policies, such as shifting economic and political power to the Rift Valley and other regions of the ruling party's power base, whereas the Kikuyu in Central Province were the most dynamic entrepreneurs and agricultural producers, as well as a significant portion of the civil service. Corruption on a massive scale also took a severe toll on the economy. Kickbacks under Jomo Kenyatta's presidency had normally been around 10% of the value of a contract, whereas under Moi they often reached 60% (Holmquist and Ford 1998: 234). In effect, the prebendal Kenyan state was transformed into a predatory one (Thomas 1998: 43).

Thus, prior to 1990, donors virtually ignored the issue of domestic political representation and played little or no active role in promoting democratization in Kenya. If anything, the continued and growing support for the Moi regime, despite worsening governance and the deterioration in civil liberties, tended to strengthen its hold on power—what Evans describes as increased predation. The only role that donors played in promoting democracy was an indirect and presumably involuntary one: structural adjustment and the continuing economic crisis undermined the regime's ability to finance its clients' loyalty, thus contributing to growing dissatisfaction with the regime, as well as to popular and elite support for political reform. The economic crisis also made the country more dependent on foreign aid and the government more susceptible to policy pressure from donors.

The Return to Multipartyism, 1990–1991

Starting in 1990, the US and other donors increasingly spoke out against economic mismanagement, growing human rights abuses and restricted political opportunities. The end of the Cold War had decreased the importance of having a solid ally in the Eastern African region, while public opinion and budget deficits in donor countries—among other motivations—prompted bilateral donors to take into account Kenya's domestic politics in their aid allocations.

US Ambassador Smith Hempstone's May 1990 mention of tying of aid to political reform marked the beginning of Western donors' active involvement in Kenya's democratization process. He warned that Kenya was losing the *carte blanche* it had previously enjoyed. At first, he acted without the support of his counterparts in the Western diplomatic corps or his own government. Most bilateral donors distanced themselves from Hempstone's words, especially the British high commissioner, Sir John Johnson, who defended Moi's record. Even Washington failed to back up its "rogue ambassador": When US Assistant Secretary of State Herman Cohen visited Kenya later that month, he reassured the government that no such decision on political conditionality had yet been made (Hempstone 1997: 94). He also made a point of not meeting with any opposition figures (*New York Times*, August 6, 1990; *Africa Watch* 1991: 378). In June, days after British Foreign Secretary Douglas Hurd announced how the British government would attach political and economic conditions to its aid, Johnson announced that his government had no intention of cutting aid to Kenya (*Africa Watch* 1991: 363).⁵

The following month, Hempstone was the only Western diplomat in Nairobi to release a statement expressing distress at the detention of Kenneth Matiba, Charles Rubia,

Raila Odinga and other pro-democracy activists who were planning a rally for July 7 (Hempstone 1997: 104; *New York Times*, July 9, 1990). Several of them were adopted by Amnesty International as prisoners of conscience (see Amnesty International 1990: 4). Again, Washington's deeds contradicted the ambassador's comments in Nairobi: The day after the arrests, the US government released \$5 million in military aid to Kenya.

The US legislative branch, however, took a harder line than the Bush (Sr.) Administration. Senator Edward Kennedy called for an immediate cessation of economic and military aid to Kenya. In the first concrete steps were taken by a donor, the US Congress rapidly froze the remaining \$5 million allocation in military aid for that year, as well as \$8 million in development assistance (*New York Times*, July 29, 1990). In October, Congress voted to prohibit the disbursement of economic or military aid unless the judiciary's independence was restored (Kibwana and Maina 1996: 458). In November, three visiting US Senators told the Kenyan government that in order for the U.S. to release \$15 million in military aid for the following year, it would have to either charge or release all detainees, end the mistreatment of prisoners, and restore freedom of expression and the judiciary's independence (*New York Times*, November 16, 1990). The government only complied with the last demand, restoring judges' security of tenure, but by then it had already replaced the members of the judiciary on whose loyalty Moi could not count.

Soon, other countries began to react as well. In mid-1990, Finland, Denmark, Sweden and Finland issued a joint communiqué, threatening to cut aid if democratic rights were not respected. The British government quietly made its displeasure known by calling in the Kenyan high commissioner in London, but the British high commissioner in Nairobi remained quiet (Hempstone 1997: 114-15). The British actions were comparatively mild, prompting Moi to thank Prime Minister Margaret Thatcher publicly for her continued support in the face of criticism (Africa Watch 1991: 364). In July, a group of British parliamentarians visited Kenya at the expense of the Kenyan government. After meeting with only ruling party officials—not with a single member of the opposition, nor investigating human rights conditions first hand—they concluded that Kenya was “peaceful, stable and democratic” (Africa Watch 1991: 364-65).

After Hempstone, the ambassadors most critical of Moi at the time were the Danish and Norwegian ones, whereas the British, Japanese and German representatives—from three of the largest donor countries—as well as the Austrian ambassador refused to get involved (Hempstone 1997: 95). In October 1990, the Norwegian government protested the kidnapping in Uganda, forced return to Kenya and arrest for treason of Koigi wa Wamwere, a Kenyan political dissident who had long lived in exile in Norway. In response, Kenya broke off diplomatic relations and lost all Norwegian assistance, worth about \$20 million annually. Denmark announced it would cut its aid by one quarter (about \$9 million) because of the human rights situation (*New York Times*, November 16, 1990). Britain's reluctance to criticize Kenya weakened after Thatcher was ousted as prime minister in November 1990 (Throup and Hornsby 1998: 73-74). Nonetheless, the new British high commissioner in Nairobi, Sir Roger Tomkys, was equally unwilling to issue public criticisms of Moi and advocated applying only behind-the-scenes pressure.

