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# UNITED STATES POLICY AND THE TRANSITION TO DEMOCRACY IN KENYA, 1990-1992

Phillip Nyinguro

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United States Policy and The Transition  
To Democracy in Kenya, 1990-92

By Philip O. Nyinguro



UNITED STATES POLICY AND THE TRANSITION TO DEMOCRACY IN KENYA,  
1990-1992

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1999



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To my parents, the late ex-chief Nying'uro Akala who always exhorted me to "read up to Amerika," and Nora Adoyo Nying'uro who has been the source of my strength throughout.

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## ABSTRACT

### UNITED STATES POLICY AND THE DEMOCRATIC TRANSITION IN KENYA, 1990-1992

By Phillip O. Nyinguro

This study examines U.S. policy on the transition to democracy in Kenya from the beginning of 1990 to the end of 1992. It uses the case study method and relies on data from official policy documents and oral interviews to understand why, how and with what results the U.S. intervened in Kenya's democratic transition. It focuses on the pressure by the U.S. government on the government of President Daniel arap Moi to accede to growing demands for democratic reforms, especially to allow multipartyism, to generally review the country's laws and constitution, to release political prisoners, and to hold free and fair multiparty elections.

The central thesis is that U.S. pressure was instrumental in nudging the recalcitrant Moi regime to repeal the one-party clause in the constitution in December 1991, thus allowing for multipartyism, and to take other measures to open up the political system. The U.S. used both its hegemonic position as the sole superpower and influence in the donor community to rally international pressure for democratic reform in Kenya. It also deployed its diplomatic and economic leverage it had accumulated over the years as one of Kenya's major donors and diplomatic patrons to apply pressure independently on the Moi regime. U.S. unilateral and multilateral initiatives played a

great role in the inauguration of the transition to democracy which saw the government legalize the opposition, release political prisoners, amend some of the laws and to ultimately organize the first multi-party elections in twenty-six years.

Its contribution to the inauguration of the transition notwithstanding, U.S. policy was, however, fraught with contradictions, ambivalence, equivocation and conflicts between the major actors (Congress, the Administration in Washington and the embassy in Nairobi). These problems arose mainly because of the perennial conflict between promotion of democracy and other goals of U.S. foreign policy. The need to address other urgent issues of national interest sometimes led to policy actions that either slowed pressure for reform or contradicted stated policy all together. This only goes a long way in underlining the limitations of external actors as agents of democratic reform in countries where they intervene.

Dissertation Director - Professor Mark W. DeLancy.



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## CHAPTER ONE

### INTRODUCTION

In the recent past, especially in response to what Samuel Huntington has called the "Third Wave" of democratization, a whole body of literature on "democratic transitions" has emerged. Much of this literature, however, has concentrated on the internal political processes in those countries undergoing transition. As various scholars in this relatively new field grope for theories and general concepts to guide inquiry, the focus has been on issues and actors internal to the political system in question. The international dimension of democratic transitions has generally been neglected. Some scholars have touched on the international dimension by acknowledging the role of international factors and changes in the international environment in general in shaping and influencing political change in specific countries, but the level of generality has been so great as to obscure detailed understanding of their role in democratic transitions.

In the post-Cold War era, the role of external forces in democratic transitions has become even more pronounced than before. Across the world from Latin America to Eastern Europe to Africa, international organizations, especially the international financial institutions, and individual countries (especially the developed ones in the west) have exerted unprecedented influence on the transitions to democracy that began in the mid-1980s. Much of the literature on these post-Cold War transitions has not

been oblivious to this development as many articles and books have paid attention to the role of external actors. Lamentably, however, detailed empirical studies have yet to be carried out on the role of specific actors in specific target countries. Moreover, no study has concentrated on the policy of a specific major power on the transition to democracy in a particular country, despite the increasing acknowledgment that the policies of certain major powers are influencing the direction of the transitions in an unprecedented manner.

The present study has been motivated by the desire to understand the policy of the United States (U.S.), a crucially important actor in post-Cold War democratic transitions in many parts of the world, on the transition process in one country, Kenya, in a continent where promotion of democracy has seldom been the concern of the same external actors who are now deeply involved in such transitions. It uses the case study method to understand why and how countries intervene in political change processes in other countries. It relies on information gathered from a variety of sources, especially official policy documents and oral interviews with policy makers, to present a critical examination of U.S. policy on Kenya's democratic transition from the beginning of 1990 to the end of 1992.

#### **OBJECTIVE OF STUDY, STATEMENT OF THE PROBLEM AND RESEARCH QUESTIONS**

Since the end of the last decade, the U.S. has sought to influence the course of democratic transitions in several countries, especially those in Eastern and Central Europe and Africa. As authoritarian one-party, military, and communist governments have succumbed to both external and internal pressure for more democratic forms of

governance, the U.S. has applied pressure on recalcitrant authoritarian regimes to initiate democratic reforms. It has also put in place "democracy assistance programs" to help nurture and strengthen the infrastructure necessary for the flourishing of democracy within "transitional" societies. Since 1990, one of the countries in Africa in which the U.S. has intervened most forcefully and vigorously is Kenya.

This study examines U.S. policy on Kenya's democratic transition from 1990 through 1992. It focuses on U.S. pressure on the regime of President Moi to allow multi-partyism by repealing section 2(a) of the constitution that had made Kenya a *de jure* one-party state, to review generally the country's laws and constitution with a view to removing sections that did not conform to democratic norms and that restricted the enjoyment by Kenyans of democratic rights and governance, to release political prisoners, and to hold free and fair multiparty elections. It is important to emphasize that this is a macro-level analysis of U.S. policy, not a micro-level analysis of U.S. involvement in Kenya's democratic transition. Thus the study does not examine the activities of various private and semi-private U.S. agencies and organizations that were involved in the process. In essence, the focus is on government-to-government interaction, that is, the diplomatic and non-diplomatic pressures by the U.S. on the Moi government to initiate and carry out democratic reforms.

The temporal boundaries of the study, from the beginning of 1990 to the end of 1992, certainly does not imply that the transition to democracy in Kenya began and ended with these dates. Indeed, it is plausible to argue that even at the time of this

inquiry, the transition process is still ongoing.<sup>1</sup> However, the period 1990-1992 was significant because many significant reforms (especially the decision to repeal section 2 (a) of the constitution and thus allow multi-partyism, the holding of multi-party elections, and the release of political prisoners) took place during this time. Generally, the period saw the initiation and inauguration of the transition.

The central objective of the present study is to understand why, how and with what results the U.S. influenced Kenya's democratic transition during this period. In pursuit of this objective, four major research questions have been formulated to guide the study. What motivated the U.S. to intervene in Kenya's democratic transition? What policy instruments did it employ, and how effective were they? What levers of influence were available to the U.S. for this purpose? How did the U.S. relate to the other major powers and actors similarly involved in the transition process, and how did such a relationship affect U.S. policy behavior and outcome?

#### **JUSTIFICATION AND SIGNIFICANCE OF STUDY**

The problem and research questions addressed in this study are part of an increasingly important subject of debate in policy and scholarly circles in the U.S. and in other parts of the world, especially in those countries whose democratization processes the U.S. has sought to influence. In the U.S., the debate on the value and validity of promotion of democracy as a foreign policy goal is perennial. With the end

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<sup>1</sup>There is lack of agreement among students of democratic transitions as to when a transition to democracy ends. As will be discussed in the next chapter, it all depends on one's conceptualization of "democratic transition" itself. In the case of Kenya, however, whatever the conceptualization, some key fundamental reforms that are at the core of democratic transition, such as a comprehensive constitutional review, had not yet been carried out at the time of this study.



of the Cold War and America's ascendance to the position of the sole superpower with global responsibilities in an era marked by incessant clamors for democracy on a global scale, the debate has become even more crucial and sustained. There is renewed interest in the age-old issues as to whether and how the U.S. should engage in the promotion of democracy abroad. Despite the elevation of democracy promotion to the center stage of U.S. foreign policy since 1989, and the subsequent active and assertive role played by the U.S. in democratic transitions abroad, the debate on these issues is far from settled. In countries where the U.S. has been "promoting democracy," questions have arisen as to the impact of U.S. policy on local politics and in what direction U.S. policy is influencing the transition. It is against this background that the justification and significance of this study should be viewed.

An in-depth, country-specific study such as this makes an invaluable contribution by availing data which might increase the quality of the debate on the value and validity of promotion of democracy, making more interesting and meaningful what one scholar has called "the otherwise sterile and superficial exchanges between the inordinately hostile opponents who are convinced that democracy promotion efforts are *a priori* a vain and misguided undertaking and enthusiastic proponents who are certain of success."<sup>2</sup> Indeed, this study elucidates our understanding of the problems, challenges, and prospects of U.S. promotion of democracy abroad. The U.S. policy establishment should thus find the study's findings useful for reevaluation of policy goals and implementation, not only in Kenya but elsewhere as well.

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<sup>2</sup>Thomas Carothers, Assessing Democracy Assistance: The Case of Romania, (Washington, DC: Carnegie Endowment for International Peace, 1996), 4.

The focus on Kenya's democratic transition also makes the study important for several reasons. First, the Moi regime was one of the most adamant in Africa on the issue of democratic reforms. Despite growing domestic and international pressure, the regime was very reluctant to allow multi-partyism and to initiate democratic reforms in general. Even after it finally acquiesced, its commitment to a meaningful transition process has been questionable. A great deal of pressure, external as well as internal, had to be brought to bear upon the regime to repeal the one-party clause in the constitution and to conduct free and fair multi-party elections which were held in December 1992. The regime's recalcitrance makes Kenya a revealing test case for U.S. policy on democratic transitions abroad. In particular, it is interesting to see how the U.S. responded to various attempts by the regime to resist democratic change. Thus the limitations and capacity of the U.S. to influence democratic change in another country are abundantly brought to fore.

Second, Kenya was one of the few countries in Africa (indeed, one of the few outside eastern and central Europe) where the U.S. intervened forcefully in a post-Cold War democratic transition. Moreover, Kenya was one of the first countries in Africa to feel the full heat of the new U.S. policy on democratization in Africa. Third, Kenya was one of the staunchest U.S. Cold War allies in Africa, and relations between the two countries throughout the Cold War period were warm and cordial. A study of U.S. involvement in Kenya's democratic transition may, therefore, shed some light on how U.S. policy has changed in the post-Cold War era. Fourth, because many other developed countries, especially those of the West, were significantly involved in

Kenya's democratic transition, this is also a good case study of how the U.S. acted in its new role as the sole superpower, and how it related to its former Cold War allies in the process. Was the U.S. able to secure the cooperation of, say, Britain, Germany, France, and Canada in achieving its goals as it had in the past?

For scholars, this study should enrich the growing, but still scanty, literature on the role of external actors in democratic transitions. Even though the important role of major powers has been generally acknowledged, very little empirical research has been carried out on why, how, and the extent to which they influence democratic transitions in other countries, especially in Africa. Most contemporary studies have been too general and sweeping, treating all external actors together. By adopting an actor-focused approach, that concentrates on one major country's (the U.S.) activities in one specific target country (Kenya), this study adds new empirical insights to existing knowledge on the role of major powers in democratic transitions. Specifically, it helps us understand the extent to which another country, even a superpower, can influence political change in another sovereign country.

This study also fills gaps in the literature in other important ways. It broadens the geographical scope in the existing literature on the role of external actors in general and of the U.S., in particular, on democratic transitions. This literature has tended to concentrate on U.S. policy in the Western Hemisphere, that is, Latin America. A few studies have also been done on the role of the U.S. and other European powers on the democratization of post-war Japan, Germany, and Italy, and on that of Western European countries and organizations, especially the European Economic Community

(EEC), in democratic transitions in southern Europe. Recently, democratic transitions in former communist eastern and central Europe have also received some attention. Africa has, however, been largely neglected, despite the recognition that external actors, especially the U.S. and other European countries, have played an important role in the post-Cold War democratic transitions in the continent. Certainly, no extensive empirical case study like this one has been carried out. Hence the significance of the present study.

In addition, much of the previous literature has dealt with democratic transitions during the Cold War, which certainly had a tremendous impact on the design, motivation, target, and outcome of U.S. policy. This study brings new insights on these variables in the context of the post-Cold War era, which presents different challenges and opportunities not only for the foreign policies of individual countries but also for inter-state relations, and the international system in general.

Finally, this study is a significant contribution to the study of democratic transitions in Africa insofar as it focuses on the external dimension, especially with regard to the role of major powers. While some studies have been done on the international dimensions of Africa's post-Cold War transitions, the major preoccupation of these studies has been with economic issues, particularly donor conditionality. Diplomatic and other foreign policy issues have been neglected. Even more neglected has been the role of individual countries. Existing studies have tended to treat external actors collectively as if individual actors, especially major powers, do not have individual interests and policies as they intervene in these transition processes. The

current study represents a departure from this tendency because, by focusing on the activities of one major country, the U.S., demonstrating that different actors have different motivations, interests, and policies as they seek to influence transitions in other countries.

### **THE CASE STUDY METHOD: UTILITY AND LIMITATIONS**

The above observations on the significance of this study notwithstanding, it is important, however, to observe that this being a case study, its utility and limitations in terms of scholarly contributions are not different from those of case studies in general. In particular, it has to be emphasized from the outset that case studies are often regarded as of limited utility in theory building. But case studies can still contribute to theoretical development even if only indirectly. The challenge of any case study is, however, to devise methods that maximize its utility.<sup>3</sup>

Case studies are those that focus on single cases. By focusing on U.S. policy on the democratic transition in Kenya, this is a case study insofar as it is single-country oriented. Its scholarly contributions are the same as those of typical case studies. Its descriptive richness makes it useful in the area of generalizations necessary for theory building. In an area still lacking in overarching theories like the study of democratic transitions, this study could not but be instrumental in the theoretical development of

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<sup>3</sup>For detailed and succinct discussions of the strengths and weaknesses of the case study method, especially in political science inquiries, see Arend Lijphardt, "Comparative Politics and the Comparative Method," American Political Science Review 65 (September 1971): 682-93, Roy C. Macridis, The Study of Comparative Government, (New York: Random House, 1955), Joseph LaPalombara, "Macro-Theories and Micro-applications in Comparative Politics," Comparative Politics 1 (October 1968): 60-77, and Michael Curtis, Comparative Government and Politics: An Introductory Essay in Political Science (New York: Harper and Row, 1968).

the field. Second, its interpretative orientation makes it useful for the purpose of refining and sharpening existing propositions and hypotheses.

## **METHODS OF DATA COLLECTION AND ANALYSIS**

Data for this study were drawn primarily from interviews/discussions and documentary sources. Interviews and discussions were held with respondents in various categories. These included U.S. State Department officials, current and former U.S. Foreign Service Officers in Kenya, U.S. personnel from other U.S. government departments (for example, the United States Agency for International Development, USAID), Congressional staff on the Africa Sub-committee of the Foreign Relations Committee, officers from quasi-governmental and non-governmental organizations involved in the U.S. democracy project in Kenya, and officials in the Kenyan Embassy in Washington, D.C. While in Washington, I was also able to speak to a number of Kenyan leaders who visited the capital on official or personal business. In addition, I managed to interview a number of Foreign Service Officers working in Kenya but visiting for one reason or the other. Finally, I was privileged to attend a one-day high-level policy seminar on democratic transition in Kenya organized by the State Department. This seminar was significant for me because it brought together a cross-section of U.S. officials from the State Department, Nairobi, and other organizations involved in policy formulation and implementation with regard to U.S. policy on Kenya's democratic transition. Apart from benefiting as a "participant observer," I also got the chance to interview these people individually during and after the seminar.

Primary documents consulted for this study included congressional staff papers

of the Congressional Research Service, Congressional Hearings on Kenya, relevant publications and reports in the State Department and by other government and non-governmental organizations, and speeches and statements by senior U.S. policy makers. Memoirs by ex-U.S. diplomats to Kenya were also perused, and daily and weekly newspapers and other periodicals and magazines were also consulted.

### **RESEARCH PROBLEMS AND LIMITATIONS**

One of the perennial problems of an empirical study concerns availability and reliability of data. This study was sensitive to these problems throughout the data collection stage and developed several means of surmounting them with a view to minimizing their effects on the study. One major safeguard was to develop a multi-faceted approach to data collection. Thus while interviews and discussions were held, primary and secondary documents were also consulted. Information derived from documentary sources served both to fill in gaps left by interviews and discussions and to corroborate oral statements. It should be emphasized, however, that most of the official documents consulted were those from the U.S., just as most of the respondents interviewed were U.S. officials.

Selection of respondents was also sensitive to the possibility of bias and unwillingness to talk on some issues. Hence officials of private organizations involved in, or familiar with, U.S. policy on the democratic transition in Kenya (for instance, human rights groups) were included in the sample of respondents to supplement and/or cross check information given by government officials. The documents consulted were also varied enough to reduce threats to validity and to maximize richness of

information. Newspapers, for instance, were significant insofar as they reported or commented on major policy initiatives and developments. Documents from the Congressional Research Service and the proceedings of hearings in the Congressional sub-committees touching on the subject of study corroborated information given orally by administration officials.

My participation in the one-day brainstorming session on Kenya referred to above also went a long way in overcoming the limitations of other sources. It gave me the opportunity to listen to top policy officials and policy implementers in Kenya talk openly and frankly about the subject. This was an excellent opportunity to corroborate some of the information I had got from interviews or documents. Moreover, I was able to hear from those I would have not talked to for one reason or the other.

The problem of access to official information, both in documents and person-to-person discussions, is perennial for studies that focus on government policy, especially an area as sensitive as involvement in the internal affairs of a sovereign country. The tendency by government agencies and officials in such cases is to treat much of official information as confidential or classified. Indeed, to study how one country influences events in another is certainly delving into sensitive matters. The country whose policy is under scrutiny is more often than not unwilling to make public all the data, especially those that would damage its international image or expose its vulnerability.<sup>4</sup> Given the difficulty of accessing many documents, especially as the issues addressed in the study

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<sup>4</sup>T. Couloumbis, "Assessing the Potential of U.S. Influence in Greece and Turkey: A Theoretical Perspective," Hellenic Review of International Relations (1983/1984): 44-45.



were of a fairly current nature, the documents provided by the Kenya Country Desk at the State Department and USAID proved highly useful. Fortunately, the nature of the inquiry did not require relying solely on documents from the State Department. Almost all categories of documents required from the Congressional Research Service and the Africa sub-committee of the House and Senate were availed. To a large extent, information in these documents filled gaps occasioned by the confidentiality rule in the State Department. Other quasi-governmental organizations such as the National Democratic Institute (NDI) and National Endowment for Democracy (NED) also readily availed documents that turned out to be useful. Private organizations, especially lobby groups, were willing as well to provide documents.

However, it is necessary to point out that many of the official documents on the subject, especially communication between the U.S. embassy in Nairobi and State remain classified and will perhaps remain so for many years to come. But this is not sufficient reason not to carry out the study. One cannot wait for thirty years for the material to be declassified to carry out the study. In any case, as Geoffrey Pridham<sup>5</sup> aptly observes, "special covert activities are not likely to be revealed but it has to be estimated how much such matters may really be relevant for the transition process," and there are some things which "do not require special inside information."

The release of a personal memoir by Smith Hempstone, in which he provided an account of his experience as U.S. ambassador to Kenya from 1989 to 1993, was a great

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<sup>5</sup>Geoffrey Pridham, "International Influences and Democratic Transition: Problems of Theory and Practice in Linkages Politics," in Encouraging Democracy: The International Context of Regime Transition in Southern Europe, ed. Geoffrey Pridham (New York: St. Martin's Press, 1991), 20.

boon to the study as it helped to ameliorate the problem of access to information. For while this memoir could not be expected to reveal all the sensitive information, especially embarrassing details that could harm the U.S. image or the ambassador's integrity, it nevertheless went a long way in shedding light on many issues not adequately addressed in interviews and documents. Hempstone was a key player in U.S. efforts to nudge President Moi into initiating democratic reforms and is regarded by many students of Kenya's democratic transition as one of the prime movers of external pressure for reform. The fact that he was no longer in government service when he wrote his memoir was significant as it allowed him a freer voice in his memoir than would have been otherwise possible. Hempstone's memoir proved to be both a significant source of primary data for the study and a guide for further research, as it provided helpful leads on documents to look for and from whom and where to get information on particular issues.

Another factor which helped reduce the lack of access to some classified documents was that most of Foreign Service Officers who had worked in Kenya during the period covered by the study still had relatively fresh memories. While some of these people were still in the employ of government and thus may have been reluctant to reveal information they considered sensitive, many were surprisingly co-operative and willing to talk freely, perhaps because they had been redeployed to other departments where their dockets no longer involved handling issues on Kenya.

#### **SCOPE AND FOCUS OF STUDY**

The scope of this study is delimited by its focus and subject of inquiry as well as

the time-period covered. Of course, the scope of investigation is defined by the objective of study and the research questions addressed. The study derives its focus from Laurence Whitehead's identification of the three components of the international promotion of democracy: (i) pressure on undemocratic governments to democratize themselves; (ii) support for fledgling democracies that are attempting to consolidate; and (iii) the maintenance of a firm stance against anti-democratic forces that threaten or overthrow established democracies.<sup>6</sup> For this study, these components constitute stages of transition as well as ways in which an external actor may influence transitions to democracy. The study focuses on the first component. Hence it sought to investigate U.S. pressure on the Moi regime in Kenya to initiate democratic reforms and to continue on the reform path once the democratic transition had been initiated.

The decision to focus on the first component only, and not on the other two, was based on both conceptual and empirical considerations. This study conceptualizes the process of transition to democracy as belonging to the first component. The second component implies consolidation of democracy, otherwise commonly known as the democratization process, while the third assumes that the transition is complete and consolidation so advanced that one could talk of an established democracy. During the time-period covered here, Kenya was in the early stages of transition, or even more specifically, was in the stage of political liberalization which is actually the initiation and inauguration stage of any democratic transition. Indeed, the comprehensive

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<sup>6</sup>Laurence Whitehead, "International Aspects of Democratization," in Transitions from Authoritarian Rule: Prospects for Democracy, Pt. III, eds. Guillermo O'Donnell, Phillippe C. Schmitter and Laurence Whitehead (Baltimore: The Johns Hopkins University Press, 1986), 44.

constitutional review that is expected to fully "open up" the political system in readiness for meaningful democratization process has yet to begin. Despite the repeal of section 2(a) of the constitution in December 1991, and the subsequent multiparty elections in the following year, the political space still remained trapped in too many legal and administrative straitjackets to allow more than the very beginning stages in a meaningful transition to democracy.

Hence, the role of the U.S. in the transition to democracy in Kenya can at present only be studied in the context of its policies on the initiation and sustenance of the transition process, as the consolidation of democracy is a stage that in Kenya has not yet begun in earnest. The third stage, that is, defense of an established democracy is even further into Kenya's future.

The time-period, from early in 1990 to the end of 1992, was chosen for reasons of both substance and data. This was the period when U.S. policy toward Kenya was dominated by issues of democratic reform. This period also best illustrates the potentials and limitations for external actors to exert influence because of the uncertainty and fluidity of the domestic political environment during these years. Indeed, as emphasized in the next chapter, external actors usually have greater opportunity to influence democratic transitions during their initiation or inauguration stages. In Kenya's case, 1990-1992 constituted such an inauguration stage. Indeed, after 1992, external actors, especially the U.S., seemed to relax the pressure on the transition process.

Consideration was also given to the availability of data, both documentary and

survey. The period 1990-1992 was considered opportune because most of the public (unclassified) documents were likely to be available. Other secondary materials such as journal articles, memoirs and books on the subject were also likely to have been published. The other consideration was that at least by the time the interviews were conducted most of Foreign Service Officers who had been involved in implementation and formulation of policy on Kenya during the period under study had either retired, transferred to other jurisdictions in the State Department, or gone to other government agencies or even other careers, enhancing the likelihood that they would talk about U.S. involvement in Kenya during the early 1990s without too much caution. Indeed, this proved to be largely the case.

### **POLITICS IN INDEPENDENT KENYA, 1963-1990: THE BASIS FOR POLITICAL CHANGE**

The upsurge of demands for democratic reform in Kenya in the early 1990s had roots that ran through the entire political history of independent Kenya. From 1963-1990, the regimes of Jomo Kenyatta (1963-1978) and Daniel Arap Moi (1978- present) had compromised and subverted democratic norms and principles of governance. By 1990, Kenya's political system was, in many ways, anything but democratic. This section we briefly examines politics in independent Kenya from independence to 1990 in order to understand the origins of the demands for change in the 1990s. The section also examines Kenya's political economy in order to explain Kenya's vulnerability to external pressure for reform in the 1990s. The transition process from 1990 through 1992 itself is also briefly described to provide a preview of the main subject of study.

## From Kenyatta to Moi: The Rise and Crystallization of Authoritarianism <sup>7</sup>

When the British formally granted Kenya political independence on 12th December 1963, they left in place a constitutional structure modeled on the Westminster parliamentary system. General elections earlier that year had seen the Kenya African National Union (KANU) win the majority of seats in multi-party elections contested by a number of political parties, including the Kenya African Democratic Union (KADU) which emerged as the major opposition party. KANU moved ahead to form the government, with Kenyatta as Prime Minister. The constitution provided for a bicameral legislature, with a Lower House and Senate. In acquiescence to demands from *majimbo* <sup>8</sup> advocates, the constitution had also established regional assemblies and authorities in the country's seven provinces. The seemingly liberal democratic constitution included most of the important formal

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<sup>7</sup>For detailed accounts of Kenya's political scene, and especially the crystallization of authoritarianism and dictatorship throughout this period see Cherry Gertzel, The Politics of Independent Kenya, 1963-1968, (Nairobi: East African Publishing House, 1970), N. M. Miller, Kenya: The Quest for Prosperity, (Boulder, Co: West view Press, 1984), Oginga Odinga, Not Yet Uhuru, (Nairobi: Heinemann, 1967), M.G. Schatzberg, ed. The Political Economy of Kenya, (New York: Praeger, 1987), S. Katz, "The Succession to Power and the Power of Succession: Nyaoism in Kenya," Journal of African Studies 12, no. 3 (Autumn 1985): 114-155, Sanford J. Ungar, Africa: The People and Politics of an Emerging Continent, (New York: Simon and Schuster, 1985) (especially chapter 5), P. Anyang' Nyong'o, "State and Society in Kenya: The Disintegration of the Nationalist Coalitions and the Rise of Presidential Authoritarianism," African Affairs, 88 (April 1989): 229-251, Joel D. Barkan, "The Rise and Fall of a Governance Realm in Kenya," in Politics and Society in Contemporary Africa, eds. Naomi Chazan, Robert Mortimer, John Ravenhill and Donald Rothchild (Boulder, Co: Lynne Rienner, 1988), Colin Leys, Underdevelopment in Kenya: the Political Economy of Neo-colonialism, (Berkeley: University of California Press, 1975) and Jennifer A. Widner, The Rise of a Party-State in Kenya: From "Harambee!" to "Nyayo!", (Berkeley: University of California Press, 1993).

<sup>8</sup>"Majimbo" is Swahili word for federalism.

guarantees of democracy, including checks and balances between the judiciary, the executive, and the legislature, as well as provisions for fundamental human rights and freedoms.

In the beginning, it looked as though Kenya would sustain its early democratic trend. During the first few years, for instance, lively debates took place in parliament and the checks and balances appeared to be holding. However, signs of erosion and subversion of democratic norms and principles by the ruling elite began to show as early as the first year of independence. The regional assemblies and authorities established by the Majimbo constitution were abolished. Then, in 1964, members of the opposition parties, KADU and the Akamba Peoples Party (APP), crossed the floor and joined KANU, effectively killing parliamentary opposition and making Kenya a *de facto* one-party state. The legislature also soon became unicameral the Senate was abolished. The resurgence of opposition politics in 1966 when a group of KANU dissidents defected to form the Kenya Peoples Union (K.P.U.) did not have a lasting impact, as the K.P.U. was harassed out of existence when it was banned in 1969 and its leaders detained. The country was once again a *de facto* one-party state. In 1982 one-partyism was further strengthened when, in the wake of attempts by some politicians to form an opposition party, the constitution was amended to legalize the country's one-party status, making Kenya not only a *de facto* but a *de jure* one-party state. Indeed, the initiation of Kenya's transition to democracy in the 1990s was triggered by demands for the repeal of section 2(a) of the constitution that in 1982 had outlawed multi-partyism.

The rise of the one-party state was accompanied by the rise in presidential

authoritarianism.<sup>9</sup> By 1990, the party and the all-powerful Office of the President had become so fused together that their combined power and authority effectively rendered other branches of government, especially the legislature and the judiciary, ineffective. This party-executive fusion, which was accompanied by the creation of a "party-state" situation in Kenya, began as early as 1964, when Prime Minister Kenyatta became an executive president, head of both government and state. Subsequent constitutional amendments further strengthened the presidency at the expense of parliament and the judiciary. The abolition of regional centers of power, especially the regional assemblies and authorities established by the independence constitution, greatly aided the shift in power in favor of the center under the direction of the executive. Centrally controlled Provincial Administration, based on a model established by colonial authorities with the major aim of controlling and containing regional and local dissent, was strengthened and became Kenyatta's instrument of regulation and control in the provinces.<sup>10</sup> Indeed, provincial and district commissioners remained essentially the same political officers that they had been in the colonial era. They wielded considerable power and, as the authoritative agents of the president in the countryside, were directly responsible to him.<sup>11</sup> The overall impact of this provincial administration system was to muzzle local government authorities, who had, in any case, been

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<sup>9</sup>For an excellent account of how the presidency accumulated power and authority at the expense of other legitimate power centers and how this led to the erosion of democracy during the Kenyatta regime (1963-1978), see Nyong'o.

<sup>10</sup>Robert H. Jackson and Carl G. Rosberg, Personal Rule in Black Africa: Prince, Autocrat, Prophet, Tyrant, (Berkeley: University of California Press, 1982), 102.

<sup>11</sup>Ibid.



rendered largely redundant, their duties taken over by the centrally controlled provincial administration.

The appropriation of power by the executive at the expense of other institutions was also aided by the fact that the country still continued to be governed on the basis of laws carried over from British colonial rule. Indeed, "the liberal democratic constitution enacted after independence in 1963 (had) been in tension with the authoritarian system of colonial laws left over from British rule."<sup>12</sup> For instance, the Preservation of Public Security Act and the Public Order Act, both enacted in the colonial era to assist in containing anti-colonial agitation, were inherited intact and were now used indiscriminately to curtail legitimate opposition to the regime. The former allowed authorities to detain indefinitely anyone deemed "dangerous" to public security. The Kenyatta government used this Act to detain Oginga Odinga and other members of the K.P.U. in 1969. Members of Parliament who criticized the government also became victims of the same law.<sup>13</sup> The Public Order Act controlled all gatherings and meetings by requiring everyone, especially politicians, to seek permits for any public gathering. The establishment used this law to deny its critics the chance to meet or address the ordinary people to explain their points of view. K.P.U. leaders, for instance, were denied permits to hold rallies several times even during election campaign rallies in the

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<sup>12</sup>Widner, 241.

<sup>13</sup>For instance, Martin Shikuku and John Seroney were indefinitely detained in 1975 after they criticized, in parliament, the executive for having "killed" the party, KANU.

1966 multi-party elections.<sup>14</sup> The struggle for democracy that ushered in the current transition process consisted, in part, of demands for the repeal of these laws that negated democratic principles and norms. As will be discussed below, part of the pressure from external actors, especially the U.S., was to nudge the Moi regime to repeal these laws and others of similar nature.

By the time Kenyatta's rule came to an end with his death in August 1978, Kenya's "political landscape was anything but democratic."<sup>15</sup> Power had been so personalized and concentrated in the executive that the checks and balances provided in the constitution, if they had survived the amendment process, existed only in name. Kenyatta had, in fact, become so powerful that one scholar compared his powers to those of the Pope, observing that "in his declining years, Kenyatta almost functioned as an executive, a legislature, and a judiciary all rolled into one."<sup>16</sup>

Despite this "de-democratization" process and subversion of people's rights popular discontent (though simmering and at times exploding into the open, as it did following the political assassinations of Tom Mboya and Josiah Mwangi Kariuki in 1969 and 1975, respectively) was largely muted and successfully contained by the Kenyatta regime. It has been suggested that Kenyatta was able to diffuse public discontent because of his "skillful" leadership style, which ensured presidential control

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<sup>14</sup>For a detailed account of the harassment of K.P.U. election candidates in the 1966 Little General Elections, see Gartzel.

<sup>15</sup>Phillip O. Nying'uro, "The External Sources of Kenya's Democratization Process," Journal of Political Science 25 (1997): 7.

<sup>16</sup>Ungar, 172.

over the affairs of state by subordinating other institutions to presidential authority while still allowing some room for manoeuvre for political elites and even some measure of personal freedom. As Barkan observes, "While Kenyatta's Kenya was not democratic, it was nonetheless a relatively open and resilient system with multiple secondary centers of power and an arena of real competition."<sup>17</sup> Some students of Kenyan politics have also emphasized Kenyatta's practice of deflecting popular dissent by adopting shrewd popular measures. Cherry Gertzel, for instance, has observed that while he had a "canny ability to identify and to meet critical populist dissatisfaction,"<sup>18</sup> he some times "deliberately adopted policies because they were popular."<sup>19</sup>

If Kenyatta's leadership skills helped to contain dissent, he was aided further by the good economic fortunes Kenya appeared to enjoy for most of his regime.<sup>20</sup> No doubt, "good economic times generated support and loyalty for the government."<sup>21</sup> Especially in the first decade of independence, Kenya registered an impressive average Gross Domestic Product (GDP) annual growth rate of 6.5% while the inflation rate remained below 3%. Generally, despite a few setbacks, (mainly caused by adverse international factors such as declining international prices of commodities and the 1973 and 1979 oil shocks), Kenya's economy performed admirably up to the end of the

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<sup>17</sup>Barkan, 175.

<sup>18</sup>Cherry Gertzel, "Development in the Dependent State: The Kenyan Case," Australian Outlook. 32, no.1 (April 1978): 99.

<sup>19</sup>Ibid.

<sup>20</sup>Nyinguro, 9.

<sup>21</sup>Widner, 241.

1970s.<sup>22</sup> Kenya's generally strong economy during the Kenyatta era was symbolized by the strength of the Kenyan Shilling, which earned the reputation of being the "Swiss Franc of Africa."<sup>23</sup> Kenya was also the recipient of generous grants and loans from bilateral and multilateral donors of the West and most of these loans had not matured and come due for repayment during most of the 1960s and 1970s.

If the Kenyatta regime set the pace for the rise of authoritarianism and state subversion of democratic norms and principles, the Moi regime (1978-) accelerated the ossification of Kenya's political space by perfecting personal rule. In a systematic effort to "fragment and capture all independent bases of authority,"<sup>24</sup> Moi initiated and put in place measures that further eroded the openings for democracy that had survived Kenyatta's authoritarianism. Under Moi, rule by directives and decrees was perfected as public debate of new initiatives was discouraged.<sup>25</sup> As one scholar has argued, "Moi's rule was a harbinger of personal rule (and was characterized by) the diminution of the governance realm."<sup>26</sup> After reviving the party and legalizing the one-party system, Moi used the party to destroy independent organizations, and even independent thought within the party, that appeared to challenge the authority of the state, turning KANU into "an instrument of social control with numerous disciplinary mechanisms to

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<sup>22</sup>Ibid., 8

<sup>23</sup>Africa Confidential, "Kenya: the Asian Dilemma," 28, no. 13 (24 June 1987): 5.

<sup>24</sup>Barkan, 188.

<sup>25</sup>Ibid., 80.

<sup>26</sup>Ibid.

restrict views expressed by members."<sup>27</sup> He purged from both government and party those he thought stood in the way of his authoritarian project. He further fortified the already powerful presidency by removing the constitutional guarantees for tenure for the Attorney General, Judges, and the Controller and Auditor-General, officers considered key to the system of checks and balances. The government under Moi also banned several non-governmental organizations and associations, including student associations, welfare associations, and even some professional associations.

In a move to ensure the election to parliament of only the president's supporters, in 1988 the regime introduced the queue-voting system at the nomination stages and a 70% rule which stipulated that any candidate who received 70% at the nomination stage would be declared the winner of the seat. These two rules effectively limited popular participation in elections and generally damaged the credibility of the electoral system, particularly because they compromised the secret ballot system. The result was that parliament was even less likely than before to play its role as the people's watchdog as a majority of its members were subservient to the executive.

### **The Rise of the Democracy Movement and the Beginning of Democratic Transition<sup>28</sup>**

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<sup>27</sup>Widner, 214.

<sup>28</sup>For detailed accounts of the politics of democratic transition in Kenya, see Joel D. Barkan, "Toward A New Constitutional Framework in Kenya," *Africa Today* 45, no. 2 (1998): 213-226, "Kenya: Lessons from a Flawed Election," *Journal of Democracy* 4, no. 3 (July 1993): 85-102, Joel D. Barkan and Njuguna Ng'ethe. "Kenya Tries Again," *Journal of Democracy* 9, no. 2 (April 1998): 32-48, David Throup and Charles Hornsby, *Multi-party Politics in Kenya: The Kenyatta and Moi State and the Triumph of the System in the 1992 Elections*, (London: James Currey, 1998), Samuel M. Makinda, "Kenya, Out of the Straitjacket, Slowly," *World Today*, 48

While democratic transition in Kenya can be quite clearly dated to the 1990-1992 period, agitation for democracy in general, and multi-partyism in particular, can be traced back to the 1980s. The growing political repression and harassment of government critics by the Moi regime did not completely end criticism of and opposition to government. Indeed, some of those who had been expelled from the party and, therefore, barred from contesting parliamentary seats continued to express dissenting views and to criticize the government. The move to legalize the one-party system in 1982 was largely prompted by attempts by two government critics, Oginga Odinga and George Anyona, to form an opposition party.

In addition, despite harassment, a few intellectuals continued to criticize the government. Indeed, for most of the 1980s, especially after the failed coup attempt in August 1982, the democracy crusade was carried on mainly by university intellectuals. But many of them were arrested, jailed, or detained in a major crackdown in mid-decade. During this period, some underground movements also emerged, symbolizing the lingering spirit of the democracy movement amidst government repression and getting their message out through leaflets critical of the government. By 1985, two organizations, *December 12* and *Mwakeya*, were known to exist.<sup>29</sup> But the government

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1998), Samuel M. Makinda, "Kenya, Out of the Straitjacket, Slowly," *World Today*, 48 (Oct 1992): 188-192, Francois Grignon, "Understanding Multi-partyism in Kenya: the 1990-1992 Years." *Working Papers No. 19*. (Nairobi: French Institute For Research in Africa, 1994), D.P. Ahluwalia, "Democratic Transition in African Politics: the Case of Kenya," *Australian Journal of Political Science*, 28 (1993): 499-514, and B.A. Ogot, "Transition from Single-Party to multiparty Political System, 1989-1993," in *Decolonization and Independence in Kenya, 1940-1993*, eds. B.A. Ogot and W.R. Ochieng' (Athens: Ohio University Press, 1995): 239-261.

<sup>29</sup>On the origins and aims of Mwakenya, see *Africa Confidential*, "Facing Mwakenya," 28, no.1 (7 January 1987): 4-5.

launched a major crackdown and, using new repressive legislation, had imprisoned almost 100 people by 1986.<sup>30</sup> Following this crackdown, some critics fled the country and sought refuge abroad (especially in the Scandinavian countries), where many of them played a crucial role in mobilizing international opinion against the Moi regime. By 1987, internal opposition, both underground and overt, appeared to have been silenced save for isolated and intermittent bouts of criticisms by a section of the Protestant church and a few individuals like Oginga Odinga.

Calls for democracy and a return to multi-party politics resurfaced in 1989 and intensified in 1990. The resurgence of anti-government criticism was, in part, a response to the widespread dissatisfaction with the highly maligned and rigged general elections of 1988, conducted according to the que-voting method and the 70% rule referred to earlier. The resurgence was also fueled by developments in eastern and central Europe where one-party communist dictatorships were yielding to popular pressure and being replaced with multi-party systems. Of course, these new winds of change were also beginning to sweep through Africa, especially in Zaire, Benin, and Zambia where the one-party regimes were under siege. In Kenya, May 1990 stands out as the beginning of an organized, though spontaneous, movement for the return of multi-partyism in particular, and democratic reforms in general. In particular, public criticism of the government and a call for multi-partyism by two wealthy and influential politicians, Kenneth Matiba and Charles Rubia,<sup>31</sup> then "aroused interest and directly

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<sup>30</sup>Widner, 179.

<sup>31</sup>Matiba and Rubia, former members of Moi's cabinet, had been expelled from KANU for their criticism of KANU policies.

propelled the debate onto the national political scene."<sup>32</sup>

As calls for multi-partyism and criticism of the government intensified, the regime reacted more and more ruthlessly, harassing, arresting, and detaining critics whom the government denounced as "traitors, agents of foreign powers, tribalists, and anarchists who were out to fan ethnic violence in the country."<sup>33</sup> Among those detained were Matiba, Rubia, and Raila Odinga. By the last quarter of the year, it seemed that Moi's authoritarian and repressive tactics had managed to silence "voices in society among the clergy, the intelligentsia, and assorted factions of the middle class who stood up to challenge the erosion of political participation."<sup>34</sup> At the same time, however, the government initiated limited reforms by scrapping queue-voting (and restoring voting by secret ballot) and the 70% electoral rule. Those who had been expelled from KANU had their expulsions commuted to suspensions pending readmission. Even as these actions to placate some international critics who thought he was at least responding to demands for change, Moi ruled out multi-partyism altogether.<sup>35</sup>

Thus, Moi continued to be a hold out, dismissing calls for multi-partyism even

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<sup>32</sup>Grignon, 3.

<sup>33</sup>Ogot, 241.

<sup>34</sup>Gilbert Khadiagala, "Kenya: Intractable Authoritarianism." SAIS Review. (Summer-Fall 1995): 54.

<sup>35</sup>These reforms were announced at a KANU delegates conference in December, 1990, called to discuss and endorse recommendations made by the government-appointed commission led by Moi's vice-president, George Saitoti whose task was to solicit people's opinion on political reform and multi-partyism. The commission, as would be expected of a "damage control" committee, claimed that the majority of Kenyans did not favor multi-partyism.



as regimes as unlikely to espouse pluralism as the Mobutu regime in Zaire gave in to demands for opposition politics.<sup>36</sup> Indeed, Cote d'Ivoire's president, Felix Houphouet Boigny, had legalized multi-partyism and successfully organized presidential and parliamentary elections by December, 1990.<sup>37</sup> The same liberalization processes were at an advanced stage in Zambia, Benin, Congo and other sub-Saharan African countries. How did Moi succeed in holding out? As has been suggested above, his authoritarian and repressive response to domestic agitation for reform managed to ease the pressure on his regime. Indeed, in the face of massive repression, "the dangers associated with criticism of the government pushed the opposition underground"<sup>38</sup> The domestic democratic movement was also too diffuse and weak to withstand the regime's repressive responses to its attempts to organize.

One other factor that may have contributed to Moi's intransigence was that while the domestic opposition was weak and, therefore, easily cowed by Moi, the international community apparently did not yet see the need for external intervention. Despite murmurs about Kenya's misuse of aid from some bilateral donors, especially Denmark, and growing criticism of Kenya's human rights record in the U.S. Congress, international pressure for democratic reform had not yet gained momentum. Moi certainly showed little concern about international indictment. Indeed, Moi's

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<sup>36</sup>On 24th April, 1990, Mobutu had initiated a process towards a transitional government and shortly thereafter, legalized opposition parties.

<sup>37</sup>Widner, "Kenya's Slow Progress Toward Multi-party Politics," 215.

<sup>38</sup>Widner, The Rise of a Party-State in Kenya, 221.

confidence may have partly influenced his decision to expel the Norwegian ambassador in October 1990 because the latter appeared to support Koigi Wamwere, a Kenyan exile living in Norway who had been charged with treason.<sup>39</sup> Norway froze all its donor activities in Kenya following this break in diplomatic relations.