At the November 1990 Paris meeting of the Consultative Group, donors expressed concern for human rights violations and considered the possibility of collectively reducing aid allocations to Kenya (Throup and Hornsby 1998: 74). A number of Western

NGOs, such as Africa Watch (1991) and the Robert F. Kennedy Memorial Center for Human Rights, advocated this. Still, action was slow to come. In February 1991, the U.S. decided to release another \$5 million dollars in military aid in order to show “appreciation” for Kenya’s assistance to US policy objectives on Iraq, Sudan and Somalia, including access to Kenyan naval and air force bases (*New York Times*, March 3, 1991; Dagne 1992: 14; Robinson 1993: 63) as well as for assisting with a case of Libyan refugees (Hempstone 1997: 141-42). Days later, the Kenyan government—possibly emboldened by the show of support—arrested Gitobu Imanyara, the editor-in-chief of the *Nairobi Law Monthly*, who had published some articles on the opposition and was charged with sedition. Imanyara’s arrest embarrassed the Americans and also shocked other donors. The US State Department reacted swiftly in issuing a protest and other donors (the Nordic countries, Germany and even Japan) threatened further aid reductions if Imanyara were not freed (*New York Times*, May 5, 1991). In June, the *Times* published an editorial that condemned British equivocation and called for a suspension of aid (Africa Watch 1991: 367). The main political opposition group in Kenya, the Forum for the Restoration of Democracy (FORD), also spoke out against Britain’s reluctance to openly criticize the Moi government (Mutunga 1996: 216-17, 222).

Later in 1991, bilateral donors and even the World Bank became more proactive. The implausibility of the government’s explanation of the murder of foreign minister Robert Ouko, with whom they had good relations, prompted them to undertake a few investigations of their own. They found evidence that Ouko had criticized cabinet minister Nicholas Biwott and other top-level officials for diverting development assistance for their own profit, including all of Sweden’s aid for 1990, and other corrupt practices (Widner 1992: 196). In July, the Nordic countries threatened to cancel \$80 million’s worth of aid agreements to protest their displeasure with the worsening political situation.

Donors began to implement their threats in September 1991, when the Danish government suspended all new aid to Kenya, citing corruption and human rights abuses. The following month, it terminated a rural development program that it had been financing for 17 years, after an audit showed that most of the \$40 million it had contributed had been embezzled. Britain cancelled \$7 million in oil subsidies, fearing the money was going to corrupt politicians rather than consumers, and the World Bank decided not to grant a \$100 million loan for the energy sector (*New York Times*, October 21, 1991; wa Maina 1992: 124).

During this period, British businessman “Tiny” Rowland used his newspaper *The Observer* to launch several attacks on the corrupt Moi government, specifically targeting Biwott. Rowland was motivated by his company Lonrho’s losses to Biwott’s business interests in irregular contract tendering (Throup and Hornsby 1998: 84). The *New York Times* also ran an article on October 21, 1991, which highlighted the extent of high-level corruption, singling out Biwott and also naming Moi and a few other members of Moi’s inner circle. Adding further evidence to the allegations, the IMF reported that Kenyan accounts overseas were valued at \$2.6 billion (*New York Times*, November 13, 1991). Moi responded by promising to set up an anti-corruption unit (which he did only six years later) and by demoting Biwott to a less important cabinet portfolio. In November, a Scotland Yard inspector’s testimony implicated Biwott in Ouko’s murder, with the alleged motive of preventing Ouko from publicly revealing high-level instances of

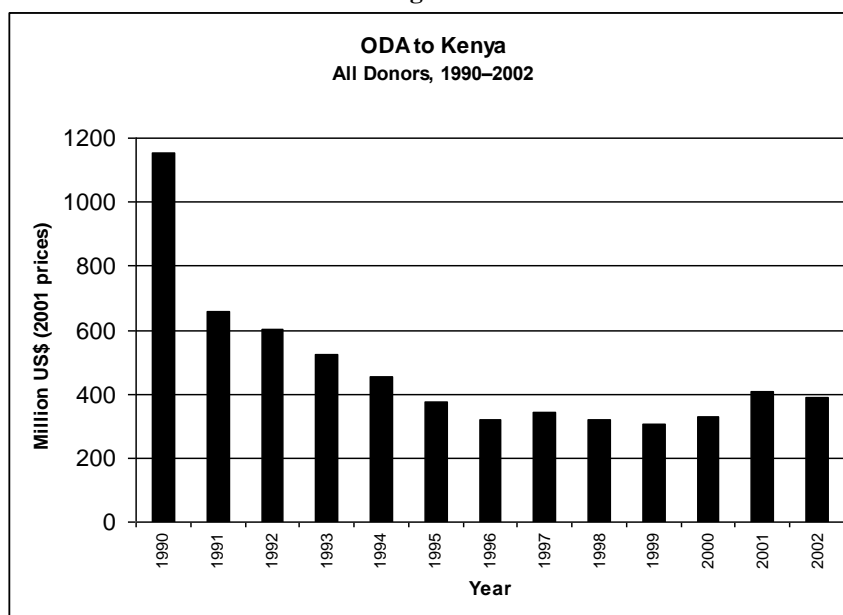
corruption. This further shocked the donors and Moi had Biwott arrested, though the latter was released after ten days, never prosecuted and later given senior cabinet positions.

In late 1991, the five most like-minded, pro-reform ambassadors in Nairobi were from the US, Canada, Germany, Sweden and Denmark. When the opposition attempted to hold a rally on November 16, these and a number of other local embassies protested both the arrest of 12 FORD leaders (including Oginga Odinga, Gitobu Imanyara, Paul Muite and Martin Shikuku), who had called on donors to cease supporting the government, and the government's heavy-handed response, which included the use of riot police. The "Big Five" bilateral donors named above, plus Finland, Australia and—for the first time—the UK, all issued written or oral protests. The US State Department, Congress and the White House also expressed their concern and British minister for overseas development Lynda Chalker warned that Britain and other donors would be tough on Kenya at the coming Consultative Group meeting—a position opposed by High Commissioner Tomkys (Hempstone 1997: 168, 250-51, 254-56).

FORD lobbied the donors to withhold development assistance. On November 26, 1991, at their World Bank–chaired Consultative Group meeting in Paris, donors decided to suspend new aid to Kenya—amounting to \$350 million out of about \$1 billion—until corruption had been curbed and the political system liberalized. According to a World Bank press release, donors conditioned a resumption of aid to the “early implementation of political reform,” which included “greater pluralism, the importance of the rule of law and respect for human rights, notably basic freedoms of expression and assembly, and... firm action to deal with issues of corruption.” They did not specify multiparty democracy, but the repeal of the single-party constitutional clause was clearly necessary (Barkan 1993: 91), as was the holding of elections. The United States cut \$28 million from the \$47 million it had been prepared to pledge for 1992 (US Department of State 1992: 815). Emboldened by the peaceful transfer of power to the opposition in Zambia, the donors promised to review the situation after six months. Nonetheless, humanitarian assistance continued—and evidence later emerged that the regime had exaggerated the number of starving Kenyans in order to receive extra funds from the World Food Programme, which were unaffected by the aid sanctions (Middleton and O’Keefe 1998: 62).

Despite clear warnings, the Kenyan government was caught unawares by the partial suspension of aid. It had apparently expected a rap on the knuckles accompanied by continued financial support. However, the suspension of rapid disbursement aid and balance of payments support caused immediate liquidity hardship for the government, including a rapid depreciation of the Kenyan shilling, while its psychological effect was even stronger (Thrup and Hornsby 1998: 85). Figure 2 below illustrates the drastic reductions in development assistance after 1990.

Figure 2



The regime took less than a week to react. Biwott's fall had left the regime hardliners feeling vulnerable and Moi without his right-hand man. On December 3, 1991, after long asserting that it would never do so, Moi announced that the government would allow opposition parties to register. Within weeks, the government repealed the constitutional article enshrining the Kenya African National Union (KANU) as the sole political party.

Donors succeeded where domestic pressure alone has thus far failed. Still, it was not a complete victory for the opposition. With this move, KANU seized the initiative, since it could control the electoral process and agenda (Throup and Hornsby 1998: 88). It was a “calculated risk with the regime betting that it was easier to meet the challenge of democracy than run a patronage-based regime without substantial international aid flows” (Holmquist, Weaver and Ford 1994: 99).

In sum, during the period from 1990 to 1991, after long ignoring Kenya's domestic political realm, donors gradually spoke out and then applied concrete pressure on the Moi regime to liberalize the political system. The US ambassador spearheaded the movement, initially contradicted by messages sent from Washington. Such mixed signals illustrated the conflict between democracy promotion and other foreign policy objectives. Gradually, other branches of the US government and other donors endorsed the ambassador's initiatives and also became vocal in their critiques of the Moi regime. Donors overcome their internal divisions to take decisive action by November 1991, when they collectively suspended most new aid. Once this consensus emerged, it took only a few days to convince the Moi regime to end single-party rule.

To use Peter Evans' terminology, donors increasingly played during this period the role of demiurge. They identified the key political change necessary—multipartyism—and, using reduced aid flows as leverage, forced the government to modify the rules via a constitutional amendment. Donors thus played a crucial part in creating a new political reality in Kenya, one that domestic activists thus far had been

unable to achieve on their own. The demiurge, having set a new material reality, stepped back to observe its workings. From the donors' perspective, once they had ensured that basic democratic rules were in place, domestic actors could henceforth compete in the electoral arena as in donors' own liberal democracies and the electorate would select Kenya's rulers in a free-and-fair vote. This scenario, however, was far too naïve and optimistic, as we shall now see.

Electoral Authoritarianism, 1992–2002

Between 1992 and 2002, President Moi and KANU remained in power, legitimated—at least in part—by deeply flawed multiparty elections, held in 1992 and 1997. Though formally a multiparty democracy, Kenya during that period is more accurately described as an electoral authoritarian regime. The precise degree of competitiveness of the elections is highly contested, leaving it open to interpretation whether it would have been possible for the opposition to win had it been united. However, it is clear that KANU was involved in a wide range of abuses, ranging from ballot box stuffing to ethnic cleansing. Both times, donors took strong measures to make sure that—regardless of such egregious practices—elections would be held as scheduled, that all major parties would partake and that, once endorsed by international observers, they would be contested only through judicial channels. Between elections, donors virtually withdrew from the political arena, concentrating instead on economic reform. This focus away from politics allowed the regime to act with relative impunity on a number of non-economic issues. As a result, donors wound up helping keep Moi and his party in power. As we shall see, donors periodically played important roles, sometimes furthering democratization, at other times preventing it from entering a phase where change would be more radical and unpredictable.⁶

Flawed Elections I: 1992

After Moi legalized opposition parties, donors felt it was important to maintain pressure on the government to ensure that the elections be as free and fair as possible. At the end of December 1991, the IMF postponed indefinitely the disbursement of a \$63 million loan because of economic non-compliance, thus jeopardizing future loans from the World Bank and other sources. Relations between the Kenyan government and most bilateral donors—especially the US—were very tense in 1992. The US, Germany and others constantly pressured Moi, in person and in both individual and joint *démarches*—but not with additional aid cuts—, to promote dialogue and make changes that would improve the fairness of the poll.

Not all donors steadfast in their withholding of aid. In July 1992, France broke ranks and announced that it would release \$9 million in aid (Holmquist and Ford 1992: 109). Moreover, the pressure on the government was undermined when, on several occasions in 1992-93, donors—especially the United States—strongly encouraged the opposition to proceed under a severely flawed electoral process and accept the results of the poll, rather than risk upheaval.

The repeal of the constitutional clause that established KANU as the sole political party permitted the legalization of opposition parties. However, the one-party system was otherwise left intact, including numerous provisions for state repression. KANU benefited from clear and well-documented advantages: the number and size of constituencies overrepresented its strongholds in parliament; the electoral commission was appointed by Moi and highly partisan; there was a high degree of intimidation, numerous instances of bribery and irregularities in voter registration; the media was strongly biased in KANU's favour; the ruling party used state funds for its campaign; and, not least, so-called "ethnic clashes" prevented opposition supporters from voting. To encourage the government to improve the fairness of the elections, the local representatives of nine donor countries delivered a feeble joint *démarche* to Moi in May 1992, expressing their "deep concern"—a statement consciously watered down in order to secure as many ambassadorial signatures as possible (Hempstone 1997: 273).⁷

Divisions within the opposition were a clear impediment to the opposition's efforts to replace KANU through the ballot box. FORD, for instance, split into two separate parties—FORD-Kenya and FORD-Asili—and later splintered further. After the legalization of multipartyism, Mwai Kibaki (a long-term KANU cabinet minister and former vice president) left the ruling party and formed the Democratic Party (DP). Thus, three major contenders (as well as four minor candidates) vied with Moi for the presidency in 1992, dividing the vote. Donors made some efforts to get opposition leaders to work more closely together and coordinate strategies, for instance at breakfast meetings at the US ambassador's residence.