If Moi remained confident due to the muted reaction by the international community to his crackdown on multi-party advocates and reform activists, he must have felt reassured by the decision of the donors at the Paris Club meeting of 24-25 November 1990 to renew aid pledges for 1991. The donors, despite criticizing corruption by certain leaders, still committed US\$ 400 million in support of the structural adjustment plans.<sup>40</sup> The World Bank, too, in January 1991 decided to increase its aid to Kenya to US\$ 28 million.<sup>41</sup> The U.S. seemed as well not to have made a firm decision on the issue of aid conditionality, despite Ambassador Hempstone's growing sympathy with local reform advocates and the simmering criticisms of the Kenyan government in Congress. In any case, the Gulf Crisis at that time brought Kenya's geostrategic value to the fore, sparing her any serious economic punishment from the U.S. and the international community.

Thus Moi was able to weather the first wave of pro-democracy activism due to a combination of factors: repression, continuation of aid, and the weakness of the

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<sup>39</sup>Kenya broke diplomatic relations and ordered the Ambassador, Mr. Nellis, out of the country after he attended a court session during Koigi's trial. Kenya became the first country to break diplomatic relations with Norway in peace time.

<sup>40</sup>Grignon, 9

<sup>41</sup>Ibid.

domestic democracy movement. The respite was, however, short-lived. For the year 1991 would witness the escalation of pressures for reform both from within and without. Indeed, the stakes would rise higher and higher for both the regime and its critics, with the former exhausting nearly all its options at the same time that the latter was becoming more and more bold. Even though the period between January and July witnessed no major upset or significant development in the liberalization process (apart from the release from detention of Matiba, Rubia and Raila Odinga, and, of course, an attempt by Oginga Odinga to register an opposition party, the National Democratic Party of Kenya, NDPK),<sup>42</sup> the last five months of the year were one of the most dramatic periods in Kenya 's transition to multi-party democracy.

In August, a group of reform activists formed a pressure group called the Forum for the Restoration of Democracy ( FORD)<sup>43</sup> to fight for restoration of multi-partyism. After the government twice refused to grant them permits to hold pro-democracy rallies in Nairobi, they announced their intention to hold one on 16th November with or without official permit. Despite pressure from donors, some of

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<sup>42</sup>It is interesting to observe that the announcement of the formation of this party in February did not attract any excitement among the population and even the government received the news with disinterest, to say the least. Evidently, the penchant for reform was still low following the crackdown of the previous year. The government was also more confident, hence not anxious about Odinga 's move. In any case, the party wouldn ' t be registered as the law banning opposition was still in force.

<sup>43</sup>The founder members of FORD were Oginga Odinga, Martin Shikuku, a former Member of Parliament and perennial government critic, Masinde Muliro, former cabinet minister in the Kenyatta government, Ahmed Bahmariz, a wealthy businessman from the coast, Phillip Gachoka, also a rich businessman from central Kenya, and George Nthenge, a former member of parliament. The move to form the pressure group of less than ten members was to circumvent the law that prohibited a meeting of more than nine people without official permit.

whom had become increasingly critical of the government's refusal to allow reforms and even went ahead to threaten aid cuts if Moi continued resisting political reforms, the government remained adamant, harassing and arresting reform activists. The last straw came with the November 16th rally. Ignoring the fact that the same donors who had been threatening aid cuts were due to meet in about a week in Paris to discuss aid to Kenya, the government arrested most of the FORD leaders and violently broke the rally. The next week, the Paris Club meeting suspended aid to Kenya. Up to US\$ 350 million in balance of payments assistance was withheld by the 13 bilateral and 11 multilateral donors, who conditioned future aid on the "early implementation of political reform, including 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."<sup>44</sup> Barely a week later, Moi announced that Kenya would become multi-party. On December 10, parliament repealed section 2(a) of the constitution, legally allowing opposition. It seems, therefore, that external actors played a key role in forcing Moi to legalize opposition. Thus it is not difficult to agree with Jennifer Widner's assertion: "Despite growing popular support for political reform in Kenya, domestic opposition could not by itself secure regime change. Ultimately, it was international pressure that forced the government's domestic decision to legalize opposition."<sup>45</sup>

If the external actors had directly pushed Moi to legalize opposition, they had

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<sup>44</sup>Quoted in Khadiagala, 55.

<sup>45</sup>Widner, "Kenya's Slow Progress toward Multi-party Politics," 217.

to do much more later on to keep him on the reform path, especially in the period leading up to elections in 1992. As it soon turned out, Moi seems to have effected the reforms only half-heartedly, confirming the general belief that it was the donors' decision to cut aid that had forced him to allow multi-partyism. The government continued to frustrate its critics, some of whom faced numerous charges in court under laws that were largely out of step with the new multi-party ethos. People could still be detained without trial, and all public gatherings still required licensing. New organizations, including parties, had to undergo official vetting before registration, which was not guaranteed. The press still faced numerous obstacles. Opposition parties were denied access to the government owned radio station, the only one in the country. Opposition party leaders could not freely organize and address public rallies. Moreover, despite the fact that elections were due within a year, electoral laws had not been changed to ensure free and fair competition in multi-party elections. The president, now theoretically one of the contenders for power in those elections, enjoyed full authority to appoint members of the important electoral commission. All in all, the powers of the president remained intact, giving him and the provincial administration the necessary weapons to frustrate opposition party activities and to manipulate the impending elections in Moi's favor.

In sum, "although multi-party electoral competition was then permitted, many of the features of the legal system remained compatible with authoritarian rule."<sup>46</sup> Moi, who had opposed multi-partyism all along and had repeatedly said his arms had been

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<sup>46</sup>Holmquist and Ford, 129.

twisted by donors, had only qualified commitment to democracy. He had to be pressured even more if the democratic transition process was to be not only sustained but meaningful. Due to the general weakness of the opposition movement, which seemed ever more divided along ethnic and personality lines, external actors were to play a prominent role in further nudging Moi along the reform path. For the next year before the elections, donors literally engaged Moi in a running battle to ensure free and fair elections. The U.S., in particular, applied pressure both collectively with other donors and individually. All said, the case for the significance of the involvement of external actors is strong, given by both the weakness of the domestic opposition and the resistance of the powerful and authoritarian Moi regime to meaningful democratic reforms. It is against this background that the U.S. role is assessed in this study.

Why was the Moi regime so susceptible to external intervention? Or, put another way, why was it easier for external actors than domestic forces to extract concessions from the regime on the issue of democratic reforms? In order to understand the regime's vulnerability to external pressure for change, one has to examine the political economy of Kenya's international relations since independence, for the leverage that the major western powers and the international institutions had over the regime stemmed from the nature of these relations. The dominant explanation is that by 1990, when the pressure for democratic reform gained momentum, Kenya was so dependent upon these external actors that the regime could not ignore their opinion. Since independence, Kenya had become increasingly dependent on the West in general,

and the international financial institutions in particular, for economic and military aid.<sup>47</sup>

As Kenya became more and more aid dependent, the donors accumulated the leverage they would later use, individually and collectively, to influence Kenya's transition process. Kenya's vulnerability to and dependence on donors became much more pronounced in the 1980s and early 1990s due to a prolonged economic crisis which saw the average annual GDP growth rate decline from 6.8% (1965-1980) to 4.2% (1980-1990).<sup>48</sup> As can be seen from Table 1 below, by 1990 the economic situation had reached the point where external assistance was absolutely essential.

Table 1: Kenya: Internal Economic Performance Indicators, 1990

Exports	US \$Million	1,010.5
Imports	US \$Million	2,005.3
Trade Balance	US \$Million	- 994.9
Current Account Balance	US \$Million	- 215.0
Total Government Expenditure as per cent of Gross Domestic Product	%	31.4
Overall Surplus/Deficit as per cent of Gross Domestic Product	%	- 6.8
Central Government Current Revenue as per cent of Gross National Product	%	22.6
Annual Average inflation (GDP deflator)	%	9.2

<sup>47</sup>For a detailed account of the development of this dependent relationship, see Colin Leys.

<sup>48</sup>World Bank. World Development Report, 1992. (Washington, DC: World Bank, 1993), 220.

Sources:

International Monetary Fund, Balance of payments Statistics Yearbook, vol. 44, Part 1, 1993 (Washington, D.C.: World Bank, 1994), 379-380.

World Bank, World Development Report, 1992, (New York: Oxford University Press, 1993), 258.

World Bank, World Tables, 1989/1990 (Baltimore: The Johns Hopkins University Press, 1990), 62-63, 336-339.

Furthermore, as Table 2 shows, by 1990 Kenya had become so indebted to its donors that it had to rely more than ever on foreign aid to meet revenue shortfalls.

Table 2: Kenya: External Indebtedness, 1990

Long-Term Debt	US \$Million	5,582
Short-Term Debt	US \$Million	941
Use of IMF Credit	US \$Million	482
<b>Total External Debt</b>	<b>US \$Million</b>	<b>7,005</b>
Total Debt as per cent of Exports	%	306.3
Total Debt as per cent of Gross National Product	%	81.2
Total Debt Service as per cent of Exports	%	33.8
Interest Payments as per cent of Exports	%	14.8

Sources:

World Bank, World Development Report, 1992 (New York: World Bank, 1992), 264

World Bank, World Debt tables, 1992-1993 External Financing for Developing Countries, vol. 1, (Washington, D.C.: World Bank, 1992), 214-215.

Under these circumstances, Kenya's aid-dependent regime could not afford to be obdurate for long, especially if those demanding reforms were the same donors Kenya



depended on, even for its day-to-day functioning. It could hardly have been by chance that after resisting pressure for change and clamping down on multi-party advocates even as the donors' meeting drew close, the Moi regime reversed itself and agreed to multi-partyism only days after the meeting suspended aid, dramatically illustrating Kenya's dependence on, and the power of, donors.<sup>49</sup>

## **ORGANIZATION OF STUDY**

The study is organized into seven chapters including the present one. Chapter two reviews the literature on the international promotion of democracy with a view to understanding the role of external actors, especially that of the major powers, in democratic transitions. In the context of the objective of the study, the review is aimed at helping to find answers to the following questions: What motivates other countries to intervene in democratic transitions in other countries? What instruments of influence are available to them in their efforts to influence democratic transitions? To what extent can another country influence democratic transitions in other countries? The explanations provided for these issues in the literature are converted into general propositions and hypotheses that guide the inquiry. The research questions addressed in the study also derive from the literature review. Overall, this chapter situates the study in the literature on the role of external actors in democratic transitions in order to anticipate U.S. policy on Kenya's democratic transition.

Chapter three examines and evaluates the general performance of the U.S. in the promotion of democracy in other countries, both in the past and currently. Such an

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<sup>49</sup>Holmquist and Ford, 238.

exercise was deemed important because familiarity with the U.S. performance elsewhere makes it possible to appreciate the challenges and problems faced by U.S. policy on Kenya's democratic transition, to appraise the prospects for the policy's success. The chapter is divided into different sections. Section One examines the origins of democratic idealism in U.S. foreign policy, attempting to explain why the promotion of democracy abroad has been such an intrinsic part of U.S. foreign policy. Section Two focuses on the specific motivations for U.S. intervention in democratic transitions abroad. It seeks to understand what tangible interests the U.S. seeks to achieve by intervening in democratic transitions outside its borders. Section three provides a detailed overview of U.S. interventions in specific countries and regions. The U.S. experience in "democratic" interventions abroad is discussed in terms of different epochs (pre-World War II, Post-World War II or Cold War, and Post-Cold War) and different regions. The different epochs correspond to different international environments. Analyzing U.S. policy on the promotion of democracy in different epochs was considered to be apt because U.S. foreign policy in general, and its policy on promotion of democracy in particular, have usually been dictated by the problems, challenges and opportunities engendered by the international environment at particular times in history. The regional focus was considered significant because U.S. policy on the promotion of democracy has exhibited regional bias over the years, and, indeed, has been dictated by its perception of its interests in different regions. The chapter concludes with a recapitulation on the motivations behind U.S. interventions in democratic transitions, the instruments it has employed in such interventions and their

effectiveness, and their implications for U.S. intervention in Kenya, the subject of the present study.

In chapter four, relations between U.S. and Kenya since the latter's independence in 1963 are examined. The significance of this chapter lies in the fact that the ability and willingness of another country to influence the democratic transition in another and, indeed, the instruments it chooses to employ for that purpose, depend to a significant extent on previous interaction between them. For instance, the leverage an external actor requires to influence the behavior of the target country is acquired or accumulated in many ways over a long period of interaction between the two. Hence in this chapter, the diplomatic, economic and military interactions between the U.S. and Kenya are examined with a view to understanding why the U.S. might have found it easier or more difficult to intervene in Kenya's democratic transition at the beginning of the 1990s.

Chapter five examines the motivations behind the decision by the U.S. to intervene in Kenya's democratic transition. These motivations are discussed within the context of shifts in U.S. policy towards Africa in the early 1990s and their implications for U.S. Kenya policy. In particular, the focus is on the significance of such shifts for Kenya's internal political developments, especially concerning the debate as to whether Kenya should initiate democratic reforms. This was considered necessary because, despite differences in specifics, U.S. policy towards African countries has been driven by more or less the same considerations and motivations. At another level, U.S. motivations are examined in the context of Kenya's significance for U.S. regional and

global policy.

The sixth chapter addresses the questions as to how and with what impact the U.S. intervened in Kenya's transition during the period covered by the study. U.S. pressure for reform is examined in two phases. Phase one, which lasted from early in 1990 through the Spring of 1991, can be described as the period of policy ambivalence. During this time, the U.S. policy establishment was still ambivalent as to whether and how to engage the Moi regime on the issue of democratic reform. In Phase two, from Spring 1991 through December 1992, the U.S. exerted significant pressure on the reluctant Moi regime to initiate a meaningful democratic transition, especially to allow multi-partyism, to create an environment conducive to democratic governance in general, and to hold free and fair elections. The chapter ends with a brief look at U.S. policy in the immediate post-election period.

The study concludes with chapter seven where all the main arguments in preceding chapters are summarized. These summary findings are then analyzed against the general propositions derived from the literature on the role of external actors in general, and the U.S. in particular, in democratic transitions in specific countries. The lessons for U.S. policy makers and implementors, and for scholars in the field of U.S. foreign policy and the international dimension of democratic transitions in general are discussed. The chapter also makes suggestions for further research in these areas.

## **SUMMARY OF RESEARCH QUESTIONS**

This study addresses the following questions:

1. Why did the U.S. decide to intervene in Kenya's democratic transition? In what ways

was Kenya considered significant for U.S. Africa and global policies? How would a "democratic" Kenya contribute to the success of U.S. regional and global strategies?

2. What instruments or strategies did the U.S. use to influence Kenya's democratic transition? How successful were they?

3. Who were the major policy actors and how did they coordinate their initiatives and activities?

4. How did the U.S. relate to, and (or) coordinate with other external actors in Kenya's democratic transition? How did this affect U.S. policy on the transition?

## CHAPTER TWO

### **EXTERNAL ACTORS AND DEMOCRATIC TRANSITIONS: THEORETICAL AND EMPIRICAL CONSIDERATIONS**

#### **INTRODUCTION**

Scholarship on the role of external forces and actors in "Democratic Transitions" has witnessed exponential growth in the last few years. This is in large part due to the resilient role that some countries of the West and international organizations such as the World Bank and the International Monetary Fund (IMF) have played in political and economic change in former communist Europe and Africa since the late 1980s. However, few studies have focused on the role of external actors in the democratization processes in individual countries. The literature is, however, scanty and limited in scope. This may be because only one country, the U.S., for various ideological and pragmatic reasons, had tacitly incorporated promotion of democracy abroad as an element of foreign policy and actively engaged in its pursuit.<sup>1</sup> But even in the case of the U.S., much of the so-called democracy crusade was carried out selectively and sporadically, mostly in neighboring Latin America.

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<sup>1</sup>It is instructive to note, however, that major colonial powers like France, Britain, and Belgium had in the 1950s and 1960s devised programs of decolonization in their colonial possessions, especially in Africa and Asia. Even though decolonization involved democratization to some extent, the withdrawal by the colonial masters was not based on some enduring democratization ideal in their foreign policy. Indeed, in most cases, they were forced to withdraw by local opposition or international pressure.

Thus the literature on the role of external actors in democratic transitions has for long been dominated by studies on U.S. activities in the Western Hemisphere. It should be noted, however, that there exist also a few general articles on the role of the U.S. and its allies in the post-war democratization of occupation Germany, Japan and Italy, and on that of other Western European powers and institutions in the democratization of southern Europe. It is only recently, and especially since 1989, that studies have began to appear on the role of other powers such as Canada, Britain and Germany, and other non-governmental actors. In sum, the literature on the role of international actors in democratic transitions is few and far between.

However scanty and limited in scope, this literature represents the growing intellectual recognition that external actors have periodically intervened in other countries ostensibly to promote democracy. In the U.S., for instance, despite the lingering debate on the value and validity of "democratic interventions," there is strong bipartisan consensus that the U.S. should intervene abroad on behalf of democracy.<sup>2</sup> Other countries, particularly of the West, and international organizations have also increasingly sought to influence democratization processes in many countries. Whatever the motives for their interventions, it is clear that the world's major countries, led by the U.S., and international organizations are having a direct or indirect influence on democratic transitions all over the globe as is revealed by evidence from Latin

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<sup>2</sup>Joshua Muravchik, Exporting Democracy: Fulfilling America's Destiny, (Washington, D.C.: The AEI Press, 1991), 13.

America, Eastern Europe, Southern Europe (and Africa).<sup>3</sup>

A general survey of the literature on the role of external actors in democratic transitions reveals four major concerns. The first major issue addressed is that of motivation, that is, what motivates a country to intervene in the democratic transition of another? The second major issue concerns the extent to which external actors can influence democratic transitions in target countries. Related to this is the other issue of the relationship between national interest and promotion of democracy in the intervening country's foreign policy. The fourth major issue is how external actors exercise that influence in practice. That is, what instruments are available to an external actor for the purpose of influencing democratic transitions.

The major goal of the review is to generate some general propositions, assumptions or hypotheses on the role of external actors in democratic transitions. The propositions and assumptions so generated form the framework of analysis of the study and help define its scope. However, before surveying the literature, it is important to unravel the concept of "democratic transition."

#### **“DEMOCRATIC TRANSITION”: TOWARD A CONCEPTUALIZATION**

A full comprehension of the role of external actors in democratic transitions is not feasible without understanding what the concept “democratic transition” entails. For, as will be argued below, the questions as to how an external actor intervenes in,

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<sup>3</sup>Geoffrey Pridham, “International Influences and Democratic Transition: Problems of Theory and Practice in Linkage Politics,” in Encouraging Democracy: The International Context of Regime Transition in Southern Europe, ed. Geoffrey Pridham (New York: St. Martin’s Press, 1991), 1.



and the extent to which it can influence change in, another country both have their answers closely related to the concept. Indeed, whether one has high or low expectations of a country like the U.S. to nudge another into democratizing itself depends on one's understanding of what aspects of the transition process are more or less amenable to external influence. In the literature on democratic transitions there is still disagreement as to when a democratic transition begins and ends. The resolution of this issue also depends on how one conceptualizes the transition itself.

The literature on democratic transitions generally uses the term "transition" to refer to "the move between different sets of rules governing the distribution of power."<sup>4</sup> In simple systemic terms, it thus entails the "passage from one type of political system to another."<sup>5</sup> The term "democratic," therefore, denotes "the passage from an essentially authoritarian regime to a basically democratic one."<sup>6</sup> But what does "democratic transition" essentially entail? What does movement from authoritarianism to democracy involve? It is generally agreed in the cross section of the literature that, because democracy generally implies an open political system, democratic transition presumes "movement towards a more open type of system."<sup>7</sup> Indeed, many a scholar argues that

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<sup>4</sup>Frank Holmquist and Michael Ford, "Kenya Politics: Toward a Second Transition?" *Africa Today* 45, no. 2 (February 1998): 227.

<sup>5</sup>B. A. Ogot, "Transition from Single-Party to Multi-Party Political System," in *Decolonization and Independence in Kenya*, eds. B.A. Ogot and W.R. Ochieng' (Athens: Ohio University Press, 1995), 245.

<sup>6</sup>Ibid.

<sup>7</sup>Pridham, 3.

“political opening” is the intrinsic, if not the defining characteristic, of any democratic transition process. Indeed, for the cross section of scholars, a transition to democracy starts with the first signs of "political opening." Hence Pridham<sup>8</sup> captures the consensus when he observes that a democratic transition begins with the dismantling of the authoritarian system.

Michael Bratton argues that the opening up of the political system by removing barriers to democracy, a process he calls “political liberalization,” is the initiation stage of democratic transition.<sup>9</sup> Political liberalization or political opening itself involves the dismantling of the previously authoritarian system and restructuring political institutions with a view to making them conform to democratic rather than authoritarian modes of governance.<sup>10</sup> Generally, the liberalization or the opening process aims at getting rid of barriers to political participation. It therefore clears the way for constitutional reform, the organization of new political parties, the growth of independent media and the strengthening of voluntary organizations.<sup>11</sup>

Viewed from the perspective of political liberalization, democratic transitions may entail different things depending on the context and the nature of the previously

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<sup>8</sup>Ibid., 5

<sup>9</sup>Michael Bratton, paraphrased in David F. Gordon, “On Promoting Democracy in Africa: The International Dimension,” in Democracy in Africa: The Hard Road Ahead, ed. Marina Ottaway (Boulder: Lynne Rienner, 1997), 156.

<sup>10</sup>Pridham, 3.

<sup>11</sup>Marina Ottaway, “From Political Opening to Democratization?” in Democracy: The Hard Road Ahead, ed. Ottaway, 1.

existing regime. Thus in Franco's Spain, transition to democracy involved the constitutionalization of political power eventually resulting in a constitutional monarchy that allowed for increased competition for, and the sharing of, power among various social groups. In Latin America, the democratic transitions of the 1980s and early 1990s entailed the transition from authoritarian military regimes to constitutionally elected civilian governments. In Africa, it meant the opening up of the closed authoritarian one-party and military political systems, generally replacing them with multi-party systems. In the former communist countries of Eastern and Central Europe transition meant movement from the tightly controlled democratic centralism to more open, free liberal democracies. However, whatever the nature of the previously existing regime, democratic transition intrinsically involves the opening up of previously closed systems in order to increase the opportunities for popular participation in decision making. Thus, in Kenya's case, and for the purposes of this study, the focus is on the political opening or *abertura* which entailed the termination of single-party dominance; relegalization of opposition parties; restored freedoms of association, assembly, and expression; and constitutional reforms leading to competitive elections.<sup>12</sup>

It should be emphasized, however, that political liberalization is just the beginning of the transition process. In essence, a democratic transition, as Pridham says, "runs from the point at which the previous authoritarian system begins to be

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<sup>12</sup>Richard Joseph. 1998. "Africa, 1990-1997: From Abertura to Closure." Journal of Democracy 9, no. 2 (April 1998): 3-17. "Abertura", as Joseph explains it, is a Portuguese term used to describe the movement from military to civilian rule in Brazil.

dismantled, through the constituent phase of the new democracy to its inauguration and early operation."<sup>13</sup> The *abertura* only clears the way for more substantive democratic reforms.

### **SCOPE AND LIMITATIONS OF INFLUENCE BY EXTERNAL ACTORS**

While agreeing that external actors and forces can, and indeed do influence internal political developments within a country, and, therefore, can influence democratic transitions, most scholars emphasize that their role can only but be limited and should not be overestimated. It is emphasized, for instance, that democracy can not be imposed from outside: it springs and grows from conditions within a country. The argument is that no matter how sincere and determined a country or an international organization may be in its efforts to institute democratic rule in another country, its impact and influence "are largely conditional on opportunities presented by domestic developments," and, in most cases its efforts can only partially affect the outcomes of transitions.<sup>14</sup> Where domestic conditions do not conduce to democracy, the efforts of an external actor could completely fail to make any impact.

Paul Drake, for instance, concludes from his study of U.S. policy on democratic transition in Latin America that "the U.S. failed to instil democracy abroad because it was very difficult to impose that political system (democracy) through external

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<sup>13</sup>Pridham, 5.

<sup>14</sup>Ibid., 8.

meddling. Instead democracy normally needed to grow out of internal conditions.”<sup>15</sup> In the same token, Ottaway<sup>16</sup> warns the West that no amount of ‘engineering’ from outside will bring democratic results in Africa’s democratic transitions because conditions in most African countries are still largely inhibitive as far as democratization is concerned. It is also underscored that the transition from authoritarian to democratic rule involves a complex and subtle process in which much of the old power structures is dissolved while elements of the new regime are created and that such a process “cannot be mandated from without unless a powerful array of local factors lend themselves fully to the undertaking.”<sup>17</sup> Or as Ottaway reiterates, “democratization is first and foremost, a domestic battle to which outsiders can only make a minimum contribution.”<sup>18</sup> In his study of the impact of external forces on the democratization process in former communist countries in Europe, Adrian Hyde-Price observes that “there are limits to the influence that Western governments can have on the democratization process in Eastern Europe. At the end of the day, the main burdens of democratic transition will

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<sup>15</sup>Paul Drake, “From Good Men to Good Neighbors: 1912-1932,” in Exporting Democracy: The United States and Latin America, ed. Abraham F. Lowenthal (Baltimore: The Johns Hopkins University Press, 1991), 3.

<sup>16</sup>See Marina Ottaway, “African Democratization and the Leninist Option,” Journal of Modern African Studies 35, no. 1 (March 1997): 1-15.

<sup>17</sup>Tony Smith, America’s Mission: The United States and the Worldwide Struggle for Democracy in the Twentieth Century, (Princeton, NJ: Princeton University Press, 1994), 235.

<sup>18</sup>Ottaway, “African Democratization and the Leninist Option,” 15.

inevitably be borne by the East European themselves."<sup>19</sup> Lowenthal candidly captures the limitations of external actors in democratic transitions by emphasizing that:

Democracy is not an export commodity, it cannot simply be shipped from one setting to another. By its very nature, democracy must be achieved by each nation, largely on its own. It is an internal process, rooted in a country's history, institutions, and values; in the balance of its social and economic forces; and in the courage, commitment, and skill of its political leaders and of plain citizens.<sup>20</sup>

Generally, there is consensus that external actors have only but a limited role to play in the democratization of individual countries. But to what extent can external actors, especially the major powers, influence democratic transitions? There is widespread agreement among scholars in this field that external actors are more effective at the initial stages of the democratic transitions and that they can effectively influence only a few, not all, aspects of the transitions. It is emphasized that external actors may not effectively influence the consolidation of democracy as much as they can influence its initiation. To advance this thesis, distinctions have been made between "political liberalization" and "democratization," with the former entailing the opening up of the political system by removing barriers to democracy while the latter refers to the whole process of the consolidation of democratic institutions and values and the evolution of a pattern of behavior conducive to democratic ideals.<sup>21</sup> Political

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<sup>19</sup>Adrian G. V. Hyde-Price, "Democratization in Eastern Europe: The External Dimension," in Democratization in Eastern Europe, eds. Geoffrey Pridham and Tatu Vanhanen (New York: Routledge, 1994), 246.

<sup>20</sup>Abraham F. Lowenthal, "The United States and Latin American Democracy: Learning from History," in Exporting Democracy, ed. Lowenthal, 402.

<sup>21</sup>Michael Bratton, paraphrased in Gordon, 156.

liberalization, therefore, is the initiation stage of the democratization process, and occurs mostly at the "transition" stage. In fact, much of what occurs at the transition stage is political liberalization, especially the freeing of avenues for popular participation.

Political liberalization, it is argued, is more amenable to the influence of external actors than the democratization process. In other words, external actors are more effective when the political system is being opened up, or liberalized. "It is much easier, particularly in the short term, to exert pressure successfully against non-democratic governments than it is to influence the positive evolution of political openings into democratic directions."<sup>22</sup> In fact, as one scholar has put it, what major powers, especially the U.S., do when they claim to promote democracy abroad is to help countries "initiate processes of democratization: the endpoint of a consolidated democracy is usually far from view in efforts to promote democracy."<sup>23</sup>

In discussing the scope of influence of external actors, especially the major powers, it is therefore crucial to differentiate between "democratic transition" and "democratization", and to underscore the fact that the former is more open and vulnerable to external influence than the latter. It should, however, be emphasized that the distinction between the two stages of promotion of democracy may not be watertight as elements of either may be present in the other process at the same time.

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<sup>22</sup>Gordon, 155.

<sup>23</sup>Thomas Carothers, "The Democracy Nostrum," World Policy Journal XI, no. 3 (Fall 1994): 51.

For research purposes, especially for this study which focuses on the "transitional" stage, it is also crucial to answer the question as to when the transition stage begins and ends. To this end, we adopt Pridham's observation that democratic transition "runs from the point at which the previous authoritarian system begins to be dismantled, through the constituent phase of the new democracy to its inauguration and early operation."<sup>24</sup>

According to Whitehead,<sup>25</sup> external actors can influence transition to democracy in three significant ways: pressure on undemocratic governments to democratize themselves; support for fledgling democracies that are attempting to consolidate; and the maintenance of a firm stand against anti-democratic forces that threaten or overthrow established democracies. This study's scope is limited to the first. In line with the scope of this study and its limitation to the political liberalization stage of the transition, the main focus on the first way. Hence, the study is concerned with U.S. pressure on the authoritarian Moi regime to open up or liberalize Kenya's political system. This would entail allowing multi-partyism, releasing political prisoners, removing state restrictions on the press and holding free and fair elections.

#### **NATIONAL INTEREST OR PROMOTION OF DEMOCRACY?**

Another important theme that cuts across the literature on international promotion of democracy, and the role of external powers in particular, concerns the

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<sup>24</sup>Pridham, 5.

<sup>25</sup>Laurence Whitehead, "International Aspects of Democratization," in Transitions From Authoritarian Rule: Prospects for Democracy, eds. Guillermo O'Donnell, Phillippe C. Schmitter and Laurence Whitehead (Baltimore: The Johns Hopkins University Press, 1991), 44.



relationship between national interest and promotion of democracy. The issue is pertinent due to the central role of national interest as the motif of any country's foreign policy. The key questions are: are promotion of democracy and the pursuit of national interest compatible or incompatible? That is, can democracy promotion be pursued independent of national interest and vice versa? This question is also important because, as emphasized in the literature, the extent to which a country can promote democracy in another country depends in large measure on the way it perceives its interests in the country in which it purports to promote democracy. Indeed, it is reiterated in the literature that pursuit of national interest is often one of the main motivations for the intervention by a country in the democratic transition in another.

The debate on the relationship between national interest and promotion of democracy has pitted the two prominent schools of thought - realism and liberal internationalism - against each other. As expected, the realists who are ever skeptical that foreign policy should be guided by moral concerns argue that the centrality of national interest as the enduring guide to foreign policy makes democracy promotion an untenable and an ambiguous goal, and, indeed, a hindrance to the pursuit of national interest. Liberal internationalists, on the other hand, maintain that pursuit of national interest and democracy promotion can and do coexist as foreign policy goals and that, in any case, promotion of democracy may also serve national interest. Even though the potential conflict between the two has been acknowledged and their relationship has never been resolved, it is widely acknowledged in the literature that in practice, the two need not negate each other and that it is possible to operationally reconcile democracy

concerns with those of national interest. Indeed, in the U.S. today, the symbiotic relationship between promotion of democracy and national interest as foreign policy goals has been accepted as evidenced by the bipartisan consensus in Washington that democracy promotion abroad should be one of the key goals of U.S. foreign policy in the post-Cold War era.

Several propositions have been advanced in the literature on the relationship between national interest and democracy promotion on both theoretical and empirical grounds. One major observation is that, in the event of a clash between the two, the particular country engaged in promotion of democracy will give priority to national interest. This affirms the superiority of national interest. It also demonstrates that there are practical limits to the extent to which a particular country may push for democracy in another. According to many scholars and other observers, this is not surprising because in most cases democracy promotion is used as a justification for pursuit of national interest. The experience of U.S. democracy efforts in Latin America and elsewhere lends credence to these observations.<sup>26</sup> Indeed, the history of U.S. policy on promotion of democracy reveals one stark reality: "official declarations in favor of democracy have correlated poorly with observable behavior affecting specific real interests."<sup>27</sup>

Indeed, pressures of national security, economic, strategic and diplomatic

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<sup>26</sup>For a detailed account of how the U.S. has always given importance to national interest, especially security and economic interests, over promotion of democracy in Latin America over the years see Lowenthal, Exporting Democracy.

<sup>27</sup>Whitehead, "International Aspects of Democratization," 7.

interests sometimes require policies that discourage rather than encourage democratic reforms in countries where efforts to promote democracy are in place. The U.S., in particular, has sometimes been forced to intervene on behalf of clearly undemocratic forces in certain countries where the incumbent regimes which may be democratic are perceived to be hostile to American security and business interests. Pacini,<sup>28</sup> for instance, observes that because of the high premium the U.S. placed on security interests, it has in many cases "combined military intervention and promotion of democracy despite the apparent contradictions involved in promoting self-determination through coercion." In Europe, the North Atlantic Treaty Organization went against its own rules to admit Portugal, Greece and Turkey despite their failure to meet the "democratic" criteria because of their strategic significance in the context of the Cold War.<sup>29</sup> It can thus be hypothesized that the tension between national interest and promotion of democracy, and the willingness of policy makers to uphold the former in the event of a clash, creates policy inconsistencies. This study will be guided by this general proposition in examining the role of the U.S. in Kenya's democratic transition.

Another significant proposition, related to the first, is that a country's commitment to democracy promotion varies from region to region, country to country, and time to time depending on its assessment of its interests in a particular region, in a

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<sup>28</sup>Mark Peceny, "Two Paths to the Promotion of Democracy During U.S. Military Interventions," International Studies Quarterly 39 (1995): 371.

<sup>29</sup>Alfred Tovais, "The International Context of Democratic Transition," West European Politics VII (1984): 159 and Whitehead, 20.

particular country at a particular time. In his study of the involvement of Europe in the post-Cold War democratic transitions in Africa, Olsen<sup>30</sup> highlights the inconsistencies in the way Western European countries both individually and collectively have applied pressure on various African countries to democratize. He argues that different countries in Africa are treated differently by the European countries depending on the specific interests of a specific country in a specific African country. Thus, France dishonored the European Community's suspension of aid to Niger following the 27 January 1996 coup which disrupted the democratization process there. Because of its interests in Niger, France resumed its bilateral aid cooperation with the military regime.<sup>31</sup> These variations, in turn, create problems of integrity and credibility for the major powers involved in democratic transitions. They also have direct and indirect impact on the transition process itself, particularly if the regime in power is not committed to democratic change.

While the hypothesis that a country intervenes in another 's democratic transition in order to secure its interests has been generally proven in many studies, another trend is beginning to emerge, especially since the beginning of the post-Cold War transitions. This is that in some cases, an external power has been known to zealously and consistently carry out the promotion of democracy crusade in countries where its interests are minimal or insignificant. The argument is that because the

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<sup>30</sup>Gorm Rye Olsen, "Europe and the Promotion of Democracy in Post-Cold War Africa: How Serious is Europe and for What Reason?" *African Affairs* 97, no. 388 (July 1998): 343-367.

<sup>31</sup>*Ibid.*, 357.

country trying to influence the democratic transition in another does not have significant interests in the target country, it is relatively free from the fear of jeopardizing its interests, and so may actively pursue the democracy agenda. The fear of antagonizing an undemocratic regime in a country where the country intervening has substantial interests to protect can be a constraining factor. To a large extent, such fear was behind the unwillingness of the U.S., for instance, to push certain regimes in Latin America to democratize during the Cold War. Olsen, for instance, argues that in South Africa, Niger, and Algeria where European countries individually or collectively had significant security and/or economic interests, Europe's commitment to promotion of democracy has been inconsistent and wavering, whereas in Kenya where European donors appeared to have neither security nor strong economic interests, with the exception of Britain, they (the European donors) were" relatively consistent and relatively tough in their behavior towards the Kenyan authorities as far as democratization is concerned."<sup>32</sup>

Another emerging trend in international promotion of democracy in the post-Cold War era is that where an external actor's commitment to promotion of democracy depends not only on the significance of its interests but also on the level of the strength of the domestic democratic movement in the target country. In other words, the level of domestic pressure for democracy is an intervening variable: "where security and economic interests are fairly crucial but strong domestic push for democracy is lacking, promotion of democracy is not an important policy goal, but where there is widespread

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<sup>32</sup>Ibid., 367.

domestic clamor for democracy and security and economic interests are minimal, promotion of democracy is pursued more vigorously, and, even as an end in itself."<sup>33</sup> Indeed, this "semi-realist strategy" in which promotion of democracy "alternately surfaces and submerges depending on the context," that is, the existence or nonexistence of a strong democratic trend and the significance or non-significance of the target country for the security and economic interests of the foreign power, is found in the policies of other Western powers as well.<sup>34</sup>

### **INSTRUMENTS OF INFLUENCE**

Another important issue addressed in the literature concerns the instruments available to external actors for the purpose of influencing democratic transitions and what can be achieved by them. The survey of the literature reveals two fundamental ways in which a country may influence the democratization process of another. The first is through government-to-government engagement. This implies official (usually direct) communication and interaction between the government of the country seeking to influence democratic transition and that of the target country, that is, the country undergoing transition. The second involves engagement with the non-government groups in the target country. It involves contacts with groups and organizations involved in the democratization process. The democracy assistance programs, for instance, are the major avenues for such engagement. The scope of this study, however,

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<sup>33</sup>Thomas Carothers, "Democracy Promotion under Clinton," Washington Quarterly, 18, no. 4., (1995): 16-17.

<sup>34</sup>See Olsen.

is limited to the first track of engagement, that is, government-to-government.

However, because in operational terms, these two tracks sometimes overlap, attention is sometimes shifted to the second track, but mainly insofar as it affects the first. Hence, we are interested in U.S. democracy assistance programs only insofar as they affected U.S. policy in nudging the Moi government toward democratic reform.

Traditionally, a wide array of policy instruments have been utilized by external actors to influence democratic transitions. These instruments can be categorized into diplomatic and political, military, and economic. David Gordon<sup>35</sup> has, however, provided a simpler typology of the instruments that have been used by external powers in the ongoing democratic transitions. He identifies four categories of instruments as follows: (i) policy “sticks” such as aid reductions, diplomatic isolation, public condemnation, visa restrictions, etc., (ii) policy “carrots” including increases in foreign aid, enhanced military co-operation and trade and investment missions, (iii) the instruments of traditional diplomacy such as persuasion, consultation and the provision of good offices, and (iv) democracy promotion programs.<sup>36</sup> It should be noted, however, in practice, external actors have used a combination of most or all of these instruments.

The most obvious and traditional policy instrument has been diplomatic pressure. Diplomatic pressure can take many forms. A major power may deny political leaders from countries reluctant to initiate democratic reforms entry visas.<sup>37</sup> In some

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<sup>35</sup>Gordon, 159.

<sup>36</sup>Ibid.

<sup>37</sup>Whitehead, 25.

cases, even the heads of state from those countries may be denied the chance to make official visits. For instance, in 1993, the U.S. turned down a request by military ruler Ibrahim Babangida of Nigeria to visit the White House because of doubts about his commitment to democratic change.<sup>38</sup> It may also take measures either individually or collectively with other powerful countries to isolate non-democratic countries from the international community by vetoing its membership in international or regional organizations. For instance, "the democratic conditions for membership in the EEC provided substantial long-term pressure for democratic transition in Southern Europe."<sup>39</sup> Franco's Spain was for some time denied membership in the U.N. because of the regime's reluctance to initiate democratic transition. The EEC has also recently made the granting of associate membership to former communist Eastern and Central European countries conditional on progress towards political democratization in a bid to influence the democratic transitions in those countries.<sup>40</sup> It is assumed that diplomatic isolation and the "pressure to belong" may force a hitherto recalcitrant regime to initiate transition to democracy.

There is also the more direct form of diplomatic pressure: that of direct diplomatic communication between the major power and the target country during a

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<sup>38</sup>Larry Diamond, "Promoting Democracy in Africa: U.S. and International Policies in Transition," in The United States and Africa: From Independence to the end of the Cold War, eds. Macharia Munene, J.D. Olewe-Nyunya and Korwa G. Adar (Nairobi: East African Educational Publishers, 1995), 203.

<sup>39</sup>Whitehead, 21-23.

<sup>40</sup>Hyde-Price, 229.



political crisis caused by an authoritarian regime that refuses to initiate transition or to hand over power despite popular pressure. "Crisis diplomacy", as Muravchik<sup>41</sup> calls it, can be a vital tool of influence especially when a dictatorship refuses to hand over power to a victorious opposition party after elections. In 1978, the Carter administration, through crisis diplomacy, managed to block a blatantly fraudulent attempt by the incumbent regime in the Dominican Republic to remain in power after losing elections.<sup>42</sup> Indeed, the Reagan administration played a key role in convincing Ferdinand Marcos to hand over power to the party that had apparently won elections in 1986.<sup>43</sup>

Scholars are, however, unanimous on the limitations of diplomacy as an instrument for influencing democratic transitions. Diplomacy, it is emphasized, is only effective when combined with one or more of the other instruments. In other words, "it is hard for one government to persuade another to do something merely by the force of argument, the weight of a diplomatic communication depends on the power of the nondiplomatic weapons at the communicator's disposal."<sup>44</sup> Ideally, it has been stressed that diplomatic pressure by itself may be productive only in certain aspects of

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<sup>41</sup>See Muravchik, ch.10.

<sup>42</sup>Larry Diamond, "Beyond Authoritarianism and Totalitarianism: Strategy for Democratization," Washington Quarterly, 12, 1(1989): 154.

<sup>43</sup>For a detailed account of U.S. crisis diplomacy in Philippines' transition see William I. Robinson, Promoting Polyarchy: Globalization, U.S. Intervention and Hegemony (New York: Cambridge University Press, 1996).

<sup>44</sup>Joshua Muravchik, 147.

democratic transition, especially pressurizing for the release of political prisoners, addressing specific human rights issues, and nudging the regime to hold elections.<sup>45</sup> Success of the diplomatic instrument also ultimately depends on the leverage the external actor has over the target country.<sup>46</sup>

The second instrument that has been traditionally used to influence democratic transitions is economic. Traditionally, the economic instrument has included restrictions on financial remittance, cut offs in military or export aid, adverse changes in trade status, prohibitions on loans from public sources, private banks or international financial institutions.<sup>47</sup> However, besides this package which has come to be generally known in the literature as aid conditionality or political conditionality, there has in the last two decades emerged another set of economic instrument called political aid, or democracy assistance. Political conditionality entails conditioning economic aid on progress towards democratic reform while the democracy assistance involves giving economic aid for various projects aimed at facilitating democratization.

Political conditionality has been in vogue in the past, especially in the 1970s when the U.S. decided to assess the human rights records of aid applicants with the purpose of pegging aid disbursement to observance of human rights. This policy

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<sup>45</sup>Ibid.

<sup>46</sup>Larry Diamond, Promotion of Democracy in the 1990s: Actors and Instruments, Issues and Imperatives, ( New York: Carnegie Corporation of New York, 1995), 53.

<sup>47</sup>David C. Hendrickson, "The Democratic Crusade: Intervention, Economic Sanctions and Engagement," World Policy Journal 11 (Winter 1994): 18.

reached its climax during the Carter administration but it was applied too sparingly and selectively because of Cold War considerations. In the post-Cold War era, however, political conditionality has been widely embraced, not only by the U.S. but by other state and non-state actors, especially international financial institutions. The impetus for political conditionality in the contemporary democratic transitions, however, originated from the insistence by the World Bank and the IMF on “good governance” by aid applicants. Indeed, it was as the result of the “good governance” project by the IFIs that several donors, bilateral and multilateral, began conditioning aid on democratic reform.<sup>48</sup> For instance, in July 1989, the G-7, at the Paris Summit, conditioned bilateral aid to East European countries on movement towards democracy, a move taken by the European Commission as well.<sup>49</sup> At almost the same time, African countries became the target of aid conditionality.