When opposition leaders did develop joint strategies, donors sometimes disapproved and actively sought to dissuade them. For instance, on three separate occasions in 1992-93 donors strongly opposed and helped to end opposition boycott movements, without obtaining any major concessions from KANU. First, in June 1992, the DP and many religious leaders called for a boycott of voter registration to protest against the patently unfair playing field. US ambassador Hempstone played a central role in getting them to abandon the boycott. Second, shortly before the December 1992 vote, the three main opposition parties jointly threatened to withdraw from the elections, since they believed a fair poll to be impossible, but Hempstone and others convinced them that to be represented in parliament is better than not being represented at all. Third, after the results were announced, amid accusations of ballot-box stuffing and post-election fraud further distorting the electoral results, donors helped convince the opposition leaders to contest them in court, rather than refuse to sit in parliament. In the end, the KANU-dominated courts ruled against KANU in only one out of 40 cases, leading to a rerun in a single KANU-held constituency.

The judiciary's partiality was not hard to predict and, in retrospect, it is not clear that the donors played a positive role in helping end the opposition boycotts. At the time, though, Hempstone naïvely stated his belief that KANU had been changed by the multiparty experience and was "likely to be more reasonable and responsible" in the future (*Sunday Nation*, January 3, 1993, quoted in Geisler 1993: 626). A few years later, however, he admitted in his memoirs that he should probably have called for the elections to be postponed, given their blatant unfairness, and—failing that—declared them to be a fraud, supported the boycott of parliament and called for fresh elections; he claimed,

however, to have been worried about a resulting civil war (Hempstone 1997: 266-67, 272, 301-302, 309).

Donors made important financial contributions to the electoral process. Western governments and political foundations, mainly American and German, provided material assistance (such as office supplies), technical advice and sometimes funds to assist the opposition parties to operate. The British supplied the ballot boxes and the US the indelible ink. Canada, the US, the European Community, Denmark, Sweden, the Netherlands and the Ford Foundation funded national election monitors. The 1992 elections had cost donors over \$2 million and they were determined that they proceed as planned, especially US Assistant Secretary of State for African Affairs Herman Cohen (Cohen 1992; Throup and Hornsby 1998: 285; wa Mutua 1992: 37). Once the elections were held, donors were highly reluctant to reject them. Instead, the unenthusiastically endorsed them as having obtained the minimal passing grade, emphasizing the “success” of the voting process on election day rather than the documented unfairness of the campaign as a whole (see Barkan 1993). Though some donors hoped an opposition victory would improve economic management, the main ones were more interested in the process than in the results. They did not necessarily want Moi to be replaced by someone else, but believed that the democratic process would improve political and economic governance, through greater accountability—no matter who was in power.⁸ In this, too, they were mistaken.

Post-Election Vacillations I: 1993-97

After the 1992 elections, donors greatly reduced their pressure for political change, placing much more importance on economic reform and stability than on democracy. The economic cost of KANU’s campaign, combined with other factors, had almost eliminated economic growth for 1992 and 1993 and Kenya defaulted on its debt service for the first time. After repudiating IMF-recommended policies in March 1993, Moi took some macroeconomic measures that pleased donors. The following month, the World Bank disbursed \$85 million it had been withholding (Throup and Hornsby 1998: 560-61).

The November 1993 Consultative Group meeting in Paris focused on the government’s (limited) macroeconomic achievements and (not particularly credible) promises for future compliance, while paying only lip service to the issue of improved political liberalization. Against the opposition’s request, most donors resumed balance-of-payment support and new aid, though often at a lower level and channeling a significant proportion through NGOs rather than the government (which had the corollary affect of reducing the potential for leverage in the future). They pledged to contribute \$850 million, including \$170 million in rapid-disbursing aid from the Bretton Woods institutions. A few months later, in January 1994, Kenya’s creditors rescheduled \$700 million in outstanding debt. In December of the same year, donors pledged another \$850 million for 1995, stating their satisfaction with the government’s progress in democracy and human rights issues, ignoring evidence to the contrary.

European donors, particularly, were divided over the issue of aid resumption. The Scandinavians were especially critical of the Moi regime and resisted any move that could be interpreted as support for the government (Olsen 1998: 355). However, Britain reportedly blocked attempts within the European Union to invoke political conditions

(Human Rights Watch/Africa 1995: 2, 13). France, for its part, was uninterested in any form of conditionality that would interfere with debts owed to the French government and French companies (Geisler 1993: 632).

Some countries that were particularly concerned with democracy and human rights, notably the US, preferred to resume aid more gradually, dependent on progress on pluralism and ending the continuing ethnic “clashes” (Throup and Hornsby 1998: 564). However, the US and other donors eased pressure on Moi when the government cooperated with international military and humanitarian operations in the Great Lakes region and the Horn of Africa (Cowen and Ngunyi 1997: 55).

According to a study by Kenyan political scientist Mutahi Ngunyi (1997), the donors most committed to political conditionality during this period were the Scandinavians, the Dutch and the Americans. The Japanese, Germans and British—Kenya’s top three trade partners and aid donors—showed little interest in linking aid to political reforms, whereas the French and Italians showed none at all. Sometimes, there was discord between the donor capital and its local representative in Nairobi. The German government was fairly disinterested in political conditionality, but Ambassador Bernd Mützelberg assumed the role of leading donor critic after the departure of Hempstone (whose successor, Aurelia Brazeal, proved to be much softer on the government than he had been).