Western governments, as well as the World bank and the IMF, began to attach political conditionalities to aid and investment: African regimes which denied human and civil rights to their citizens were to be refused funding and political conditionality was directly linked to democratization.<sup>50</sup>

Even though political conditionality has in some cases influenced movement toward democracy where it has been applied, it has been observed that it works best

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<sup>48</sup>Mick Moore and Mark Robinson, "Can Foreign Aid be Used to Promote Good Government in Developing Countries?" Ethics & International Affairs, 8 ( 1994): 141.

<sup>49</sup>Hyde-Price, 229.

<sup>50</sup>Jeff Haynes, “Comparing the Roles of External Actors in Democratization in Ghana and Uganda.”Unpublished paper presented at the Third Pan-European Conference in International Relations, Vienna. (September 1998): 6

under certain conditions. First, it is more effective “with a regime that is sufficiently divided or ambivalent over the issue of political reform that external pressure can help tip the balance.”<sup>51</sup> Second, it is also reiterated in the literature that for aid conditionality to have a greater impact on the transition process, the country providing aid to the country undergoing the transition should harmonize and coordinate all its aid programs in the target country. This would ensure that there is no contradiction in the aid policy. As Travis cautions, “suspending economic aid but giving military aid may undermine the purpose of aid conditionality.”<sup>52</sup> Or as Moore and Robinson observe, there ought to be “consistency between aid policy and the policies pursued toward aid recipients in non-aid spheres.”<sup>53</sup> Third, in order to be successful, aid conditionality requires real leverage.<sup>54</sup> That is, the target country must perceive economic aid from the intervening country to be so critical to its economy and internal affairs in general that its suspension or withdrawal might cause sufficient pain. Fourth, aid conditionality is more effective when most or all donors, bilateral and multilateral cooperate in enforcing the aid cuts. This, in turn presupposes some uniformity between different aid donors in the application of the criteria for judging compliance by the target country with the conditions set.

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<sup>51</sup>Diamond, Promoting Democracy in the 1990s, 51.

<sup>52</sup>Rick Travis, “U.S. Security Assistance Policy and Democracy: A Look at the 1980s,” The Journal of Developing Areas 29 (July 1995): 556.

<sup>53</sup> Moore and Robinson, 145.

<sup>54</sup>Larry Diamond, Promoting Democracy in the 1990s, 53.

Aid conditionality, as an instrument of influence, can only be effective to a limited extent. Its usefulness, some have argued, is not as great as it has been conventionally claimed.<sup>55</sup> Moore and Robinson, for instance, argue that even in Kenya, where aid conditionality had been credited with much success, the reality is that it had only but a limited impact for, even though “aid donors forced Moi to hold multiparty elections, (they) couldn’t prevent him from using his position to split the opposition.”<sup>56</sup> It also carries risks and it can be counterproductive to the extent that the recalcitrant regime may “tactfully externalize responsibility for a country’s political fate.”<sup>57</sup> This is because the country’s citizens may blame, not their regime, but the country imposing conditionality for the suffering that might accompany conditionalities. This also does not bode well for the opposition which may be discredited for allying with foreign powers to cause hardships for the ordinary citizens.

Democracy assistance or promotion programs, on the other hand, have also been in place since the 1980s but have become more predominant in the post-Cold War era. These programs were first used as instruments for promotion of democracy by the U.S., especially in the Latin American transitions in the 1980s. But their use has become much more pronounced in the post-Cold War transitions where other countries like Germany, Canada and Britain have mounted programs of the same kind. They are of

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<sup>55</sup> For an excellent critique of political conditionality as an instrument for influencing democratic transitions, see Moore and Robinson.

<sup>56</sup>Ibid., 151.

<sup>57</sup>Larry Diamond, Promoting Democracy in the 1990s, 52.

two genres: the short-term assistance programs which are mostly geared towards preparations for and the conduct of elections and the long-term assistance programs aimed at sustaining and consolidating democracy. Also known as "political assistance" programs, they include: technical assistance to constitutional assemblies, parliament, and electoral commissions; legal reform programs; and the general multiplication of contacts between non-governmental organizations and their local counterparts.<sup>58</sup> In operational terms, these programs embrace a whole range of projects that seek to advance human and civil rights, the rule of law, freedom and diversity in the press, effective government, the status of women and other pillars of democracy.<sup>59</sup> Even though most of the programs that fall under this category of instruments are more useful as means of democracy consolidation that at the transition stage, they may all the same be useful in initiating the transition process by strengthening local constituencies that are able to apply pressure on a recalcitrant regime to initiate democratic reforms.

Democracy assistance programs, or "political aid" as they are also known, belong to the second track of influence, that is, people-focused influence. In essence, they represent attempts by the country providing "assistance" to overcome the strictures of official diplomacy which generally limit the extent to which a foreign country may influence internal political processes of a sovereign country. Operationally, democracy assistance programs bring together mainly quasi-governmental, private organizations

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<sup>58</sup>For a detailed account of how these programs are implemented and how they might influence the democratization process, see Carothers, "Democracy Nostrum."

<sup>59</sup>U.S. Department of State, "U.S. Policy for a New Era in sub-Saharan Africa," *Dispatch*, 4, no. 3 (January 18 1993): 36.

and, in some cases, political party foundations from the intervening country. These organizations usually provide training and funding to local organizations in the target country.<sup>60</sup> Examples of such organizations that have been deeply involved in the transitions in Latin America, Eastern and Central Europe and Africa are the British Westminster Foundation, the U.S. National Endowment for Democracy through the National Democratic Institute for International Affairs (NDI) and the International Republican Institute (IRI), and the German political party foundations such as Konrad Adenauer, Friedrich Ebert, Friedrich Naumann and Hanns Seidel Stiftings.

Another instrument for influencing democratic transitions is military intervention.<sup>61</sup> Military intervention as an instrument of promotion of democracy has been used mainly by the U.S. Indeed, much of the literature on the subject is dominated by U.S. activities. The willingness of the U.S. to intervene militarily in internal political affairs of other countries may be traced to the fact that it has more military resources for

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<sup>60</sup>For an incisive discussion of how these organizations operate in the target countries and the impact of their activities on democratization, see Kevin F.F. Quigley, "For Democracy's Sake: How Funders Fail - and Succeed," World Policy Journal xiii, no. 1(Spring 1996): 109-118, Reinhard Meier, "Political Party Foundations in Bonn," Swiss Review of World Affairs xxxi, 11 (February 1982): 25- and Paula Newberg and Thomas Carothers, "Aiding - and Defining - Democracy," World Policy Journal xiii, no. 1 (Spring 1996): 97-108.

<sup>61</sup>For detailed accounts of the use of this instrument, see Mark Peceny, Laurence Whitehead, "The Imposition of Democracy," in Exporting Democracy, ed. Lowenthal, 356-382, and Charles W. Kegley, Jr., Margaret G. Hermann and Gregory A. Raymond, "Intervention, Democratization, and Normative Principles: Comparing Words with Deeds." Unpublished Paper presented at the Third Pan-European International Relations Conference and Joint Meeting of the European Standing Group for International Relations and the International Studies Association. Vienna, (September 16-19 1998).

this purpose. Indeed, as emphasized elsewhere, the willingness of an external actor to employ a particular instrument of influence in democratic transitions depends on the availability of resources that the use of that particular instrument shall require. Hence, many other countries including those of Western Europe, have not been enthusiastic to employ military intervention because, unlike the U.S., they lack the necessary resources.<sup>62</sup>

It should also be remembered that the first activist phase of U.S. promotion of democracy policy began with military interventions, especially in Latin America. In the early 1900s, the U.S. militarily intervened in many countries in the western hemisphere ostensibly to promote democracy. After the Second World War, the U.S. military occupation authorities supervised transitions to democracy in Japan, Germany and Italy. Throughout the post - War period, the U.S. carried out direct military interventions in a number of countries, especially in Latin America. In fact, military intervention has become such a common feature of U.S. promotion of democracy policy that many scholars and policy makers have come to conclude that perhaps there is no contradiction in terms between military intervention and promotion of democracy.<sup>63</sup>

However, in the post-Cold War era, international and national opinion in the U.S. seem to run against military intervention as an instrument for influencing democratic transitions. This has deterred the use of military intervention except under special circumstances, especially if the purpose is to restore an overthrown elected

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<sup>62</sup>Whitehead, "International Aspects of Democratization," 12.

<sup>63</sup>Whitehead, "The Imposition of Democracy," 356.



government like it happened with Haiti recently. Indeed, despite its willingness in 1995 to intervene militarily in Haiti to restore the democratically elected President Jean Bertrand Aristide who had been overthrown in 1991, the U.S. administrations have found military intervention a difficult option. Thus the U.S. declined to involve itself militarily in Liberia and Sierra Leone to restore democracy. There are other factors which make military intervention a less viable and likely option. First, the citizens of the country intervening may not tolerate the likely loss of life and colossal expenditure of resources for such superfluous missions like promotion of democracy. Second, many have lost faith in military intervention as an instrument for effecting democratic change in another country.<sup>64</sup> Indeed, opponents of military intervention claim that, given the results of past military interventions, they seem to militarize the domestic politics, thereby creating conditions that negate growth of democracy itself.

It is emphasized in the literature, however, that for best results, most of these instruments have to be harmonized and used in combination.<sup>65</sup> The need for a multilateral approach to the use of these instruments is also emphasized because, in order "to produce a consistent effect, a diverse range of instruments must be coordinated, requiring cooperation of a variety of agents with divergent interests and perceptions."<sup>66</sup> Thus, one of the assumptions in this study is that the effectiveness of

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<sup>64</sup>Richard Haas, Intervention, (Washington, D.C.: Carnegie Endowment for International Peace, 1994), 133.

<sup>65</sup>Pridham, 7.

<sup>66</sup>Whithead, "International Aspects of Democratization," 25.

any method (s) chosen by the U.S. to influence Kenya's democratic transition depends, in large measure, on the cooperation of and coordination with other external actors, especially other major countries involved in the process. It is also cautioned that these methods may contradict each other, thus limiting their combined impact.

It is also reiterated in the literature that for the instruments to be more effective, they have to be harmonized with the country's overall policy. Travis and Peceny have, for instance, documented how U.S. policy on security assistance to the developing world has sometimes undermined its economic instruments of democracy promotion, especially economic sanctions. Another important observation in the literature is that the willingness to employ a particular kind of instrument depends on the capability of the actor and the leverage it has over the target country in each area of influence. For instance, the U.S. has utilized the military intervention method more often than other countries because of its military superiority. Indeed, even in economic sanctions, the leverage must be seen to be real.

## **MOTIVATIONS**

Yet another issue addressed in the cross-section of the literature concerns motivations, that is, what motivates certain countries to intervene in democratic transitions in other countries? Or, why do some countries proclaim promotion of democracy as a foreign policy goal? The literature reveals many categories of motivations. First, and foremost, there are motivations that have to do with national interest. That is, a country intervenes in another country's transition process in order to secure its economic, political, security, or ideological interests either by ensuring that

the regime which comes to power as a result of the transition is sympathetic to its interests, or the country undergoing transition may be too vital for the major power to ignore.<sup>67</sup>

Second, there are motivations to do with national character and the historical political and cultural traditions of the country. The argument here is that some countries are more likely to intervene in democratic transitions abroad because of a traditional, cultural or domestic propensity to do so. Comparing European countries with the U.S., Whitehead, for instance, argues that the U.S. is more easily motivated to intervene in democratic transitions in other countries than European countries because unlike the latter which have a chequered democratic history, the U.S. has had a consistent “democratic tradition and an exclusive democratic mission.”<sup>68</sup>

Third, there are those motivations to do with the country's ideological ambitions to “extend to foreigners the benefits of a system that is valued at home.”<sup>69</sup> The idea that the liberal democracy as it is practiced in North America and the West in general should be extended to other parts of the world has gained currency especially in the post-communist era. The fall of communism and the worldwide clamor for democracy has convinced most westerners that liberal democracy is essentially universal and that it

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<sup>67</sup>Muravchik, 6 and 13.

<sup>68</sup>Cited in Giuseppe Di Palma, To Craft Democracies: An Essay in Democratic Transitions, (Berkeley: University of California Press, 1990), 190.

<sup>69</sup>Whitehead, “International Aspects of Democratization,” 10; Raymond D. Gastil, “Aspects of A U.S. Campaign for Democracy,” in Promoting Democracy: Opportunities and Issues, eds. Ralph M. Goldman and William A. Douglas (New York: Praeger, 1988), 25.

is the most successful ideology.<sup>70</sup> Thus the idea that the world was destined to be governed by liberal democratic ideals has motivated many policy makers in the west to intervene in democratic transitions abroad. It is instructive to emphasize also that because of this conviction, the democratization crusade has become part of the globalization process in which free-market democracies are set to dominate the international system.

The linkage between democratization and globalization has led some scholars to argue that the real motivation behind the intervention by the major powers of the West and the international financial institutions which they dominate is the desire to further entrench the international capitalist system and to ensure that the political and economic values on which the capitalist-oriented liberal democratic model is based are spread all over the globe.<sup>71</sup> Using the arguments in the world systems and dependency theories, these scholars claim that Western powers intervene in contemporary democratic transitions in the Third World not to promote real democracy but to control the transitions so that the outcome is in their favor. In order to succeed in this, they have enlisted the cooperation of local elites. Their favored outcome is "low intensity democracy" which falls short of the real democracy popular forces in these countries are fighting for. In low intensity democracy:

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<sup>70</sup>Muravchik, 1.

<sup>71</sup>For a detailed understanding of the arguments in this school of thought see William I. Robinson; Barry Gills, Joel Rocamora and Robert Wilson, eds. Low Intensity Democracy. (London: Pluto Press, 1993) ; and Barry Gills and Joel Rocamora, "Low Intensity Democracy," Third World Quarterly 13, no. 3 (1992): 501-524.

power stays in more or less the same hands as before with the illusion only of greater democratization. It satisfies western governments' allegedly insincere concerns for wider democratization. In short, external forces dictate and control the process of political change in the Third World for their own aims, intimately connected to their continued economic control and the survival in power of local allies.<sup>72</sup>

Thus, the argument goes, external actors not only distort the democratic transition processes in the Third World by insisting on an outcome which is short of the aspirations of the local people but they are also insincere.

Fourth, there are motivations related to domestic politics within the country seeking to influence democratic transition in another. The domestic politics approach contends that some countries engage in promotion of democracy abroad for purely domestic reasons. The gist of the argument is that promotion of democracy is always used invoked for interventions abroad and other foreign policy undertakings because of its great appeal to the domestic constituency. Writing of the U.S., a country which has consistently proclaimed promotion of democracy in its external undertakings,

Whitehead observes:

In order to mobilize domestic opinion around any foreign policy goals, U.S. leaders often need to deploy a moral, patriotic, or anti-communist rhetoric that expresses American exceptionalism and that some external opinion may perceive as expressing American wish for hegemony.<sup>73</sup>

U.S. policy makers are also bound to proclaim promotion of democracy as the reason

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<sup>72</sup>Haynes, 7-8.

<sup>73</sup>Whitehead, "International Aspects of Democratization," 18.

for intervening in other countries because of the strength of liberal internationalists in the policy establishment besides the need to build domestic political consensus and policy legitimacy for such interventions.<sup>74</sup> Indeed, “all through history, when United States presidents have sought to explain or defend U.S. military interventions in foreign lands, few goals have been advanced with such regularity and frequency as the promotion of democracy.”<sup>75</sup>

It has to be emphasized, however, that whatever the motivations for intervening in democratic transitions abroad, the willingness to engage in democracy promotion depends on the leverage the external actor has over the host country. The leverage may be diplomatic, political, or economic. Accordingly, one of the assumptions of this study is that the U.S. was able to actively influence Kenya's democratic transition because of its diplomatic and political leverage it had due to its hegemonic position as the world's sole superpower. It is also hypothesized that the dependent nature of Kenya's economy provided the U.S., one of the countries on which Kenya depended economically and militarily, with important leverage.

#### **CONCLUSIONS: THE LITERATURE, ITS POTENTIAL AND LIMITATIONS, AND THE CONTRIBUTIONS OF THIS STUDY**

It should be reemphasized that as a field of study, democratic transition is a relatively new endeavor. But if democratic transition is a recent addition to the list of

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<sup>74</sup>Peceny, 371-372.

<sup>75</sup>James Meernik, “United States Military Intervention and the Promotion of Democracy,” Journal of Peace Research 33 (November 1996), 392.

scholarly areas of research, the international dimension of democratic transitions is even greener as a study area. Indeed, the first generation of research in the area of democratic transitions in the 1980s concentrated on the internal dynamics of the countries studies with very little, if any attention given to the external environment.<sup>76</sup> Earlier efforts were also limited in scope and depth. They appeared to concentrate on the activities of only one country, the U.S., in a particular region (Latin America). Even in the post-Cold War era, the literature on the role of external actors has remained far too few and between.

Essentially, if the paucity and other limitations of the literature present problems for this study, they, on the other hand underscore the significance of this study for the development of the field. Although some of the ways in which this study is significant have already been discussed in Chapter one, it is considered necessary to summarize them here in the context of the literature review made in this chapter. This study's contribution to the literature on the role of international actors on democratic transitions need not be overemphasized. First, it helps widen the areal scope by focusing on a country in a region (Africa) previously ignored. Second, it puts some of the assumptions and propositions generated by previous studies to empirical test, thereby making a contribution to the long-term theoretical development of the field.

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<sup>76</sup>It is noteworthy that the first extensive research project in this area in the 1980s which culminated in a three-part book ( See Guillemo O'Donnell, Phillipe C. Schmitter and Laurence Whitehead, eds, Transitions from Authoritarian Rule: Prospects for Democracy, (Baltimore: The Johns Hopkins University Press, Parts I, II, and III) contained only one general chapter on the international dimension of the democratization processes, that is Whitehead's "International Aspects of Democratization,")

## **SUMMARY OF RESEARCH QUESTIONS, PROPOSITIONS AND HYPOTHESES**

The research questions and hypotheses for this study are generated from the above review of the literature on the role of external actors in democratic transitions, especially that of the major powers. In this section, these questions and hypotheses are summarized and specified:

**Major Research Question:** What role did the U.S. play in Kenya's democratic transition?

Sub-questions: (a) What motivated the U.S. to intervene in Kenya's democratic transition?

(b) What policy instruments did the U.S. employ to influence Kenya's democratic transition, and how effective were they?

(c) How did the U.S. relate to the other actors in Kenya's democratic transition, and how did such relationship affect U.S. policy behavior and outcome?

### **Hypotheses:**

The hypotheses for this study derive from the general propositions advanced in the literature review. It is appropriate, therefore, to state each proposition and then derive a specific hypothesis from it:

**General Proposition 1:** A country intervenes in another's democratic transition primarily to advance its own interests. *Hypothesis 1:* the U.S. intervened in Kenya's democratic transition because it perceived Kenya to be important for its regional



security and economic interests.

**General Proposition 2:** Promotion of democracy is but one among other foreign policy goals of the intervening country. In the event of conflict between promotion of democracy and national interest, the intervening country will be willing to compromise the former.

**General Proposition 3:** The ability of a country to influence the democratic transition of another depends on the leverage it has over the target country. That is, for a country to effectively influence the democratic transition, it must have real leverage over the target country. *Hypothesis 2:* The U.S. was able to nudge the Moi regime into initiating democratic reforms because of U.S. global status as the sole superpower and because it was a significant benefactor of the Moi regime.

**General Proposition 4:** Except in extreme circumstances (such as war), external actors respond to rather than anticipate domestic clamor for democracy in target countries. That is, external actors are usually more willing to intervene in target countries when there are strong, if not overwhelming, demands for change by local pro-democracy forces. For the purposes of this study, the decision by the U.S. as to when and how to intervene in Kenya's democratic transition was assumed to have been closely linked with the intensity of domestic pressure on the Moi regime. Thus, the greater the domestic pressure, the greater the willingness to intervene.

## CHAPTER THREE

### UNITED STATES POLICY AND THE PROMOTION OF DEMOCRACY IN PERSPECTIVE

#### INTRODUCTION

Since 1898 when President McKinley declared war with Spain to “restore respect of human rights” in the latter’s possessions in the Western Hemisphere, the U.S. has persistently demonstrated a penchant for intervening in other countries with the stated goal of promoting democracy. Indeed, one of the enduring goals of its foreign policy, apart from peace, prosperity and stability, is the “spread of democracy” worldwide.<sup>1</sup> Many of its global engagements have often been packaged as policies aimed at “making the world safe for democracy.” President Woodrow Wilson justified America’s entry into the First World War in 1917 just in those terms. Later in 1941, President Roosevelt explained that America was joining an “alliance of democracy” in the Second World War to secure the “Four Freedoms.”<sup>2</sup> After the war, the U.S. made a major effort to democratize the occupied territories, especially Japan and Italy. In the

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<sup>1</sup> Charles W. Kegley, Jr. and Eugene R. Witkoff, American Foreign Policy: Pattern and Process, 5th ed. (New York: St. Martin’s Press, 1996), 31.

<sup>2</sup>In his War address to Congress, Roosevelt identified the four “essential human freedoms” upon which the U.S. sought to found a post-war world as: freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear. (See Franklin D. Roosevelt, U.S. Congress, Congressional Record, 77th Congress, First session, Vol. 87, part 1. Washington, D.C.: U.S. Government Printing Office, 1941, pp. 44-47.) He believed, as U.S. democratization policies in post-war Japan, Germany, and Italy later proved, that these freedoms could only be secured in democracies.

entire Cold War period, it intervened in numerous countries with the declared purpose of promoting democracy. In the post-Cold War era, promotion of democracy has more or less become an integral part of U.S. foreign policy.

Major foreign policy doctrines, statements, and initiatives have contained concerns for democracy as their motif. The Truman Doctrine and its attendant "containment" policy portrayed the war against communism as an ideological battle between the "democratic idea" and all other non-democratic ideas. The U.S.-initiated "Final Act of Bogota" (of the Organization of American States, OAS) of 1948 on the "Preservation and Defense of Democracy in the Americas" symbolized the resonance of democratic idealism in U.S. policy in the Western Hemisphere. Kennedy's "Alliance for Progress" aimed at encouraging conditions for democracy in Latin America. Carter's Human Rights Campaign restored democratic idealism in foreign policy after years of neglect. In the 1980s, Reagan's "Democratic Initiative," was marked by, among other things, the establishment of the National Endowment for Democracy in 1983 "to encourage the establishment and growth of democratic development worldwide." Bush's "New World Order" contained explicit references to America's role as the guarantor of democracy in the post-Cold War era. Clinton's "Democratic Enlargement" has placed promotion of democracy at the center of foreign policy.

Whether some of the official proclamations professing "promotion of democracy" as a foreign policy goal have been genuine or just mere rationalizations of self-interested external adventures, U.S. foreign policy has consistently sought to

identify America with the cause of democracy worldwide.<sup>3</sup> But what explains the resonance of democratic idealism in U.S. foreign policy? Why would the U.S. so enthusiastically embrace such an idealist goal like the promotion of democracy? The next section of this chapter is devoted to explaining this phenomenon.

## **DEMOCRATIC IDEALISM IN U.S. FOREIGN POLICY**

The resonance of democratic idealism in U.S. foreign policy has been traditionally traced to the strong moral and idealistic elements in the America's cultural and historical heritage.<sup>4</sup> Larson, for instance, attributes it to the "puritan ethic" on which the American society was founded.<sup>5</sup> A fundamental tenet of this ethic, he explains, is "the dignity and equality of all men,"<sup>6</sup> one of the main claims of democratic idealism. Weigel<sup>7</sup> emphasizes the special character of the U.S. as a nation built on the "moral idea" that "all men are created equal." He explains democratic idealism in foreign policy in terms of what he believes to be a peculiarity and an exceptionalism in America's origins: "Unlike other nations whose roots lie in the soil of tribe, race, ethnicity, or language, the U.S. is a country whose casements rest on an idea," the

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<sup>3</sup>Joshua Muravchik, Exporting Democracy: Fulfilling America's Destiny, (Washington, D.C.: The AEI Press, 1991), 13.

<sup>4</sup>Thomas Carothers, In the Name of Democracy: U.S. Policy toward Latin America in the Reagan Years, (Berkeley: University of California Press, 1991), 2.

<sup>5</sup>David L. Larson, "Objectivity, Propaganda, and the Puritan Ethic," in The Puritan Ethic in United States Foreign Policy, ed. David L. Larson (Princeton, NJ: D. Van Nostrand Company, inc., 1966), 4.

<sup>6</sup>Ibid.

<sup>7</sup>George Weigel, American Interests, American Purpose: Moral Reasoning and U.S. Foreign Policy, (New York: Praeger, 1989), 2.

democratic idea of equality of all men.<sup>8</sup> President Reagan expressed this notion of exceptionalism more candidly in 1982: "I have always believed that this anointed land was set apart in an uncommon way, that a divine plan placed this continent between the oceans to be found by people from every corner of the earth who have a special love of faith and freedom."<sup>9</sup>

Concomitant with the idea of America's democratic and idealistic foundation as unique and exceptional is the preponderant belief by Americans that these ideals are universal. This belief in the "universality" of America's "democratic idea" has, in turn, made Americans and their leaders assume that they have a moral mission to promote these ideals on which their society was founded to other parts of the world. Indeed, in its external behavior, America has often defined its international role as the carrier and champion of the "universal human aspirations defined by the liberal philosophy on which it was founded and as the savior of nations."<sup>10</sup> Imbedded in the idea of a unique American mission to "bring the blessings of liberty to the less fortunate parts of the world" is the belief "that the U.S. is endowed with a certain moral superiority entitling it to lead the rest of the world along the paths of light and rectitude."<sup>11</sup>

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<sup>8</sup>Ibid.

<sup>9</sup>Quoted in Arthur Schlesinger, "Foreign Policy and the American Character," Foreign Affairs 62, no. 1 (Fall 1983): 5.

<sup>10</sup>Todd Moss, "U.S. Policy and Democratization in Africa: The Limits of Liberal Universalism," The Journal of Modern African Studies 33, no. 2 (1995): 90.

<sup>11</sup>Arthur A. Ekrich, Jr., Ideas, Ideals, and American Diplomacy: A History of their Growth and Interaction, (New York: Appleton-Century-Crofts, 1966), 22.

Thus, as Whitehead has observed,<sup>12</sup> the missionary zeal "to extend to foreigners the benefits of a system that is valued at home" is a fundamental source of America's motivation for the promotion of democracy. This motivation has recently been strengthened further by the demise of communist political systems in the Soviet Union and Central and Eastern Europe. China's decision to embrace some features of the free market economy is also interpreted as a sign that liberal democratic ideals are the natural preference of all peoples in the world. For the policy establishment, the triumph of the liberal democratic idea over the communist idea is proof of the universality of the former. In fact, ardent proponents of the active promotion of democracy abroad have interpreted the contemporary global upsurge of democracy movements as the evidence that "democracy is so strongly desired by the people of other nations that the United States not only acts rightly but places itself on a side favored by history when it presses for democratization around the world."<sup>13</sup>

Due to the pervasiveness of democratic idealism in America's traditions and values, promotion of democracy serves several important functions for U.S. foreign policy. First, it provides an ideological justification for U.S. interventions abroad, especially those that would be potentially controversial. By appealing to the long cherished values of American society, it legitimates U.S. engagements abroad. Mark

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<sup>12</sup>Laurence Whitehead, "International Aspects of Democratization," in Transitions from Authoritarian Rule: Prospects for Democracy, Pt. III, eds. Guillermo O' Donnell, Phillippe C. Schmitter and Laurence Whitehead (Baltimore: The Johns Hopkins University Press, 1986), 10.

<sup>13</sup>Ibid., 40-41.

Peceny,<sup>14</sup> for instance, observes that American presidents have invariably used promotion of democracy to build domestic political consensus and policy legitimacy for U.S. intervention in the internal affairs of other countries. It has also been argued that the promotion of democracy moralizes and rationalizes America's selfish interests<sup>15</sup> which may ordinarily be interpreted as "venal and egoistic motives."<sup>16</sup> During the Cold War, for instance, democratic idealism served the ideological purpose of providing moral legitimacy to the anti-communism crusade.<sup>17</sup> The policy of containment was packaged as a strategy to "enhance democracy abroad."<sup>18</sup> In a nutshell, therefore, the need to satisfy the American public's concern that U.S. activities abroad should reflect their own democratic values has led the foreign policy establishment to adopt promotion of democracy as an ideological tool to legitimize policy and to justify self-interested actions.

Second, policy makers often strive to infuse policy decisions with democratic ideals in order to gain public (domestic) support for them because Americans are more likely to understand and endorse policies couched in such moralistic or idealistic terms. As Weigel observes,

If it is to draw support from the American people, U.S.

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<sup>14</sup>See Mark Peceny, "Two Paths to the Promotion of Democracy during U.S. Military Interventions," International Studies Quarterly 39 (1995): 33.

<sup>15</sup>David Moore, "Reading Americans on Democracy in Africa: From the CIA to 'Good Governance,'" The European Journal of Development Research 8, no. 1, (June 1996).

<sup>16</sup>Muravchik, 13.

<sup>17</sup>Irving Kristol, "Defining Our National Interest," National Interest, 21 (Fall 1990): 20.

<sup>18</sup>*Ibid.*, 18.

foreign policy must be seen to reflect the values that our own experiment in democratic republicanism holds most dear (because) the American people generally prefer that their government deal with the moral claims on which our republic rests.<sup>19</sup>

The significance of democratic idealism as a source of policy support becomes even more appreciated with the cognizance of the important role domestic opinion and interest groups play in U.S. foreign policy. As Whitehead aptly observes, U.S. leaders often try to mobilize domestic opinion around specific foreign policy goals by couching those goals in terms of democratic ideals which readily express the strong feelings of American exceptionalism in which many Americans believe.<sup>20</sup> This is because "if Americans saw that U.S. policy makers were promoting democracy around the globe, they would be more likely to support American policy with financial commitments and military action when necessary to accomplish those foreign policy objectives."<sup>21</sup> Moreover, it is imperative that the policy establishment rally the support of Congress which must authorize funding for U.S. commitments abroad. Congress being representative of the cross section of the "idealistic" American populace can not ignore America's democratic values in its deliberations on foreign commitments.

Apart from the policy legitimating and support functions, promotion of democracy also plays a unifying role in the foreign policy establishment. It gives U.S. foreign policy some sense of purpose and makes it easy to achieve bipartisanship by

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<sup>19</sup>Weigel, 27.

<sup>20</sup>Whitehead, 8.

<sup>21</sup>Morton H. Halperin, "Guaranteeing Democracy," Foreign Policy 91 (Summer 1993): 106.



appealing to the (democratic) values and ideals shared by both liberals and conservatives.<sup>22</sup> The unifying role of democratic idealism has been more apparent when U.S. policy has had to undergo a redefinition following significant changes in the international environment. The Carter administration (1977-1980) sought to overcome the breakdown of policy consensus that followed detente and the Vietnam debacle by making human rights the major foreign policy theme.<sup>23</sup> In the post-Cold War era, promotion of democracy is again being called upon to give form and substance to foreign policy in place of the now redundant policy of containment.<sup>24</sup> Not only does it have the promise to fuse together the disparate strands of international liberalism and real politik as each tries to respond to the changed post-Cold War environment, but it is also uniting Americans and their administrations as the search for U.S. role in the "new world" order continues.<sup>25</sup>

Howard Wiarda<sup>26</sup> has aptly and succinctly summarized the reasons for the resonance of democratic idealism in U.S. foreign policy:

A U.S. stance in favor of democracy helps the Congress, the bureaucracy, the media, the public, and elite opinion to back U.S. policy. It helps ameliorate the domestic debate, disarms critics (who could be against democracy?), provides a basis for reconciliation between "realists" and

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<sup>22</sup>Kristol, 19.

<sup>23</sup>Ernest W. Lefever, The Irony of Virtue: Ethics and American Power., (Boulder: Westview Press, 1998), 186.

<sup>24</sup>Ibid., 18

<sup>25</sup>Thomas Carothers, "Democracy Promotion Under Clinton," Washington Quarterly 18, no. 4 (1995): 13.

<sup>26</sup>Howard Wiarda, The Democratic Revolution in Latin America: History, Politics and U.S. Policy. (New York: Holmes and Meier, 1990), 270.

"idealists." The Democracy agenda enables us, additionally, to merge and fudge over some issues that would otherwise be troublesome. It helps bridge the gap between our fundamental geopolitical and strategic interests and our need to clothe those security concerns in moralistic language. The democracy agenda, in short, is a kind of legitimacy cover for one or more basic strategic objectives.

In the next section, we discuss the concrete national interests that the U.S. has sought to achieve by seeking to influence democratic transitions abroad.

### **WHY PROMOTE DEMOCRACY? DEMOCRACY AS A FOREIGN POLICY GOAL**

The resonance of democratic idealism in U.S. foreign policy derives from Americans' sense of mission as the "torchbearer" of "universal" democratic ideals which should be extended to people in other parts of the world. Promotion of democracy also provides an indispensable domestic foundation for America's policies abroad. Some scholars argue that without it, the U.S. would not be able to play an assertive role in international affair in the manner it has done over the years.<sup>27</sup> But these factors alone can not explain the motivations for U.S. democratic interventions abroad. For while empathy with other human beings and the subsequent desire to transmit democratic institutions abroad may be inherent among the American public, it would require, as Whitehead has aptly observed, "a distinctly implausible degree of altruism"<sup>28</sup> on the part of the American leadership to commit colossal resources in terms of

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<sup>27</sup>Paula J. Dobriansky, "Human Rights and U.S. Foreign Policy," in The New Democracies: Global Change and U.S. Policy, ed. Brad Roberts (Mass.: The MIT Press, 1990), 147.

<sup>28</sup>Laurence Whitehead, "Democracy by Convergence and Southern Europe: A Comparative Politics Perspective," in Encouraging Democracy: The International Context of Regime Transition in Southern Europe, ed. Geoffrey Pridham (New York: St. Martin's Press, 1991), 47.

personnel, equipment and money to promote democracy abroad for these reasons alone. There must be concrete, tangible interests served by the promotion of democracy. The U.S. foreign policy establishment has traditionally tapped on the great arsenal of democratic idealism in order to fulfil concrete interests abroad.

Viewed from this functional perspective, democratic idealism becomes the springboard for the pursuit of concrete interests. As Weigel argues, a promotion of democracy policy must come to terms with the fact that "democracy is not America's only objective in world politics. Security of citizens and economic well being of our people are irreducible goals of U.S. policy."<sup>29</sup> Even domestic support for foreign policy, however much explained in terms of democratic idealism, would not be automatically forthcoming if policy objectives are not grounded in America's strategic and economic interests. As Diamond observes, "Americans are less inclined to support a foreign policy based on generous aims and grand ideals unless security and economic interests are inextricably linked."<sup>30</sup> This, in turn, begs for an examination of how the promotion of democracy fulfills U.S. national interest.

National security and strategic imperatives were key considerations in the evolution of an activist policy of promoting democracy abroad.<sup>31</sup> The first generation of such interventions occurred in the geographically contiguous Western Hemisphere, the

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<sup>29</sup>Weigel, 77.

<sup>30</sup>Larry Diamond, Promoting Democracy in the 1990s: Actors and Instruments, Issues and Imperatives, (New York: Carnegie Corporation, 1995), 2.

<sup>31</sup>Paul W. Drake, "From Good Men to Good Neighbors: 1912-1932," in Exporting Democracy: The United States and Latin America, ed. Abraham Lowenthal (Baltimore, MD: The Johns Hopkins University Press, 1991), 7.

potential source of the most immediate security threats for the U.S. Apart from playing a significant role in the democratization of post-War Germany, Japan, and Italy, the U.S. had until the end of the 1980s concentrated its promotion of democracy policies in the Caribbean, Latin America and South America. This hemispheric bias stemmed from the belief by Americans that democratic neighbors pose little or no security threats. Thus, promoting democracy in the neighborhood is vital if America is to defend against serious, possibly devastating, threats to the safety and well-being of the Americans.<sup>32</sup> The underlying belief was that authoritarian societies, because they do not share America's democratic values posed threats to U.S. citizens both within the U.S. territory, especially if they are within the contiguous territory. Thus, President Clinton justified his 1995 intervention in Haiti on security terms: "protection of American lives in Haiti, interdiction of drug trafficking and forestalling a panicky and disruptive influx of refugees into the U.S."<sup>33</sup>

The insurance of U.S. national security as a motivation for promotion of democracy is also linked to the conviction that America's security is inextricably linked to global security. Subscribing to the liberal democratic internationalist argument that global peace and security are better guaranteed in a world populated mainly by democracies because democratic states are more peaceful and less given to provoke war or inciting violence,<sup>34</sup> most Americans have come to believe that their country would be

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<sup>32</sup>Diamond, 7

<sup>33</sup>Jonathan Stevenson, Losing Mogadishu: Testing U.S. Policy in Somalia, (Annapolis, MD.: Naval Institute Press, 1995), 149.

<sup>34</sup>For a succinct discussion of the liberal internationalist arguments on "democratic peace," see James Lee Ray, Democracy and International Conflict: An Evaluation of

more secure if democracy were to spread to all parts of the globe.

Exhorting his fellow Americans to join the World War I in 1917, President Woodrow Wilson, who together with Immanuel Kant are rightly considered fathers of liberal democratic internationalism as an approach to international peace, argued that it was necessary for Americans to fight "for the Ultimate peace of the world and for the liberation of its peoples. The world must be made safe for democracy. A steadfast concern for peace can never be maintained except by a partnership of democratic nations."<sup>35</sup> More recently, while signing into law the FREEDOM (Freedom for Russia and Emerging Eurasian Democracy and Open Markets) Support Act in 1992, President George Bush remarked: "Americans have wanted to advance the cause of freedom, to win peace, to help transform our enemies into peaceful partners - this "democratic peace" will be built on the solid foundations of political freedom."<sup>36</sup> In his 1994 State of the Union address, President Bill Clinton argued that "the best strategy to ensure our security and to build durable peace is to support the advance of democracy elsewhere."<sup>37</sup>

The argument that the global spread of democracies is in the interest of U.S. security stems from the central claim in the "democratic peace proposition," namely, that democratic political systems, by their very nature and constitutions, are best placed

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the Democratic Peace Proposition, (Columbia: University of South Carolina Press, 1995).

<sup>35</sup>Quoted in Ekrich, 118.

<sup>36</sup>U.S. Department of State, Dispatch 3, no. 43 (October 26, 1992): 785.

<sup>37</sup>Quoted in Thomas Carothers, "The Democracy Nostrum," World Policy Journal XI, no. 3 (Fall 1994): 48.

to ameliorate both domestic and international threats to security. Muravchik, summarizing this claim, argues that democracies are peaceable because the ethics of democracy conduce to peace:

Democracy is at the bottom of an ethical system in which the citizens discipline themselves to the principle that it is better to decide things by the right means than to get their own way. Once individuals have internalized these ethics in their behavior within the polity, they can readily see that the same principle can apply to relations between states: namely, a state should compromise some of its goals or interests rather than resort to war, especially if it is dealing with states that are willing to behave in a like manner.<sup>38</sup>

According to the "democratic peace proposition," democracies contribute to peace not only because they are likely to institutionalize peaceful conflict-resolution within polities, but also constitute a reliable foundation for a secure and peaceful world order because of their propensity towards order and the rule of law in their relations with each other, making them unlikely to go to war with each other.<sup>39</sup> As Kant argued, the republican constitution on which democracies are founded provides for "perpetual peace" both within and among states.<sup>40</sup> In his pathbreaking treatise, "Prolegomena to a Perpetual Peace", Kant, rightly considered the father of the Democratic Peace Proposition,<sup>41</sup> explained the pacific orientation of democracies on the basis that they not

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<sup>38</sup>Muravchik, 9.

<sup>39</sup>Ray, 1.

<sup>40</sup>See Immanuel Kant, 1795, "Perpetual Peace: A Philosophical Sketch," in Hans Reiss, ed. Kant: Political Writings, 2nd ed, ed. Hans Reiss (Cambridge: Cambridge University Press, 1991), 93-130.

<sup>41</sup>The basic idea in the proposition is that threats to world peace can be eliminated if most, if not all, states could be governed democratically because democratic states have peaceful relations with each other and rarely go to war with each other. For a succinct

only depend on popular consent and legitimacy which means that "they can only make wars that are perceived by the public as just", but that democracies also "lend themselves to the evolution of a community of like-minded neighbors."<sup>42</sup> These two properties, in addition to the fact that states disposed to respect the rights of individuals would respect the legitimacy of other countries similarly governed, make democracies converge into global "zones of peace."<sup>43</sup>

For the United States, therefore, the global spread of democracies serves security purposes at two levels. At the state level, democratic governance reduces conflicts and threats to peace, making it easier for the US to propagate its economic and diplomatic interests as a major power. At the international level, it minimizes the chances of war and instability. It is in the U.S. interest that peace and security prevails internationally because, as a superpower, it has its interests spread all over the globe. The U.S. has much to lose in an insecure world and more to gain in a world of democracies. A world populated with democracies is more friendly to the U.S.

Promotion of democracy has also been justified on economic grounds: that

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exposition of and discussion of the proposition, see Ray, David A. Lake, "Powerful Pacifists: Democratic States and War," American Political Science Review 86 (March 1992): 24-37, Nicholas G. Onuf and Thomas J. Johnson, "Peace in the Liberal World: Does Democracy Matter?" in Charles W. Kegley, Jr. Controversies in International Relations Theory: Realism and the Neoliberal Challenge, (New York: St. Martin's Press, 1995), 179-197, Bruce Russett, "Can a Democratic Peace Be Built?" International Interactions, 18, no. 3 (1993): 277-82, and Steve Chan, (ed.) "Democracy and War: Research and Reflection." International Interactions, 18, no. 3 (1993) (Special Issue).

<sup>42</sup>Paraphrased in Brad Roberts, "Democracy and World Order," in U.S. Foreign Policy After the Cold War, ed. Brad Roberts (Cambridge, Mass.: MIT Press, 1992), 299.

<sup>43</sup>Ibid.

democracies abroad have the promise of guaranteeing U.S. economic interests by creating conditions that conduce to American private and official economic interests. A number of critics argue that this is the main, if not the motivating, factor that leads the U.S. to intervene in other countries ostensibly to promote democracy. Vitalis,<sup>44</sup> for instance, argues that the current democracy initiative in U.S. policy is a direct result of the late 1980s' neoliberal "Washington Consensus" on Structural Adjustment which links economic liberalization to democratization. Moss<sup>45</sup> and Moore,<sup>46</sup> like Vitalis, also argue that the economic imperative is stronger than the democratic impulse in U.S. policy on democratization. To some critics, the linkage between democracy and free markets is just a mere rhetoric because, "in practice, the political and economic aspects of development has been disaggregated, and the latter has been given clear priority."<sup>47</sup> Promotion of democracy is thus, by and large, a means to an end, that is, to achieve economic interests.

The policy establishment has also lent credence to the notion that economic interests are at the core of the promotion of democracy policy. More often than not, initiatives on promotion of democracy are directly linked to U.S. economic interests.

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<sup>44</sup>See Robert Vitalis, "The Democratization Industry and the Limits of the New Interventionism," Middle East Report (March-June 1994): 46-50.

<sup>45</sup>Todd J. Moss, "U.S. Policy and Democratization in Africa: The Limits of Liberal Universalism," Journal of Modern African Studies 33, no. 2 (1995): 189-209.

<sup>46</sup>David Moore, "Reading Americans on Democracy in Africa: From the CIA to 'Good Governance'," The European Journal of Development Research 8, no.1(June 1996): 123-148.

<sup>47</sup>Malcolm J. Grieve, "International Assistance and Democracy: Assessing Efforts to Assist Post-Communist Development," Studies in Comparative International Development XXVII, no. 4 (Winter 1992): 98.



The Truman doctrine, for instance, was backed up by the Marshall economic plan. The motif of Kennedy's Alliance for Progress was economic in nature. Reagan's democratic initiative included specific programs to promote private, free-market enterprise. The Clinton administration's strategy of "Democratic Enlargement" aims, in part, "to strengthen the community of major market democracies (and) to foster and consolidate new democracies and market economies (emphases mine)."<sup>48</sup> In essence, it is a strategy for the "enlargement of the world's free community of market democracies."<sup>49</sup>

In sum, the U.S. has often proclaimed promotion of democracy as a foreign policy goal, and actually intervened in various countries to do so, for a number of related reasons: to establish hegemony in its backyard; to develop dependable allies; to secure a conducive environment for American business; and to reduce threats to U.S. national security both at its borders and abroad. However, these motivations for promotion of democracy also represent various competing goals of U.S. foreign policy.

The promotion of democracy is both a policy end and means. This double edged attribute is, however, a potential source of ambiguity and contradictions in policy implementation. As a policy end, promotion of democracy has to compete with other objectives while as a means it is sometimes not the appropriate one. It is not surprising, therefore, that commitment to promotion of democracy has over the years been determined by the nature of the competition between it and other policy goals, which, ironically, are also its motivations at the same time. The problem posed by the end-

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<sup>48</sup>Quoted in Godfrey Hodgson, 1993/1994, "American Ideals, Global Realities," World Policy Journal 10, no.4 (Winter 1993/1994): 2.

<sup>49</sup>Ibid., 1

means ambiguity in U.S. promotion of democracy in practice is aptly summarized by

Whitehead:

Where the promotion of democracy reinforces political stability, creates profitable business opportunities, and excludes rival powers from any real influence within a given territory, strong and sustained support for democratization may be expected from Washington. But if democracy promotion might destabilize a key ally (as in Mexico in 1988), if the local electorate supports parties or policies hostile to U.S. business interests (Guatemala, 1950, Chile, 1970, Brazil, 1989), if the "institutionalization of uncertainty" implied by an open democratic contest includes uncertainty over the future international alignment of a strategic neighbor (Jamaica, 1980) - in all such cases, both history and theory would suggest that Washington's commitment to the goal of democracy promotion could be expected to waver and that at least some part of the U.S. policy making apparatus would be tempted to disregard democratic niceties in pursuit of the more urgent goals.<sup>50</sup>

A critical examination of recent promotion of democracy efforts reveals a plethora of cases of conflicts between promotion of democracy and other foreign policy goals, especially those related to security and economic interests. However, there is an emerging tendency by the policy establishment to resolve such conflicts by conditioning promotion of democracy efforts on an intermediate factor, namely, the level of domestic clamor for democracy in various countries and regions. This strategy allows the U.S. to pursue promotion of democracy without sacrificing other important policy goals such as security and economic prosperity. According to this "semi-realist" strategy,

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<sup>50</sup>Laurence Whitehead, "The Imposition of Democracy," in Exporting Democracy: The United States and Latin America, ed. Abraham F. Lowenthal (Baltimore: The Johns Hopkins University Press, 1991), 358.

where U.S. economic and security interests correlate with the advance of democracy and a democratic trend is occurring, U.S. policy incorporates democracy promotion. Where U.S. interests necessitate working relationships with non-democratic governments and where no democratic trend is evident, U.S. policy largely eschews it.<sup>51</sup>

According to this policy logic, then, promotion of democracy "alternately surfaces and submerges depending on the context."<sup>52</sup> Hence, in the Middle East, where security and economic interests are fairly crucial but strong domestic push for democracy is lacking, promotion of democracy is not an important policy goal, but in Africa where there is a widespread domestic clamor for democracy and security and economic interests are minimal, promotion of democracy has been pursued more vigorously, and, even as an end in itself.<sup>53</sup>

#### **THE U.S. AND THE PROMOTION OF DEMOCRACY IN PRACTICE: THE PAST AS PROLOGUE**

U.S. intervention in the current democratic transitions in Africa and elsewhere is not a new phenomenon. This section assesses the historical record of the policy on the promotion of democracy by the U.S. By examining the literature on U.S. experience in the past, we hope to capture important insights about policy motivations, challenges, problems, failures, and successes with a view to appreciating the U.S. role in Kenya's democratic transition. We discuss U.S. experience in three epochs: the pre-WWII, the Cold War and the Post-Cold War. Each epoch posed new challenges and problems for

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<sup>51</sup>Carothers, "Democracy Promotion Under Clinton," 18-19.

<sup>52</sup>Ibid., 18.

<sup>53</sup>Ibid., 16-17.

the policy on promotion of democracy. In order to respond to the challenges and problems engendered by the dawn of a new epoch, U.S. foreign policy has always undergone reorientation of priorities and strategies. Such reorientation would no doubt have significant implications for policy on promotion of democracy in terms of whether it becomes a means or an end in itself. More significantly, the overall distribution of power and patterns of international relations at the global level at a given time influence whether more or less emphasis is placed on promotion of democracy, what methods to employ to influence democratic transitions, and which regions or countries rank high or low as targets for democratic intervention.<sup>54</sup>

#### **THE PRE-WORLD WAR II EPOCH: THE RISE OF AN ACTIVIST PROMOTION OF DEMOCRACY POLICY**

This epoch saw the crystallization and emergence of promotion of democracy in foreign policy. It was during this period that the first policy doctrines related to America's "democratic mission" appeared. The Monroe Doctrine, articulated by President James Monroe in 1823, explicitly identified the U.S. as the leader of a "New World" and the "protector of its newborn democracies."<sup>55</sup> In the 1840s came the Manifest Destiny which emphasized America's mission to "civilize" (read

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<sup>54</sup>Kegley and Wittkopf, 10, for instance, have observed that the U.S. has always become more assertive in its promotion of democracy policy after victories in major wars. Thus, the U.S.-led liberal democratic internationalist agenda for "making the world safe for democracy" acquired its currency after the American-inspired victory over the axis powers in the first World War. Victory in the second World War was similarly followed by bold and assertive democratization projects in the occupied countries of Japan, Germany, and Italy. And, indeed, after "victory" in the Cold War, America is pursuing promotion of democracy in an unprecedentedly assertive manner.

<sup>55</sup>Ralph M. Goldman, "The Democratic Mission: A Brief History," in Promoting Democracy: Opportunities and Issues, eds. Ralph M. Goldman and William A. Douglas (New York: Praeger, 1988), 4.

democratize) its neighbors. The theme of "democratic mission" in both doctrines, however, went hand in hand with those of national security and geographical predestination. Indeed, these doctrines appeared at the time when the United States was still consolidating itself territorially and politically. It is thus plausible to argue that the underlying motivation for the two doctrines was certainly not promotion of democracy but the consolidation and enhancement of the new nation's economic and security fortunes. Manifest Destiny, for instance, was, in reality, a policy for geographical expansion<sup>56</sup> while the Monroe Doctrine reflected America's desire to dominate the Western Hemisphere for strategic and economic purposes.<sup>57</sup> They were essentially expansionist policies, emphasizing national security, free enterprise and free trade. The democratic cause was only coincidentally carried along.<sup>58</sup> Democratic idealism was, in effect, being used to justify egoistic and selfish economic, political and security interests.

Even if the democratic mission was only tangential to the core of these doctrines and subsequent policy actions carried out in their name, they set an important precedent for promotion of democracy as a policy legitimating and ideological tool. For when, in the late 1890s and early 1900s, America began to actively intervene in other countries

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<sup>56</sup>It was within this framework that Alaska was purchased from Russia in the 1860s and much of the westward expansion of the U.S. territory accomplished.

<sup>57</sup>The national security imperative was underscored in President Monroe's message to Congress, the message which set forth the basis for the doctrine: "We owe it to candor and to the amicable relations existing between the United States and (European ) powers to declare that we should consider any attempts on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety," cited in Kegley and Witkopf, 36.

<sup>58</sup>Ibid., 9.

such interventions were rationalized and justified as part of the democratic mission.

These doctrines also signaled the inextricable linkage between national security and economic aggrandizement on the one hand, and promotion of democracy, on the other.

Democratic idealism has since provided a continuing ideological basis for most, if not all, of America's external engagements abroad.

The activist phase of U.S. "democratic" interventions abroad can be traced to the 1898 Spanish-American War triggered by U.S. military intervention in Spanish territories in central America ostensibly to stop abuse of human rights. At the end of the war, the U.S. established colonial sovereignty over the Philippines and gained suzerainty over Cuba. It also annexed Puerto-Rico. Upon taking control of these territories, U.S. embarked on programs to institute American-like political institutions. The "democratization program" was carried out more enthusiastically in the Philippines where the administration appointed Americans to govern the new colony. Even though the U.S. failed almost everywhere to institute democracy as it was known in America,<sup>59</sup> these early "democratization" efforts laid the foundation for the activist policy of promoting democracy abroad. America would no longer be content with promoting democracy merely by example but would actively intervene in other societies to mold them in its own (democratic) image.<sup>60</sup>

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<sup>59</sup>For detailed accounts of the failure of the U.S. democracy project in the Philippines and the negative impact of U.S. legacy on the democratization process in post-colonial Philippines, see William I. Robinson, Promoting Polyarchy: Globalization, U.S. Intervention, and Hegemony, (New York: Cambridge University Press, 1996), Tony Smith, Muravchik, and Raymond Bonner, Waltzing with a Dictator: The Marcoses and the Making of American Policy, (New York: Times Books, 1987).

<sup>60</sup>It is worth noting that for the large part of the 19th century, there were strong feelings, especially among some Founding Fathers, that America should not try to actively

Several military interventions were carried out in the Western Hemisphere, especially in the so-called “strategic backyard,” in the four successive decades of the 20th century.<sup>61</sup> Between 1906 and 1909, President Theodore Roosevelt sent U.S. forces to Cuba to “establish a stable government.” In 1912, the Taft administration sent U.S. troops to Panama to supervise elections. The most ambitious program to export democracy abroad in the early part of the century was, however, put in place by President Woodrow Wilson who sought to make the U.S. assume the responsibility of “making the world safe for democracy.” In an effort to foster constitutionalism, and, particularly, to “teach the South Americans how to elect good men,” the Wilson administration carried out a series of interventions in Mexico, Central America and the island of Hispania. Wilson ordered the occupation of Vera Cruz in Mexico in 1914, the intervention in Haiti in 1915 and the take over of the Dominican Republic in 1916. In most of these interventions, U.S. troops acted as police during and after elections.

Several conclusions may be made from this epoch. It demonstrates the connection between national interests and promotion of democracy. Democratic interventions began essentially as a national security strategy aimed at securing unchallenged hegemony over the Western Hemisphere, a “strategic backyard,” and to establish an environment conducive to U.S. economic interests. Even though at times, especially in the Wilson era, promotion of democracy appeared to be evolving into an

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intervene in other societies to instill democracy but should establish itself as a “city upon the hill” to be emulated by others. The argument was essentially that America should promote democracy by example and not by imposing it on others.

<sup>61</sup>For a tabulated summary of the major interventions carried out by successive U.S. administrations, see Kegley and Wittkopf, 41-42.

end in itself, “the primary U.S. goals were strategic protection and economic expansion, for which engineering democracy was normally a tool or a subordinate objective.”<sup>62</sup>

The decision to invade and occupy Haiti in 1915, for instance, was motivated largely by the desire to control the strategically important country and to reduce and eventually eliminate the German domination of its overseas commerce.<sup>63</sup> The primacy of the strategic and economic motives over promotion of democracy compelled Wilson to establish long-term relations with military governments in Nicaragua, Haiti, and the Dominican Republic, all countries subsequently notorious for their lack of democracy.<sup>64</sup>

During this epoch, apart from Wilson’s efforts to globalize the democratic mission, especially through his emphasis on his now famous “Fourteen Points,” promotion of democracy remained largely a policy for U.S. involvement in the Western Hemisphere. It was not until after the Second World War that the policy was truly globalized. This geographical limitation in policy application may be explained by the fact that the U.S. had not yet become a truly global power. Its influence was still limited. It may also have been because before the Second World War, U.S. policy makers did not view threats to America’s national security from a global perspective.

Military intervention was the dominant, if not preferred, method of intervention on behalf of democracy in this epoch. Other methods such as diplomatic lobbying and representations, as well as economic sanctions ( especially withholding of loans, trade

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<sup>62</sup>Drake, 7.

<sup>63</sup>David Nicholls, "Haiti: The Rise and Fall of Duvalierism," Third World Quarterly 8, no. 4 (October 1986): 1249.

<sup>64</sup>Whitehead, "International Aspects of Democratization," 6.



and customs receipts from “errant” regimes) may have been employed, but military intervention became the norm.<sup>65</sup> In fact, non-military methods were often used only as additional strategies.

U.S. policy makers also tended to embrace the institutional/constitutional dimension of democracy to the exclusion of other important aspects such as popular participation, protection of human and civil rights, and much more crucial, socio-economic structures. Even within this narrow institutional scope, only one aspect, elections, seemed to consume the democracy promotion efforts. Policy makers seemed to believe that electoral ascension to power would in itself ensure that democracy endured. The obsession with electoralism was one of the major shortcomings of the democratization policy as elections alone could not guarantee democracy. The military coup in Nicaragua which brought Anastasio Somoza to power in 1932 was a lesson that end. The coup deposed a government that had just been elected in elections supervised by U.S. marines. The Marines had been withdrawn by Hoover who had been satisfied that “the job had been done.”

A major contradiction that has continued to characterize the promotion of democracy policy emerged in this epoch as well, namely, that some of the interventions the U.S. carries out in the name of democracy are actually inimical to the growth of democracy in the target countries. Taft’s intervention in Mexico in 1913 is a case in point. After winning fairly clean elections in 1911 after the October revolution which had overthrown the dictatorship of Porfirio Diaz, the new president, the revolutionary Francisco Madero, faced opposition from the U.S. because of his seeming

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<sup>65</sup>Ibid., 8.

independence in running the affairs of the state despite his attempt to institute democracy in Mexico. The 1913 intervention which saw the U.S. align with Madero's opponents to successfully overthrow his government was the culmination of a series of U.S. -supported clandestine activities against the Madero government which had initiated some policies which, though popular with the Mexicans, ran against U.S. commercial interests.<sup>66</sup> This was an expression of U.S. willingness to thwart democratic processes if it perceived the elected government as a threat to American interests. Just before the coup, Madero's government had legalized trade unions, an act, which in the Taft administration's view, was not in the interest of U.S. business corporations in Mexico.<sup>67</sup> However, Wilson's intervention later to restore civilian rule atoned for Taft's anti-democratic intervention.<sup>68</sup>

### **THE COLD WAR EPOCH: ANTI-COMMUNISM OR PROMOTION OF DEMOCRACY?**

If promotion of democracy had become part and parcel of U.S. foreign policy, both as substantive policy and as a legitimating tool since President Wilson, the post-war international environment in which the U.S. emerged as one of the world's only two superpowers provided incredible incentives for the U.S. policy to further crystallize and perfect promotion of democracy both as a policy end and as a means to achieving other goals. But the post-War environment did not only provide opportunities: it also engendered constraints as far as policy implementation was concerned. Due to these

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<sup>66</sup>Enrique Krauze, "England, the United States, and the Export of Democracy," in The New Democracies, Global Change and U.S. Policy, ed. Roberts, 165-167.

<sup>67</sup>Ibid., 166.

<sup>68</sup>Ibid.

constraints, at no other time was the gap between rhetoric and reality in U.S. policy on democracy wider. It was also during this period that the U.S. extended its democratic mission beyond its backyard into areas as far flung as Europe and Asia.

As a super power, the U.S. had the economic, military, political, moral and diplomatic clout to play an assertive role in international affairs. Its hegemony was no longer confined to the Western Hemisphere. It could influence events almost anywhere in the world, checked only by the Soviet Union. Ideologically, its rival superpower, the Soviet Union, presented a threat to the liberal democratic values on which the U.S. Republic had been founded. And, indeed, the Cold War was, in large measure, ideological. Each of the superpowers would engage in a bitter competition to win adherents to their respective ideologies. Under these circumstances, the U.S. pursued its promotion of democracy policy with an unprecedented zeal. This is not, however, to suggest that the contradictions and other problems that had beset the policy in the previous epoch were gone. Some of these policy contradictions, inconsistencies and problems heightened throughout the Cold War era.

In the aftermath of the Second World War, and with the assumption of global responsibilities as a superpower, U.S. interests spread all over the globe and, indeed, its security interests went beyond the Western Hemisphere. Its interests were under threat from its adversary, the Soviet Union, and the communist bloc in general, not only in its backyard (what with the successful communist revolution in Cuba in 1959!) but also in Europe, Africa and Asia. Promotion of democracy remained, by and large, a convenient policy tool in the U.S. schemes to secure its economic, ideological and diplomatic interests. In order to gain geostrategic advantages over the Soviet bloc, it had to ensure

that countries that were geographically strategic became its allies. It was Washington's belief that countries whose political systems were based on American democratic values were more likely to uphold U.S. interests than those that espoused communist values. Hence the need to intervene in those countries to influence their internal politics and to prevent the flow of the "Red Flood", that is, communist influence.

However, the expansion of America's power and sphere of influence engendered serious dilemmas for promotion of democracy as a policy goal. As Whitehead explains, "America as a greater global power (had) to contend with greater diversity of allies and less communality of outlook apart from that created by a shared perception of an external threat."<sup>69</sup> The implication of this situation for the democratization policy was that America had vital interests in some non-democratic countries but "where any attempt to promote democracy would tend to prove quite destabilizing."<sup>70</sup> The U.S. sometimes had no option but to shore-up authoritarian regimes.

In this section, U.S. policy on promotion of democracy in the Cold War era is analyzed regionally. It has to be emphasized, however, that the major focus of U.S. promotion of democracy policy still remained Latin America. However, it would be inappropriate to ignore U.S. democratization policy in other parts of the world, especially in Europe and Japan. U.S. policy toward Africa is also reviewed, not because the U.S. consciously pursued a pro-democracy policy there, but because it would be interesting to see how U.S. policies in Cold War Africa affected democratization on the

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<sup>69</sup>Whitehead, "International Aspects of Democratization," 43.

<sup>70</sup>Ibid., 39.

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<sup>69</sup>Whitehead, "International Aspects of Democratization," 43.

<sup>70</sup>Ibid., 39.

continent.

### **The U.S. and Democratic Transitions in Japan, Italy and Southern Europe**

In Europe, major policy initiatives were taken to ensure that as many important countries as possible became "democratized." The Truman Doctrine spelt out the imperative for the defense of democracy in Europe while the Marshall Plan of 1947 sought to economically bolster democratization efforts in Western Europe. But the most ambitious U.S. efforts at democratization immediately after the Second World War came with the intervention in the democratic transitions in the defeated Axis powers, Italy, Germany and Japan. Even though other occupation powers like Britain also played a role in the post-war transition to democracy in these three countries, the U.S. appeared to have played the key role and to have had the greatest influence.

Post-war Japan is usually pointed out as a U.S. policy success in the area of promotion of American democratic values.<sup>71</sup> Indeed, of all the formerly occupied territories where the U.S. exercised authority either collectively with other occupying forces or individually, it has been noted that "Japanese democracy bears a more indelible American mark."<sup>72</sup> Responding to President Truman's instruction that "the primary duty of American occupying authorities of Japan (and Germany) was to convert these two defeated, militaristic countries into stable democracies,"<sup>73</sup> General

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<sup>71</sup>For a detailed discussion of U.S. role in the democratic transition in post-war, Japan, please see Muravchik.

<sup>72</sup>Tony Smith, America's Mission: The United States and the World Wide Struggle for Democracy in the Twentieth Century, (Princeton, NJ: Princeton University Press, 1994), 29.

<sup>73</sup>Ibid., 155.

MacArthur, the head of U.S. occupation forces, took charge of the transition, and, though exercising power indirectly through the Japanese monarchy, initiated many democratic changes.

America's role in the Japanese democratic transition was so assertive that at the end of occupation in 1952, despite the survival of the Japanese monarchy and other traditional political institutions such as the Diet, Japan had been "molded in America's political image," at least formally. To create an enabling environment for the flourishing of "democratic" values, General MacArthur had purged from public life all key officials associated with non-democratic and militaristic practices in the pre-War period. He oversaw the drafting of a new constitution that provided for a wide range of civil liberties, including an American-type Bill of Rights. New electoral and labor laws were enacted. American influence on the evolution of post-war democracy in Japan was so great that long after the departure of the occupation forces in 1952, American influence on Japanese political and socio-economic life continued to resonate.

If post-War Japan exemplifies the assertive and direct intervention in transitions to democracy by the Americans, Italy's post-war transition from fascism to parliamentary democracy in the period 1943-1948 is a study in how the U.S. could indirectly influence domestic political battles in the direction that it favors without playing a more direct role. For the outcome of the 1948 elections which produced the first democratically chosen national government after the fall of the fascists in 1943 was, in large part, influenced by U.S. policy. In Italy, like in Germany and Japan, the U.S. emerged as the most influential external power and it took the lead in setting the

parameters for the internal transition to competitive politics.<sup>74</sup>

However, whereas in Germany and Japan the principal motivation for the U.S. was the desire to demilitarize and democratize the politics in those two countries with a view to making them more peace-oriented, in Italy, where the U.S. had had no prior official involvement and was even initially reluctant to play a more assertive role after Mussolini's fall, the decision to influence the internal transition process was largely motivated by Cold War imperatives. At stake was Italy's geostrategic significance in the escalating superpower rivalry and the rising influence of communist elements in Italian domestic politics. The prime motive was to ensure that Italy remained in the U.S. bloc and that its government was controlled by forces sympathetic to the U.S. As Leonardi observes, "when U.S. policy makers turned their attention to Italian politics, they often did not think of Italian political developments in their own terms but consciously considered America's position vis-a-vis the Soviet Union."<sup>75</sup> The U.S. sought to halt "the 'Red Flood' before it could trickle and flow into Italy (and) Western Europe."<sup>76</sup>

The Italian case set a pattern that has since replicated itself in U.S. intervention in democratic transitions over the years. In particular, the focus on elections as an avenue of influence has been an important feature of U.S. policy on promotion of democracy abroad. In the Italian case, the U.S. consciously supported the Christian

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<sup>74</sup>Robert Leonardi, "The International Context of Democratic Transition in Post-War Italy: A Case of Penetration," in Encouraging Democracy, ed. Pridham, 64.

<sup>75</sup>Ibid., 71.

<sup>76</sup>John Lukacs, A New History of the Cold War, (Garden City, NJ: Doubleday, 1966), 80.



Democratic Party (DC) against other parties which it felt did not share its geostrategic and ideological concerns. Having singled out the DC for support, the U.S. extended to its leader, De Gasperi, material and moral support in his campaign in the 1948 elections. In a psychological move to show where its sympathies lay, the U.S. invited Gasperi for an official visit to Washington. This was a big boost for Gasperi because everyone in Italy knew the significance of continued U.S. economic support for Italy: "It was necessary to shore up the Gasperi government as much as possible, so that it could present itself to the Italian electorate as the only guarantee of continued support for the economic and social reconstruction of the country."<sup>77</sup>

In a blatant attempt to influence the outcome of the elections, the U.S. made it clear that the loans, food relief and economic concessions it had pledged could only be forthcoming if the DC and its other conservative allies won the elections and formed the government. The emphasis on the electoral outcome was also necessitated by the February 1948 communist coup in Czechoslovakia in the wake of an imminent loss by the communist party in that country's elections.<sup>78</sup> In the end, Gasperi and his allies won the elections.

The Italian case is also significant to the extent that it set another equally important pattern in U.S. intervention in democratic transitions abroad in the Cold War era: the tendency to support conservative, moderate forces and the emphasis on stability and gradual change. It was apparent that the U.S. supported the DC and other centrist parties against the leftist, mass-based parties because the latter's agenda appeared too

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<sup>77</sup>Leonardi, 76.

<sup>78</sup>Ibid., 75.

revolutionary; their policies would negate the logic of a “natural evolution toward democratic forms of government” in which the U.S. believed.<sup>79</sup> The DC had mobilized conservative forces that favored the evolutionary rather than revolutionary approach to change.<sup>80</sup> America’s disdain for revolutionary, mass parties was based on the assumption that they were more prone to communist influence and that their approach to change was a recipe for chaos and instability. Hence, the practice has been to support liberal conservative, centrist and reform parties that would ensure orderly economic and political change. Such parties, it is contended by policy makers, are more likely to be sympathetic to American interests. The implication of this for U.S. policy in general is that where the U.S. has intervened in democratic transitions, U.S. support has often meant sponsorship of or alliance with specific “pro-American political parties and interest groups in opposition to other groups and parties.”<sup>81</sup>

Apart from post-war transitions in Italy and Japan, U.S. involvement in democratic transitions in Europe in the Cold War era was not extensive. However, because of the paramountcy of geostrategic interests, the Americans continued to show interest mainly in those countries in the Mediterranean region, in southern Europe in particular, especially during the democratic transitions of the 1970s. As Tovais observes, the Mediterranean countries which formed NATO's Southern flank, continued to be of paramount geostrategic interest to the US:

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<sup>79</sup> See Norman Kogan, *Italy and the Allies*, (Cambridge, MA: Harvard University Press, 1956), 99-101.

<sup>80</sup>Leonardi,70.

<sup>81</sup>Mark Peceny, “Two Paths to the Promotion of Democracy During U.S. Military Interventions,” *International Studies Quarterly* 39 (1995): 375.

the Southern flank of NATO has been considered second in importance after the Central European front. In the strategy of countering an attack from the East, it seemed very important that Greece and Turkey, controlling straits or islands, functioned as a 'minefield' for the Soviet Navy, Army or Air Force, thus neutralizing any temptation to circumvent the Central Front by attacking through the Balkans.<sup>82</sup>

The significance of the Mediterranean region was also strengthened in the 1970s by the oil crises of 1973 and 1979 which required that the U.S. take initiatives on its own to secure its interests in the region.

But the scale of U.S. involvement in these transitions of the 1970s and 1980s was very low compared to that in Italy, Japan and Germany in the immediate post-war period. The decision by the U.S. to go slow in other European countries may have been necessitated by the fact that the European Union and the European Economic Community (EEC) also applied pressure on their own on non-democracies in Western Europe to democratize. For instance, the EEC required potential members to institute democratic reforms before being admitted and this in itself served as a motivation for countries such as Greece, Spain, Portugal and Turkey to institute democratic reforms. The U.S. still found it appropriate, though, to try to influence democratic transitions in cases where its geostrategic interests appeared to be at stake, especially when the fate of agreements on military bases appeared to hang in the balance due to uncertainty in the domestic politics of the country in question. Also, U.S. initiatives were in most cases in response to internal democratic impetus within those countries and to international events.

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<sup>82</sup>Alfred Tovais, "US Policy towards Democratic Transition in Southern Europe," in Encouraging Democracy, ed. Pridham, 177.

The democratic transitions in Portugal, Spain, Greece and Turkey in the 1970s and 1980s are significant insofar as they affirm the hypothesis that in case of conflict between promotion of democracy and other important national goals, especially national security, the latter would prevail, and, that, some times, the U.S. would break ranks with other actors to shore up the authoritarian regime in question. The U.S. response to the 1980 military coup in Turkey amply affirms this proposition. For while the EEC froze all aid to Turkey in a bid to force the military to hand over power to a democratic government, the U.S. increased aid to Turkey and refused to condemn the coup.<sup>83</sup>

Since national security concerns were paramount during the Cold War, the four countries, due to their geopolitical significance for U.S. security interests in southern Europe, were spared the pressure by the U.S. to democratize:

As the Cold War deepened, so long as Spain, Portugal, Greece, and Turkey made themselves reliable allies in the global contest with the Soviet Union, they would not be placed under irresistible pressure to “democratize” in the same way applied to the former Axis powers.<sup>84</sup>

In the Spanish case, for instance, the U.S. attached more value to the 1953 base agreements<sup>85</sup> with the Franco regime, choosing to ignore the latter's reluctance to institute democratic reforms. While the E.C. members isolated Spain and conditioned

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<sup>83</sup>Whitehead, “International Aspects of Democratization,” 34.

<sup>84</sup>Ibid., 32.

<sup>85</sup>These agreements which assured the U.S. access to the Canary Islands and the air bases around it, completed the circle of U.S. domination of eastern Atlantic, the straits of Gibraltar and the Mediterranean. Thus, the Soviets were shut off this important strategic area.

its membership on Franco's willingness to initiate a transition to democracy, and Norway vetoed Spain's entry into NATO because it was not democratic, the U.S. maintained a cordial relationship with Spain, even helping it out of diplomatic isolation by ensuring Spain's admission into the UN in 1955 and membership in the World Bank, IMF and the OECD in the early 1960s.<sup>86</sup> Thus the U.S. was willing to ignore Spain's democracy deficit because of that country's assigned role in U.S. policy within the Cold War framework. Even though the U.S. attempted to use its partnership with Spain to nudge the regime to initiate democratic reforms, U.S. efforts in this respect were only lukewarm and had no real impact. Indeed, the democratic reforms carried out later by Franco and his successor, King Juan Carlos, had more European input than they had American. Apart from giving moral support to King Carlos and other democratic forces in Spain, the U.S. did not take any initiative on its own to induce a democratic transition in Spain.

The triumph of geostrategy over promotion of democracy was expressed even more unequivocally in U.S. policy toward Greece and Portugal. In Greece, where the possibility of a communist take-over was very real in the 1940s owing to the strong communist movement in the country, U.S. policy exhibited inconsistencies and contradictions as far as promotion of democracy was concerned. On paper, the Truman Doctrine had explicitly tied U.S. aid to Greece to movement toward democracy. The doctrine even made explicit the characteristics that would qualify Greece as a democracy, and, therefore, entitled to aid against a communist insurgency: the will of

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<sup>86</sup>Jonathan Story and Benny Pollack, "Spain's Transition: Domestic and External Linkages," in Encouraging Democracy, ed. Pridham, 131.

the majority, free institutions, representative government, free elections, guarantees of individual liberty, freedom of speech and religion, and freedom from political repression.<sup>87</sup> Yet U.S. subsequent policy towards Greece in the next four decades showed a conspicuous lack of commitment to these conditions. And, for the most part, “Greek beneficiaries of the doctrine were right wing leaders associated with military dictatorship.”<sup>88</sup> Despite the “democracy” clause in the NATO charter, the U.S. moved quickly to ensure Greece’s membership by 1952, non-democratic tendencies in Greece notwithstanding.<sup>89</sup> In a move that clearly ran counter to the democratic evolution of Greece, the U.S. supported the April 1967 military coup by Greek colonels on the eve of the May 1967 elections whose outcome, in the U.S. assessment, would have led to the formation of a government unsympathetic to the U.S. and NATO.<sup>90</sup> As the Western European countries, through the EEC, were applying pressure on the military regime to return Greece to parliamentary democracy, the U.S. decided to resume military aid to Greece in 1970. While the European countries took measures to diplomatically isolate the military regime, the U.S. continued to bless the military dictatorship with high level visits by top U.S. officials, including one by Vice-President Agnew in 1972.

In Portugal, Washington decided to influence the outcome of the post-coup

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<sup>87</sup>Whitehead, “International Aspects of Democratization”, 5.

<sup>88</sup>Ibid., 6.

<sup>89</sup>Susannah Verney and Theodore Couloumbis, “State-International Systems Interaction and the Greek Transition to Democracy in the Mid-1970s,” in Encouraging Democracy, ed. Pridham, 106.

<sup>90</sup>Ibid., 106.

transition through West Germany by giving material and moral support.<sup>91</sup> Unlike in Italy almost three decades earlier, the U.S. decided to play no role in the September 1974 and April 1975 elections. In any case, the U.S. had excellent relations with the pre-coup Caetano regime as undemocratic as it appeared to be. Like in other Mediterranean countries, supporting democracy in Portugal was not so much as a priority as to ensure that Portugal played its role in U.S. global strategy. Thus U.S. policy toward Portugal in the post-War period had been largely determined by Portugal's geostrategic value. Portugal's geostrategic significance was demonstrated in the 1973 Arab-Israeli War when the Caetano government granted U.S. planes en route to Israel access to Lajes in the strategically placed Azores Islands.

### **The US and Democracy in Cold-War Latin America**

The Western Hemisphere, for obvious reasons, remained the major focus of attention. If U.S. promotion of democracy initiatives in the pre-World War II era had been confined to the Western Hemisphere for strategic and economic reasons, the Cold War added fresh challenges which required even more concerted efforts by Washington to maintain and increase its influence there. If the Soviets threatened U.S. interests in Europe, the stakes were much higher in the Western Hemisphere as they involved the very survival of the U.S. as a country. Strategies had to be devised to contain the communist threat and to check the flow of the red flood in the U.S. own backyard. Again, promotion of democracy, for reasons already discussed, became a convenient

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<sup>91</sup>For a good analysis of the involvement of international actors in Portugal's democratic transition after the 1974 military coup which overthrew the Caetano regime, see Walter C. Opello, "Portugal: A Case Study of International Determinants of Regime Transition," in *Encouraging Democracy*, ed. Pridham, 84-102.

policy tool. For decades, the U.S. would intervene in the internal political affairs of virtually every country in Latin America with the stated objective of promoting democracy.

While the Cold War presented opportunities and motivations for democratic interventions in the Western Hemisphere, it also engendered problems and dilemmas for U.S. policy makers in the region with significant implications for the credibility and consistency of the policy on promotion of democracy. For instance, because of the emphasis on anti-communism, the U.S. sometimes, if not often, found itself taking measures that thwarted democracy instead of encouraging it, especially when democratic forces in a particular country were perceived to be hostile to U.S. interests.

Even though U.S. policy on democratic transitions in Cold War Latin America was influenced by anti-communism, and therefore, exhibited some consistency in basic orientation and policy objectives, administrations throughout the Cold War sometimes differed in respect of strategies, the extent of commitment, and the emphases put on promotion of democracy. This is not surprising given the tendency for each U.S. administration to coin its own "doctrine" or policy initiative on inauguration. While some administrations pursued policies that gave promotion of democracy less prominence, in rhetoric or practice, ( Eisenhower, Johnson, Nixon-Ford), some clearly elevated promotion of democracy to the center of their Latin America policy ( Kennedy, Carter, Reagan). This is not to say, however, that the latter category did more to encourage democracy in the region, but to emphasize that they differed from the former in the sense that their policies reinvigorated democratic idealism in U.S. foreign policy. For the purposes of an orderly discussion, U.S. policy on democratic transitions



in the region is analyzed on the basis of policy behavior of each administration from Truman (1944- 1953) to Reagan (1981-1988).

The onus of charting the course of American policy in Latin America in the Cold War environment fell on the Truman administration. Many of the policy initiatives mooted by the administration continued to shape U.S. Latin America policy as long as the Cold War lasted, especially with regard to promotion of democracy. The Truman Doctrine on anti-communism, for instance, made promotion of democracy in Latin America a secondary policy goal. And when democracy entered the equation at all, it was either to serve as a rhetorical support valve for real interests, largely defined in anti-communist terms, or it was interpreted in a manner to suit U.S. interests, especially to shore-up stable regimes friendly to American interests.<sup>92</sup> As one scholar has observed,

In the new conditions of the Cold War the struggle against communism worldwide, including Latin America, and the threat communism (and behind it the Soviet Union) posed to the strategic and economic interests of the U.S. inevitably had priority over efforts to promote democracy in Latin America. Democracies might still be preferable to dictatorships in the abstract, but if dictatorships proved more effective at dealing with communism they might be preferable to democracies.<sup>93</sup>

Thus the U.S. was willing to trade off democracy when it conflicted with the demands of the Containment policy. That fighting communism was a priority over encouraging democracy in Latin America and elsewhere during the Truman administration is testified to by a memo from George Kennan, the Director of Policy Planning in the

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<sup>92</sup>Smith, 182.

<sup>93</sup>Leslie Bethel, "From the Second World War to the Cold War: 1944-1959," in Exporting Democracy: The United States and Latin America, ed. Lowenthal, 64.

State Department which said, *inter alia*,

Where the concepts and traditions of popular government are too weak to absorb successfully the intensity of the communist attacks, then we must concede that harsh government measures of repression may be the only answer: that these harsh measures may have to proceed from regimes whose origins and methods would not stand the test of American concepts of democratic procedure, and that such regimes and such methods may be preferable alternatives, and indeed, the only alternatives to further communist success.<sup>94</sup>

Thus the Truman administration's major pre-occupation in Latin America was with building up stable anti-communist regimes. But democratic idealism still found its way into policy documents and initiatives. Thus, promotion of democracy was emphasized in the American-led Organization of American States (OAS) treaty signed in 1948. The apparent gap between rhetoric and actual behavior which has perennially dogged U.S. policy on promotion of democracy abroad was perhaps reinforced in Truman's era more than any other before it. Adopting the non-interventionist approach of the Roosevelt years before him, Truman ignored the clearly anti-democratic military coups in Peru (1948), Venezuela (1948), El Salvador (1948) and Bolivia (1948) and speedily recognized the new military governments, despite having spearheaded the democracy-coated OAS in the same year.<sup>95</sup> The administration lifted a ban on arms sale to the Trujillo regime in the Dominican Republic in 1947 selling to it arms.

If the Truman administration gave democracy short shrift by deciding not to intervene on behalf of democratic forces threatened by right-wing dictatorial forces, its successor even went further to intervene, not on behalf of democracy but against it. In

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<sup>94</sup>Quoted in *Ibid.*, 65.

<sup>95</sup>Whitehead, "International Aspects of Democratization," 36.

1954, for instance, the U.S. engineered the overthrow of the democratically elected Jacobo Arbenz government in Guatemala despite Arbenz' ambitious commitment to constitutional and democratic reform.<sup>96</sup> The decision to undermine Arbenz' government underlined the truism that in the event of a clash between promotion of democracy and protection of U.S. interests priority was given to the latter. The Eisenhower administration acted, in part, to protect the American United Fruit Company which faced threats from the Arbenz' government. When several local pro-democracy forces in the Caribbean mobilized the "Caribbean Legion" to overthrow the dictatorial regimes in Nicaragua and the Dominican Republic, the Eisenhower administration sought to thwart their attempts without any pro-democracy initiatives of its own.<sup>97</sup>

The Kennedy administration (1961-1963), while maintaining the strong anti-communist stance of the Truman and Eisenhower administrations before it, gave promotion of democracy in Latin America fresh impetus. In fact, in the literature on U.S. Latin America policy, the Kennedy administration is regarded to have made "probably the most sustained explicit attempt since the late forties to foster democracy in the third world."<sup>98</sup> To underscore its commitment to democracy, the administration, for instance, protested against Haiti's Duvalier regime's brutality and corruption by terminating most of U.S. aid. Although the two successive administrations (Johnson and Nixon/Ford) later relaxed the pressure on Duvalier to democratize, Kennedy's

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<sup>96</sup>Smith, 192.

<sup>97</sup>Abraham F. Lowenthal, "The United States and Latin American Democracy: Learning from History," in Exporting Democracy: The United States and Latin America, ed. Lowenthal, 387.

<sup>98</sup>Whitehead, "International Aspects of Democratization," 37.

efforts set the foundation for pro-democracy initiatives undertaken later by Carter, and, to some extent, by Reagan.<sup>99</sup> U.S. diplomatic and economic pressure was also instrumental in reinstating civilian rule in Peru in 1962 after a military coup.<sup>100</sup>

The Kennedy administration is, however, better remembered for its seminal Alliance For Progress in Latin America. The gist of the program was that democratic practices thrived in favorable socio-economic conditions. Resembling the Marshall Plan for Europe, the program hoped to inject about US\$ 20 billion sourced from both public and private sectors in the U.S. into Latin American countries in the belief that improved economic and social conditions would induce and sustain democracy in the long-term. The program, however, failed to make any recognizable impact due to indecisive implementation, the failure to address fundamental issues of social and economic relations within specific countries, the ill-conceived conceptual framework linking economic development to political development, and the lack of local forces committed to real democracy.<sup>101</sup>

Despite the administration's strong credentials compared to its two predecessors in the area of promotion of democracy in Latin America, it exhibited the same ambivalence that had characterized promotion of democracy policy ever since. Its commitment to democracy was not consistent and appeared to be conditional. The administration appeared to favor military governments and in some cases, like in Brazil

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<sup>99</sup>Nicholls, 1250.

<sup>100</sup>The Kennedy administration suspended diplomatic relations and froze economic and military aid, forcing the military rulers to restore constitutional government in less than a year.

<sup>101</sup>Smith, 235.

and the Dominican Republic, welcomed military coups against constitutionally elected regimes so long as they brought to power forces friendly to the U.S.<sup>102</sup> The inconsistencies are, however, easy to explain given the continuing concern about communist influence in the Western hemisphere which strengthened geopolitical realism as the guiding thread of U.S. policy. It is to be remembered also that Kennedy's election came only two years into the 1959 Cuban revolution which catapulted the self-confessed communist, Fidel Castro to power. The speed with which the Soviet Union appeared to be entrenching itself in the island, only 90 miles away from the U.S. coast, was alarming. In order to pre-empt another Cuba, U.S. policy gave priority to anti-communism with concern for democracy being made conditional upon the ability, readiness and willingness of a particular regime to play the role of bulwark against communist and Soviet influence in the region.

The Johnson administration (1963-1968) was indifferent, if not explicitly uncaring, about democracy in Latin America. It not only embraced clearly undemocratic regimes, sometimes, like in the case of Brazil in 1964, directly supporting military coups against civilian governments thought to be incapable of safeguarding American interests, but also publicly disavowed promotion of democracy as a policy priority in the region.<sup>103</sup> Indeed, despite being embarrassed by authentic reports of serious cases of human rights violations in Haiti, the administration reversed

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<sup>102</sup>Whitehead, "International Aspects of Democratization," 7.

<sup>103</sup>The "Mann Doctrine", named after the Assistant Secretary of State Mann, for instance, made it clear that the U.S. policy in Latin America would no longer focus on transitions to democracy.

its predecessor's sanctions and extended military aid to the Duvalier regime.<sup>104</sup>

Encouraged by American acquiescence, Duvalier declared himself president for life in 1964.

If the Johnson administration's policy on Latin America ignored democracy concerns, the Nixon/Ford administration ( 1969-1976) made no pretenses about its disdain for the role of democratic idealism in U.S. foreign policy.<sup>105</sup> Determined to avoid a repeat of Cuba in the region, and following the breakdown of Alliance for Progress efforts, the new administration followed the recommendation of its commission, the Rockefeller Report, that the U.S. step up military and security assistance and training programs to modernize the armed forces and security apparatuses in Latin American military governments which were the "last best chance."<sup>106</sup> In any case, the fervor with which the foreign policy establishment under the tight control of Secretary of State Henry Kissinger, himself an avowed realist, pursued geopolitical realism in any case could not, by matter of fact, leave any room for such idealistic endeavors as promotion of democracy.

The enthusiasm with which the U.S. courted right-wing authoritarian regimes and Washington's willingness to overtly undermine democratic regimes in the region during Nixon's tenure seemed to portray America as "the champion of authoritarianism

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<sup>104</sup>Brenda G. Plummer, "Haiti," Encyclopedia of U.S. Foreign Relations, (1997), 275.

<sup>105</sup>Smith, 208.

<sup>106</sup>Robinson, 145.

in the Americas."<sup>107</sup> Economic assistance to Haiti which had been suspended by Kennedy because of nondemocratic practices was restored and Haiti was once again embraced as a member of the "free world" despite glaring ant-democratic practices by the Duvalier regime.<sup>108</sup> The administration openly backed the 1973 military coup Uruguay, and actually helped in the planning and execution of the military coup against the popularly elected government of Salvador Allende of Chile in 1973.<sup>109</sup> General Augusto Pinochet, Washington's point man, who staged the coup proceeded to preside over one of the most brutal dictatorships in the Western hemisphere. Overall, the Nixon-Ford administration was one of the most retrogressive on the issue of promotion of democracy. Even the minimal diplomatic efforts in the twilight year of Ford's presidency to nudge Nicaragua's Somoza into curtailing some of the excesses of the National guard were not the administration's own initiative but were in token response to Congress' growing concerns about human rights violations in that country and

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<sup>107</sup>Abraham F. Lowenthal, "The United States and Latin American Democracy: Learning From History," in Exporting Democracy, ed. Lowenthal, 389.

<sup>108</sup>Nicholls, 1250.