By 1995, it was hard to deny that holding of by-elections was Moi only democratic activity (Harbeson 1998: 169). Otherwise, the government was acting in clear violation of democratic principles, including harassing opposition party activists, arresting dozens of opposition MPs, and cracking down on critical magazines, newspapers and NGOs. Still, in February, the Bretton Woods institutions approved \$310 million in funding for new projects. Soon, however, donors began to turn. Britain reneged on some of its aid pledges when, in July 1995, British minister Lynda Chalker announced in Nairobi that no new aid projects would be approved until satisfactory improvements had been made with human rights and political and economic reform (*New York Times*, July 29, 1995). Thus Britain withheld \$17 million in aid, the World Bank froze a \$160 million infrastructure loan and the IMF delayed a \$200 million loan to get the government to free maize prices (*Economist*, August 19, 1995).

The donors’ reticence to provide funding was over both the political and economic situation in Kenya and it is difficult to disentangle the two. For example, the Bretton Woods institutions are particularly interested in action on high profile corruption case, such as the Goldenberg affair. Corruption notably straddles the political and economic categories. Both are cited when aid is suspended. However, all the instances of aid resumption to Kenya follow economic reform, either past or promised, or support for Western foreign policy. In fact, there were no true domestic political advances in between the 1992 elections and the latter part of 1997.

Flawed Elections II: 1997

Donor attention returned to domestic political conditions in Kenya in 1997, drawn by the growing number of participants—and violent deaths—at successive demonstrations, organized by the National Convention Executive Council (NCEC) under the theme of “No reforms, no election”. On May 31, images of excessive police violence were

broadcast around the world. On July 7, some 20-25 people were killed when security forces repressed the crowds (Barkan and Ng'ethe 1998: 37).

The international community was shocked by the images of police brutality against pro-democracy demonstrators. Twenty-two foreign diplomatic missions in Nairobi signed a joint letter to Moi in July, deploring police violence and urging the government to open talks on legal reforms with the opposition, church and civic groups. A few donors refused to sign the letter, maintaining that both sides had used violence and should be condemned for it (Holmquist and Ford 1998: 239). In Washington, US Secretary of State Madeleine Albright issued a strongly worded statement (*Economist*, July 19, 1997). Thus physical violence brought many donors together, to a certain extent motivated by a desire to restore peace, but also in fear of mobs taking over.

Sensing growing hostility from the donors, Moi postponed the donor Consultative Group meeting scheduled for July 21. The IMF suspended lending at the end of July, including a \$220 million loan, officially attributing its decision to poor economic governance and corruption. The World Bank, the European Union and several bilateral donors soon followed the IMF's lead and suspended a total of over \$400 million in aid, which was \$50 million more than in 1991. The donors explicitly urged the government to meet with the opposition (Barkan and Ng'ethe 1998: 37).

The aid freeze had an immediate negative economic impact, including hundreds of millions of dollars in capital flight and a 25% depreciation of the Kenyan shilling, causing a rise in the price of imported goods. In early August, Parliament passed amendments to the Public Order Act and a few other laws, but left in place the majority of restrictions on the operations of opposition parties. Donors initially supported this move, but grew more critical when reformers pointed out how minor the changes were (Holmquist and Ford 1998: 239).

These limited concessions thus did little to satisfy domestic opponents or donors. On August 8, at least 40 people were killed at pro-reform demonstrations (Cowen and Ngunyi 1997: 21). By portraying the demonstrators as “undisciplined, poor, and out of control,” the government fed a distrust of popular mobilization among donors and opposition parties (Holmquist and Ford 1998: 243). In interviews and press releases, local donor representatives repeatedly expressed their fear that violent demonstrations could spiral into chaos and civil war. Many donors, some of whom had been financing the NCEC (Sweden, Denmark and the Netherlands), and a number of NCEC members distanced themselves from the increasingly “radical” NCEC reform agenda. With donor support, opposition and government MPs formed the Inter-Parties Parliamentary Group (IPPG) and signed an agreement on minimal reforms that would allow elections to proceed as scheduled.

Bilateral donors, especially the four largest ones—Germany, the US, the UK and Japan—enthusiastically supported the IPPG reforms, hailing it as an “old-fashioned compromise”,⁹ while the NCEC was allegedly warned by some of its funders, including the Netherlands, that it would lose support if did not cease opposing the IPPG changes, which it considered “too little, too late,” demanding nothing less than an overhaul of the constitution before elections were to be held.¹⁰

As in 1991-92, donors strongly supported minor reforms to the constitution prior to the elections, rather than back a more fundamental review of the rules of the game, which would have allowed for a level playing field prior to the campaign. The IPPG

accords, only partially implemented in time for the elections, eliminated a few KANU advantages and loosened restrictions on the opposition. Though they allowed elections to be held as scheduled, they did not create a significantly more level playing field.

As in 1992, KANU used its gross advantages, strong-arm tactics and a certain amount of fraud, facilitated by the opposition's inability to unite behind a single candidate, to win the presidency and control of parliament in 1997. This led one close observer to rethink the international community's actions: "Donor pressure... should, in retrospect, have extended to fashioning broader multiparty agreement on reforming the rules of the game, and perhaps to electing a constituent assembly to draft a new constitution" (Harbeson 1999: 51).

As in 1992-93, donors, in spite of very detailed and critical internal reports, only went through the motions of raising the question of electoral irregularities. Moreover, Canada, the US and France reportedly convinced other donors not reveal that their own joint observation team had concluded that KANU should only have a minority of seats in parliament (Rutten 2000: 307; and unattributable interview). The main US elections consultant was likewise instructed to underplay the seriousness of her findings in her report.¹¹ Though some donors, including the EU and Japan, issued more critical statements, foreign diplomats in Nairobi generally expressed their satisfaction that the 1997 elections were better than the previous ones and thus good enough. Donors thus expressed no support when opposition leaders initially refused to accept the electoral results. As in the period following the 1992 elections, donors turned their attention back to the economic realm, showing little interest in further political reform and retaining lower-level aid, mainly because of economic issues.