<sup>109</sup>Salvador Allende, a self-confessed socialist, won the popular vote in 1970 and appeared to be genuinely interested in establishing popular democracy in Chile. He, however, enacted economic policies which, though aimed at improving the lot of Chileans, ran counter to American business interests in the country For this reason and U.S.' fear that he might be another "Castro," Washington mounted a massive destabilization campaign against his government the climax of which was the 1973 coup. Indeed, despite the fact that he was popularly elected, Kissinger had described his election as "a fluke in the Chilean political system...and..a break from Chile's long democratic history." (See Henry Kissinger, The White House Years (Boston: Little, Brown, 1979), 654. For a detailed account of U.S. policy on Chile, especially how it helped in the erosion of democracy in that country, see Robinson, Promoting Polyarchy.

elsewhere in the region.<sup>110</sup> Congress had passed legislation tying economic assistance to human rights in the 1973 Foreign Assistance Act.

The election of Jimmy Carter as president (1977-1980) reinvigorated promotion of democracy as a major policy concern in U.S.-Latin American relations. This was an expected development given Carter's emphasis on human rights as the cornerstone of his administration's foreign policy and the prevailing mood in Congress which had become more and more concerned that the U.S. was consorting with regimes that violated democratic principles in general and human rights, in particular. Carter's foreign policy, especially in the early years of his administration, was also in principle disinclined to support authoritarian and dictatorial regimes in Latin America due to its de-emphasis on geopolitical realism as the modal determinant of U.S. policy in the Third World. According to the Carter Doctrine, U.S. relations with third world countries would no longer be premised solely on the East-West paradigm which had judged them according to their geostrategic roles in U.S. anti-soviet or anti-communist strategy. Carter, in fact, had indicated early in his administration that his foreign policy would be guided by pragmatism rather than by "the inordinate fear of communism that led us to embrace any dictator who joined us in that fear."<sup>111</sup> In any case, the Carter administration believed that internal conditions within some third world countries acted as the main stimuli for communist influence. This belief flowed naturally from Carter's

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<sup>110</sup>Morris H. Morley, Washington, Somoza and the Sandinistas: State and Regime in U.S. Policy Toward Nicaragua, 1969-1981, (New York: Cambridge University Press, 1994), 305.

<sup>111</sup>Quoted in Morris J. Blachman and Kenneth Sharpe, "De-democratizing American Foreign Policy: Dismantling the Vietnam Formula," Third World Quarterly 8, 4 (October 1986): 1278.



insistence that power and principle went together and that "democratic morality and national security are mutually supportive."<sup>112</sup> Indeed, one of the most important legacies of the administration was the "unambiguous conviction that authoritarian governments were poor custodians of American interests abroad."<sup>113</sup> Hence the administration linked assistance for dependent governments to progress toward democracy.<sup>114</sup>

Strongly committed to these broad principles and buoyed by fresh Congressional initiatives,<sup>115</sup> the administration was to pursue a rigorous pro-democracy policy in Latin America, at least in its first two years in office. It reversed Nixon's decision to resume economic assistance to Haiti, redesigning aid to reach only the neediest people in the country whose regime was considered repressive.<sup>116</sup> In 1978, diplomatic pressure from Washington was instrumental in dissuading the right-wing regime in the Dominican Republic from stealing an election it had clearly lost to the opposition. Indeed, the Carter administration's success in the Dominican election saga "demonstrated that the U.S. could use its geopolitical and economic power to thwart nondemocratic forces trying to impede a democratic transition process."<sup>117</sup> It also

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<sup>112</sup>Smith, America's Mission, 264.

<sup>113</sup>Ibid.

<sup>114</sup>Plummer, 275.

<sup>115</sup>Congress, in 1978, for instance, added section 116 © to the Foreign Assistance Act of 1973, authorizing USAID to carry out programs to promote civil and political rights abroad.

<sup>116</sup>Plummer, 275.

<sup>117</sup>Juan J. Linz and Stepan, Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe, (Baltimore: The Johns Hopkins University Press, 1996), 74.

applied pressure on the Haitian regime to democratize.

The administration also imposed an embargo on arms sales to Nicaragua and applied pressure on other countries to follow its lead. The arms embargo was part of an orchestrated diplomatic pressure on the Somoza regime to acquiesce to demands for democratic reforms. Amidst an onslaught on Somoza's regime by the Sandinista guerillas, the U.S. stepped up diplomatic pressure on him to institute reforms. In a move that thoroughly undermined Somoza's legitimacy, the new U.S. ambassador refused to submit his credentials to Somoza and called for a transitional government that would include representatives of the guerillas.<sup>118</sup> U.S. policy, even though more accomodationist, was instrumental in the fall of Somoza's dictatorship in 1979 following the military victory of the Sandinistas. The contribution of the Carter administration to the ending of the Somoza dictatorship is aptly recognized by one of its critics who ironically blamed the administration for having aided the "communist" take-over by the Sandinistas, noting that "After the Somoza regime had defeated the first wave of Sandinista violence, the U.S. ceased aid, imposed sanctions and took other steps which undermined the state and the credibility of the government in domestic affairs."<sup>119</sup>

Apparently, even the Carter administration, despite having been relatively democracy -friendly in its Latin American policy, could not escape the dictates of geopolitical realism. It occasionally took measures that neutralized even the modest

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<sup>118</sup>Jean Kirkpatrick, "Dictatorships and Double Standards." Commentary 68, no. 36 (1979): 36.

<sup>119</sup>Ibid.

efforts it had made in initiating transition to democracy. Nicaragua was a good example of such policy incoherence and inconsistencies:

termination of aid in 1977 (was) followed by the release of twelve million dollars in military aid in 1978; criticisms of human rights abuses by Anastasio Somoza and the National Guard in 1977 but praise for Somoza's performance in that area in 1978 and efforts to prevent the destruction of the National Guard; the encouragement of democratic reform that would end the dictatorship but the reluctance to push Somoza out when his days were clearly numbered.<sup>120</sup>

If Nicaragua exemplified policy inconsistencies, it was also a case study in one other weakness in U.S. policy on democratic transitions, namely, the belief by policy makers that the U.S. could "combine support for our more authoritarian allies and friends with the effective promotion of human rights within their countries."<sup>121</sup> Indeed, Carter's "efforts to preserve the brutal National Guard appear on the surface as contradictory to Carter's stated human rights policy."<sup>122</sup> It further revealed the limits of crisis diplomacy as an instrument for influencing democratic transitions, especially when the external actor, in this case the U.S., places too much trust in an incumbent leader's willingness to initiate and participate in the transition as the U.S. did in Somoza.<sup>123</sup> The lesson was that very rarely, if at all, can a long-standing dictator initiate and sustain a meaningful democratic transition process which, in any case, demands his removal as a pre-condition for success. This is an important observation for the

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<sup>120</sup>Martha L. Cottam, "The Carter Administration's Policy toward Nicaragua: Images, Goals, and Tactics," Political Science Quarterly 107, no. 1(1992), 123-124.

<sup>121</sup>Smith, 264.

<sup>122</sup>Robinson, 214.

<sup>123</sup>Ibid.

purposes of this study since it also raises the question as to whether "carrots" encourage an incumbent dictator to move towards democratic reform or make them even more adamant.

Apart from Nicaragua, other cases of either ambivalence with regard to the policy on promotion of democracy or outright negation of policy could be cited. In El Salvador, the administration, in what a scholar<sup>124</sup> has criticized as a case of naivety, extended large scale support for the military Junta in 1980 in the hope that it would initiate meaningful democratic reforms.

The Reagan administration (1981-1988) coincided with an unprecedented resurgence of democratic idealism in U.S. policy. In fact, the 1980s were a watershed in U.S. policy on promotion of democracy. For even though old patterns, such as military interventions continued, new initiatives were mooted. In particular, both Congressional and Executive initiatives resulted in the creation of new organizations and the emergence of new methods of influencing democratic transitions abroad.

It should be emphasized, however, that the almost feverish revival of democratic idealism in U.S. foreign policy in the 1980s was, in large part, a response to the global trend toward democracy. In Latin America, the democratic revolution sweeping across the western hemisphere saw the replacement of military governments with civilian constitutional regimes. The democratic wave was so strong that by 1986, up to 94% of the people in the region were living under civilian constitutional governments with one of the most entrenched dictatorships collapsing (Duvalier regime

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<sup>124</sup>Ibid.

in Haiti in February, 1986).<sup>125</sup> Despite claims to the effect that most of the transitions to democracy in Latin America in the 1980s were largely as a result of Reagan's "democracy initiative," the glaring fact is that the U.S., in most cases, only responded to the increased demand for democracy by domestic political forces. In fact, even the new initiatives such as the establishment of the National Endowment for Democracy (NED), the National Democratic Institute for International Affairs (NDI), and the International Republican Institute for International Affairs (IRI) could as well be regarded as ways and means of responding to the domestically induced transitions. If any thing, U.S. policy in the region had at best ambiguous and often contradictory effects on these transitions.<sup>126</sup> Generally speaking, if the Reagan administration embraced promotion of democracy, it did so for three major objectives; to give a positive moral shape to his ardent anti-communist orientation, as a response to the growing trend towards democracy (in Latin America), and to secure Congress approval of funds for other policy initiatives some of which ran counter to the "democratic initiative."

If the 1980s saw the blossoming of democratic idealism in U.S. foreign policy, the decade also witnessed some of the most anti-democratic interventions by the U.S. in Latin American history. This was largely because the Republican administration, like others before it, had subordinated commitment to democracy to anti-communism in the

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<sup>125</sup>Robert A. Pastor, "The Reagan Administration and Latin America: Eagle Insurgent," in Eagle Resurgent? The Reagan Era in American Foreign Policy, ed. Kenneth A. Oye, Robert J. Lieber and Donald Rothchild (Boston: Little, Brown and Company, 1987), 376.

<sup>126</sup>Carothers, In the Name of Democracy, 13.

region. The administration's policy toward Latin America not only focused on the need to confront and defeat communism but also sought to reassure "the friendly military governments that had been alienated by the Carter administration's policies."<sup>127</sup> The interesting irony is that the administration used "promotion of democracy" to support its anti-communist crusades. Indeed, virtually every major foreign policy initiative against regimes considered hostile to American interests was packaged as part of the "democracy initiative."

Overall, in no administration had official declarations in favor of democracy correlated so poorly with observable behavior as in Reagan's. Soon after taking charge, the administration moved quickly to appease military regimes (especially those in the Southern Cone) it felt had been alienated by Carter's human rights policies. Export-Import financing was restored for Chile as joint naval exercises with the Chilean military resumed. Roberto Viola, the Argentine president-elect, was Reagan's first Latin American visitor to the White House.<sup>128</sup> Despite legislation that precluded countries with poor human rights records from receiving military aid, one study, for example, showed that for 1985, the human rights policy was not followed for seven of the nine top recipients of military aid, most of which had been categorized as some of the worst detainers of political prisoners.<sup>129</sup> El Salvador, contends another study, received more than three times the amount of bilateral aid given to the next largest

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<sup>127</sup>Pastor, 378.

<sup>128</sup>Ibid., 368.

<sup>129</sup>J.M. McCormick and Neil Mitchell, "Human Rights and Foreign Assistance: An Update," Social Science Quarterly 70 (December 1989): 969-79.

recipient out of the 30 Latin American countries in 1982 despite glaring human rights abuses.<sup>130</sup> Guatemala had its five-year ban on arms sales lifted despite serious human rights abuses there.

Even in those countries where the administration purported to be promoting democracy, democracy appeared to be interpreted in the narrow sense of elections, and policy itself was encumbered by contradictions which exposed the democracy theme as a mere self-serving rhetoric.<sup>131</sup> In El Salvador, even though the administration claimed credit for the transition to a constitutionally elected government, U.S. policy undermined the development of real democracy, especially by strengthening the military.<sup>132</sup> Even after the elections, the military still retained real power. Like in many other cases, the administration appeared not to be interested in democratic transition as a goal; "promotion of democracy was a ploy to get Congress to approve funds for the huge military assistance to the El Salvadorian military."<sup>133</sup>

Nicaragua, however, provides one of the best examples of the Reagan administration's use of promotion of democracy as a cloak for anti-communism. Throughout the administration's tenure, the Sandinista regime of Daniel Ortega was subjected to relentless military, economic, political and diplomatic pressure from the U.S. and was not given the chance to put in place the democratic agenda it appeared to

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<sup>130</sup>David Cingranelli and Thomas P. Pasquarello, "Human Rights Practices and the Distribution of U.S. Foreign Aid to Latin American Countries," American Journal of Political Science 29 (August 1985): 543.

<sup>131</sup>Carothers, In the Name of Democracy, 39.

<sup>132</sup>Ibid., 46.

<sup>133</sup>Ibid., 39.

have had for the post-Somoza Nicaragua. U.S. policy, like in the past, appeared to thwart rather than encourage democracy. The administration, for instance, created the "contras", a 15,000 person-strong army, to fight the Sandinista government, frequently bombed Nicaragua's airports and mined its waters in a bid to force the Sandinistas to surrender.<sup>134</sup> Interestingly, "while using the spread of democracy as a justification for its assaults on the Sandinista government, the administration did not try to formulate a joint approach with the new democrats."<sup>135</sup> Promotion of democracy was clearly serving an ideological purpose: to provide a moral cover for the contra program which the American public and Congress had condemned as both illegal and immoral. The administration had to intensify its democracy rhetoric by stressing its global commitment to democracy each time it requested funding from Congress for the program.<sup>136</sup>

However, the administration, in response to the clamor for democracy which was sweeping across the region by the mid-1980s, intervened in democratic transitions in a number of countries where the U.S. had previously supported authoritarian regimes, notably Argentina and Chile. In a significant change of policy, the administration made it clear to its former authoritarian allies that American support would henceforth depend on movement towards civilian, democratically elected

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<sup>134</sup>William I. Robinson, A Faustian Bargain: U.S. Intervention in the Nicaraguan Elections and American Foreign Policy in the Post-Cold War Era, (Boulder: Westview Press, 1992), 8.

<sup>135</sup>Pastor, 376.

<sup>136</sup>Ibid., and Robinson, A Faustian Bargain, 8.



governments.<sup>137</sup> As an expression of commitment to this new policy, the U.S. reduced aid to the Panamanian military under the command of its long-time ally, Manuel Noriega, when the latter forced the resignation of president Nicolas Ardito-Barletta. In Haiti, where popular opposition to the Duvalier regime had reached a climax by 1985, the administration in that year shifted its policy and after failing to influence Duvalier to institute reforms, including holding free and fair elections, was instrumental in forcing Duvalier to leave the country in February, 1986.<sup>138</sup> In Chile, the policy shift saw the administration engage in diplomatic manouvres aimed at persuading General Pinochet to allow a transition to civilian rule. When quiet diplomacy failed to work, however, the U.S. resorted to economic aid suspensions, eventually forcing the General to allow a transition process to be initiated.<sup>139</sup>

Even though there may be some merit in the argument that the Reagan administration contributed to the transitions to democracy in Latin America in the 1980s, it is equally true to assert that the administration was only responding to the changed atmosphere in the region which favored civilian constitutional rule, and that the administration had no alternative but to go along with popular demands. Even as it nudged its former allies to carry out democratic reforms, the administration was still concerned about the prospects of anti-American regimes replacing the old "friendly" autocrats. This concern shaped U.S. participation in the transitions to the extent that the

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<sup>137</sup>Pastor, 384.

<sup>138</sup>For a detailed account of U.S. pressure on Duvalier between 1985 and 1986, and U.S. policy on Haiti's transition to democracy thereafter, see Robinson, Promoting Polyarchy, Chapter 6.

<sup>139</sup>Ibid., 170.

U.S. chose to prop up groups which would not disturb American interests in the region. In Chile, for instance, the fear of the Left which was growing stronger and stronger led the U.S. to back relatively conservative elite democratic groups. In Haiti, Duvalier was replaced by a pro-military elite which continued to violate human rights even as Washington relaxed pressure for reform.

U.S. participation in Latin American transitions in the 1980s is significant insofar as it reflected the policy instruments available for the U.S. to influence democratic transitions in other parts of the world. For instance, the effectiveness of political aid, or democracy assistance as an instrument for influencing political change in other countries was put to test in Latin America before being applied later in Eastern Europe and Africa. In most cases, diplomatic instruments were accompanied by assistance to local democracy movements. In Haiti, for instance, while preventative diplomacy and coercive diplomacy were instrumental in forcing Duvalier to relinquish power, the U.S. also gave financial and technical aid to pro-democracy groups.

### **The U.S. and Democracy in Post-Colonial Africa**

Post-colonial Africa's relations with the U.S. has known only two major epochs in world politics, the Cold War and the post-Cold War. U.S. policy toward Africa during the four and a half decades of the Cold War was, like in other regions, shaped by the strategy of containment. More over, just as democracy in other areas was the casualty of the triumph of the national security principle on which the containment project was based, Africa's democratization processes throughout the thirty or so years of independence received less, or no U.S. support and, indeed, were in some cases directly or indirectly thwarted by U.S. policy.

The significance of the Cold War factor in the discussion on U.S. policy on democratic transitions in Africa cannot be overemphasized. Indeed, that Cold War considerations colored U.S. policy on promotion of democracy in Africa has been vindicated by the very fact that the current bouts of democratic idealism in U.S. Africa policy have emerged only after the demise of the Cold War. Even when, in the late 1980's, domestic democracy movements were already posing serious threats to some of Africa's most undemocratic regimes, the U.S. appeared less willing to disengage from those regimes. For instance, in 1989, when it was not yet clear whether the Cold War had completely ended and communism had not yet been declared dead or less of a threat ( the Soviet Union had not dissolved yet!), U.S. Deputy Assistant Secretary of State, Allison Rosenberg, spiritedly defended Kenya, Somalia and Zaire against Congress' bid to cut aid to them on grounds that they were nondemocratic. She cautioned against "letting down" these "friendly" countries. Yet barely two years later, when the Soviet Union and the communist empire in Eastern Europe had all but collapsed, these same countries became casualties of a "new" U.S. policy tying aid to progress towards democracy.

The main argument here is, therefore, that during the Cold War, inasmuch as the U.S. may have formally proclaimed promotion of democracy as a goal in its Africa policy, that goal was overwhelmed by strategic considerations.<sup>140</sup> Indeed, during this period, "promotion of democracy (in Africa) was bracketed in favor of pragmatic

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<sup>140</sup>Larry Diamond, "Promotion of Democracy in Africa: US and International Policies in Transition," in The United States and Africa: From Independence to the End of the Cold War, eds. G. Macharia Munene, J.D. Olewe Nyunya and Korwa Adar (Nairobi: East African Educational Publishers,1995), 193.

calculations of national interests."<sup>141</sup> The primacy of anti-communism and geostrategy led to a policy pattern that not only shored up dictators but also stymied the effectiveness of local democratic forces in scoring democratic gains in many countries.<sup>142</sup> This is, however, not surprising when U.S. Africa policy is viewed in the wider context of its policy towards the Third World in general. For in third world countries, if anti-communism dictated it, the U.S. "would intervene not so as to aid democratic forces in a Wilsonian manner, but to stop communism even at the price of reinforcing authoritarian regimes."<sup>143</sup> The fear of communism led the policy establishment to suspect even genuinely pro-democracy nationalist movements in Africa. African nationalism was often viewed as a carrier of communism given its essentially anti-Western character. The ambivalence of U.S. policy on the issue of decolonization in Africa may also be explained in anti-communist terms.

The U.S., in practice, supported and even shored up colonial regimes in Angola, Mozambique and Rhodesia (now Zimbabwe) up to the 1970s, long after colonialism had become a universal eye sore. U.S. policy on the issue of Apartheid in South Africa throughout the five decades of one of the worst cases of official racial discrimination in modern times presented the most dramatic expression of the extent to which anti-Sovietism (essentially anti-communism) could override concerns for democratic

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<sup>141</sup>Ibid.

<sup>142</sup>For an excellent analysis of how geostrategic considerations led the U.S. to support some of the most non-democratic regimes in specific countries in Africa, see Peter J. Shraeder, United States Foreign Policy: Incrementalism, Crisis and Change, (New York: Cambridge University Press, 1994).

<sup>143</sup>Smith, 183.

principles in U.S. foreign policy. Even genuine attempts by the Carter administration to distance the U.S. from the apartheid regime in the first two years of its tenure came to nought following the eclipse of detente in the late 1970s, further demonstrating the primacy of anti-communism over democratic idealism.

In essence, the U.S. was not only indifferent to local demands for democracy, but its paternalism also offered comfort to Africa's autocrats.<sup>144</sup> It gave economic and military aid to African regimes considered important Cold War allies without consideration as to whether they were democratic or not, let alone whether this aid was being used to perpetuate dictatorship. Throughout the 1980s, for instance, the authoritarian regimes in Zaire, Somalia, Sudan, Liberia, and, to some extent, Kenya received the largest amount of aid to sub-Saharan Africa. U.S. policy encouraged non-democratic practices in independent African states by materially supporting non-democratic regimes and giving them the resources with which to fend off popular demands for democracy. However, even if U.S. policy might have thwarted the growth of democracy in Africa, the U.S. may have not deliberately sought to do so. It may be that promotion of democracy was, and remains, only one of many other policy goals, some of which may be more important than promotion of democracy depending on the context and time.

Like in Latin America and elsewhere, U.S. assistance ( both military and economic) and diplomatic support played a big role in the maintenance of some of the

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<sup>144</sup>Claude Ake, "Rethinking African Democracy," in The Global Resurgence of Democracy, 2nd edition, eds. Larry Diamond and Marc F. Plattner (Baltimore: The Johns Hopkins University Press, 1996), 71.

worst dictatorships in Cold War Africa.<sup>145</sup> The Mobutu regime in Zaire (now Congo Democratic Republic) (1965-1997) is an excellent example of how strategic partnership between the U.S. and African regimes shored- up authoritarianism in the continent.<sup>146</sup> Mobutu, who was the head of the Congolese military, became president with U.S. aid in 1965 after a series of international interventions in that country after its independence in 1960. The U.S. had suspected Patrice Lumumba, the first Prime Minister, of being sympathetic to communism, and played a role in marginalizing him from power before he was killed in circumstances that are suspected to have been orchestrated by the CIA.<sup>147</sup> Mobutu was not an elected president and continued to subvert democratic ideals in that country and put in place one of the most elaborate dictatorships in Africa. Despite all this and despite the "democratic" content in U.S. foreign policy, the geostrategic equation in the region and economic national interests dictated that the U.S. overlook the fact that Mobutu was "a despot, a thief and corrupt to boot."<sup>148</sup>

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<sup>145</sup>For an excellent summary of U.S. containment-oriented policies in Cold War Africa and how they helped prop up the "lamest cozy relationships between the U.S. and dictators, see Michael Clough, Free At Last? U.S. Policy Toward Africa and the End of the Cold War, (New York: Council on Foreign Relations, 1992).

<sup>146</sup>For a detailed account of how U.S. policy "created" and maintained Mobutu's undemocratic regime for three decades, see Michael G. Schatzberg, Mobutu or Chaos? The United States and Zaire, 1960-1990, (Lanham, MD: University Press of America, 1991).

<sup>147</sup>See Ibid., and Frances Moore Lappe, Rachel Schurman and Kevin Danaher, Betraying the National Interest: How U.S. Foreign Aid Threatens Global Security By Undermining the Political and Economic Stability of the Third World, (New York: Grove Press, 1987), 23.

<sup>148</sup>Godfrey Muriuki, "Some Reflections on Cold War Africa and After," in The United States and Africa: From Independence To The End of The Cold War, eds. Munene,

Mobutu, one scholar has argued, was one of the many “friendly tyrants” around the world with whom U.S. consorted because U.S. policy makers “deemed their friendship essential to national security in an era of confrontation with the Soviet Union despite their brutality, corruption, and repeated rape of democratic values.”<sup>149</sup> Zaire's geostrategic value in U.S. Cold War calculations was high: geographically positioned astride the middle of Africa and bordering as many as nine states some of which had fallen prey to communist advances (Angola since 1975 and the Republic of the Congo, for instance), it could serve as a buffer to communist influence in central Africa, and its rich mineral fields could supply the U.S. with the much needed strategic minerals.

Mobutu's willingness to serve U.S. geostrategic and economic interests assured him support which became valuable in his efforts to suppress domestic critics of his authoritarian rule. U.S. assistance helped him survive popular uprisings in the Shaba province twice in 1977 and 1978. U.S. indifference to the question of democracy in Mobutu's Zaire and the fact that it placed geostrategic and economic interests above any thing else were dramatically confirmed when in 1980, responding to pressure from the White House and from U.S. firms doing business in Zaire, the U.S. Senate overturned a vote by the House of Representatives to cut military aid to that country because of evidence of human rights violations and misuse of U.S. aid.<sup>150</sup> Diplomatic support for Mobutu by the U.S. was expressed in the form of White House visits:

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Nyunya and Adar, 12.

<sup>149</sup>Schatzberg, 2-3.

<sup>150</sup>Thomas Turner, “Zaire: Flying High above the Toads: Mobutu and Stalemated Democracy,” in Political Reform in Francophone Africa, eds. John F. Clark and David E. Gardiner (Boulder: Westview Press, 1997), 252.

Mobutu officially visited the White House at least once during the tenure of each president from Johnson to Bush. In the latter's tenure, Mobutu was the first African leader to make an official visit to Washington. Even as late as 1989, when it was clear that pro-democracy forces in Zaire were becoming stronger and that Mobutu's dictatorship would soon succumb, the U.S., perhaps nostalgic about the excellent relations with Mobutu, was still reluctant to ask Mobutu to institute democratic reforms. In October that year Bush, playing host to Mobutu, remarked that Mobutu was "one of our most valued friends on the African continent."<sup>151</sup>

The Mobutu scenario has several replications. In Ethiopia, the same Cold War logic dictated U.S. support for the equally authoritarian Emperor Haile Selassie until his regime was overthrown in a coup in 1974. Situated at the horn of Africa in the vicinity of the Red Sea and proximate to the critical Middle-East crisis area, Ethiopia was a cherished Cold War prize. US policy was to keep the Soviets out of the area for strategic-military reasons. Having acquired a base at Kagnew and a NASA observation center, the U.S. showered the Emperor's regime with military and economic aid, ignoring the mounting evidence of violations of human rights and open political repression by the regime."Due to purely strategic- military motives, she (U.S.) was willing to defend and maintain the dictatorial Emperor Haile Selassie. (It) had no interest in the political development of Ethiopia and contributed to the suppression of the majority of Ethiopians."<sup>152</sup> It is interesting to note also that even after the Emperor

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<sup>151</sup>Quoted in Michael Clough, "The United States and Africa: The Policy of Cynical Disengagement," Current History 91 (May 1992): 195.

<sup>152</sup>J. D. Olewe Nyunya, "Towards Understanding U.S.-Africa Relations During the Cold War Era," in The United States and Africa: From Independence to The End of The



was overthrown by the military in 1974, the U.S., desperate to maintain relations with Ethiopia, still extended military assistance to the *Dergue* as the military junta was known; indeed, in the wake of credible reports of human rights violations, the U.S., in April 1976, supplied the junta with two squadrons of F-5E aircraft.

In Somalia, the deterioration of the human rights situation in the 1980s and the general political repression by the Barre regime which eventually led to the collapse of both his regime and the state in the early 1990s could be attributed, in part, to U.S. paternalism.<sup>153</sup> In 1977, eager to make up for the loss of Ethiopia to the Soviets, the U.S. switched its patronage to Somalia which, having felt cheated by the Soviets in its war with Ethiopia, readily embraced its new benefactor. For the next one and a half decades, in exchange for access to the northwest port of Berbera which became the U.S. Rapid Redeployment Force's Indian Ocean base in 1980, the U.S. extended both military and economic assistance to the Barre regime. Barre apparently used such aid to consolidate its corrupt dictatorship.<sup>154</sup> U.S. indifference to Barre's ruthless treatment of his critics was quite telling as at one time, in 1982, it had to even tolerate the humiliation of having its ambassador, Robert Oakly, expelled for openly criticizing Barre's authoritarian rule.<sup>155</sup> Up to 1990, Somalia consistently remained one of the top recipients of U.S. aid in Sub-Saharan Africa..

In Liberia, the U.S. supported the Doe government, "knowing that Doe was

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Cold War, eds. Munene, Nyunya and Adar, 181.

<sup>153</sup>Stevenson, 18.

<sup>154</sup>*Ibid.*

<sup>155</sup>*Ibid.*, 27.

probably incompetent and certainly corrupt, to dissuade him from establishing close relations with Libya and to protect U.S. communications assets.”<sup>156</sup> In April 1983, despite glaring cases of human rights abuses by the Liberia government, Chester Crocker, the Assistant Secretary of State for African Affairs, argued before Congress that Liberia represented “the best prospect in Africa, and one of the best in the world, for rapid movement toward democracy.”<sup>157</sup> In order to reward President Gaafar Mohammed Numeiry of Sudan for his support of the U.S. brokered Egypt-Israel peace accords at Camp David, Washington pumped into Sudan a lot of economic and military aid at the same time that Numeiry continued to “bankrupt the country through corruption and ineptitude” and repressed human rights, especially through the imposition of Islamic Sharia law on non-Muslims.<sup>158</sup>

In retrospect, while it is important to note that the U.S. may have not deliberately sought to thwart democracy in Africa, and indeed, it often showed some concern about the excesses by some leaders, it is difficult not to agree with Lancaster that “Washington may have inadvertently encouraged abuses (of democracy) through its symbolic political support of these governments with foreign aid, by receiving their leaders at the White House, and by extending other forms of cooperation.”<sup>159</sup> Richard Joseph, making a presentation before the House Africa Sub-committee, reminded U.S.

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<sup>156</sup>Carol J. Lancaster, United States and Africa: Into the Twenty-First Century, (Washington, D.C.: Overseas Development Council, 1993), 25.

<sup>157</sup>Michael Clough, “The United States and Africa,” 194.

<sup>158</sup>Muriuki, 39-40.

<sup>159</sup>Lancaster, 25.

policy establishment that it was not enough simply to acknowledge that post-colonial Africa had undergone thirty years of authoritarianism: Americans must also admit that “we were an integral part of that authoritarian experience. We and our allies helped build these authoritarian, single-party and military regimes.”<sup>160</sup> Indeed, U.S. policy makers themselves have invariably acknowledged the negative impact of the Cold War on U.S. policy in Africa with regard to internal politics. President Clinton, for instance, has observed that “for decades we viewed Africa through a Cold War prism we cared in the past years more about how African nations voted in the U.N. than whether their own people had the right to vote. We supported leaders on the basis of their anti-communist rhetoric perhaps more than their actions.”<sup>161</sup>

However, it would be misleading to assume that the U.S. policy toward Africa was completely devoid of any concerns about democracy. But like in Latin America, geopolitical realism ensured that promotion of democracy was relegated to the lower rungs of the ladder of priorities. There was also evidence of concern about democracy in Africa, especially in the 1970s. However, such concerns reflected the prevailing mood in Congress and were not the result of any major shift in policy. Congress, in the 1970s, had sought to distance the U.S. from undemocratic regimes. This mood was shared by the general public, and indeed, it influenced, to some extent, debate in the

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<sup>160</sup>Congress, House, Committee on Foreign Affairs, Democracy and Development in Africa: Hearing Before the Sub-committee on Africa of the Committee on Foreign Affairs, 103rd Congress, 1st sess., April 22, 1994, 26.

<sup>161</sup>U.S. State Department, “Building a Better Future in Africa,” Dispatch 5, no.27 (4 July 1994): 445.

1976 Presidential elections.<sup>162</sup> Indeed, the Carter administration, with its emphasis on human rights, sought to pressure South Africa into instituting democratic reforms. To some extent, African regimes became subject to the 1976 Foreign Assistance Act which explicitly linked foreign aid to the promotion and encouragement of “increased respect for human rights and fundamental freedom throughout the world.”<sup>163</sup> In 1982, for instance, in a bid to distance the U.S. from Mobutu because of Zaire’s worsening human rights record, Congress reduced military aid to Zaire and rejected Reagan’s request for budgetary support.<sup>164</sup> In December 1984, in a show of disapproval of Numeiry’s undemocratic rule, the U.S. froze a US\$ 194 million aid package to Sudan.<sup>165</sup>

These concerns about and gestures toward democracy were, however, not coordinated into a coherent part of overall policy and, in most cases, were contradicted by other diplomatic and even material forms of support. Indeed, even some of the aid cuts were not substantial enough, and often came too little too late. U.S. policy makers began to build concerns about democracy into Africa policy only in the early 1990s when it was clear that the Cold War was over, and in response to the upsurge of pro-democracy movements on the continent. How this was done and with what impact is

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<sup>162</sup>Macharia Munene, “Cold War Disillusionment and Africa,” in The United States and Africa: From Independence to The End of The Cold War, eds. Munene, Nyunya and Adar, 29.

<sup>163</sup>W.F. Buckley, “Human Rights and Foreign Policy: A Proposal,” Foreign Affairs (Spring 1980): 790-91.

<sup>164</sup>Ibid.

<sup>165</sup>D. Ottaway, “U.S. Suspends US\$ 194 million,” Time, 22 April 1985, pp. 14-15

discussed in the next section which examines, generally, U.S. policy on post-Cold War democratic transitions.

### **U.S. Policy and The Post-Cold War Democratic Transitions**

Just as its advent had significant implications for U.S. policy, the end of the Cold War engendered changes in U.S. foreign policy. In line with the purposes of this study, however, the main interest is in what the end of the Cold War has portended for U.S. policy on promotion of democracy. One fundamental way in which the end of the Cold War transformed the international system was the alteration of systemic polarity.<sup>166</sup> Following the disintegration of the Soviet Union, the other Cold War superpower, the U.S. emerged, even if for a while, as the dominant global power, if not the sole superpower. In this “unipolar moment,” the U.S. remained the only country with the combination of military, diplomatic, political and economic clout to influence events any where in the world.<sup>167</sup> This certainly had significant implications for U.S. policy on democratic transitions. It has been discussed above how the super-power rivalry during the Cold War affected U.S. policy on democracy abroad. The end of this rivalry should, of necessity, have had an impact on U.S. policy in terms of opportunities, instruments, challenges and performance.

The end of the Cold War also transformed the international environment in a second important way. The victory of the US (or Western) bloc meant, at least in

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<sup>166</sup>The term “polarity” as used in international relations lexicon refers to the distribution of power among the units (basically states) that constitute the international system.

<sup>167</sup>For a brief analysis of the “unipolar moment” and why the U.S. qualified as the world’s sole superpower at the end of the Cold War, see Charles Krauthammer, “The Unipolar Moment,” Foreign Affairs 70, no. 1(1991): 23-33.

general terms, the triumph of the liberal democratic ideology over the Soviet (Eastern) bloc's Marxist-Socialist ideology. The Cold War was, in an ideological sense, a "battle between two opposed systems of belief about alternative ways of life."<sup>168</sup> The two blocs had competed with each other in winning adherents to their respective ideologies - the capitalist free market economy and liberal democracy (Western or US bloc) and the socialist/ Marxist command economy and democratic centralism (Soviet bloc.) Hence, the defeat of the latter meant the elevation of liberal democracy as the dominant global ideology. It is difficult to dispute the fact that one of the motivations for the "new" aid conditionalities following the fall of communism was the belief "that Western (liberal democratic) political values were the "best" and as such could be exported anywhere."<sup>169</sup> Promotion of democracy in the post-Cold War era has been pursued as part of a globalization project based on the idea that liberal democracy is the preferred way of life world wide. This has in turn added even much more impetus to the U.S. policy on promotion of democracy abroad. It is an important source of motivation for U.S. intervention in contemporary democratic transitions worldwide.

In this changed international environment U.S. foreign policy began to put more emphasis on promotion of democracy in the latter half of the 1980s. The Reagan administration's support for the transitions from military to civilian rule in the Western Hemisphere since 1983 had signaled the shift toward a more democracy-friendly policy. Washington's resolve not to support long time allies Ferdinand Marcos of the

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<sup>168</sup>Kegley and Wittkopf, 55.

<sup>169</sup>Gorm Rye Olsen, "Europe and the Promotion of Democracy in Post Cold War Africa: How Serious Is Europe and For What Reason?" *African Affairs* 97 (1998): 346.

Philippines and Duvalier of Haiti in the face of popular uprisings in 1986 was a clear statement that U.S. policy was changing. However, even though by 1987 “support for democracy (was) becoming the new organizing principle for American foreign policy,”<sup>170</sup> it was not until 1989 that democracy-driven policy shifts began to surface in policy documents and speeches by top policy makers. By 1990, it was clear that foreign policy was undergoing major changes to reflect the growing consensus that “the export of democracy should replace anti-communism as the guiding principle of American foreign policy.”<sup>171</sup> Policy statements by top policy officials reinforced the renewed emphasis on democracy. In 1990, James Baker III, Secretary of State, in a speech to the World Affairs Council in Dallas, Texas, observed that “beyond containment lies democracy. The time of sweeping away old dictators is passing fast; the time of building up the new democracies has arrived.”<sup>172</sup> Promotion of democracy also featured prominently in the 1992 presidential campaign with candidate William Clinton calling for “an American foreign policy of engagement for democracy.”<sup>173</sup>

If the Bush administration reinvigorated democratic idealism in foreign policy, the Clinton Administration institutionalized it as a major policy component. In his maiden address to the UN General Assembly in September 1993, Clinton declared that

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<sup>170</sup>United States Department of State, “Democracy in Latin America and the Caribbean: The Promise and Challenge.” Bureau of Public Affairs, Special Report no.158, (Washington, D.C., 1987), 13.

<sup>171</sup>Charles William Maynes, “America without the Cold War,” Foreign Policy 78 (Spring 1990): 14.

<sup>172</sup>Quoted in U.S. Embassy (Nairobi). Maoni Ya Amerika, May 1991, p. 2.

<sup>173</sup>See William Clinton. 1991. “A New Covenant for American Security.” Speech at Georgetown University, Washington, D.C. (December 12).

his foreign policy would be based on the concept of "Democratic Enlargement."<sup>174</sup> "Democratic Enlargement," as the successor to containment, was based on a 4-point blue-print: (i) to strengthen the community of market democracies, (ii) to foster and consolidate new democracies, (iii) to counter aggression and support the liberalization of states hostile to democracy, and (iv) to help democracy and market economies take root in regions of greatest humanitarian concern.<sup>175</sup> The administration even went further in institutionalizing promotion of democracy by creating several agencies and senior level positions in the State Department and in the National Security Council with democracy portfolios.<sup>176</sup> For the first time, too, democracy-related activities appeared as independent items for funds allocation in the international affairs budget.

The democracy-driven policy shifts saw the U.S. spread its pro-democracy activities to many parts of the globe by intervening in the democratic transitions already underway in Eastern and Central Europe, Africa and some parts of Asia. It also continued its involvement in the Latin American transitions which had begun earlier in the 1980s, concentrating on those countries like Chile, Nicaragua, Haiti and Panama where transition from military rule to civilian government had not been completed.

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<sup>174</sup>Douglas Brinkley, "Democratic Enlargement: The Clinton Doctrine," Foreign Policy 106 ( Spring 1997): 111-112.

<sup>175</sup>Ibid, 116

<sup>176</sup>The process of institutionalization included the creation of the positions of Deputy Assistant Secretary of State responsible for democracy in each of the regional bureaus and the Director for democracy promotion in the National Security Council. The Bureau for Human Rights and Humanitarian Affairs in the State Department was converted into the Bureau for Democracy, Human Rights and Labor. A middle-level interagency working group on democracy was also created. For details, see Carothers, "Democracy Promotion under Clinton," 19.



Even though the motivations for U.S. intervention in these post-Cold War transitions to democracy essentially remained the same, the end of the Cold War removed some of the policy constraints imposed by the need to build an anti-communist coalitions in various regions. In the remainder of this section, a brief review of U.S. intervention in the transitions is made on a regional basis.

In Latin America, the Bush administration focused on countries that had not completed the transition to civilian constitutional rule. In Haiti, democracy assistance programs were strengthened and diplomatic efforts intensified to ensure that the military which had continued to govern even after Duvalier's departure in 1986 organized elections and handed over power to an elected government. These efforts culminated in the December 1990 elections which were won by the popular Catholic priest, Jean Bertrand Aristide. But if these elections signified America's success, the ouster of Aristide in a military coup in September 1991 presented fresh challenges for U.S. policy makers and exposed policy inconsistencies.<sup>177</sup> Indeed, U.S. behavior in the run up to the elections and after the coup underlined the reality that even after the Cold War, commitment to the promotion of democracy abroad was still contingent upon consideration of U.S. strategic and economic interests. During the preparation for elections, the U.S. had backed Marc Bazin, a former World Bank official against Aristide. The latter received only 14% of the vote. After the coup, the U.S. backed Bazin who was imposed by the military as the new Prime Minister and tried to force

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<sup>177</sup>For a detailed account of U.S. involvement in Haiti's transition to democracy before and after the 1990 elections and after the coup, see Robinson, Promoting Polyarchy.

Aristide to negotiate with him.<sup>178</sup> Later, the Clinton administration predicated Aristide's return on his willingness to accept specific limitations on his presidential powers.<sup>179</sup> If the U.S. role in Aristide's reinstatement in 1995 exemplified a new policy trend in which military coups against elected governments would no longer be tolerated at all cost, it also revealed policy ambivalence where a popularly elected government was likely to enact policies that would threaten America's economic and security interests. As Morley observes, the U.S. was weary of Aristide, not least "because his efforts to democratize the Haitian state were perceived as a potential threat to U.S. permanent interests."<sup>180</sup>

In Eastern and Central Europe, policy initiatives were mainly in response to the new opportunities created by the fall of communist one-party regimes and local clamors for liberal democratic and multiparty systems. It was in former communist Europe that some of the most concerted efforts by the U.S. at promotion of democracy outside Latin America were concentrated. No region outside Latin America has received as much attention from the policy establishment with regard to the new pro-democracy policy. In 1989, Congress passed the Support for East European Democracy (SEED) Act authorizing aid for democracy related projects. Subsequently, several democracy assistance programs were instituted. Such programs initially focused on constitutions

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<sup>178</sup>Morley, 315.

<sup>179</sup>Ibid., 317.

<sup>180</sup>Ibid.

and elections.<sup>181</sup>

Some attempts were initially made to spread the democracy crusade to Asia and, indeed, the Bush administration did extend some diplomatic support and political aid to pro-democracy forces in Cambodia, Mongolia, Nepal, Taiwan and South Korea. Both administrations decided to adopt a cautious policy on human rights issues and became more or less indifferent to democracy in Asia generally. Indeed, even the Bush administration's response to China's crackdown on student democracy activists in 1989 at the Tiananmen Square was rather mild relative to U.S. reaction to similar happenings elsewhere. This policy of ambivalence-cum-indifference could be explained by a combination of two variables: the slow advance of democracy in Asia generally as compared to Africa, Latin America or Eastern and Central Europe, and important security and economic interests.<sup>182</sup> Because of the slow advance of democracy in Asia, where the U.S. has significant economic and security interests, it has maintained the long-standing focus on economic and security concerns, accepting as a given that US interests in both domains required cordial relationships with many of the authoritarian governments of the region."<sup>183</sup>

The exception in Asia was, however, the Philippines where the U.S. had become involved in the transition to democracy since the mid-1980s, especially after it failed to

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<sup>181</sup>For a detailed assessment of democracy assistance programs as a policy instrument in U.S. efforts to promote democracy in eastern Europe, see Thomas Carothers, Assessing Democracy Assistance: The Case of Romania, (Washington, D.C.: Carnegie Endowment for International Peace, 1996).

<sup>182</sup>Carothers, "Democracy Promotion under Clinton," 16.

<sup>183</sup>Ibid.

support President Marcos in his bid to stay in power despite apparent defeat in the presidential elections of February 1986. The Reagan administration threw its weight behind the apparent victor Corazon Aquino and continued to support her presidency in the face of several attempts to oust her. The Bush administration continued to defend Aquino's government. In 1989, when Aquino faced a coup threat, the administration, demonstrating America's new role as defender of elected governments, stood by her. In addition to a show of air power, Bush himself issued a statement in which he expressed America's total, absolute and complete commitment to the Aquino government "as a government that was elected in a free, fair and open election."<sup>184</sup> In an apparent warning to anti-democratic forces elsewhere, he added: "We don't like to see governments that are duly elected democratic governments overthrown by bullets and bayonets."<sup>185</sup>

In Africa, despite some general indications of disillusionment in the U.S., especially among some congressmen, with the authoritarian regimes in the continent, U.S. policy was slow to change.<sup>186</sup> The initial push for a substantive policy shift in favor of democracy in Africa was made by Congress amidst indifference from White House. Even U.S. ambassadors to Africa seemed to be impatient with the administration and some of them actually took the initiative to effect change in policy<sup>187</sup>

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<sup>184</sup>U.S. State Department, Bulletin 89, no. 2147 (20 January 1989): 47.

<sup>185</sup>Ibid.

<sup>186</sup>Larry Diamond, Promoting Democracy in Africa, 195.

<sup>187</sup>According to Smith Hempstone, U.S. ambassador to Kenya (1989-1993), Washington began taking matters seriously only after Donald K. Patterson, the ambassador to Tanzania sent a cable to the State Department calling for a "new post-Cold War policy tying development aid to movement toward democracy. Prodding the administration to act swiftly, Patterson argued that while the Cold War had compelled

while a few, like Smith Hempstone of Kenya, took it upon themselves to pressure their host regimes to make democratic reforms. It was only towards the end of 1991 that the administration began to take seriously the issue of democracy and several countries had their aid cut because of human rights issues. It is important to note that by the end of 1991, the Soviet Union had already disintegrated, thereby removing any lingering strategic concerns that may have tied the hands of U.S. policy makers with regard to traditional Cold War and anticommunist allies. The policy shift was also motivated by the increasing strength of domestic democratic forces which appeared to be successfully challenging the incumbent regimes. A third factor forcing a policy shift was the emerging consensus among Africa's donors led by the World Bank and the IMF that aid to Africa would continue to be misused unless issues related to governance were addressed.<sup>188</sup>

Despite the change in the international environment in which the U.S. is "promoting democracy," *real politik* still dictates that the U.S. pegs promotion of democracy on larger and more critical interests. Thus just as Cold War considerations had some times necessitated policy behavior nugatory to democracy, by , for instance, supporting authoritarian regimes, pressures of national security and economic interests

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the U.S. to support some extremely unsavvy characters in Africa, "under these altered circumstances," there was "no reason for the U.S., as the sole remaining superpower, to support tyrants." For details, see Smith Hempstone, Rogue Ambassador: An African Memoir, (Sewanee, TN: University of the South Press, 1997), 17-19.

<sup>188</sup>This consensus which led to "aid conditionality" was particularly motivated by the publication by the World Bank in 1989 of the seminal book entitled Sub-Saharan Africa: From Crisis to Sustainable Growth - A Long Term Perspective Study, (Washington, D.C.: World Bank, 1989).

may still lead to the same situation. As Howard Wiarda<sup>189</sup> aptly observes, “authoritarian regimes are not all the same some are of such overwhelming strategic importance that we are probably best advised not to tamper with their internal political structure.” Robinson,<sup>190</sup> for instance, cites U.S. continued support for the Moi regime in Kenya even after the controversial 1992 multi-party elections, the Nigerian government after the botched elections of 1993 and the military government in Algeria which halted democratic polls in 1992 as testimony to the continuation of Cold War policy of support for authoritarian regimes critical to U.S. interests. Thus even in the post-Cold War era, U.S. policy on promotion of democracy continues to be implemented selectively. The emerging emphasis on the need to judge each case by its merits certainly creates contradictions between America's professed belief in the universality of democratic principles and its actual behavior on the ground.

#### **RECAPITULATION: LESSONS FROM THE PAST AND THEIR IMPLICATIONS FOR U.S. POLICY ON KENYA'S DEMOCRATIC TRANSITION**

One important generalization that can be made from the analysis in this chapter is that whereas the resonance of democratic idealism in U.S. foreign policy may be traced to America's own socio-cultural and political traditions, the main motivation for U.S. intervention in the political affairs of other countries with the stated goal of promoting democracy was, and remains the desire to protect its national interests which may be security, diplomatic or economic. However, it is also true that while promotion

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<sup>189</sup>Howard Wiarda, The Democratic Revolution in Latin America: History, Politics, and U.S. Policy, (Holmes and Meier, 1990), 207.

<sup>190</sup>Robinson, Promoting Polyarchy, 113.

of democracy may begin as a means for achieving specific national interest, it can sometimes develop into an end in itself. Woodrow Wilson's administration, for instance, was noted to have pursued promotion of democracy as an end in itself, despite some instances when it was clear that America's security and other interests were the priority. The Carter administration also demonstrated the same fact that some administrations can genuinely be committed to democratic ideals even if other policy imperatives may upstage concerns for democracy.

The foregoing analysis has also revealed that promotion of democracy is only one among competing foreign policy goals. Due to this, it is inevitable that U.S. policy on democratic transitions abroad will exhibit, to different degrees depending on circumstances, inconsistencies, incoherence, and double standards. It is therefore necessary that any study of U.S. involvement in a specific country's transition process should view U.S. efforts in the wider context of overall U.S. policy in the specific country and its adjacent region. The point to be made here is that the willingness of the U.S. to push a dictatorial regime into democratic reforms is more or less contingent upon specific national interests involvement in the target country is likely to fulfill. Thus, the Carter regime was not willing to push for reforms to the extent that Somoza and his National Guard would lose because the alternative government was clearly going to be dominated by forces sympathetic to the pro-communist Sandinista guerillas.

The import of this observation for this study cannot be overemphasized. As will be shown in the next chapter, Kenya has been considered an important guardian of U.S. interests in the Horn of Africa and in East Africa in general. Even though the Cold War had ended by the time U.S. intervened in Kenya's democratic transition, U.S. still has

important interests in the region. How Kenya fitted into the framework of U.S. interests in the post-Cold War era is therefore worthy of investigation if one is to understand the motivation behind U.S. involvement in the transition process. Of interest is also the extent to which the U.S. was willing to push the Moi regime toward democratic reform without jeopardizing its (U.S.) interests.

As the current lone superpower, the U.S. may intervene in the internal affairs of a particular country not because of specific interests within that country but because of larger regional interests that that country might serve. Of course, as a superpower with global responsibilities for peace, for instance, logic dictates that U.S. should be concerned about developments in almost all parts of the globe. In this context, countries that occupy regional strategic positions are bound to attract U.S. attention. Indeed, U.S. "democratic interventions" in post-War Italy and much of Latin America were motivated by considerations of geostrategic locations of target countries. Thus a country may not be important for the U.S. for economic or diplomatic reasons but may be significant geostrategically. Suffice to observe that geostrategic considerations have not waned even with the demise of Cold War. There are many regional theaters of conflict that demand U.S. attention and some countries are certainly crucial for U.S. policies in such regions.

Another important general observation emerging from the analysis is that U.S., with the understandable exceptions of post-war Japan, West Germany and Italy, does not by itself trigger democratic transitions in other countries. Where it extensively involves itself, it is usually in response to growing internal demands for democracy from domestic democratic forces, or to initiatives by incumbent regimes. In short, the



U.S. comes in when the transition is certain to take place. It does not take the initiative on its own. Its policy is reactive rather than proactive.

Another generalization to be made is that even where U.S. policy appears to support transition to democracy, the emphasis has been on form, not substance. Perhaps one reason for this is the fact that, as emphasized in the literature on the role of external actors in democratic transitions, it is easier for external actors to influence such easily recognizable features as constitutional reforms and elections than it is to affect the more subtle but important aspects of democratization such as the inculcation of a political culture conducive to democracy. Indeed, the difficulty the U.S. has faced in affecting real democratic change just goes further in underlining the limited nature of the scope of influence that even a major power can exercise on another country's transition to democracy. Hence as the foregoing review of U.S. experience with promotion of democracy suggests, when and where U.S. was committed to transition to democracy in a given country, the focus was on elections, release of political prisoners and constitutional reforms, that is, recognizable features of the democratization strategy. Indeed, even in the post-Cold War era, this has been the trend, democracy assistance programs that aim at building civil society notwithstanding.

Yet another generalization is that historically, U.S. influence has been greater in countries with which it has had a long history of diplomatic, political and economic interactions. By virtue of U.S. superior economic, military and diplomatic status such interactions have more often than not created some kind of patron-client relationship between the U.S. (patron) and the target country. As a patron, the U.S. dispenses patronage in terms of economic and military assistance, and diplomatic support for the

regime. This certainly provides the U.S. with some kind of leverage necessary to influence the transition process. The effectiveness of economic instruments, such as aid conditionality, has been greater where the U.S. has in the past been a significant donor.

Insofar as leverage and influence are concerned, one of the assumptions made in this study was that the close relationship between the U.S. and Kenya since the latter's independence had tilted the balance in favor of the former. It was assumed that because of Kenya's dependent status economically and weakness diplomatically, her interaction with the U.S. had produced a patron-client type of relationship in which the U.S. dispensed patronage in the form of economic and military aid and diplomatic support to the regime, especially the Moi regime. Such patronage, accumulated over a period of Kenya's three decades of independence, became the basis for the leverage and influence the U.S. needed to influence the regime to institute democratic reforms. Indeed, this is the central theme of the next Chapter which traces U.S.-Kenya relations since 1963.

Yet another important observation is that more often than not, U.S. decision to intervene in a particular country to "promote democracy" is motivated more by domestic U.S. or broader international considerations than by particular trends within the target country. Changes in the international environment have usually affected policy on promotion of democracy, in terms of motivation, willingness to intervene, where to intervene and what instruments to employ. For this study, it is imperative, therefore, that U.S. intervention in Kenya be placed within the context of the changes in the international system that accompanied the demise of the Cold War.

Promotion of democracy has been embraced by U.S. foreign policy establishment much more for ideological purposes than as a substantive policy goal.

The use of promotion of democracy as an ideological "armor" has an important implication for the implementation of policy, namely, that, in practice, rhetorical commitment to promotion of democracy has more often than not become irrelevant to practice. An administration might perform splendidly on the rhetorical plane but perform poorly on the practical plane.

## CHAPTER FOUR

### **UNITED STATES - KENYA RELATIONS, 1963-1989: THE BASIS FOR LEVERAGE AND INFLUENCE**

#### **INTRODUCTION**

One of the major propositions advanced in the literature on international promotion of democracy in general, and the role of external actors in democratic transitions, in particular, is that the extent to which an actor may influence democratic change depends on the potential influence and leverage such an actor has over the target regime. The amount of influence and leverage possessed by the external actor determines both its willingness to intervene in the transition process in another country and its choice of instruments to employ. Instruments of influence and leverage available to external actors may be diplomatic, military, economic, and political. Accordingly, a country with little economic leverage over the target state has little motivation to apply economic sanctions as an instrument; indeed, such sanctions will have negligible impact. The same observation can be made in respect of the other instruments. The actor with the combination of most, if not all, of the aspects of leverage may exert the most influence on the transition process.

Leverage and influence necessary for the purpose of nudging an authoritarian regime toward democratic reform are usually accumulated in the previous interactions between the intervening country and the target regime. Through such interactions, the intervening country is expected to have either made significant enough inroads into the

target country's internal affairs to enable it to dictate terms or to have created something of a patron-client relationship with that country's regime. This relationship, in which the target country is weaker than the intervening country, renders the target regime vulnerable to the dictates of the intervenor (patron), and thereby more likely to succumb to pressure from the patron for democratic reform. Indeed, U.S. ability to play important roles in the transitions from authoritarianism in Haiti, Panama, Chile and the Philippines in the 1980s and the early 1990s was, in part, the result of years of partnerships with various regimes in those countries, especially in the military and economic spheres. In Haiti and Panama, for instance, U.S. patronage had been so great that when Washington decided to withdraw support, the regimes of Duvalier and Noriega which had in the past depended on U.S. patronage for their survival collapsed, prompting transitions to more open political systems. In the Philippines, where the U.S. had a long history of involvement both as a colonial power and later as the benefactor of the Marcos' regime, Washington's decision to back Corazon Aquino, Marcos' rival, in the troubled presidential elections of February 1986, certainly influenced Marcos's final decision to yield and to go into exile, thereby creating room for a democratic transition process.

It is within this framework of leverage and influence that the significance of this chapter should be viewed. An exploration of U.S.-Kenya relations prior to the beginning of the transition in 1990 is important for this study in two ways. First, by tracing the pattern and extent of U.S.-Kenya relations, one is in a better position to appreciate the evolution and origins of the leverage that the U.S. tapped in its attempts to nudge the recalcitrant Moi regime into initiating democratic reform. Indeed, the

central objective of this chapter is to show that between 1963 and 1989, the U.S. accumulated the leverage with which it engaged the Moi regime in the transition process. Close diplomatic relations, a military-strategic partnership, and the strong donor-recipient relationship that had characterized relations between the two countries from independence through the 1980s formed the basis of this leverage. By 1989, the Moi regime had become so diplomatically, militarily and economically dependent on the U.S. as to become vulnerable to the latter's pressure for regime change. Even though the links established throughout this period provided the U.S. with important leverage, such leverage was buttressed by the "hegemonic" leverage generated by its position, first, as one of the only two superpowers in the Cold War era, and, second, as the lone superpower in the post-Cold War world.<sup>1</sup>

Kenya was never a U.S. colony. Hence, the leverage and influence the latter amassed emanated mostly from their interactions in the 26 years of Kenya's independence. Unlike in other countries like Panama, Haiti, the Philippines, and Nicaragua, where the U.S. had had a history of involvement going back to several decades, in Kenya, U.S. influence was rather limited. In many of these countries too, U.S. influence was not confined to diplomacy and aid but also spread into the domestic political and economic structures. This was more so in the Philippines where the U.S. was an ex-colonial power. These contrasts certainly have implications for U.S. policy

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<sup>1</sup>According to this study, the Cold War began at the end of World War II and ended about 1989 with the decline and eventual disintegration of the other superpower, the Soviet Union in 1991. In fact, as will be shown later, much of U.S.-Kenya relations was determined by Cold War considerations, and, indeed, the end of the Cold War had direct and indirect impact on the motivation and willingness of the U.S. to nudge Kenya into democratic reform.

on democratic transitions in individual countries. In Kenya, however, U.S. strong diplomatic leverage also emanated from its position as the leader of the Western bloc to which its ally, Britain belonged. Britain, having been the colonial power in Kenya, certainly had more well established links with Kenya, especially in the economic sector. Despite the potential leverage Britain had over Kenya the U.S., due to its superpower status and possession of resources needed by Kenya, soon became an important actor in Kenya, especially in the 1960s and the 1980s. In fact, at certain times, and especially between 1963 and 1969 and for the whole of the 1980s the U.S., according to some observers, appeared to be replacing Britain as the major Western power, the latter's long-established links, especially in the economy notwithstanding.<sup>2</sup> This strong diplomatic presence can be partially explained by the U.S. position as a superpower and as the leader of the Western bloc to which other Western European countries, including Britain belonged.

#### **U.S. POLICY TOWARDS KENYA BEFORE INDEPENDENCE: COURTING A FUTURE CLIENT**

Contemporary U.S. relations with Kenya can be traced to the early 1950s even though sprinkles of interaction, limited though they may have been to the coastal region because of U.S. commercial interests in the adjacent island of Zanzibar, go back to the 19th century.<sup>3</sup> Before the 1950s, American interests in colonial Kenya were mainly confined to the significance of the port of Mombasa as a port of call for American

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<sup>2</sup>See, for instance, P. Godfrey Okoth, United States of America's Foreign Policy toward Kenya, 1952- 1969: Issues, Application and Implications, (Nairobi: Gideon S. Were Press, 1992).

<sup>3</sup>See *Ibid.*, Chapter 2.

shipping lines and its potential as a military (especially naval) base in the event of a general war due to its flanking position vis-a-vis the Indian Ocean and the Red sea.<sup>4</sup> Any other initiative was privately undertaken by missionaries who had begun arriving after the first World War and a few private non-governmental organizations.<sup>5</sup>

Kenya began to attract serious attention from Washington in the early 1950s, especially in the wake of the Mau Mau<sup>6</sup> uprising which received wide coverage in U.S. media, especially in the Black American press.<sup>7</sup> Even though the Americans still recognized and actually respected British suzerainty over the colony, efforts were made to reach out to a few Kenyan African nationalist leaders, especially those considered moderate. U.S. policy at this time was based on a dual-track engagement strategy. Washington maintained cordial relations with British colonial authorities while at the same time cultivating good relations with those African leaders whom the U.S. thought would become leaders in a post-colonial Kenyan government. The dual-track strategy reflected a realistic assessment of the situation: while by the 1950s it was clear that

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<sup>4</sup>Ibid., 28. Indeed, in the early 1980s, the U.S. military officially acquired the right to use the Mombasa port for military activities.

<sup>5</sup>For instance, the Rockefeller Foundation and the Carnegie Corporation showed some interest in educational institutions in the colony with the latter assisting, through grants, in the establishment of the famous Jeans school in Kabete in the outskirts of Nairobi.

<sup>6</sup>The Mau Mau uprising which started in the early 1950s and lasted until 1959 was one of the bloodiest anti-colonial guerilla wars in Africa. It was organized and led mainly by the Kikuyus in central Kenya who had been dispossessed of land. Their targets were the white settlers as well as those Africans considered loyal to British colonial authorities.

<sup>7</sup>For elucidation on the influence of the Black press on America's response to Mau Mau, see Okoth, Chapter 4.



Kenya would become independent sooner or later, until that time arrived, however, Britain, a U.S. ally, was still in charge. Indeed, U.S. policy toward Kenya at this time was no different from that toward other colonies in the continent. Washington still regarded Africa to be a "special European responsibility."<sup>8</sup> Indeed, African affairs in the State Department were handled by the European bureau. U.S. policy was to be coordinated with, and indeed, executed in tandem with, those of French, British, Belgian and Portuguese colonial authorities. Accordingly, in Kenya, like in other British colonies in Africa, U.S. policy was "neither to replace nor to undermine British colonialism."<sup>9</sup>

This remained the official position even as the U.S. increased its involvement in Africa in the 1950s. Indeed, even as late as the second half of the 1950s when a number of African countries had become independent and independence for many more looked inevitable in a short while, U.S. policy was still to tailor its actions in Africa to the wishes of the colonial powers.<sup>10</sup> In 1955, for instance, in a policy statement, the State Department advised U.S. diplomats in Africa to continue working through the colonial powers. In particular, they were asked to "as appropriate, cooperate with those policies of the metropolitan powers in the development programs of their dependent

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<sup>8</sup>Peter J. Shraeder, United States Foreign Policy toward Africa: Incrementalism, Crisis and Change, (New York: Cambridge University Press, 1994), 15.

<sup>9</sup>Okoth, 31.

<sup>10</sup>William Attwood, The Reds and the Blacks: A Personal Adventure, (New York: Harper & Row, Publishers, 1967), 16.

territories, making it clear that we are not trying to supplant the metropolises."<sup>11</sup>

This "work-through-the-metropole" policy affected U.S. policy toward Kenya in two important ways. First, financial aid and project assistance, including food relief aid were channeled through official colonial channels despite the likelihood that it would bolster the colonial regime more than it would assist the African population whose friendship the U.S. hoped to win in light of the inevitable independence. Second, it also determined the U.S. position on the nationalist movement in Kenya in general, and the Mau Mau revolt, in particular. As the Secretary of State instructed the Consulate General at Nairobi:

U.S. interest in this part of the continent is to work through and with British authority. Caution and prudence will be particularly necessary on the part of U.S. officials in Kenya, where the British are preoccupied with the Mau Mau problem. Our immediate objective as far as the Mau Mau is concerned is to see that the British eliminate the causes of this malady, that they get at and treat the roots of this illness.<sup>12</sup>

U.S. position on the Mau Mau also reflected Washington's overall policy on nationalist movements in Africa. The U.S. eschewed radical, extremist and violent nationalism which it thought was more susceptible to communist influence. It saw Mau Mau in this light.

U.S. support for British policy in Kenya did not, however, preclude contacts with the general African population, especially with selected leaders of the nationalist

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<sup>11</sup>U.S. Department of State, "Statement of U.S. Policy toward Africa South of the Sahara prior to Calendar Year 1960," Foreign Relations of the United States, 1955-1957, Vol. xviii, 80.

<sup>12</sup>U.S. Department of State, "Instruction from the Department of State," Memorandum from Dulles to Consulate General at Nairobi, Washington, May 4, 1955 (no.CA-7584), in *Ibid.*, 186-187.

movement. But in establishing such contacts, the U.S. was guided by two considerations. First, like in other parts of Africa, U.S. policy was geared towards “supporting and encouraging constructive nationalism and reform movements in colonial Africa when convinced they are likely to become powerful and grow in influence.”<sup>13</sup> Second, there was the desire to “avoid in Africa a situation where thwarted nationalist and self-determinationist aspirations are turned to the advantage of extremist elements, particularly communists.”<sup>14</sup>

The first consideration led the U.S. to align itself early with a group it considered likely to ascend to power once independence was granted. The second consideration meant identifying with the moderate, conservative wing of the nationalist movement. It was for this reason that those associated with the Mau Mau and the militant wing of the nationalist movement did not endear themselves to the U.S. Instead, the U.S. chose the trade union movement led by Tom Mboya who was considered moderate, intelligent and a promising nationalist leader.<sup>15</sup> Hence the U.S. began to extend moral and material support to the influential Kenya Federation of Labor led by Mboya.<sup>16</sup> Other U.S. non-governmental organizations were also

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<sup>13</sup>Ibid., 77.

<sup>14</sup>Ibid.

<sup>15</sup>Mboya later became a key player in the transition to independence and a powerful member of independent Kenya's first cabinet.

<sup>16</sup>For a detailed account of U.S. official and non-official aid to Mboya and how his American contacts were instrumental in making him an influential and powerful figure of Kenya's political scene before and after independence until his assassination in 1969, see David Goldsworthy, Tom Mboya: The Man Kenya Wanted to Forget, (London: Heinemann, 1982).

encouraged to establish contacts with Kenyans. By the mid-1950s, for instance, American labor organizations led by the AFL-CIO had established links with Kenya African labor movement. In 1955, another U.S. private organization, the American Pathfinder Fund started family planning work in Kenya. <sup>17</sup>As independence approached, with the encouragement of the U.S. government, some American private foundations teamed up with Mboya and other Kenyan leaders to organize a "student airlift" program which saw many Kenyans given scholarships to study in American universities. By 1965, a total of 1,300 Kenyan students had benefitted from the program. <sup>18</sup> This program, together with the Student, Leader, and Specialist exchange program organized by the State Department, was an overt attempt by the U.S. to influence the future leadership in independent Kenya. As the Consulate General at Nairobi noted in a memo to Department of State, these grants, together with scholarships were aimed at cultivating "Africans of the type we believe may become leaders in the next 10 to 20 years." <sup>19</sup>

The level of economic assistance to Kenya in the decade before independence also reflected the importance that Washington attached to developing durable relations with a future independent Kenya. In 1955, for instance, of all the East and Central African British colonies, Kenya received the largest amount of development project

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<sup>17</sup>Norman N. Miller, Kenya: The Quest for Prosperity. (Boulder, CO: Westview Press, 1984), 135.

<sup>18</sup>Ibid.

<sup>19</sup>U.S. Department of State, Foreign Relations, 1955-1957, 185.

assistance.<sup>20</sup> The last three or so years before independence witnessed an exponential increase in the amount of assistance and the volume of activities supported by such assistance. For instance, during the 1960-1962 period alone, as much as US\$15,884,000 and US\$194,000 was spent on field and research services in the agricultural sector and on "secondary school development and expansion" respectively. During the same period, US\$ 964,596 was advanced for the "Africanization" of the civil service. Other sectors such as health, community development and commerce also received substantial aid. In what looked like a gesture of good will towards ordinary Kenyans, the U.S. invoked the "Food-for-Peace" program in 1962 to send food relief to famine-stricken areas in northern Kenya. In total, between 1956 and 1965, Kenya received US\$ 34 million in U.S. government foreign grants and credits, compared to Uganda's US\$ 12 million.<sup>21</sup>

Washington's increased interest in Kenya in the 1950s had much to do with the realization that Kenya would soon gain independence from Britain. By this time, the international environment favored decolonization as exemplified in United Nations documents. The British had also implicitly, if not explicitly, begun to prepare to hand over power to an independent local government in Kenya. As independence approached, the U.S. increased its level of engagement with both the colonial authorities and the nationalist leaders. Despite the fact that U.S. economic assistance was usually channeled through the colonial authorities, and, therefore may appear to

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<sup>20</sup>See New York Times, June 17, 1955, p. 6. In fact, Kenya received US\$ 3,887,300 compared to Uganda's US\$268,800 and Tanganyika's US\$5,600.

<sup>21</sup>U.S. Department of Commerce, Statistical Abstracts of the United States, 1992 (Washington, D.C.: GPO, 1993), 792-793.

have "bolstered the colonial regime far more than it gave Kenya Africans assistance according to their requirements and needs,"<sup>22</sup> it is plausible to argue that the primary motivation was the desire to begin preparing for a friendlier relationship with an independent Kenya. In fact, the U.S. used this period to identify and ally itself to the faction of the leadership of the nationalist movement which would be sympathetic to U.S. interests in post-colonial Kenya. Washington's policy was not only to engage but to nurture a pro-American faction within the nationalist movement in preparation for Kenya's independence.

In retrospect, U.S. policy toward Kenya in the decade before independence was deliberately designed to endear itself to the future post-colonial leadership and government and to establish an American presence in the country. This was done through several ways: financial and technical assistance to the key sectors of the economy, especially agriculture and education; encouragement of links between American non-governmental and private organizations and their counterparts among Africans in Kenya (especially the labor organizations); provision of relief assistance to famine-stricken areas; and cultural exchanges.

By 1963 when Kenya became independent, there existed substantial potential for U.S. influence in Kenya and a great opportunity to start harnessing leverage over Kenya. Twenty-one American firms used Nairobi as their regional base. There was a substantial aid program in place. There were almost two thousand Americans in the country. America's presence was also physically symbolized by several institutions constructed with U.S. aid, for instance, the Royal Technical College (which later

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<sup>22</sup>Okoth, 40.

became the University of Nairobi), the Kenya Institute of Administration, The Kenya Labor Center, several secondary schools and the Egerton Agricultural College.

Diplomatically, though still below the ambassadorial level, the U.S. mission was the most well established in the region.<sup>23</sup>

It was upon this foundation that U.S. policy toward independent Kenya was constructed. Policy initiatives before independence had clearly succeeded in creating a relatively favorable ground which the U.S. could tap as it sought to establish durable diplomatic and economic links with Kenya's new post-colonial government. The U.S. also had an advantage in its diplomatic endeavors to win Kenya on its side because, as the leader of the Western bloc, its interests coincided with those of fellow bloc member Britain, the colonial power. Seventy or so years of British colonialism had produced a Western-oriented capitalist economy with the supporting socio-political infrastructure.

#### **U.S. INTERESTS IN KENYA**

In the decade immediately after independence, U.S. policy objective was to ensure that Kenya became a faithful and dependable ally. It thus sought to influence both domestic and foreign policies of the new nation with a view to making them more Western (as opposed to Eastern-), or more specifically, more U.S., oriented. Before discussing how this mission was executed it is appropriate to consider the question of interests. Why was the U.S. interested in Kenya? The traditional argument has been that Kenya was important to the U.S. for ideological, geostrategic and economic reasons. However, the dominant paradigmatic explanation of U.S. interest in Kenya places U.S.

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<sup>23</sup>The first ambassador to Kenya, William Attwood, reported in March 1964. It is instructive, too, that the Nairobi consulate had been handling the affairs of Uganda as well.

foreign policy towards the country, both before and after independence, within the Cold War context.<sup>24</sup> U.S. initiatives in Kenya in the 1950s and after independence were motivated by its desire to keep Kenya and its adjacent region within the Western bloc and to pre-empt communist influence. Thus, aware that communism usually found good breeding grounds in revolutionary movements, especially those fighting colonialism, the U.S. was concerned about the prospects of Kenya going "communist" in the wake of the Mau Mau rebellion, and moved in to ensure that moderate forces dominated the nationalist movement in Kenya. In as much as these fears appear to have been unfounded due to the fact that there is no credible evidence to link Mau Mau to communist influence or to suppose that the movement had the potential of attracting support from the East,<sup>25</sup> what is undisputable is that the fear of such a possibility influenced U.S. perceptions of Kenya's future.

Whether early U.S. interest in Kenya was motivated by a hyped connection between Mau Mau and international communism or not may not be as important as the question as to how and why Kenya fitted into U.S. containment policy. Kenya's value in the Cold War configuration derived mainly from its geostrategic position. Its proximity to the Horn of Africa and its adjacent position to the Indian Ocean made it a "possible launching site for a deployment force in the event of an incursion into the

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<sup>24</sup>See, for instance, Korwa G. Adar, "Kenya-US Relations: A Recapitulation of the Patterns of Paradigmatic Conceptualization, 1960s-1990s," in The United States and Africa: From Independence to the End of the Cold War, eds. Macharia Munene, J.D. Olewe Nyunya and Korwa Adar (Nairobi: East African Educational Publishers Ltd., 1995), 89-104.

<sup>25</sup>As has been documented by several scholars, Mau Mau had no international connections. Neither was its leadership which was largely peasant, fired by any strong ideology. For further elucidation on this observation, see Okoth, 28-29.



Persian Gulf by the Soviet Union or others."<sup>26</sup> Her deep-water harbour at Mombasa was a coveted potential site for resupply and refueling in the event of any general war. Later in the 1980s, the U.S. signed an access agreement with Kenya giving the U.S. military port-of-call rights in Mombasa, and the permission to use Mombasa as a base for U.S. military manouvres in the region.

Partly because of its geographical position, Kenya could also be an important ally in the efforts to cushion off the East and Central African region against the spread of communism. In the 1950s, U.S. diplomats appeared to have recognized British East Africa (of which Kenya was part) as a potential breeding ground for communism.<sup>27</sup> Kenya's significance in containing communist penetration in the region became even more appreciated. U.S. policy makers' anxiety over the 1964 Zanzibar revolution which the U.S. feared could open the gate for communist influence in the region, especially after the East Germans moved in, testified to Washington's apprehension about the likelihood that the "Red Flood" could spread to the region. It was because of the happenings in Zanzibar, for instance, that the State Department decided to release to Nairobi the first U.S. ambassador in February, 1964, two months earlier than scheduled after a cross section of the American press had "deplored the fact that we didn't even

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<sup>26</sup>Jennifer A. Widner, "Kenya's Slow Progress toward Multi-party Politics," Current History 2, no.4 (1992): 217.

<sup>27</sup>For instance, in a memo (dated May 27, 1957) to the State Department, the Consulate General at Nairobi emphasized that "conditions for communist penetration were excellent in British East Africa" and exhorted policy makers to consider Kenya as a key player in the anti-communist crusade in the region.

have an ambassador in Kenya while all this was going on."<sup>28</sup> Later, when Tanzania decided in 1967 to adopt a socialist model of development and became increasingly critical of capitalist tendencies and when a pro-Soviet regime emerged in 1969 in Somalia, Kenya's potential role as a bulwark against communism in East Africa was recognized even more.

The Congo crisis<sup>29</sup> which began in 1960 immediately after the Belgians had granted independence to the central African country also illuminated Kenya's significance in U.S. Cold War strategy. As Attwood observes:

Kenya and Kenyatta were important elements in developing a strategy during the Congo crisis. The most convenient supply route for arms shipments to the eastern Congo was by way of East Africa, especially through Kenya and Uganda. Kenyatta with his tremendous prestige would be a valuable recruit to the anti-Tshombe cause.<sup>30</sup>

U.S. assessment of Kenya's significance was vindicated when the Organization of African Unity (OAU) appointed Kenyatta chairman of the important ad hoc OAU Congo Conciliation Commission to mediate on the crisis. Because Tshombe was viewed by most African countries as a stooge of Western, especially U.S., imperialism, Kenya's stance was crucial for U.S. policy makers who viewed the crisis in the wider

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<sup>28</sup>William Attwood, The Reds and the Blacks: A Personal Adventure, (New York: Harper and Row), 157.

<sup>29</sup>For a detailed account of the Congo Crisis in the early 1960s and U.S. involvement, see Stephen R. Weissman, American Foreign Policy in the Congo, 1960-1964, (Ithaca: Cornell University Press, 1974) and Michael G. Schatzberg, Mobutu or Chaos? The United States and Zaire, 1960-1990, (Lanham, MD: University Press of America, 1991)

<sup>30</sup>Attwood, 193.

context of East-West rivalry. The importance of the Congo issue in U.S.-Kenya relations was brought to fore in mid-1965 when, irritated by Kenya's attacks on U.S. stance on the issue, the Johnson administration threatened to withdraw U.S. aid to Kenya.<sup>31</sup>

U.S. interest in Kenya in the decade before and immediately after independence was largely motivated by ideological and geostrategic reasons. While economic considerations may have comprised a segment of U.S. interest in Kenya, Kenya's economic value to the U.S. has some times been exaggerated. Unlike Zaire, Nigeria or South Africa, Kenya was not known to possess the strategic minerals or oil deposits which the U.S. may have been interested in. Also, the U.S. was not Kenya's major trading partner, nor was the U.S. too eager to secure markets for its goods in Kenya. As can be deciphered from table 3 below, in 1964 and 1965, for instance, U.S. imports from Kenya were worth far less than those from South Africa, Nigeria, Ethiopia, Liberia and Angola. Even by 1989, Kenya's share of U.S. imports from sub-Saharan Africa was still comparatively low. This showed that Kenya did not possess commodities highly cherished by the U.S.

Table 3: U.S. Imports From Kenya and Major Trading Partners in sub-Saharan Africa, 1964-1989. Value in U.S.\$.

Country	1964	1965	1989
Kenya	23,760,000	13,070,000	68,000,000
South Africa	249,505,000	225,121,000	1,539,000,000
Nigeria	40,471,000	58,790,000	5,227,000,000

<sup>31</sup>Okoth, 94.

Liberia	48,414,000	50,664,000	107,000,000
Ethiopia	53,184,000	63,551,000	1,863
Angola	54,727,000	48,324,000	70

Source: United States Department of Commerce, Statistical Abstracts of the United States, 1966, 1991, (Washington, D.C: GPO, 1967, 1992), 872-873 and 809.

Kenya's colonial economy had been oriented toward Britain and indeed, British economic interests in Kenya were larger than those of the U.S. Thus, while British interest in independent Kenya was largely motivated by economic imperatives, that of the U.S. remained motivated by ideological and geostrategic considerations. U.S. private investment in Kenya was virtually negligible even though some American investors began coming to Kenya on the eve of and immediately after independence. For instance by 1990, U.S. private investment in Kenya was worth a mere US\$ 200 million compared to US\$ 1 billion for the British.<sup>32</sup> It was not until the mid-1970s that U.S. based multinationals began entering Kenya's private sector.<sup>33</sup> Moreover, U.S. private investment had been declining since the early 1980s. Indeed, the volume of import-export trade between the two countries since independence remained insignificant when compared to that between Kenya and Britain and Germany, for instance.<sup>34</sup> This may explain the variance between the extent and manner of U.S.

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<sup>32</sup>Smith Hempstone, Rogue Ambassador: An African Memoir, (Sewanee, TN: University of the South Press, 1997), 93.

<sup>33</sup>John. J. Okumu, "Foreign Relations: Dilemmas of Independence and Development," in Politics and Public Policy in Kenya and Tanzania, eds. Joel D. Barkan and John J. Okumu (New York: Praeger Publishers, 1979), 246.

<sup>34</sup>For instance, in 1989, Kenya's total exports and imports to and from the U.S. totaled Kenya Pounds 49.38 million and 25.57 million respectively as compared to 447.41 million and 351.04 million respectively in respect of Britain. (See Republic of

involvement in Kenya's democratization process and that of the British. The U.S. did not have substantial economic interests to protect in Kenya as much as the British did.

### **U.S.-KENYA DIPLOMATIC RELATIONS**

Immediately after independence, the U.S., freed from the fear of antagonizing the British, moved quickly to strengthen its diplomatic presence in Kenya. Initially, there was a lot of anxiety in the U.S. policy establishment about the role Kenya would play in the highly charged Cold War environment and the prospects for good U.S.-Kenya relations. Two important considerations engendered such anxiety. First, there was uncertainty about Jomo Kenyatta, Kenya's new leader. Kenyatta, who had spent several years in prison after being convicted of involvement in Mau Mau activities, had been portrayed as a radical and bitter nationalist who would not be sympathetic to western interests. He had been widely referred to in the western media as the "leader to darkness." However, worries about his ability to "revenge" eased when in the early part of his tenure, especially in the six-month self-government period between June, 1963 and December, 1963 when full independence was granted, Kenyatta had moved quickly to present himself as a moderate, in fact, potentially pro-western leader. His policy statements emphasized his government's commitment to multi-racialism, tolerance and "forgiveness."<sup>35</sup> On the eve of independence, as a gesture of good will, the American business community in Nairobi, at the prompting of the U.S. government, presented

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Kenya. 1989. Economic Survey. Tables 7.11 and 7.12, p.97).

<sup>35</sup>See Colin Leys, *Underdevelopment in Kenya: The Political Economy of Neo-colonialism* (Berkeley: University of California Press, 1975)

Kenyatta with a "freedom car."<sup>36</sup>

Despite relative satisfaction that Kenyatta and his government were more likely to be pro-Western in orientation, another source of worry lingered from another direction: Kenyatta's age and the possibility that he would succumb to influence from either of the two most influential members of his cabinet, Tom Mboya and Oginga Odinga. This assessment may have led to frantic efforts to influence Kenya's domestic politics with a view to propping up the pro-Western faction in the government to which Mboya belonged and to alienate the Left led by Odinga. Thus, in order to safeguard its interests in an "imminent" post-Kenyatta Kenya, the U.S., quite naturally, chose to back Mboya and the pro-western camp in the government against the supposedly pro-East Odinga camp. As a Kenyan scholar has also observed:

The United States feared the radical rhetoric of the Odinga group and the undeniable patronage it had received from the Eastern block countries; Attwood's partnership with the Mboya group grew day by the day as he tried to undermine the progressives (Odinga/Kaggia) in government and within the party.<sup>37</sup>

In fact, according to some observers, it was widely suspected by many, including Kenyatta himself, that the U.S. was even keen on having Mboya replace Kenyatta while the latter was still alive. Attwood himself reports in his memoir that Kenyatta, suspicious about U.S. private aid to Mboya, had asked him to ensure that such aid was

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<sup>36</sup> The New York Times, "Kenyatta Gets Freedom Car," 6 December 1963, p. 14.

<sup>37</sup> Peter Anyang' Nyong'o, "State and Society in Kenya: The Disintegration of the Nationalist Coalitions and the Rise of Presidential Authoritarianism, 1963-1978." African Affairs 88, no.351 (April 1989): 237.

stopped.<sup>38</sup> In an apparent demonstration of willingness to involve the U.S. in Kenya's internal power struggle, the ambassador made a pledge to ensure that "all aid to independent Kenya should go through the government,"<sup>39</sup> not to individuals (read Mboya). Odinga also expresses the opinion in his biography that U.S. strategy seemed to converge with that of Britain on "grooming Mboya for leadership instead of Kenyatta."<sup>40</sup> The U.S. thus became an active participant in Kenya's domestic power struggles which, in the era of intense Cold War rivalry, "took on the form of proxy battles between the West and East."<sup>41</sup> Accordingly, U.S. manouvres against Odinga were "aimed at bolstering Kenyatta and curbing the influence of militant nationalists seeking to reduce Western domination."<sup>42</sup>

The second source of anxiety for U.S. policy makers was Kenya's (initially) strong non-aligned stance and its seemingly "progressive foreign policy that was supportive of liberation in colonial Africa."<sup>43</sup> In fact, because of the Mau Mau experience and the relatively radical nature of the nationalist demands, there were fears that after independence, Kenya would be a radical socialist country.<sup>44</sup> If Kenya's

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<sup>38</sup>Attwood, 241.

<sup>39</sup>Ibid.

<sup>40</sup>Odinga Odinga, Not Yet Uhuru, (London: Heinemann, 1967), 200.

<sup>41</sup>Vincent B. Khapoya, "Kenya," in The Political Economy of African Foreign Policy: Comparative Analysis, eds. T. M. Shaw and Olajide Aluko (New York: St. Martin's Press, 1984), 146.

<sup>42</sup>Okoth, 94.

<sup>43</sup>Ibid., 85.

<sup>44</sup>John J. Okumu, "Kenya's Foreign Policy," in The Foreign Policies of African States, ed. Olajide Aluko (London: Hodder and Stroughton, 1977), 136.

maiden speech to the United Nations General Assembly in December 1963 was any thing to go by, such anxiety was not entirely unfounded. The speech, read by Odinga, the Minister for Home Affairs, on behalf of Prime Minister Kenyatta, was uncompromising on colonialism and imperialism, vowing that Kenya would never be neutral on such matters.<sup>45</sup> More alarmingly, Odinga, in a news conference later intimated that Kenya would of necessity "have to take steps away from the western orbit" to redress the imbalance caused by former colonial ties.<sup>46</sup> Three incidents the following year increased U.S. anxiety: there were demonstrations against the U.S. in Nairobi over the Congo issue; then Nairobi's *Time* bureau chief was expelled; finally, to the chagrin of the U.S. embassy, Kenyatta invited Lumumbists to the first independence anniversary in December.<sup>47</sup> The U.S. had to move quickly to stem this anti-U.S. tide and to tighten its grip on Kenya's diplomacy.

Anxiety on this front waned with increasing signs of moderation in Kenya's foreign policy in the first three years of independence as Kenyatta and his pro-Western colleagues took control of Kenya's external affairs. Despite a few instances of friction with the West, especially on the Congo issue and the Rhodesian question, it was clear that Kenya eschewed radical aggressiveness in its relations with the outside world, especially with the West. As Okumu<sup>48</sup> observes, Kenya appeared to adopt "an extremely moderate and, indeed, a cautious stance in handling her external affairs",

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<sup>45</sup>Ibid., 86.

<sup>46</sup>Quoted and paraphrased in Ibid.

<sup>47</sup>Okoth, 92.

<sup>48</sup>Okumu, "Kenya's Foreign Policy," 136.



preferring, instead, "quiet diplomacy" when dealing with contentious issues. That fears about Kenya going socialist or communist were misplaced was further confirmed by its early choice of western capitalism exemplified by its "continuing reliance on the Western world as the source of needed capital and technical collaboration in developing the modern sectors of its economy."<sup>49</sup>

Kenya's non-alignment posture also began to waver as Kenya's policy on important African issues increasingly became aligned to British and American positions.<sup>50</sup> A majority of Kenyan leaders appeared to care more about economic benefits from the West than worry about non-alignment. As one member of the cabinet reportedly told Attwood, "if economic cooperation with the West benefits us, then let's cooperate and not worry about whether we look aligned or not."<sup>51</sup> In 1966, while Tanzania refused to grant the U.S. airline, *Pan American*, landing rights, Kenya granted those rights despite the non-aligned principle that a "Western" airline had to be balanced by an "Eastern" airline.<sup>52</sup> Since independence, Kenya's most valued trade partners remained those countries in the West. In 1989, for instance, Kenya's exports to Eastern Europe totaled a paltry Kenya Pounds 25. 57 million compared to those to Western Europe which totaled Kenya Pounds 447.41 million.<sup>53</sup> In the same year,

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<sup>49</sup>Harold D. Nelson, Kenya: A Country Study, (Washington, D.C.: Government Printing Office, 1984), 10.

<sup>50</sup>Odinga, 294.

<sup>51</sup>Attwood, 258.

<sup>52</sup>Ibid.

<sup>53</sup>Republic of Kenya, Economic Survey, 1990, (Nairobi: Government Printing Press, 1991).

imports from Western countries, including the U.S., comprised 80% of Kenya's total world imports. In terms of foreign investment, Britain, Japan, Germany, Italy, the U.S. and France have had the largest share of private capital in Kenya since independence.