Post-Election Vacillations II: 1998-2002

During his last term (1998-2002), Moi continued to pursue a number of donor-prescribed economic reforms, though erratically and as little as possible without overly displeasing donors, who were reluctant to cut aid further and thus lose leverage. Though donors endorsed the government's re-election, they acknowledged that they were not satisfied with economic governance. Though they did not resume high levels of aid, they did not initially appear particularly critical of the government.

Local representatives of bilateral donors continued to raise political issues with the government, but—as detailed below—there was only one clear case of aid reduction for non-compliance. Changes in local diplomatic staff affected donor approaches, making them less confrontational than in 1991-92 and 1997. For instance, German ambassador Michael Gerdts was a lot less vocal than his predecessor, even after the 1998 murder of a German aid worker, which was possibly linked to government corruption. Overall, bilateral donors looked to Moi to steer the ship of state peacefully, maintain stability and, at the end of his mandate, hand over to a successor. They were not overly concerned with human rights issues and were equivocal in their support for civil society (Southall 1999: 108).

Multilateral donors especially wanted policy reform that would favour economic growth. After suspending lending in mid-1997 over corruption and the slow pace of privatization and civil service reform, the resumption lending by the IMF was crucial to the Kenyan government because other donors were waiting for IMF approval before

restarting their own aid programs. Though large-scale lending had not yet resumed, multilateral institutions sent mixed signals. In April 1998, for example, the World Bank country director, Harold Wackman, commented publicly that he would prefer to work with “an efficient crook than a bumbling saint,” which was widely interpreted as demonstrating support for Moi and a lack of commitment to improving governance.

In 1999, however, bilateral donors became increasingly outspoken. In February, American ambassador Prudence Bushnell announced that the US would fund the Kenyan private sector, since aid to government had proved ineffective in improving people’s lives (*Daily Nation*, February 8, 1999). Her German counterpart alluded to “powerful politicians” seeking kickbacks and “frustrating” three projects his government was funding (*Daily Nation*, February 13, 1999). In June, the Netherlands announced that it was cancelling its aid program to Kenya, worth about \$25 million a year, citing the stalled constitutional reform process, corruption scandals, land grabbing, the slow pace of economic reforms and public sector reform, as well as the non-implementation of some provisions of the pre-election accords (Panafrikan News Agency, July 9, 1999). Other donors publicly chastised the government, albeit without cutting aid any further. The United Nations Development Programme (UNDP) revealed in September 1999 that the government had failed to account for \$43.7 million in aid since 1994. Still, this did not prevent the organization from signing a new \$14 million grant agreement with Kenya (*Daily Nation*, September 18, 1999).

Other than the Dutch, donors decided by late 1999 that more time was needed to determine if the recent changes would become more substantial or if they were merely cosmetic. Worried that progress underway might be reversed if they applied too much pressure, donors stopped demanding a resolution of the Goldenberg scandal and tolerated the late debt service payments. By the end of the year, the government appeared to be convincing donors that it would improve economic governance. In response, some opposition MPs and members civic and religious organizations formed the Stakeholders Support Group, whose primary purpose was to lobby against the resumption of aid.

The World Bank, the UK, the EU and the African Development Bank were all reported to have pressured the IMF to release new funds (*Daily Nation*, May 26, 2000), whereas most bilateral donors remained concerned by Kenya’s political situation. Still, worries that the worsening economic crisis “could culminate in political and economic instability” reportedly swayed donors, including the “reluctant” United States (*EastAfrican*, June 26, July 24 and July 31, 2000). Though the government had not complied with the conditions for resuming aid, the IMF announced in July 2000 that it would renew assistance immediately. As expected, the IMF agreement paved the way for hundred of millions of dollars in additional assistance from other sources, including from the World Bank, UK, Japan, Sweden, the African Development Bank and the EU—though the Dutch and other Scandinavians continued to progressively phase out their assistance programs. In exchange, the IMF and the other donors demanded a long list of measures, none of which was related to further democratization (though anti-corruption conditions are arguably related).

By 2001, it seemed that donors expected little more from Moi than to hand over power peacefully to a democratically elected successor at the end of his mandate. This issue more than any other dominated the political scene until mid-2002. Though Moi was constitutionally barred from running again for the presidency, he long avoided stating

explicitly that he would step down. A constitutional amendment or a number of cunning interpretations of the constitution could have allowed him to secure at least one other five-year term. After sustained pressure from donors, civil society and the independent media ensured that no underhanded measures be taken, he finally announced in June 2002 that he would definitely not be a presidential candidate.

During the 2002 electoral campaign, donors encouraged opposition parties to work together and agree on a joint opposition candidate. When Mwai Kibaki, the coalition candidate, won the elections, the spectre of aid sanctions helped to convince KANU hardliners to hand over power. It is widely believed that US president Bush and secretary of state Colin Powell are discuss this with Moi when he visited Washington a few weeks before the elections (Brown 2004).

Summary

After 1991, donors basically abandoned the demiurge role that they had played in the return to multipartyism (1990-91). This in itself is not surprising, since, once the new rules were in place, it would be expected that donors play a custodial role in ensuring that these rules be respected. However, donors failed in this role with respect to the 1992 and 1997 elections by discounting the myriad campaign and election irregularities, as well as by endorsing (albeit unenthusiastically) the unfair elections, even suppressing evidence on the extent of government electoral fraud and the illegitimacy of KANU's majority in parliament. Moreover, they underemphasized the shortcoming of the new rules in establishing a system in which various parties could compete democratically.

Between elections, donors generally avoided action as custodians of democracy by not protesting post-electoral political backsliding and by eschewing further use of political conditionality, with a few notable exceptions related to corruption. Some progress in or promises of economic reform was generally sufficient to forestall any further punitive actions. Donors appeared determined to give the Kenyan government a series of fresh chances, hoping each time that it would honour its pledges, despite its repeated failure to do so in the past. Their primary concern appeared to be the avoidance of any path that could lead to a breakdown of the political and economic order. On occasion, their effectiveness was reduced by a lack of agreement and coordination amongst themselves (Moi's regime was also exceptionally adroit in resisting pressure). In 2002, however, donors' custodial actions did help ensure that Moi did not run again, paving the way for a series of events that made an opposition victory possible (see details in Brown 2004).

During this period, donors also sporadically played a role in husbandry. In both 1991-93 and in 1997, donors coordinated their actions and international involvement helped bring about incremental change and modest last-minute compromises that did not significantly modify the political landscape. The momentum created with aid suspensions in 1991 and 1997 was not allowed to reach its full force. Donors deterred opposition parties from confronting the government other than through elections and court cases, even though the government dominated both the electoral and judicial systems. In 1992-93, donors deliberately undermined concerted opposition efforts to pressure for a more thorough rewriting of the rules through boycotts and demonstrations. In 1997, the multilateral institutions' suspension of hundreds of millions of dollars in aid prompted

KANU to seek an accommodation with the opposition parties, while bilateral donors twisted the arms of opposition parties and civil society organizations to garner support for the ineffectual IPPG accords.

The least visible role that donors played was as midwife, mainly their actions to encourage opposition parties to cooperate and avoid splitting the opposition vote. The US-led efforts were in vain in 1992, but donors were more successful in 2002 in facilitating the formation of the National Alliance Party of Kenya (NAK) and later the broader National Rainbow Coalition (NARC), whose presidential candidate Mwai Kibaki won the 2002 elections.

Kibaki's Presidency (2003–)

Though it is still too early to characterize the donors' role during Kibaki's presidency as whole, a pattern has already emerged. Initially, the donors were highly supportive of the new government. During its honeymoon period, Kibaki administration won praise for a number of policy initiatives, especially a crackdown on graft, which had been a key plank in the NARC electoral platform. In 2003-04, donors—including the US, UK, Germany and World Bank—contributed hundreds of millions of dollars to the fight against corruption, including support for the office of a newly appointed anti-corruption “czar”. The IMF resumed lending in November 2003, approving a loan worth \$250 million.

Despite initially positive signs, notably in measures against corrupt members of the police and the judiciary, it became clear in mid-2004 that large-scale corruption was still a considerable problem in Kenya. Scandals emerged over the procurement of passport-making and forensic police laboratory equipment. In July, donors began to become more vocal in their dismay with continued high-level graft. British high commissioner Sir Edward Clay's public pronouncements earned him severe criticism in Kenya. The European Union suspended some assistance over the matter.

As evidence grew, the media added its voice, more donors joined in and the problem became increasingly difficult to ignore or deny. Western diplomats alleged that corruption had cost the treasury \$1 billion since Kibaki took office. In February 2005, the British high commissioner denounced the “massive looting” of state resources by senior government politicians, including sitting cabinet ministers. Within days, Kibaki's anti-corruption “czar” John Githongo resigned and went into exile amid rumours about death threats related to his investigation of high-level politicians. The UK, US and Germany rapidly suspended their anti-corruption assistance and Kibaki reacted with a minor cabinet shuffle (BBC News Online, various dates).

At the root of the difficulties of fighting corruption in Kenya are the conditions that brought Kibaki to power and his dependence on a very loose and disparate coalition to be able to rule. To maximize his electoral chances, he accepted into his alliance shortly before the 2002 elections a number of senior KANU officials who defected at the last minute, several of whom were deeply implicated in the worst abuses of the Moi regimes, including the “ethnic clashes” and massive corruption. In a system that, though formally democratic, is still neopatrimonial, Kibaki allows his ministers a wide margin of manoeuvre to assure their continued support. The government turns a blind eye to much corruption, both past and present, to ensure its own survival. In fact, faced with failing

support from one faction of his NARC alliance, Kibaki brought KANU sitting MPs into cabinet in October 2004. It is unlikely, given his reliance on corrupt senior politicians, that Kibaki will willingly prosecute his own cabinet ministers—unless his hand is further forced by donors or civil society or he no longer has to rely on their support to keep governing.

Under Evans' typology, donors began Kibaki's term as midwives of change in one specific area, seeking to facilitate additional state transparency and accountability. They did this, among other things, by providing material and moral assistance for institutionalizing the fight against corruption. Less than halfway through Kibaki's mandate, faced with growing evidence of the size of the problem and the lack of political will to address it (indeed its deep roots in Kibaki's coalition), donors turned to a more proactive and antagonistic role. Whether it is best characterized as husbandry or custodial remains to be seen, as does the form of donor intervention—if any—in other pressing issues of democratic reform, such as long-overdue constitutional reform.

Conclusion

During various periods, donors assumed different types of democracy-promotion roles. Of interest is not just the degree of their involvement but also the form that it takes. Prior to 1990, they played no real direct role, while their general support for the Moi regime helped reinforce continued authoritarianism. Between 1990 and 1992, most bilateral donors followed the US ambassador's lead and increasingly acted as demiurges, adding their voices to domestic calls for political pluralism and backing this up with aid suspension. This caused the Moi regime to immediately modify the constitution, though not effect any further changes to permit free-and-fair electoral competition. Donors then abandoned the demiurge role and failed to recognize the significance of incomplete democratization. They subsequently failed to live up to a custodial role, endorsing two sets of patently unfair general elections in 1992 and 1997 and thus providing legitimacy to Moi's continued rule.

In the period immediately before and after those elections, donors assumed a role in husbandry, actively promoting, sometimes rather forcefully, a few "compromises" (better described as minor concessions by the regime or major ones from the opposition) that would allow holding of elections and the acceptance of officially announced results. Also preceding elections, donors occasionally played the role of midwives, encouraging the opposition to form a more united front. This strategy did not succeed in 1992 or 1997, but was key factor of KANU's defeat in 2002. Following elections, donors showed very little interest in further democratization, preferring to concentrate on economic issues. A partial exception is the question of corruption, which is also a political problem and became a central consideration in aid suspension by the Dutch in 1999 and a number of key donors in 2005.

Though initially central to political liberalization in 1991 and 1997, donor intervention has since 1992 actually impeded further democratization on several occasions, most notably in instances of opposition boycotts and large-scale protest movements. Each time, donors appear to be motivated by concerns for stability and risk-

avoidance, even though the uncertainty and violence that could accompany more rapid and radical change can produce a more robust democracy (Casper 2000).