Kenya had more diplomatic posts in the West than in the East. For the entire 1963-1978 period, Nairobi expelled no Western diplomat and rejected no Western military or economic aid in contrast with the breaking of diplomatic relations with China and Czechoslovakia in 1966 and 1968 respectively and the rejection of economic and military aid from the Soviet Union.<sup>54</sup> Also, despite maintaining membership in the non-aligned movement, Kenya had by the middle of the 1960s developed an unambiguously anti-Soviet position.<sup>55</sup>

Kenya's bold embrace of the West, even when anti-western sentiments in the continent were at their peak surprised even the westerners themselves. In the wake of the Congo crisis and the Rhodesian UDI question, the Kenyatta government made some moves few African leaders could afford to make "without being accused of selling out to neo-colonialism."<sup>56</sup> In 1964, Kenyatta had accepted Sir Malcolm Macdonald, the last British Governor General to Kenya, as the first British High Commissioner to Kenya. In late 1964, Britain assigned Brigadier John Handy as Commander of the Kenya Army following a request by Kenyatta. In the same year, Kenya also signed a military agreement with Britain which also had access to Kenya's military facilities. This was

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<sup>54</sup>D. Katete Orwa, "Continuity and Change: Kenya's Foreign Policy From Kenyatta to Moi," in *Politics and Administration in East Africa*, ed. Walter O. Oyugi (Nairobi: East African Educational Publishers, 1994), 307.

<sup>55</sup>Nelson, 223.

<sup>56</sup>Attwood, 243.

certainly against the principles of the non-alignment which saw such military cooperation as avenues for imperialism and continued bondage to ex-colonial masters. In December 1965, Kenyatta publicly rejected the O.A.U resolution requiring member countries to sever diplomatic relations with Britain because of the latter's reluctance to condemn Ian Smith's UDI in Rhodesia. Because Kenya appeared to be decidedly pro-Western in its domestic and foreign policies, other progressive African states like Tanzania viewed it as a "sub-imperial" power working on behalf of Western imperialism in Africa.

The pro-western orientation of domestic and foreign economic policies was officially proclaimed in the influential Sessional Paper no.10 of 1965, a blue print for Kenya's economic policy.<sup>57</sup> This policy document confirmed Kenya's choice of the capitalist path to development. In the words of the then American ambassador to Kenya, William Attwood, it "encouraged private investment and explicitly rejected Marxism."<sup>58</sup> The sessional paper, despite its rhetorical claim to "African socialism," was, in fact, a restatement of Kenya's decision to follow the capitalist path to development, thus drawing it closer to the West. Indeed, the development strategy adopted on independence was one advised by the World Bank and built upon the policies and institutions left by the British.<sup>59</sup> Even technical assistance was mainly drawn from the West. By 1971, for instance, expatriates from the East accounted for a

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<sup>57</sup>See Republic of Kenya, Kenya Sessional Paper no.10: African Socialism and Its Application to Planning in Kenya, (Nairobi: Government Printer, 1965).

<sup>58</sup>Attwood, 247.

<sup>59</sup>Khapoya, 146.

negligible ½ of 1% of all foreign expatriates in the country compared to the 60% that came from Britain, 13% from the United States and Canada and 11% from the Nordic Countries.<sup>60</sup>

Despite the intense interest in Kenya's internal politics and anxiety about whether Kenya would adopt a pro- or anti- Western stance in its foreign policy, the U.S. never really played a leadership role in other aspects of relations between Kenya and the West as a bloc in the first decade of independence. Instead, it left the leadership role to Britain while it played a similar role in Ethiopia, its client state up North.<sup>61</sup> Britain remained Kenya's main supplier of military hardware and the main source of economic aid. British private investments increased disproportionate to those of the U.S. The U.S. played the key role in keeping Kenya in the Western camp both by influencing the domestic power struggle in favor of the conservative, pro-western camp and by influencing Kenya's diplomatic posture away from the communist bloc. Attwood again boasts of several specific instances when U.S. initiatives helped woo Kenyans away from pro-Soviet policy stances. For instance, when Attwood complained to Kenyatta about attacks on U.S. policy on Vietnam in 1965 in the U.N. by Joe Murumbi, Kenya's foreign minister, Kenyatta asked Murumbi "to see Secretary Rusk and 'clarify' Kenya's policy."<sup>62</sup> In what amounts to confessions of U.S. duplicity in the expulsions of suspected communist visitors by Kenyatta's government, Attwood observes that "the

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<sup>60</sup>Ibid.

<sup>61</sup>Jeffrey A. Lefebvre, "Kenya," Encyclopedia of U.S. Foreign Relations, 3 (New York: Oxford University Press, 1997), 13.

<sup>62</sup>Attwood, 264.

government appreciated the leads we were able to furnish them on certain strangers in town."<sup>63</sup> By the end of the 1960s, it was clear that the U.S. had gained some ground in Kenya diplomatically. Kenya had become firmly allied to the U.S.

### **MILITARY/STRATEGIC PARTNERSHIP**

After adopting a low key approach in its relations with Kenya in the early 1970s, the U.S. again began to seek a more assertive role in the mid-1970s. Economic assistance to Kenya increased. Kenya began receiving military assistance from the U.S. This upsurge in U.S. interest in Kenya has been explained in terms of the East-West rivalry, confirming the thesis that U.S. interest in Kenya had been motivated almost exclusively by Cold War ideological and geostrategic concerns. These concerns which increased in the second half of the 1970s and early 1980s led to the evolution of a strong military-strategic partnership that lasted until the end of the Cold War. This partnership, in turn, refurbished U.S. leverage over Kenya as it enhanced the latter's dependence on the former within a patron-client sort of relationship.

U.S. initiatives to revamp its relations with Kenya in the 1970s were motivated mainly by developments in the Horn of Africa and in the Indian Ocean. The overthrow of the Haile Selassie regime in Ethiopia in 1974 and the subsequent entrenchment there of the Soviet-backed Mengistu regime had significant implications for U.S. policy in the region. With Selassie's ouster, the U.S. lost an important strategic and faithful client. It lost, for instance, access to the strategic communications base at Kagnew. These developments had increased the chances of soviet expansion which had, in any case, been boosted by the 1974 Friendship Treaty between the U.S.S.R. and Somalia.

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<sup>63</sup>Ibid., 250.

The latter had even granted the Soviets access to the port and air facilities in Berbera, thus heightening Washington's anxiety about Soviet military activities in the Horn and around the Ocean. The U.S. also became more desperate after losing access to the port facilities in Angola and Mozambique following the end of Portuguese colonial rule in 1974.<sup>64</sup> It was natural that it had to strengthen ties with other strategically important countries in the region and Kenya, having been a reliable ally in the past, was a natural choice.<sup>65</sup> In the wake of the 1977-1978 Ethiopia-Somalia war, Kenya became even more important in Washington's geostrategic calculations. The Soviet intervention in Afghanistan in 1979 raised Kenya's geostrategic value even higher due to its adjacent position to the Indian Ocean, another important Cold War theater.

All these developments triggered a series of initiatives, mainly by the U.S., to strengthen ties between the two countries, thus beginning a pattern of patron-client relations that endured into the 1980s. The patron-client relationship provided the basis for the leverage and influence that the U.S. would tap in its attempts to influence Kenya's democratic transition in the 1990s. It was, for instance, in the mid-1970s, in the wake of these ideological and strategic concerns, that the U.S. initiated military contacts with Kenya. As mentioned earlier, throughout the first decade of Kenya's independence, Britain had been the main supplier of Kenya's military requirements.<sup>66</sup> Indeed, even in the period 1979-1983 when U.S. military aid took an exponential leap, Britain still supplied Kenya with more military aid than the U.S. with the former

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<sup>64</sup>Lefebvre, 13.

<sup>65</sup>Khapoya, 156.

<sup>66</sup>Miller, 128-129.

providing military hardware worth US\$ 130 million and the latter US\$ 60 million.<sup>67</sup>

Until 1976, U.S.-Kenya cooperation did not have a military component.<sup>68</sup> In that year, however, Kenya purchased a squadron of F-5 aircraft and anti-tank missile mounted helicopters from the U.S.<sup>69</sup> Kenya had previously turned down a unilateral offer by the U.S. to sell to it the same aircraft only a year earlier. However, it is easy to understand Kenya's decision to procure the aircraft after all in view of the increased Soviet involvement in the region, especially after U.S.S.R. signed the Friendship Treaty with Somalia and the political developments in neighboring Ethiopia. Kenya was particularly concerned about Soviet military assistance to Somalia with which it had an unresolved territorial border dispute. Somalia still claimed that Kenya's Northeastern Province was Somali land because it was populated mainly by people of Somali origin.<sup>70</sup> Kenya's fears were heightened when Somalia went to war with Ethiopia in 1977 over the Ogaden region on the same issue. Thus Kenya's concerns over the developments in the Horn intersected with those of Washington: they were both anxious about Soviet influence in the region, Kenya because of its implication for its territorial integrity and the U.S. because of its implication for its geostrategic interests in the Cold War. There was, therefore, sufficient motivation for each to enter into some

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<sup>67</sup>U.S. Department of Defense, World Military Expenditure and Arms Transfer, (Washington, D.C, 1992), 131.

<sup>68</sup>Nelson, 28.

<sup>69</sup>Ibid.

<sup>70</sup>For a detailed account of the Kenya-Somalia border dispute see Korwa Gombe Adar, "The Significance of the Legal Principle of "Territorial Integrity" as the Modal Determinant of Relations: A Case Study of Kenya's Foreign Policy towards Somalia, 1963-1983," (Ph.D diss., University of South Carolina, 1986).

form of military and strategic partnership.

From 1976 on, U.S.-Kenya military cooperation grew both quantitatively and qualitatively. The growing military-strategic partnership between the two countries led to a Facilities Access Agreement signed in Washington on June 26, 1980. This agreement, which placed Kenya firmly in the U.S. "Over-the-Horizon" strategic infrastructure in the Indian Ocean region, granted the U.S. overflight and landing rights at Kenyan airfields at Embakasi and Nanyuki for "power projection" operations in the Persian Gulf.<sup>71</sup> U.S. military also secured port-of-call rights at Mombasa. Kenya's generosity in this bargain was underlined by the fact that unlike in the Philippines where a firm agreement was reached on monetary compensation, there was no specific commitment by the U.S. in that regard apart from an annual provision for US\$ 250,000 to maintain the Moi Airport in Mombasa and the one time expenditure of US\$ 57 million to improve the port and the airfields.<sup>72</sup>

By 1979, Kenya had received up to US\$ 90 million in security assistance and US\$ 118 million worth of arms including tanks and F-5 jet fighters.<sup>73</sup> Between 1976 and 1983, Kenya was the recipient of up to US\$ 5.8 million of grant assistance under the International Military Education and Training Program (IMET); in 1982 alone, there were 72 Kenyan military personnel under training in the U.S. From 1982, the Military Assistance Program (MAP) effected an annual allocation of military grants to

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<sup>71</sup>Daniel Volman, "Africa and the New World Order," Journal of Modern African Studies 31, I (1993): 15.

<sup>72</sup>Dagne,

<sup>73</sup>Lefebvre, 13.



Kenya in its budget. U.S. military aid to Kenya in the budget rose from US\$ 7 million in 1981 to US\$ 33 million in 1982 before stabilizing at U.S.\$ 22 million and US\$ 24 million in 1983 and 1984 respectively.<sup>74</sup> Between 1980 and 1990, Kenya is reported to have received a total of about US\$ 350 million in US military assistance and US\$ 150 million worth of foreign military sales cash arms transfer.<sup>75</sup> By the end of the 1980s, Kenya became the leading recipient of U.S. security assistance in sub-Saharan Africa, especially after the U.S. fell out with Somalia and Sudan.<sup>76</sup> See table 4 below.

Table 4: The Ten Top recipients of U.S. military aid to sub-Saharan Africa, 1989. (In Millions of U.S. dollars).

<b>Kenya</b>	<b>16</b>
Zaire	04
Liberia	01
Sudan	01
Botswana	01
Somalia	01
Niger	01
Djibouti	01
Gabon	Less than US\$ 500,000
Cameroon	Less than US\$ 500,000

Source: United States Department of Commerce, Statistical Abstract, 1991, p. 31.

The growth of the strategic alliance between the U.S. and Kenya drew the latter

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<sup>74</sup>U.S. Department of Commerce, Statistical Abstracts of the United States, 1986, 805

<sup>75</sup>Ibid.

<sup>76</sup>Ibid.

diplomatically closer to the U.S. more than ever before. In 1979, Moi led an entourage of senior members of his government on the first official visit to the U.S. by a Kenyan president. Kenya became a dependable ally on many issues. In 1980, soon after signing the military access agreement, Kenya decided to boycott the Olympic Games in Moscow, heeding the U.S. call for other countries to do so as a sign of protest over the Soviet invasion of Afghanistan the previous year. U.S. appreciation of Kenya's diplomatic support and friendship in the wake of the resurgence of the Cold War was categorically expressed by a senior State Department official who told the House subcommittee on Africa, *inter alia*, that U.S. relations "with the government of Kenya (were) excellent. The Kenyans have strongly supported our position in Iran, have openly condemned the Soviet invasion of Afghanistan."<sup>77</sup> He even endorsed Kenya's "democratic credentials: "On the domestic side, Kenya held free elections last October. Kenya's human rights record is among the best in Africa."<sup>78</sup> In 1981, Moi made another high profile visit to Washington at the start of the Reagan administration. Kenya's relations with the U.S. during Reagan's eight-year tenure remained excellent. The U.S. increased its economic and military assistance to Kenya which had now become Washington's "best friend in Africa."<sup>79</sup>

## **U.S. ECONOMIC INTERESTS IN KENYA**

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<sup>77</sup>See statement by the Deputy Assistant Secretary of State for African Affairs (Harrop) Before the Sub-Committee on Africa of the House Foreign Affairs Committee, February 25, 1980 in U.S. Department of State, "Africa," American Foreign Policy, 1977-1980, (Washington, D.C.: GPO, 1990), 12237.

<sup>78</sup>Ibid.

<sup>79</sup>Miller, 138.

The major motivation of U.S. interest in Kenya was ideological and strategic in nature. Kenya was not significant to Washington for any economic reasons. Kenya did not possess most of the resources that had attracted U.S. private investors to, for instance, Zaire, Nigeria or South Africa. Despite the incentives set forth by the Foreign Investment Promotion Act which guaranteed foreign firms repatriation of their profits and allowed such firms to pay interest and loans secured abroad with earnings from Kenya, U.S. private investment was slow in coming. For a long time, Kenya's economy was dominated by the agricultural sector in which the British had already entrenched themselves, thanks to the colonial legacy. By the time of independence, Kenya's import-export trade was oriented towards Britain more than any other country. Trade between Kenya and the U.S. since independence has been relatively negligible compared to that between Kenya and Britain, for instance.

U.S. private investment began to increase in the mid-1970s onwards. By the end of the decade, U.S. private investment had registered some notable presence in industrial production, food canning, hotel management, banking, insurance and transportation and totaled some US\$ 315 million by 1981.<sup>80</sup> Some of the major U.S.-based multinationals which entered Kenya's market at this time were Firestone, Colgate-Palmolive, Crown Cork, Del Monte, Union Carbide, General Motors, IBM and Coca-Cola. Kenya may have attracted America's private investors during this period because of its relative stability in a relatively unstable region ( its neighbors Ethiopia, Uganda and Somalia were relatively unstable), and its more developed infrastructure. In

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<sup>80</sup>Nelson, 228.

fact, Nairobi soon became the regional headquarters of many U.S.-based and other multinationals operating in the entire eastern and central African region. However, even through 1990, U.S. private investment in Kenya remained low compared to that of Britain and, even Japan, and, in any case, started to decline by the late 1980s. By 1990, for instance, U.S. private investment amounted to some US\$170 million, while that of Britain was as high as US\$ 3 billion.<sup>81</sup>

Trade between the U.S. and Kenya had not been significant since independence. Indeed, Kenya had never been a U.S. principal trading partner. Despite the fact that by the first half of the 1990s Kenya had become the U.S. eighth largest trading partner in sub-Saharan Africa, trade with Kenya had not been a key consideration for the U.S. policy establishment in U.S.-Kenya relations.

Even though Kenya had remained relatively open and hospitable to trade with the U.S., several factors have stagnated significant growth in bilateral trade since independence. According to U.S. officials, factors inhibiting more pronounced trade with Kenya include the latter's traditional ties to Britain, its almost exclusive use of British business laws and practices, a relatively less developed market and its distance from the U.S.<sup>82</sup> Moreover, Kenya did not possess the kind of commodities considered very critical to U.S. economy or consumption. For Kenya, European markets were more important than the U.S. because the former were more interested in its principal export

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<sup>81</sup>Figures quoted by a diplomat in British High Commission in Kenya during an interview with this researcher in February, 1993 on a research topic, "External sources of Kenya's Democratization Process."

<sup>82</sup>U.S. Department of Commerce, National Trade Data bank and Economic Bulletin Board, extracted from <http://www.stat-usa.gov/BEN/inqprogs2/w> (May 22, 1998), 2 of 3.

commodities, that is, coffee and tea. The U.S. market had also been restrictive to Kenyan goods, especially textiles.<sup>83</sup> In any case, the trade balance between the two countries had always been in U.S. favor. (See Table 5 below.)

Table 5: U.S. Export-Import Trade With Kenya, 1965-1990. Values in US\$ Million.

	1965	1970	1975	1980	1985	1990
Exports	24	34	49	141	97	116
Imports	13	23	36	54	92	58
Trade Balance (U.S.)	+11	+11	+13	+87	+5	+58

Source: U.S. Department of Commerce, Statistical Abstracts of the United States, Various years.

In sum, trade between U.S. and Kenya had not been significant enough for Kenya to worry about losing the U.S. market. Indeed, U.S. share of Kenya's exports had consistently remained within the single digit since independence. In the second half of the 1980s, for instance, Kenya's exports to the U.S. plummeted from 8.5% of Kenya's world total in 1987 to 5.4%, 4.9% in 1988, 4.8% in 1989 to a paltry 2.4% in 1990.<sup>84</sup> In contrast, Britain's share of Kenya's exports increased from 16.9% in 1987 to 19.5% in 1989, making Britain the largest importer of Kenyan goods.<sup>85</sup> On the U.S. side, too, trade did not influence policy towards Kenya as much as geostrategic and other

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<sup>83</sup>Interview with an official at the Kenyan Embassy in Washington, July 3, 1998.

<sup>84</sup>United Nations, International Trade Statistics Year Book, ( New York: United Nations, 1995), 547.

<sup>85</sup>Ibid.

diplomatic concerns. Hence, it is an exaggeration to use trade indices as a sign of Kenya's dependence on the U.S. It is not plausible to argue that trade considerations have significantly influenced U.S. policy towards Kenya. Trade may have been a factor, but certainly not a major one. Trade, therefore, could not form a significant part of the leverage for the U.S. in its intervention in Kenya's democratic transition.

#### **THE U.S. AS A MAJOR SOURCE OF AID TO KENYA: ACCUMULATION OF THE "DONOR" LEVERAGE**

U.S. economic leverage and influence over Kenya came mainly from its willingness to extend economic assistance to the country. While it is common for scholars to explain Kenya-U.S. relations within the framework of dependence,<sup>86</sup> many have failed to point that Kenya's dependence on the U.S. derives mainly from the donor-recipient relationship between the two countries while her dependence on, say, Britain, derives from both the donor-recipient relationship and other indices of dependence like trade flow and foreign investment.

Throughout the 1960s and 1970s, the U.S. was only second to Britain as the major source of economic aid. The U.S. became even a more critical source of aid for Kenya in the 1980s. Kenya began to experience severe economic problems in the early 1980s. Negative balance of payments, budget deficits and food shortages compelled the Moi regime to turn outward for assistance. Kenya's perceived geostrategic importance to the U.S. in the light of the developments in the Horn in the late 1970s and early 1980s assured Kenya favorable responses from the U.S. Throughout the period 1978-1990, Kenya was a favored recipient of the Economic Support Fund (ESF) assistance

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<sup>86</sup>See, for instance, Adar, "Kenya-U.S. Relations."

and the Public Law 480 food aid. In this period, Kenya received more than US\$ 700 million in total aid.<sup>87</sup> USAID also increased funding for projects in population planning, health, energy and agriculture. Aid allocation to Kenya in form of both economic assistance and military aid remained consistently favorable for the all of the 1980s as shown in table 6 below.

Table 6: U.S. Military and Economic Assistance to Kenya, 1981-1990. Values in US\$ Million.

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
Military aid	07	33	22	24	22	21	12	06	16	11
Economic Assistance	20	39	61	53	40	43	37	43	56	36
TOTAL	27	72	83	77	62	64	49	49	72	47

Source: United States Department of Commerce, Statistical Abstracts of the United States, Various years.

By 1990, Kenya had become one of the largest recipients of American aid in sub-Saharan Africa. In that year, it received a total of US\$ 47 million in both military aid and economic assistance, beaten only by Mozambique which received U.S.\$ 50 million, all in economic assistance.<sup>88</sup>

The U.S. became important to Kenya in the wake of the economic crisis of the

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<sup>87</sup>Michael Clough, "The United States and Africa: The Policy of Cynical Disengagement," Current History 91, no. 565 ( May 1992): 195.

<sup>88</sup>U.S. Department of Commerce, Statistical Abstracts of the United States, 1992, pp.794-95.

1980s also as a guarantor for loans secured through the World Bank and the IMF on which Kenya was increasingly dependent, especially through the Structural Adjustment Program. With U.S. assistance and approval, Kenya became one of the first recipients of a structural adjustment loan in 1980 with another extended in 1985. Indeed, the U.S. as the major shareholder, or contributor to the two international financial institutions (IFIs), wielded a lot of influence as to loan advancement. U.S. advocacy on behalf of Kenya in donor circles became even more important given the former's memberships in the influential G-7 that groups the world's most industrialized nations, the world's top bilateral donors, and in the Paris Club which brings together key donors for individual countries. U.S. leadership in donor circles, both bilateral and multilateral, can not be taken for granted. Indeed, much of the leverage the U.S. tapped to pressurize the Moi regime to initiate the transition process emanated from its influence and leadership position in the donor circles.

#### **U.S. AND DEMOCRACY IN POST-COLONIAL KENYA: INDIFFERENCE, AMBIGUITY AND NEGLECT**

U.S. policy on democracy in Kenya in the pre-transition period is best understood in the context of U.S. policy toward Africa in general because, as observed earlier, U.S. policy towards African countries was determined by more or less the same considerations and parameters. U.S. policy towards independent African states in the 1960s, 1970s and for most of the 1980s gravitated around the Cold War logic, anchored on anti-communism in general, and anti-Sovietism in particular. It gave priority to geostrategy over concerns for democracy in U.S. Africa policy. Apart from short-lived bouts of anti-Apartheid rhetoric, especially during the Kennedy and Carter



administrations, successive U.S. administrations displayed open indifference to democracy issues in respective African countries, even in cases, like Mobutu's Zaire, where the U.S. had a history of involvement in the country's internal affairs. Of course, as documented above, when U.S. intervened in a country's domestic politics, it did so to shore up "anti-democratic regimes resisting reforms."<sup>89</sup> Indeed, two-thirds of its aid to Africa was given under the rubric "security assistance" whose official objective was "to stem the spread of economic and political disruption and to help allies in dealing with threats to their security and independence."<sup>90</sup> Such assistance played an important role in shoring up such authoritarian regimes like those of Mobutu, Moi, Doe (Liberia) and Nimeiri (Sudan) by providing leaders with the resources with which to buy loyalty and the military and police equipment with which to violently suppress local agitation for democratic reform. In short, U.S. policy toward independent African states before the 1990s was one of indifference and neglect. It is against this general framework of U.S. policy toward Africa that the implications of its policy toward Kenya for the growth of democracy in that country is to be appraised.

U.S. policy on promotion of democracy in Kenya since pre-independence days had been one of ambiguity at best and neglect at worst. Indeed, an appropriate test for the officially acclaimed policy objective of promoting democracy abroad was provided by colonialism. U.S. commitment to democracy in Kenya faced an acid test in the

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<sup>89</sup>Frances Moore Lappe, Rachel Shurman and Kevin Danaher, Betraying The National Interest: How U.S. Foreign Aid Threatens Global Security By Undermining The Political and Economic Stability of The Third World, (New York: Grove Press, 1987), 11.

<sup>90</sup>Ibid., 9.

period of transition from colonialism to independence in the 1950s. This was also the period when the U.S. increased its activities in Kenya. Precisely because the nationalist movement in Kenya championed the majority Africans' right to self-determination and, more generally, democratic governance, the U.S. position on Kenya's nationalism and its general policy on transition to self-rule is important to consider. U.S. policy in Kenya in the transition period in the 1950s was to work through and in collaboration with British colonial authorities. This practically implied that it could not overtly support the democratic aspirations inherent in African nationalism in the colony. Yet because independence was inevitable, the U.S., as aptly pointed out by the Office of African Affairs in a memorandum to Secretary of State in 1955, could not "afford to ignore the aspirations of the Africans, since our silence would be construed as opposition."<sup>91</sup> Viewed in the wider policy context, the problem the U.S. faced in Kenya with regard to promotion of democracy as a foreign policy goal was an expression of the perennial conflict between "democracy" and other foreign policy interests. In the colonial situation in Africa, this conflict was aptly described by a U.S. diplomat in Central Africa thus:

it seems to me that we are caught in the middle of the jaws of a vice of our own design and fabrication: Until we can free ourselves from this restraint we have no ability to maneuver. On the one hand are our commitments to the European powers who are also the Colonial powers; on the other is our traditional espousal of the principle of self-determination and independence for all peoples. As in operating a vice, a turn of the handle operates both jaws at once tightening the grip.<sup>92</sup>

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<sup>91</sup>Quoted in Foreign Relations, 1955-1957, 14.

<sup>92</sup>Quoted from Memorandum by the Consul General at Leopoldville (McGregor) to Secretary of State dated December 28, 1955. See Department of State,

In the event, however, U.S. policy on Kenya's decolonization remained ambiguous up to the time of independence. Beneath this ambiguity, however, lay a paternalistic, if not ambivalent, attitude towards the Africans with regard to their demand for independence. The U.S. seemed to think that Kenyan Africans were not ready for independence.

In Kenya's independence era, the U.S. not only ignored the increasing erosion of democratic norms and principles by the Kenyatta and Moi regimes but also played the leading role in portraying Kenya internationally as a "model developing country with shared democratic values in a continent where civil wars raged and military and authoritarian governments reigned."<sup>93</sup> In 1987, when Moi regime's image had suffered damage due to increased repression of government critics, President Reagan told a news conference in Washington that internationally, Kenya was a "moderate, wise, and constructive member of the family of nations." Endorsement from the U.S. was a great asset for a country like Kenya in terms of its international image. It is important to note that as U.S. led the West in praising Kenya's political credentials, the Kenyatta and Moi regimes became more and more authoritarian. The seeds of the "de-democratization" process and authoritarianism were sown in Kenya's first decade of independence, that is, in the 1960s. This was also when the U.S., especially during the tenure of the first ambassador, Attwood, substantially involved itself in Kenya's internal affairs. The U.S., which was obviously more concerned about securing Kenya's support in the anti-

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Central Files, 611.70/12-2855.

<sup>93</sup>Dagne, "Kenya: The Challenges Ahead," 6.

communist crusade than about internal democracy, remained not only indifferent as Kenyatta used legal and para-legal means to strengthen presidential authority at the expense of democracy, but actually behaved in a manner to suggest complicity, witting or unwitting, in Kenyatta's authoritarian project. It helped Kenyatta in his campaign against government critics by labeling them "communist subversives."<sup>94</sup>

The U.S. role in bolstering Kenya's international image even as Kenya's regimes continued to violate human rights and democratic principles and norms in general was also exemplified by verbal endorsements in international public fora and in official speeches and statements by administration officials, and invitations to the White House. In the first decade of independence, Washington portrayed Kenya as an example of racial harmony and showered praise on Kenyatta as a wise man. But this diplomatic advocacy increased in the 1980s when relations between the two countries were at their very best.<sup>95</sup> In 1980, the Deputy Assistant Secretary of State for African Affairs defended Kenya's human rights record as "among the best in Africa,"<sup>96</sup> and noted that Kenya had "held free elections last October."<sup>97</sup> It is important to observe that these elections could not be described as free and fair since some government critics had been prevented from participating as candidates, and, in any case, the one-party system virtually eliminated any chance of competitive presidential elections. In 1981, the

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<sup>94</sup>Okoth, 94.

<sup>95</sup>Miller, 138.

<sup>96</sup>U.S. Department of State, "Statement by the Deputy assistant Secretary of State for African Affairs," in American Foreign Policy Current Documents, 1977-1980, Document 666, 1237.

<sup>97</sup>Ibid.

Acting Assistant Secretary of State for African Affairs, when presenting aid requests for Kenya, told a House Foreign Affairs committee meeting that Kenya shared "much of our political philosophy" and that "our shared values help to give us ready access to Kenya's leadership."<sup>98</sup> In 1987, when human rights violations and repression of government critics was already causing disquiet among Kenya's western donors, Assistant Secretary Crocker, while acknowledging Congress' concern, urged the house to approve the 1988 aid package to Kenya because Kenya had "an open political system which demonstrated a capability to conduct dialogue and debate on issues of national importance in a fair and responsive manner."<sup>99</sup> By this time, however, many Kenyans, including lawyers representing government critics in court cases related to criticism of Moi's government, were in prison for political offences. Moi's government had also imposed repressive legislation limiting freedom of press and independence of the judiciary. In a big blow to democratic principles, the universally acclaimed secret ballot method in elections had just been replaced with the queue-voting method in readiness for elections due in the next year. In such circumstances, such statements of support from top U.S. officials were likely to convince Moi that the U.S. did not see anything wrong with his anti-democratic practices. Indeed, many Kenyans who went into exile chose to go to the Nordic countries and not the U.S. which they saw as indifferent to Kenya's democratic cause.

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<sup>98</sup>U.S. Department of State, "Testimony and Prepared Statement by Acting Secretary of State for African Affairs," in American Foreign Policy Current Documents, 1981, 119.

<sup>99</sup>U.S. Department of State, "Human Rights in East Africa," in American Foreign Policy, Current Documents, 1987, 630.

As late as 1989, the State Department still defended the Moi regime in Congress and opposed aid cuts. In a thinly veiled support for Moi in the face of increased criticism of his human rights record, the Deputy Assistant Secretary of State for African Affairs released a statement observing that "in Kenya's relatively open political system, the coups and ethnic strife which have plagued many other African countries have been largely absent. In essence, (Kenya) remains one of Africa's success stories both in terms of economic growth and political stability."<sup>100</sup>

Each of the administrations in the 1980s rewarded Moi with visits to the White House even as his government became more and more repressive. He visited Carter in 1980, Reagan in 1985 and 1987, and George Bush in 1990. In fact, during the Reagan administration, Moi was also rewarded with high level diplomatic visits to Nairobi by U.S. officials, including those by Vice-President Bush and Secretary of State George Shultz. At the end of each visit, it was typical for Washington to issue flattering statements about Moi's alleged commitment to human rights and democracy in general while evidence on the ground suggested a downward trend in such commitment. Such visits emboldened Moi and made him intransigent on democratic reform issues. Indeed, as will be shown later, as a result of Moi's assumption that the U.S. would support him regardless of his anti-democratic tendencies, he regarded congressional criticism of his government as not reflective of U.S. policy. Indeed, later, he would mistake Ambassador Hempstone for fronting his own personal agenda when the Ambassador began pressuring his government to initiate reforms. Thus by appearing to support Moi

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<sup>100</sup>U.S. Department of State, "U.S. Relations with Kenya," in American Foreign Policy, Current Documents, 1989, 638.

through ambiguous statements, U.S. officials indirectly made Moi recalcitrant on reform matters.

Indeed, the U.S., despite its immense leverage over the Moi regime, was a late comer as far as aid conditionality was concerned. Despite increasing concern in Congress, the Reagan and Bush Administrations failed to cut aid even as the State Department consistently reported human rights violations by the Kenya government.<sup>101</sup> At the same time that Washington consistently increased its aid to Kenya, especially in the 1980s, Moi's government was steadily becoming "more corrupt and repressive."<sup>102</sup> Throughout Kenya's three decades of independence, the few times Washington considered aid sanctions on Kenya in the period under review, such considerations were not based on concerns about human rights or democracy. In 1963, the U.S. Consul-General in Nairobi had threatened to suspend aid if Chinese leaders were invited to the independence celebrations that year.<sup>103</sup> In 1965, for instance, the threat by Johnson's administration to withhold aid was necessitated by Washington's anger over the escalating anti-American rhetoric in both government and public circles which culminated in an anti-American demonstration in Nairobi. In 1985, when US AID blocked food shipments for months, the issue was not democracy or human rights but Kenya's reluctance to privatize food distribution as demanded by the Reagan administration.<sup>104</sup> By 1985, the Moi regime had increasingly become intolerant of

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<sup>101</sup>Dagne, "The Horn of Africa: A Trip Report," 23.

<sup>102</sup>Clough, "The United States and Africa," 195.

<sup>103</sup>Attwood, 150.

<sup>104</sup>Lappe, et. al., 101.

government critics as he consolidated his one-party rule. By 1987, when countries like Denmark had already begun showing concern about corruption and human rights in Kenya, hinting that they would be conditioning aid to progress in these two areas, the U.S. was still dealing with Kenya on a "business-as-usual" terrain as far as aid was concerned. When Moi visited Washington in March 1987 at the invitation of the White House, Reagan observed that, under Moi, Kenya had "enjoyed political stability," had become an "example for all of Africa to follow," and shared with the U.S. "a commitment to the principles of representative government and individual freedom."<sup>105</sup> As observed above, by this time violation of human rights in Kenya had become a major concern internationally.

In retrospect, therefore, U.S. policy toward Kenya from 1963 through the 1980s contained no concerns for democracy. As one Kenyan remarked while testifying in a Congressional hearing before the Sub-committee on Africa, the struggle for democracy in Kenya had been on since independence but while "Kenyans kept going into detention and enduring torture for the right to speak freely and for taking a stand against repression, corruption and brutality," the U.S. ignored repression, choosing to focus on Cold-War-based strategic interests.<sup>106</sup> Neither did U.S. policy focus much on Kenya's internal political affairs save for the anxious moments of the 1960s when the possibility was strong that the newly independent state would join the swelling ranks of the pro-

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<sup>105</sup>U.S. Department of State, "Visit of President Moi of Kenya," in American Foreign Policy, Current Documents 1987, 632.

<sup>106</sup>Congress, House, Committee on Foreign Affairs, A Review of U.S. Policy and Current Events in Kenya, Malawi and Somalia: Hearing Before the Subcommittee on Africa of the Committee on Foreign Affairs, 102nd Congress, 2nd Sess., June 23, 1992, 136.



East African countries. Indeed, it never worried U.S. policy makers that their diplomatic and economic patronage was aiding these regimes in their efforts to fend off challenges from local democratic forces. What mattered to U.S. leadership was that the Kenyatta and Moi regimes remained faithful allies on global, especially Cold War, issues.

In the Cold War context, U.S. neglect of or ambivalence on issues related to democracy in Kenya was not surprising. Promotion of democracy was more often than not the casualty of the Cold War containment policy. A leader, however authoritarian his regime, had just to interminably restate his anti-pathy to communism and he would be assured of a warm welcome in the White House and military and economic assistance.<sup>107</sup>

## CONCLUSIONS

In submission, therefore, Moi regime's vulnerability to U.S. pressure for reform in the early 1990s was largely due to Kenya's increased dependence on the U.S. for economic and military assistance, especially in the 1980s. It is, indeed, ironical that the regime, one of America's best friends in Africa, became one of the first victims of U.S. pressure for change, particularly with regard to political conditionality. Kenya was clearly the "favored child" in sub-Saharan Africa in terms of aid. Since independence in 1963 through the 1980s, the U.S. had led the West in showering praises on Kenya as a "show case of economic development and political stability."<sup>108</sup>

U.S. willingness to extend military, economic and diplomatic patronage to

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<sup>107</sup>Ibid.

<sup>108</sup>Khapoya, 1984.

Kenya was, in part, motivated by the foreign (and domestic) policy postures of the two regimes in Kenya since independence. In particular, "Kenya's pro-Western political stance and devotion to free enterprise" throughout independence mollified the U.S.<sup>109</sup> Kenya also supported Washington's position on several international issues. It appears Kenya was even willing to take risks in its endeavor to reciprocate U.S. diplomatic, economic and military patronage. In the 1980s, for instance, it endeared itself toward the Reagan administration and Congressional conservatives by supporting the RENAMO insurgency in Mozambique.<sup>110</sup> This was a diplomatic risk, especially because the OAU's resolutions clearly expressed Africa's support for the FRELIMO government.

An important feature of the U.S.-Kenya relationship in this period is its patron-clientele nature. Like in any patron-client relationship, both the senior partner, and the junior partner have something to gain. The patron has more leverage due to the disproportionately greater amount of resources and services it has at its disposal. In the context of this study, in return for largely strategic and diplomatic support for the patron, the U.S., the client, Kenya, received generous economic, technical and military assistance, and diplomatic support. For purposes of this study, the term "client" refers to the regime in power. Hence, in Kenya's case the clients were the Kenyatta and Moi regimes. These two regimes, and especially the latter, gained from the U.S. diplomatically to the extent that U.S. became their advocate in donor circles and in multilateral fora, thus shielding them from democratic critics. Indeed, as the most

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<sup>109</sup>Hempstone, 34.

<sup>110</sup>Lefebvre, 13.

influential and the wealthiest superpower in the West, U.S. diplomatic support and advocacy was crucial for a third world country like Kenya. That the U.S. took the lead in presenting Kenya as one of the most promising African countries economically and politically certainly boosted the image of both regimes internationally, thereby guaranteeing Kenya unconditional aid from U.S. allies who ignored internal issues of governance, especially suppression of domestic critics and abuse of human rights. For instance, after granting U.S. access to its airfields and the Mombasa port, Moi's regime benefitted from a significant diplomatic endorsement from a senior U.S. diplomat who remarked that "Kenya's human rights record is among the best in Africa."<sup>111</sup> This despite the fact that several government critics had been barred from the October elections the previous year. U.S. patronage for the two regimes also benefitted them practically insofar as U.S. aid and diplomatic support shored them by availing resources with which to deflect pressure from domestic democratic forces. They became complacent on the need for democratic governance. In essence, U.S. patronage and diplomatic support substituted for the need for regime accountability and legitimacy internally. Moi, for instance, did not have to be responsive to popular democratic demands in order to be reelected: he would, after all, manipulate the elections and ensure that strong challengers did not emerge. Should he face real threats from popular forces, he would simply cry communism, portraying his opponents as communist sympathizers and the U.S. would come to his rescue as it did with Mobutu in 1977-1978. Economic assistance, especially food aid and the ESF, for instance, helped the

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<sup>111</sup>This remark was made by the Deputy Assistant Secretary of State for African Affairs before the Sub-Committee on Africa of the House Foreign Relations Committee in a hearing held on February 25, 1980.

Moi regime to dispense patronage to critical constituencies and to assuage popular discontent, especially during the 1980 and 1984 famines. Indeed, one of the main contentious issues between many donors and Moi in the late 1980s and the early 1990s was the fact that donor funds were being diverted by Moi's cronies, perhaps with Moi's knowledge, for their personal use.

In conclusion, the Moi regime's vulnerability to U.S. pressure for democratic reforms in the early 1990s was the result of the combination of many factors most of which could be explained within the framework of relations between the two countries since Kenya's independence in 1963. The patron-client relationship that emanated from the aid-recipient relationship between Kenya and the U.S. had created an asymmetrical relationship in favor of the "donor" or "patron", the U.S. This asymmetry bequeathed on the U.S. a decisive amount of leverage with which it could nudge the Moi regime into initiating democratic reforms when convenient to the U.S. The instruments of influence it employed as it intervened in Kenya's democratic transition were grounded in this leverage. However, there were two other sources of leverage for the U.S., namely, its hegemonic status as the World's sole superpower in the wake of Cold War's end, and Kenya's dependence on the IFIs, especially the World Bank and the IMF of which U.S. was an influential member, and on the West in general.

Possession of leverage alone does not explain the motivation behind a country's intervention in a target country's political change process. The decision to use various levers of influence, how to use them, and the extent to which they should be applied in the transition process all depend on other factors, both external and internal to the target country. Indeed, as emphasized in the literature review in chapter two, calculations of

other policy interests will determine whether a country is willing to use its leverage to nudge a recalcitrant regime into the direction of democratic reform. A country with immense leverage over the target regime could as well decide not to use it to pressure the regime into accepting democratic reforms. In the case of Kenya, for instance, Britain has been singled out as one country that had great leverage over the Moi regime but decided not to exert as much pressure as, say, the U.S. or some Nordic Countries did.<sup>112</sup> It is also noteworthy that the U.S. was initially unwilling to use its leverage on the Moi regime until much later. Indeed, it did not consider using that leverage in the 1980s when the democracy deficit in Kenya was growing. Hence the question, Why did the U.S. decide to use the leverage at the time it did? To what extent was it willing to use it? In what manner did it apply it, and with what results? These questions are addressed in the next two chapters.

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<sup>112</sup>For a comparative analysis of the roles of the U.S., Britain and other Western European nations in Kenya's transition to democracy in the early 1990s, see Phillip O. Nyinguro, "External Sources of Kenya's Democratization Process," Journal of Political science, Vol. 25 (1997): 5-35.

## CHAPTER FIVE

### **MOTIVATIONS FOR U.S. INTERVENTION IN KENYA'S DEMOCRATIC TRANSITION**

#### **INTRODUCTION**

In 1990, U.S. policy towards Kenya began to reflect increased concerns for human rights and democracy. Unlike in the past, U.S. officials now publicly criticized the Moi regime's human rights violations and lack of respect for democratic principles. In Congress, calls for democratic reforms were accompanied by threats of aid cuts if Moi remained intransigent. As local government critics in Kenya stepped up their campaign for a freer political space, especially for the introduction of a multi-party system, the new U.S. ambassador to Kenya, Mr. Smith Hempstone, publicly called upon the regime to accede to demands for reform. He openly consorted with local pro-democracy activists. U.S. policy on Kenya's internal politics was changing from that of indifference to one in which it would engage the Moi regime on matters of internal governance. Congress, the State Department and the embassy in Nairobi increasingly publicly condemned steps Moi took to silence reform activists. The U.S. also expressed the willingness to use its leverage as one of Kenya's leading donors and diplomatic patrons to influence movement toward democracy. The U.S., in concert with other actors, applied pressure on the regime until it repealed the one-party clause in the constitution and legalized multi-partyism, leading to the first multi-party elections in 26

years on December 29, 1992.

The shift towards a democracy-oriented policy towards Kenya could be explained by three broad categories of variables. These are; (i) those emanating from the international environment; (ii) those triggered by developments within Africa as a whole, necessitating a reorientation in Africa policy in general; and (iii) those related to U.S.' perception of Kenya's significance for its policy in Africa and in the world in general.

The international environment of the early 1990s was especially favorable to democratization. It was gripped by the "Third Wave" of global democratization, especially with the ascendance of liberal democracy following the collapse of its main challenger, communism. The "democratic *zeitgeist*"<sup>1</sup> sweeping the globe engendered an environment in which promotion of democracy became an international agenda with foreign governments and other international actors playing an increasingly bigger role in democratization processes in individual countries. U.S. intervention in Kenya was, in part, in response to the growing internationalization of democracy efforts. In Africa, the regional wave saw the upsurge of agitation for democracy at both continental and national levels in what many called the "Second Liberation" movement. Exploiting the opportunity created by the end of the Cold War, the U.S. responded to Africa's democratic wave by making democracy concerns intrinsic to its relations with African states. However, the new policy was carried out selectively depending on U.S. interests in a particular country and that country's significance for U.S. policy in general. Thus while some countries did not merit deeper involvement in their democratization

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<sup>1</sup>"Zeitgeist" is a German word meaning "spirit of the times."

processes, some required a more assertive U.S. role. Kenya, for various reasons, belonged to the latter category.