Since 1990, donor attitudes have shifted many times and were often inconsistent and at times downright contradictory. Aid was cut and then renewed by various donors in an uncoordinated fashion, without any clear link to changes in government practices. Though in theory avid for democratization, donors actually resisted and sometimes even sabotaged efforts by Kenyan civil society to precipitate change. For this reason, an appropriate metaphor for donors' role would be a driver with one foot on the accelerator and one on the brake, alternating between speeding up and slowing down the democratization process. Given the varying signals from multiple donors, there many different pairs of hands on the steering wheel, each trying to point Kenya in a different direction on the road to democracy, furthermore lacking a clear roadmap. Thus, donor actions were central to the democratization process in Kenya, but at times paradoxically actually impeded it.

How could donor democracy-promotion efforts have proved more successful in Kenya and by extension be more effective elsewhere? It is clear that the demiurge role involves the most active intervention and coordination and, requires a deeper understanding of the minimum requirements for a democracy to flourish. It is therefore most difficult to sustain. The custodian role requires a stronger commitment to seeing through all the changes that have been mandated and the respect of the rules that have been agreed to. This enters into conflict with other donor interests, including economic reform and security issues. The donors' efforts in husbandry proved more predatory than developmental, which Evans would explain by too much autonomy in policy making. His recommendation for achieved the best results in industrial development is "embedded autonomy", whereby state actors have organic links, sometimes informal, to other actors who neither dominate or are dominated by the state. Evans ultimately expresses a preference for the midwife role, whose less aggressive interactions produce the most productive results.

Likewise, this chapter's account, supplemented by the rest of this book, gives credence to a call for greater embeddedness of donor strategies in Kenyan civil society. The democratization advances have occurred as a result of close interactions between donors and Kenyan civil society organizations, while each set retained its autonomy. Donors should neither expect Kenyan actors to follow blindly their preferred strategies, nor be expected to support blindly any or all civil society initiatives. Though achieving a consensus is complex and difficult, greater donor attention to domestic priorities and strategies is more likely to produce a roadmap to a sustainable democracy in Kenya.

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Notes

This chapter draws on over 80 interviews in Kenya with multilateral and bilateral donor representatives, politicians, civil society activists, academics and other concerned individuals in 1998, 2001 and 2003. For funding that made the research possible, the author thanks the Social Sciences and Humanities Research Council of Canada, the International Peace Academy, the Institute for the Study of World Politics and the Academic Council on the United Nations System.

¹ By donors, I refer to bilateral governments and multilateral agencies that provide development assistance. Since much of the assistance is in the form of loans, “lenders and donors” would be a more accurate term. However, in line with common usage and to avoid the clumsy formulation, I refer to them here simply as donors.

² For instance, in the 1990s, in Colombia, Egypt, Indonesia and Sri Lanka, no aid sanctions were imposed, despite egregious human rights violations (Crawford 1997: 93-100). In Armenia, Azerbaijan, China, Egypt, Indonesia under Suharto, Kazakhstan and Saudi Arabia the US subordinated its democracy promotion commitments to other interests, including oil, trade, or regional security and stability (Carothers 1999: 5).

³ According to Guillermo O'Donnell and Philippe Schmitter's (1986: 6) definition, a transition is “the interval between one political system and another”. It begins “with the initial stirrings of a crisis under authoritarian rule that generate some form of political opening and greater respect for basic civil rights” (Mainwaring, O'Donnell and Valenzuela 1992, 2). In Kenya, this arguably happened in 1991, with the restoration of multipartyism. The transition ends when new political elites assume power or, in rare cases, the old elites are newly legitimized. Depending on one's interpretations, one could argue that this occurred either with Moi's re-election in 1992 or with his party's defeat in 2002. Since a transition can lead to a new authoritarian regime or to democracy, those who see more continuity than change under Mwai Kibaki's presidency can make the case that the transition to democracy is still underway. Political *liberalization* refers to the opening up of the political system to greater competition, whether or not it actually leads to democracy. By *democratization*, I mean to describe the broader term that encompasses the transition to democracy and the post-transition deepening and broadening of democracy (what some refer to as the consolidation phase). Democratization in Kenya is therefore an ongoing process.

⁴ Unless otherwise stated, all aid disbursement data are gross figures expressed in US dollars, adjusted to 2001 prices, and are drawn from the OECD's International Development Statistics online, <http://www.oecd.org/dataoecd/50/17/5037721.htm>. Gross figures are used, rather than net, to exclude loan repayments, since the latter reflect conditions at the time of the loan and not at the time of repayment.

⁵ The UK, historically Kenya's main aid donor, had strong economic ties with Kenya and a close relationship with its government. The British had trained Kenya's police, army and secret service, while their ruling Conservative Party had number of links with KANU. In addition, the British government was concerned with the future of Kenya's 70,000-strong Asian community, many of whom had a right of abode in the UK, according to a British High Commission document cited by Hempstone (1997: 109).

⁶ The two subsections below on “Flawed Elections” draw significantly on data and analysis previously presented in Brown (2001).

⁷ For the most in-depth account of the 1992 elections, see Throup and Hornsby (1998). For an analysis of the “ethnic clashes” and donor responses to them, see Brown (2003).

⁸ The opposition leaders presented no threat to Western interests, since all were committed to debt repayment, continued macroeconomic reform and private investment as the motor of growth (Holmquist and Ford 1994: 7). Had the democratization movement been led by a mobilized peasantry, industrial working class or proponents of the populist economic policies that were common in the 1950s and '60s, donors and the middle classes might have opposed multipartyism (Holmquist, Weaver and Ford 1994: 101).

⁹ Author interview with Sally Healy, First Secretary (Political), British High Commission, Nairobi, March 6, 1998.

¹⁰ Author interview with Gibson Kamau Kuria, NCEC Co-Convenor, Nairobi, May 14, 1998.

¹¹ Author interview with Judith Geist, consultant, Nairobi, April 15, 1998.