### **U.S. AFRICA POLICY SHIFTS AND THEIR IMPLICATIONS FOR U.S. KENYA POLICY**

Students of U.S. policy towards Africa have emphasized that U.S. relations with individual countries at any given time have tended to reflect the policy establishment's overall assessment of U.S. interests and objectives in the continent as a single entity.<sup>2</sup> An individual country's significance for U.S. policy has often been appraised insofar as it relates to U.S. interests in the continent and the prevailing economic and political situation therein. Hence U.S. policy towards a specific country has generally been anchored on the macro-Africa policy. It is for this reason that the shift in U.S. policy towards Kenya in the early 1990s is best explained within the wider context of U.S. policy towards Africa. The new pro-democracy focus in U.S. policy towards Kenya reflected the increased emphasis on concerns about human rights and democracy in policy towards Africa in general. In the first quarter of 1990, the Bush administration had begun sending out signals that U.S. policy toward Africa would henceforth be significantly influenced by concerns for democracy.<sup>3</sup>

These pro-democracy shifts in U.S. Africa policy were occasioned by variables

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<sup>2</sup>For a detailed examination of how the macro-Africa policy affects the way the policy establishment formulates and executes policies for individual country, see Peter J. Shraeder, United States Foreign Policy Towards Africa: Incrementalism, Crisis and Change, (New York: Cambridge University Press, 1994).

<sup>3</sup>Smith Hempstone, Rogue Ambassador: An African Memoir, (Sewanee, TN: University of the South Press, 1997), 90. In April, 1990, for instance, the State Department organized a seminar for all the forty four U.S. ambassadors to Africa in Washington where the new pro-democracy policy was discussed and articulated.



emanating from within the U.S. itself, within the wider international environment, within the continent, and within individual states themselves. At the global level, the three most important variables were the growing internationalization of democracy-building efforts that accompanied the upsurge of the global democratic wave; the alteration of the international power structure which saw the U.S. emerge as the sole superpower; and the ideological transformation of the international environment with liberal democracy as the dominant model for political and economic organization. Most significantly, the U. S. took advantage of the end of the Cold War which had shifted the focus from Africa's "perceived strategic importance to the outside world (to) issues of democratic governance (and) respect for human rights."<sup>4</sup> Within the continent, the incumbent regimes, most of which were authoritarian, faced formidable pressure from local democracy movements which had grown stronger since the latter half of the 1980s.

That the end of the Cold War should affect U.S. policy toward the continent was not surprising in light of the significance of the Cold War as a determinant of U.S. policy towards Africa as long as it had lasted. In the Cold War era, "policies toward Africa were often determined not by how they affected Africa, but by whether they brought advantage or disadvantage to Washington or Moscow."<sup>5</sup> Every policy issue

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<sup>4</sup>Douglas G. Anglin, "International Election Monitoring: The African Experience," *African Affairs* 47 (1998), 471 - 472.

<sup>5</sup>Former U.S. Secretary of State, Warren Christopher, quoted in Larry Diamond, "Promoting Democracy in Africa: U.S. and International Policies Transition," in The United States and Africa: From Independence to the End of the Cold War, eds. Macharia Munene, J.D. Olewe Nyunya and Korwa Adar (Nairobi: East African Educational Publishers, 1995), 195.

could be traced to Cold War calculations and its implication for the Cold War conflict.<sup>6</sup> The end of the Cold War presented the U.S. "with a historic opportunity to reshape its relations and its policy with Africa."<sup>7</sup> The geopolitical reasons that had pushed democracy concerns to the policy back burner and had justified patronage for authoritarian regimes disappeared.<sup>8</sup> The U.S. now had the opportunity to factor democracy issues into its relations with African states. From 1990, it began to disengage from some of the authoritarian regimes it had consorted with and, indeed, shored up.<sup>9</sup> While the Cold War had "compelled the U.S. to support some extremely unsavvy characters in Africa, under these altered circumstances, there was no reason for the U.S., as the sole remaining superpower, to support tyrants."<sup>10</sup> There was no

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<sup>6</sup>David F. Gordon, David C. Miller, Jr., and Howard Wolpe, United States and Africa: A Post-Cold War Perspective, (New York: W. W. Norton & Company, 1998), 16.

<sup>7</sup>Gordon, et. al., 15.

<sup>8</sup>For an excellent account of how the end of the Cold War affected U.S. policy toward Africa, see Michael Clough, Free at Last? U.S. Policy toward Africa and the End of the Cold War, (New York: Council on Foreign Relations, 1992).

<sup>9</sup>See Michael Clough, "The United States and Africa: The Policy of Cynical Disengagement," Current History 91, no. 565 ( May 1992): 193-198 and David Moore, "Reading Americans on Democracy in Africa: From the CIA to "Good Governance"," The European Journal of Development Research 8, no. 1 (June 1996): 123-148. The former argues that even though by the early 1990s the U.S. had begun disengaging from such authoritarian regimes as those of Samuel Doe (Liberia), Siad Barre (Somalia) and Mobutu (Zaire), this disengagement was being effected in a cynical manner. The latter author is also cynical about U.S. commitment to democracy in Africa even with the end of the Cold War, arguing that Africa's loss of the "geostrategic value" could as well make the U.S. adopt the "exit" option, abandoning Africa's transitions to democracy altogether.

<sup>10</sup>Donald K. Petterson, the U.S. ambassador to Tanzania in a cable to the State Department dated December 26, 1989.

justification whatsoever for the U.S. to associate itself with authoritarian regimes that perpetuated values that ran counter to America's self-professed image as an example of a democratic society.

U.S. policy now increasingly took into consideration the internal performance of African regimes it associated with. As Cohen put it, the U.S. could now "show greater impatience" with authoritarian leaders, "telling them their behavior is wrong" because presidents like "Daniel arap Moi can no longer threaten to move closer to the Soviet bloc."<sup>11</sup> Congress began to exhibit greater sensitivity to human rights issues, especially when debating aid appropriations for African countries.<sup>12</sup> The late eminent African scholar, Claude Ake, remarked that while the end of the Cold War may have led to the marginalization of Africa, lamentable as that may have been, it brought the U.S. (and the West) "to act more on principle in their dealings with the continent."<sup>13</sup> The U.S. was, in other words, "increasingly free to look at Africa on the basis of enduring principles rather than narrow, short-term and strategic self-interest."<sup>14</sup>

The shift to a more pro-democracy policy toward Africa was also in response to the nascent, but growing, democracy movement across the continent. Africa's "second liberation" movement was the child of the Africa's democratic wave which, like its East European counterpart, was part of the global third democratic wave unleashed mainly

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<sup>11</sup>Assistant Secretary of State for African Affairs in the Bush administration, Herman Cohen, quoted in New York Times, March 23, 1992, p. A14.

<sup>12</sup>Peter Grier, "U.S. Rethinks Africa Aid," Christian Science Monitor, 12 July 1990, p. 7.

<sup>13</sup>Quoted in *Ibid.*

<sup>14</sup>Diamond, "Promoting Democracy in Africa," 196.

by the triumph of liberal democracy over communism.<sup>15</sup> The death of communism in Eastern Europe, especially in the Soviet Union, its *locus classicus*, had left liberal democracy as the dominant ideology for political and economic organization. The acute economic and political crises facing the former communist countries had exposed communism's limitations as a model for political and economic organization.<sup>16</sup> Africans blamed their one-party systems and statist economic policies, modeled along the communist systems in eastern Europe, for the lack of democracy and the political and economic crises in their countries.

Encouraged by the popular uprisings in former communist Europe and the effects of the Latin American wave which had also claimed many military regimes, Africa's hitherto-suppressed democracy movements increasingly became vocal. From the second half of the 1980s, African scholars, leaders and nongovernmental organizations had joined forces to argue the case for democracy. In 1987, African leaders organized an international conference on Africa whose product, the *Abuja Statement*, called for "new political perspectives that emphasize the democratization of the African society and increased accountability of those entrusted with responsibility."<sup>17</sup> In 1988, Africa's economic ministers decried the "lack of basic rights,

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<sup>15</sup>P. Nikoforos Diamondouros, "Southern Europe: A Third Wave Success Story," in *Consolidating the Third Wave Democracies*, eds. Larry Diamond, Marc F. Plattner, Yun-han Chu and Hung-mao Tien (Baltimore: The Johns Hopkins University Press), 6.

<sup>16</sup>*Ibid.*, Diamond, "Introduction," (xvi).

<sup>17</sup>Economic Commission of Africa, *Abuja Statement* ( June1987): 7.

individual freedom and democratic participation by the majority of the population."<sup>18</sup>

At the annual summit of the Organization of African Unity (O.A.U.) in Addis Ababa in July 1990, African heads of state themselves endorsed the democracy-building efforts when they adopted a charter calling for the "opening up of political processes to accommodate freedom of opinion and tolerate differences."<sup>19</sup> By 1990, local pro-democracy activists in Benin and Zambia had made significant enough inroads to force the Marxist one-party regime of Mathieu Kerekou and the one-party government of Kenneth Kaunda respectively to allow multipartyism and to organize competitive elections. In Zaire (now Democratic Republic of Congo), Togo, Cote d'Ivoire and Congo pressures for multi-partyism were becoming stronger and stronger.

In the changed international environment, domestic pressures for democracy in African countries provided a window of opportunity for the U.S. to redefine its Africa policy. With Africans themselves calling for democracy, the U.S., both as a major foreign power in the continent and as the world's only superpower had to factor in democracy in its policy. Africans' own initiatives were, therefore, important motivations for the pro-democracy shifts in policy. As Assistant Secretary Cohen acknowledged, the U.S. was partly motivated to embrace democracy concerns in its policy towards Africa because Africans themselves were the driving force behind the movement for change; having examined their circumstances, they had decided they

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<sup>18</sup>Economic Commission of Africa, The Khartoum Declaration on the Human Dimension of Africa's Economic Recovery and Development, (Khartoum: 1988); 19.

<sup>19</sup>See United Nations/Economic Commission of Africa, Africa Recovery 4, no. 1(April-June 1990), 1.

wanted "liberty - freedom from both economic and political authoritarianism."<sup>20</sup> More over, Africa's pro-democracy forces themselves beckoned the U.S. to come to their assistance. As Diamond observes,

Now Africans themselves were demanding political freedom and democracy in unprecedented numbers and were calling upon the United States to come to their assistance, not that of the regime. This much wider popular mobilization for democracy would have been hard to ignore in any circumstance, but was especially compelling when the termination of the Cold War gave United States the freedom to support these genuine struggles for freedom.<sup>21</sup>

Whereas most pro-democracy forces in Africa had in the past been generally anti-American, the new political activists saw the U.S. as a valuable partner in their democratic struggles. Many intellectuals who had earlier been highly critical of the U.S. and the West in general joined local forces in seeking U.S. assistance. Whereas during the Cold War, the former Soviet Union was an alternative source of support for anti-establishment critics in Africa, in the unipolar world of the 1990s, the West, especially the lone superpower, the U.S., could provide patronage for the democratic cause. The overwhelming pro-Western consensus in the local democracy movements further motivated the U.S. to align itself with those movements. On their part, the local democratic forces needed U.S. protection and support to lower the risks against regimes that were willing to use brutal means to silence opposition. On its part, no longer encumbered by Cold War considerations, the U.S. began to embrace opposition forces in Africa. U.S. diplomats and other officials openly met with local opposition leaders.

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<sup>20</sup>U.S. Department of State, Dispatch 2, no. 43 (October 28 1991): 795.

<sup>21</sup>*Ibid.*, 198.

Through its Governance and Democracy program, the United States Agency for International Development (USAID) began to openly aid local forces pushing for democracy in their countries. The pro-Western consensus within the local democracy movements also provided the U.S. with a strong ideological justification to pursue its interests in Africa.

The policy shift was also in response to the frustration among donors, especially the U.S., with Africa's economic performance despite the huge aid packages many countries had received over the years. Since the early 1980s, Western aid donors had expressed their disillusionment and had concluded that economic development could not be pursued in isolation from concerns for accountable and responsive governance, and that development assistance to African dictatorships had generally proved a disastrous failure.<sup>22</sup> In many countries even the Structural Adjustment Programs (SAPs) initiated and funded by the World Bank and the International Monetary Fund (IMF) in the early 1980s, were not making any meaningful impact. In the late 1980s there emerged a consensus among donors that "good governance" was essential if economic development was to be achieved. Transparency, accountability and popular participation in decision making necessary for a well-functioning economy could only be enhanced in an environment of "good governance."

This consensus, which was based on the World Bank document *Sub-Saharan Africa: From Crisis to Sustainable Growth*,<sup>23</sup> led to the policy of "political

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<sup>22</sup>Diamond, 198.

<sup>23</sup>See World Bank, Sub-Saharan Africa: From Crisis to Sustainable Growth - A Long Term Perspective Study, (Washington, D.C.: World Bank, 1989.)

conditionality." Aid disbursement would henceforth be conditioned on the recipient regimes' willingness to carry out certain reforms in both economic and political spheres. In the latter sphere, standards of human rights and democracy became the guidelines. With time, political conditionality became part of the growing "internationalization of democracy building efforts" which saw the "redirection of many official development-assistance agencies towards goals and programs concerned with human rights and good governance."<sup>24</sup> Based on the linkage between economic and political reforms, political conditionality was borne out of the thesis that the authoritarian, dictatorial, corrupt and illegitimate political systems found in Africa could not be relied upon to implement economic reform programs.<sup>25</sup> As the World Bank had observed, Africa's economic crisis emanated from a "crisis of governance": corrupt, coercive, over centralized and arbitrary rule could not "sustain a dynamic economy."<sup>26</sup>

In U.S. policy circles, political conditionality was also an important component of the growing conviction that democracies were better guardians of the free-market economy than authoritarian regimes. Most economies in Africa were state-controlled and the role of the market was severely circumscribed. Political conditionality would, therefore, speed up the free-market reforms and the liberalization of the economy in general. A liberalized free-market economy could not be achieved within the prevailing political framework of one-party authoritarian states, it was argued. As experience had

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<sup>24</sup>Larry Diamond, "Introduction: In Search of Consolidation," in Diamond, Plattner, Chu, and Tien, xxxvii-xxxviii.

<sup>25</sup>Phillip O.Nying'uro "The External Sources of Kenya's Democratization Process," Journal of Political Science, Vol. 25 (1997): 33.

<sup>26</sup>World Bank, 90.



shown, one-party regimes could not uphold the rule of law upon which the institutional foundation of a market economy and constitutional government rested.<sup>27</sup> Owing to its monopoly of power, the single ruling party was above the law.<sup>28</sup> A more pluralistic political system, especially a multi-party one, was necessary. Assistant Secretary Cohen stated the official thinking unequivocally:

A stable, democratic climate is increasingly a pre-condition for the necessary foreign and domestic investment for recovery and growth. Democratization and economic empowerment are sides of the same coin. The necessary (economic) readjustment can only be made in a democratic investment, with the people's informed consent and in an environment in which the private sector has minimum room to grow.<sup>29</sup>

Yet another motivation for the policy shift was the conviction of U.S. policy makers that pluralistic and democratic regimes would better utilize economic aid for economic development than the hitherto authoritarian regimes which had squandered donor funds through corruption and ineptness. Past experience had taught the U.S. the bitter lesson that "aid given to governments purely to buy strategic services without any sensible economic conditions attached merely kept bad rulers in office."<sup>30</sup> Both within and outside of the policy establishment, there was a "broad acknowledgment that the substantial volumes of aid that Africa (had) received in recent years (had) not had

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<sup>27</sup>Minxim Pei, " 'Creeping Democratization' in China," in Diamond, Plattner, Chu and Tien, 216.

<sup>28</sup>Ibid.

<sup>29</sup>U.S. Department of State, "Democratization in Africa," *Dispatch* 2, no. 43 (28 October 1991): 796.

<sup>30</sup>*Economist*, "Africa's Imploding Dictatorships," (26 January 1991): 40.

nearly the impact they should have."<sup>31</sup> Congressional leaders, in particular, saw aid to Africa's authoritarian regimes as "money down foreign aid rat-holes."<sup>32</sup> Democratic and pluralistic political systems would put aid to better use because they would uphold transparency, accountability and popular participation in decision making.

By the turn of the 1990s, it became clear that U.S. policy toward Africa was being shaped by the imperatives of political conditionality as a way of inducing democratic reforms. In several fora, officials reiterated that the U.S. would withhold grants and other forms of economic assistance from African countries that resisted democratic reforms.<sup>33</sup> The policy establishment emphasized that the U.S. would no longer "allow our assistance to be used for the support of those who resort to dictatorial practices."<sup>34</sup> Enunciating the policy of political conditionality, Assistant Secretary Cohen made it clear that "in the coming years, those countries that embark on this (transition to democracy) process will be favored in our foreign assistance programs. If you call that conditionality, that is fine; you can call it anything you want. But it is important to us, and we think it's important to Africa."<sup>35</sup>

American tax payers' money would no longer be wasted in shoring up corrupt

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<sup>31</sup>Gordon, et. al., 17

<sup>32</sup>Ibid.

<sup>33</sup>Hempstone, 90.

<sup>34</sup>Congress, House, Committee on Foreign Affairs, Democracy and Development in Africa: Hearing before the Sub-Committee on Africa, 103rd Congress, 1st sess., 22 April 1993, 4.

<sup>35</sup>U.S. Department of State, "Africa and Democracy," Dispatch 2, no. 48 (2 December 1991): 917.

regimes in Africa. In an address before the Voice of America symposium, Mr. Cohen, while expressing America's willingness to help in promoting democracy in Africa, again noted that "in an era of escalating demand for scarce resources, we cannot waste non-humanitarian assistance on governments which themselves refuse the path to democracy and we will not do so."<sup>36</sup> That the U.S. could no longer ignore political variables in its economic assistance programs found expression in the creation of the democracy and governance programs within the AID agency. "Democratic governance"<sup>37</sup> became "an important element in USAID's integrated approach to achieving participatory broad based development."<sup>38</sup> Political scientists who were familiar with Africa were hired as heads of these programs. Their role was to advise U.S. on political developments in their respective regions.

The linkage between political and economic reforms that formed the basis of political conditionality and the global democratization project underscored another important motivation for the democratization of U.S. policy towards Africa. The emphasis on the free-market reforms within the framework of the Structural Adjustment Programs even as the U.S. pushed for democratization in the continent underlined promotion of democracy as part of the globalization process which aimed at

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<sup>36</sup>U.S. Department of State, "Address before the Voice of America Symposium," Dispatch 2, no. 43 (October 28, 1991): 795.

<sup>37</sup>"Democratic Governance" was defined by USAID officials as "the convergence of good government (that is, effective, honest, open and transparent system of government) and democracy ( freedom of expression and association. open and free elections and respect for human rights). See submitted statement by John F. Hicks, Acting Assistant Administrator, Bureau for Africa, Agency for International Development, in *Ibid.*, 62.

<sup>38</sup>*Ibid.*, 9.

integrating all countries into the global capitalist economy.<sup>39</sup> The globalization strategy sought to bring all economic and political policies into line with the capitalist liberal economic framework. Hence the emphasis in U.S. policy documents on the fact that free market reforms had to go hand in hand with the process of political liberalization. In this context, the U.S. had an interest in Africa's democratic transitions as an important part of the globalization process. The U.S. thus intervened in Africa's democratic transitions to ensure that they were conducted in such a manner that they smoothed and facilitated globalization. The twin projects of economic and political reforms were intended to make African countries better economic and political partners in a globally integrated economy. The U.S. had a lot to gain from the global integration of African countries. Economically, it would bring "the benefits of expanded trade and investment opportunities to American business, and enables the U.S. to reap the benefits of a stable supply of necessary imports."<sup>40</sup> If African countries were integrated into the global economy, it would also make it easier for American companies to do business in Africa because of the standardization of trade policy, accounting practices, legal frameworks, and safety standards that accompanied globalization.<sup>41</sup>

#### **KENYA'S SIGNIFICANCE FOR U.S. POLICY**

Kenya was one of the first African countries to feel the full impact of the new pro-democracy shifts in U.S. policy.<sup>42</sup> The Moi regime especially provided the first test

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<sup>39</sup>Gordon, et. al., 98.

<sup>40</sup>Ibid., 99

<sup>41</sup>Ibid.

<sup>42</sup>Diamond, "Promoting Democracy in Africa," 195.

for the new policy of political conditionality as a tool for nudging recalcitrant regimes into initiating democratic reforms.<sup>43</sup> Although the U.S. played some role in the democratization processes in several other countries, its involvement in Kenya was far deeper than in any other country on the continent. In contrast, in Kenya, the U.S. chose to intervene much more forcefully. The Moi regime became the object of unprecedented diplomatic and economic pressure from the U.S. as Washington sought to influence the transition process. Why did Kenya warrant such a distinctly assertive role? Why did Kenya attract U.S. attention at a time when, as David Wiley has observed, "government's policy concern about Africa (was) low and drifting lower"?<sup>44</sup> Two major considerations influenced the decision to intervene, namely (a) U.S. perception of Kenya as significant for U.S. policy not only in Africa in general but, more importantly, in the Horn and Eastern Africa, and (b) Kenya's potential role in the globalization process.

## **REGIONAL STRATEGIC AND ECONOMIC CONSIDERATIONS**

Despite the decrease in its geostrategic value following the end of the Cold War, Kenya was still considered to be of some strategic importance in U.S. policy calculations. It was therefore necessary for the U.S. to remain engaged with it. Policy officials and Congressmen argued that "even in the absence of U.S.-Soviet rivalry in

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<sup>43</sup>Mick Moore and Mark Robinson, "Can Foreign Aid be Used to Promote Good Government in Developing Countries?" Ethics & International Affairs 8 (1994): 141.

<sup>44</sup>David Wiley, "Academic Analysis and U.S. Policy Making on Africa: Reflections and Conclusions," Issue: Quarterly Journal of Opinion 19, no. 2 (1991): 45.

Africa, "Kenya (was) still of tremendous value due to its location and reliability."<sup>45</sup> Kenya's co-operation during the Gulf War in 1991 by availing its Mombasa port facilities in the Indian Ocean for the U.S. military was invoked to underline Kenya's significance in U.S. policy. Testifying before the Africa sub-committee of the House, William Twaddell, then Acting Assistant Secretary for African Affairs, argued for continued engagement on the ground that "our armed forces benefitted from the use of Kenyan facilities during the Gulf War."<sup>46</sup> Even after the Military Access Agreement with Kenya signed in 1980 lapsed in 1990, the administration did not terminate it but left the matter pending until eventually renewing it in July 1997. In the intervening period, it was renewed on a yearly basis. Certainly, U.S. policy makers still regarded Kenya to be of some strategic value even after the Cold War.

The Cold War's end had, however, considerably devalued Kenya's geostrategic significance for the U.S. It has also been claimed that Kenya's geostrategic value during the Cold War was rather exaggerated, and that throughout the first ten years of the agreement, "Washington had not used Kenya's airfields and port for any significant military operations."<sup>47</sup> As a State Department official remarked in an interview, "if it had been used at all, it was only for relaxation of sailors." Indeed, the indecision as to whether or not to renew the agreement when it lapsed might testify to the feeling in

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<sup>45</sup>Theodore S. Dagne, "Kenya: The Challenges Ahead," Report for Congress no. 97-739F, July 29, 1997, 6.

<sup>46</sup>Congress, House, Committee on Foreign Affairs, Kenya's Election Crisis: Hearings before the Sub-committee on Africa, 105th Congress, 2nd sess., 29 July 1997, 44.

<sup>47</sup>Theodore S. Dagne, "The Horn of Africa: A Trip Report," Report for Congress, no. 91-823F, November 15, 1991, 23.

some policy circles that it was no longer all that necessary. Kenya's significance for military purposes also appeared to have diminished after the Gulf War when the U.S. acquired access to better ports and airfields in Saudi Arabia and other Gulf countries within the Middle East crisis area itself.<sup>48</sup> In any case, Mombasa had been too far away for rapid deployment to the Middle East which was now the only major area of interest to the U.S. It had been much more important for the purposes of checking Soviet activities in the Indian Ocean than in tracking events in the Middle East. With the Soviet threat extinguished, the U.S. major concern was oil in the Persian Gulf. The Horn was not very strategic for the purpose of protecting the oil interests. This change in the geostrategic equation in the area left Kenya somewhat valueless geostrategically. But it still retained some limited value, especially for other U.S. operations in Eastern Africa and the Horn.

Insofar as U.S. policy on Kenya's democratic transition was concerned, the reduction in Kenya's geostrategic value created some leeway for pressuring the Moi regime to reform because the latter was "not able to use the base agreement as a bargaining chip like the Marcos' regime."<sup>49</sup> Countries such as Turkey, Greece and Philippines in which the U.S. had access to military bases that were categorized as crucial had been more successful in resisting U.S. pressure for change by threatening closure of those bases. Hence, while strategic interests still lingered even after the end of the Cold War and, therefore, justified continued presence in Kenya, the reduction in their significance gave the U.S. the opportunity to cajole Moi into initiating democratic

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<sup>48</sup>Ibid.

<sup>49</sup>Ibid.

reforms without worrying too much about the need for his cooperation on strategic matters.

## **KENYA AS A POTENTIAL REGIONAL HEGEMON**

If U.S. strategic interests in Kenya in the post-Cold War era appeared to have been reduced in terms of military strategy, Kenya's political and economic status in the region was a motivating factor for U.S. intervention in the country's democratic transition. The U.S., policy makers argued, had an interest in seeing that Kenya went through its political transition peacefully and successfully if it had to maintain its regional status. It was felt that a democratic Kenya would not succumb to the instability and civil war that had beset several of its neighbors and other African countries. Kenya's geographical location, its extensive infrastructure, and the overall size of its economy had placed Kenya at the hub of greater eastern Africa.<sup>50</sup> U.S. policy makers had always viewed Kenya as the regional power in the Horn and eastern part of Africa. The State Department, and USAID, in particular, had in the past partly justified aid requests for Kenya before Congress on the ground that Kenya was the political and economic fulcrum of its region.

Economically, Kenya still remained the strongest regional economy. Despite the deterioration of its economy, especially since the 1980s, Kenya's Gross Domestic Product (GDP), for instance, was far much larger than that of all its neighbors and in the region in general. As may be deciphered from Table 5 below, Kenya's exports in

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<sup>50</sup>Remark by a participant at a seminar on the theme "Kenya's Horizon" organized by U.S. Department of State at the Meridian International Center, Washington, D.C. on July 9, 1998 and attended by senior U.S. officials at the Department. I was also in attendance.



1990 totaled US\$ 1,033 million, higher than those of the other six countries' combined total of US\$ 990 million. Its GDP was the largest, and almost larger than that of Burundi, Somalia, Tanzania, Uganda and Rwanda combined.

Table 7: Comparative Statistics: Kenya in Regional Economy.

Country	GNP per capita Mid-1990 US\$ Dollars	GDP 1990 US\$ Million	Annual Average Inflation (GDP deflator) 1980-1990 %	Exports (Goods and Services) 1990 US\$ Million
Burundi	210	1,000	n/a	75
Ethiopia	120	5,490	n/a	297
<b>Kenya</b>	<b>370</b>	<b>7,540</b>	<b>9.2</b>	<b>1,033</b>
Rwanda	310	2,130	n/a	112
Somalia	120	890	49.7	130
Tanzania	110	2,060	25.7	300
Uganda	220	2,820	107.0	151

Source: World Bank, World Development Report, 1992 (New York: World Bank, 1993), 218, 244.

The Kenyan port of Mombasa was also the gateway for external trade and aid flows to its neighbors, especially Rwanda, Uganda and Burundi. With a vibrant private sector and financial systems and a commercial infrastructure second only to South Africa in Africa south of the Sahara, Kenya served as the trading and commercial hub for the Horn and its environs.<sup>51</sup> For the U.S., Kenya was, therefore, key to its economic interests in the region. Indeed, Nairobi remained the regional center for most U.S.

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<sup>51</sup>Carol Peasley, Acting Assistant Administrator, Bureau for Africa, U.S. Agency for International Development, in testimony to Congress. See Congress, House, Committee on Foreign Affairs, "Kenya Election Crisis," 46.

companies operating in the region.

Its relative political stability since independence had also portrayed Kenya in Washington as a stabilizing force in a region still marred by civil war and political instability. Kenya's stability in a sea of instability had made it unique and of high promise as a regional leader even in political reforms. Moreover, Kenya's role in regional peace initiatives, especially in Sudan, Rwanda, Uganda, and Somalia, generally made it critical to U.S. interests in the region. The U.S., as the sole superpower with global responsibility for peace and security, had a stake in regional conflict resolution. Hence, Kenya's significance in this regard. Kenya's willingness to welcome refugees from its unstable neighbors and, especially, to assist the U.S. in its humanitarian relief operations in the region went a long way in underlining its significance for regional U.S. operations. More over, after the U.S. scaled down its diplomatic presence in Mogadishu and Khartoum, and eventually moved its diplomatic personnel out of these two countries, Washington had continued to monitor events in those countries from Nairobi. The U.S. ambassador to Somalia operated from Nairobi temporarily after his evacuation from Somalia in 1991. Nairobi also became the clearing house for U.S. humanitarian assistance in Rwanda, Somalia and Burundi. Only Kenya with its relatively developed infrastructure could handle the relief and peacekeeping operations in these countries.

The consensus in Washington in the early 1990s was, therefore, that "in the absence of progress on democracy, Kenya (would) not be able to sustain its regional

leadership"<sup>52</sup> and was likely to degenerate into political chaos like its neighbors. This would, U.S. officials argued, work against U.S. political, strategic and economic interests in the region. Hence, the U.S. intervened in Kenya because "the future political and economic health of Kenya was important for the achievement of U.S. foreign policy goals in the region, and for Africa as a whole."<sup>53</sup> Kenya was one of the four countries whose future, U.S. policy makers argued, would have more impact on sub-Saharan Africa.<sup>54</sup> As an AID official put it: "for the sake of the whole region, we need Kenya as much as, if not more than, it needs us. If this place goes down the tubes, you can wipe half the continent off the map."<sup>55</sup> The Moi regime had therefore to be dissuaded from the repressive and undemocratic tendencies which could plunge Kenya into civil strife and instability. The U.S., using its leverage as Kenya's key donor and its hegemonic leverage as the sole superpower, was best placed to carry out this mission. Thus the primary motivation for U.S. intervention in Kenya's democratic transition stemmed from broader international and regional concerns.

#### **KENYA AND THE GLOBALIZATION STRATEGY**

The U.S. also viewed Kenya to be important for its global economic policy. However, if economic interests were a motivating factor, they could only be viewed

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<sup>52</sup>William H. Twaddell, Acting Assistant Secretary for African Affairs, in *Ibid.*, 44.

<sup>53</sup>Remark by a participant at the "Kenya Horizon" seminar.

<sup>54</sup>The other three were identified as Ethiopia, South Africa and Nigeria. This information was contained in the contribution of a senior State Department official from the Bureau for African Affairs in the "Kenya's Horizon" seminar.

<sup>55</sup>Economist, 12-18 June, 1993, p. 51.

more in global and regional terms than at the national (Kenyan) level. For the U.S. had never had significant economic interests in Kenya. This is, however, not to discount the obvious fact that the U.S. would be interested in promoting its economic interests in Kenya. It is rather to underscore the fact that by 1990, U.S. economic interests in Kenya were not significant enough as to constitute the major consideration for intervention. As ambassador Smith Hempstone regretted, trade with Kenya constituted only 5% of total U.S. external trade by 1990.<sup>56</sup> More over, Kenya's commodities that the U.S. imported, that is, coffee, tea, insecticide and flowers, had more lucrative markets in Europe. Kenya also did not possess raw materials or goods critical for the U.S. economy. If Kenya was economically significant for the U.S. in terms of trade or investment, such significance could only be viewed in a long-term perspective.

If economic interests motivated the U.S. to intervene in Kenya's democratic transition, they did so as part of the overarching U.S. Africa policy which sought "a more prosperous, democratic and politically stable continent that (was) integrated into the global economy."<sup>57</sup> Kenya, by virtue of its regional economic status and potential, could be a regional growth pole for this global project. In this vein, the U.S., by linking democratic reform to free-market reform, sought to realign Kenya's economy toward the global free market economy. As Ambassador Hempstone also emphasized, the U.S. was pushing for democratic reform in Kenya and other countries, in part, to enhance the

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<sup>56</sup>See U.S. Department of State, "Relations between Our Two Countries Have Never Been Better," American Foreign Policy Current Documents, 1990 (Washington, D.C.: GPO, 1991), 762.

<sup>57</sup>Remark by a senior State Department official at the "Kenya's Horizon" seminar.

chances for the free-market capitalist economy which could only succeed in "a more pluralistic and accountable form of government with less arbitrary decision making."<sup>58</sup> Kenya's integration into the global economy and its role in enhancing the global integration of its neighbors were, therefore, key considerations in the U.S. decision to influence its democratization process. The U.S. had a lot to gain from this globalization process: increased trade opportunities, and a legal, political and economic environment conducive to investments by U.S. companies. Within Kenya itself, the kind of unfavorable legal and political framework that had made several American companies to divest had to be avoided. Only a more liberal political system would attract foreign investment. It is noteworthy that in the mid-1990s, after Kenya had carried out a series of economic reforms included in the political conditionality package, several U.S. companies, including Mobil and General Motors, that had divested from Kenya in the 1980s, began to return.

## CONCLUSIONS

The pro-democracy shifts in U.S. policy towards Kenya in the early 1990s were, therefore, responses to an opportunity structure in the new international environment supportive of democratization and external intervention in the democratization processes inside sovereign countries. The decision by the U.S. to intervene in Kenya's transition process was motivated by its perception that Kenya was significant for its policy both regionally and globally. The changes in the international environment created an opportunity framework on which a new U.S. policy toward Kenya was constructed.

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<sup>58</sup>Hempstone, 94.

While the macro-policy shifts engendered by international developments set the general parameters for the new policy toward Kenya, U.S. intervention was also motivated to intervene in Kenya by variables specific to Kenya and its geographical locale. Kenya was relatively important for U.S. policy in the Horn of Africa and the Eastern African because of its regional leadership credentials in a region where the U.S. still had security and economic interests. Its past record as a reliable U.S. ally, its relative stability and economic strength made it an important springboard for U.S. security and economic initiatives in the region. Because of its relative economic strength, Kenya was also considered important for the success of the globalization process, a process in which the U.S., as the leading force in the international political economy, had much stake. In short, the U.S. intervened in Kenya's democratization process because it had an interest in seeing Kenya remain stable, because a stable Kenya would be in its interest. The U.S. felt that Kenya would be stable and could continue to serve U.S. interests only if it abandoned its old authoritarian ways and embarked on a democratic transition process.

In conclusion, whether the motivations for U.S. intervention in Kenya's democratic transition were engendered by developments in the international environment, within the U.S., or within Kenya itself, the main thread linking those motivations was U.S. national interest. The emphasis on Kenya's significance for U.S. interests, however, raises the issue of the implications of using promotion of democracy as a means to achieve national interests. Apart from raising questions of credibility with regard to the stated policy of promotion of democracy itself, it also implied that there would be conflict between the stated goal of promotion of democracy

and other policy interests. For instance, if U.S. intervention in Kenya's democratic transition was justified on the grounds of U.S. national interests in Kenya and its region, then it should be expected that when concerns for democracy conflicted with national interest concerns, then the latter would prevail. The emphasis on regional stability and stability in Kenya would, at times, mean taking some courses of action which would be in themselves contradictory to promotion of democracy. Indeed, some of those courses of action would undermine pressure for democracy. Policy disjunctures and inconsistencies were, therefore, inevitable. It is with this understanding that we proceed to examine in detail U.S. pressure for democratic reform in Kenya in the early 1990s in the next chapter.

## CHAPTER SIX

### U.S. POLICY AND KENYA'S DEMOCRATIC TRANSITION, 1990-1992

#### INTRODUCTION

The pro-democracy shifts in U.S. policy towards Kenya in the early 1990s saw the U.S. change its past role of the Moi regime's benefactor and patron to that of the regime's leading critic, especially on issues of human rights and democracy. While in the 1980s it was unusual for U.S. officials both in Washington and at the Nairobi embassy to embrace government critics, in the early part of 1990, the new U.S. ambassador, Mr. Smith Hempstone, began to associate with pro-democracy activists openly. The administration in Washington also began to publicly question and condemn the human rights violations and undemocratic behavior of the Kenya government. This contrasted sharply with the glaring silence the U.S. had maintained in the mid-1980s as the Moi government cracked down heavily on its critics. By mid-1991, disagreements over political reform issues had transformed a once cordial partnership between the two countries into one of mistrust and uncertainty. Using its aid and diplomatic levers, the U.S. nudged a recalcitrant Moi regime toward initiating democratic reforms. Indeed, U.S. pressure was instrumental in securing the release of political prisoners and, more significantly, the repeal of section 2(a) of the constitution to allow for multipartyism in December, 1991. U.S. pressure intensified as Kenya prepared for its first multi-party



elections in twenty-six years that were held on December 29, 1992.

U. S. policy toward Kenya was, however, slow to change. It took a relatively activist Congress and ambassador Hempstone to prod the administration<sup>1</sup> in Washington into moving beyond rhetorical articulation of the new policy concerns into concrete action. Between 1990 and Spring of 1991, the U.S. policy on political reform in Kenya lacked resolve even as local pressure on the Moi regime was growing. But by the beginning of spring 1991, the U.S. appeared to have made a firm decision to intervene. U.S. policy on Kenya's democratic transition is examined in two corresponding phases, that is, (1) from 1990 to Spring 1991, and (2) from Spring 1991 to December 1992. The examination ends with a brief post-election analysis of U.S. policy in 1993.

#### **PHASE 1: JANUARY 1990 TO FEBRUARY 1991: FROM INDIFFERENCE TO CONCERN AMIDST AMBIGUITY**

Even though throughout the 1980s the U.S. had been indifferent to the growing criticism of Kenya's human rights record by a section of Kenyans and international human rights groups, a few Congressmen and private human rights groups had been calling the policy establishment's attention to the Moi regime's undemocratic behavior. In January 1988, for instance, the U.S. Lawyers Association for Human Rights sent its chairman, Mr. Mervin Frankel, a retired New York Federal judge, and a pathologist, Dr. Robert Kirschner, to monitor the proceedings at the inquest into the death in police custody a year earlier of Mr. Peter Karanja. The two were, however, arrested by

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<sup>1</sup>Even though the U.S. embassies abroad are part of the administration, in this study, the "administration" refers to the State Department and the White House in Washington. This is strictly for analytical purposes.

security agents of the then increasingly intolerant Moi regime.<sup>2</sup> U.S. media also occasionally exposed the regime's dictatorial tendencies. The administration was, however, not yet willing to allow democracy and human rights concerns to interfere with the excellent strategic partnership and cordial relations it enjoyed with Kenya. It was not until 1990 that it began to show concern about the political situation in Kenya for reasons discussed in the previous chapter.

Despite rhetorical pledges to incorporate democracy concerns into U.S. policy towards Africa, between 1990 and the Spring of 1991 policy towards Kenya was still characterized by ambivalence on the issue of democracy. It was a period marked more by declarations of intentions than the political will to pursue the democracy agenda. If the administration had changed its attitude on the deterioration of democracy in Kenya, it had only moved from being indifferent to "expressing concern." The most it did was to issue public condemnations of specific acts of human rights abuses by the Kenya government and to verbally exhort the regime to initiate reform.

Even this modest change was not the administration's own initiative. It was pressure from Congress and other private groups that forced it to abandon its previous stance of indifference. The only part of the administration to take initiative was the embassy in Nairobi, under Ambassador Hempstone. But even the ambassador's early initiatives did not receive strong support from his bosses in Washington. Having accepted in principle that the Moi regime needed to reform, the administration exhibited ambivalence and indecision as to how and to what extent it should nudge Moi

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<sup>2</sup>See Weekly Review, "U.S.A.-Kenya: Another Diplomatic Flap," (15 January 1988): 6.

toward democratic reform. The ambivalence was reflected in the conflicting positions taken by key policy actors, especially the State Department and the embassy in Nairobi on the kind of reforms needed in Kenya, and the instruments to employ in pushing for them.

### **Moi's Visit to Washington, February 1990: The Sign of the "Changing Times"**

The signal that Kenya would be one of the first candidates for the application of the new democracy-oriented policy towards Africa came in the first week of February 1990 when Moi made a visit to Washington. This visit is important for the purposes of this study insofar as it signified a shift in U.S. policy towards Kenya. The visit marked the beginning of the uncertainty and ambiguity that characterized relations between the two countries in the early 1990s. The visit signaled policy shifts in many ways. Unlike in the immediate past, Moi's request for an official visit had been turned down by the administration, and, therefore, this was not an official but a private visit. The fact that Moi would have been happier if it were an official visit was betrayed by the efforts by his top aides to publicize the visit in the Kenyan media as official.<sup>3</sup> Being a private visit, no meeting was arranged between Moi and President Bush or any other senior ranking administration official. Indeed, despite the fact that Bush and his top aides attended the Congressional Prayer Breakfast, Moi's contrived reason for the visit, he failed to meet with any of them. The most senior official he met, albeit privately, was Mr. Herman Cohen, the Assistant Secretary of State for African Affairs.

Moi, like other African leaders, especially those whose authoritarian styles of

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<sup>3</sup>Smith Hempstone, *Rogue Ambassador: An African Memoir* (Sewanee, TN: University of the South Press, 1997), 45.

governance threatened to alienate domestically and internationally, cherished official invitations to the White House for good reasons. The opportunity to talk to the President of the United States and to appear with him on the White House lawn before international media was a diplomatic achievement of considerable proportions. Domestic critics of the visiting president were expected to derive the appropriate message: that the incumbent had the ear of the most powerful nation on earth. For Moi this would have been a reassurance of patronage and a recommitment on the part of the now sole superpower that it would continue to support his regime. His critics at home would cower because the obvious alternative in the past, the Soviet Union, was no longer able to play patron to any side. In any case, the U.S. had in the past distanced itself from Moi's critics at home. As Kaniaru wa Maina has observed, U.S. unwavering support of the regime had made Moi feel "secure in the knowledge that the U.S. would always come to his aid in the face of internal threats to his regime."<sup>4</sup>

It had also been common practice for the host President to comment favorably on the visitor's leadership capabilities and record, regardless of the real situation back home. For the visiting head of state, this would help disarm critics at home and abroad questioning some undemocratic tendencies like violations of human rights and authoritarian rule. Moi, whose regime had increasingly attracted international attention since the early eighties for its human rights abuses and intolerance towards government critics needed such a boost even the more. During a 1987 visit at President Reagan's invitation, the latter's flattering comments in a joint communique to the effect that his

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<sup>4</sup>Kaniaru wa Maina, "The Future of Democracy in Kenya," *Africa Today*, 1st & 2nd Quarters (1992): 123.

(Moi's) regime was a "model" for Africa amidst growing international concern about human rights violations in the country had given him some respite. During the 1990 visit, apart from missing the opportunity for his leadership to be lauded by the highest level of U.S. leadership, now even junior U.S. officials privately expressed their displeasure at the way he was treating government critics and even hinted that U.S. aid would not be forthcoming if government corruption and human rights abuses continued.<sup>5</sup>

Moi's experience in Washington during this visit underlined two important developments in U.S. - Kenya relations. First, the administration was abandoning its previous position of indifference to matters related to Kenya's internal governance, especially those concerning human rights and democracy. U.S. policy towards Kenya was increasingly incorporating human rights and democracy as relevant issues in the official relations between the two countries. Second, the "snub" by President Bush and his top aides pointed to the weakened bond between the U.S. administration and Moi's regime, until recently one of Washington's best friends in sub-Saharan Africa.

The visit certainly awakened Moi to the new realities and it was clear that he was concerned. A conservative lobby group, the Heritage Foundation, was immediately contacted by the Kenyan embassy in Washington to lobbying for Kenya. It emphasized Kenya's significance for U.S. policy in Africa. In April 1990, it released a background paper distributed to Congressmen stressing "Kenya's position as a political and strategic ally." It also emphasized that Kenya's political system was relatively liberal

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<sup>5</sup>Neil Henry, "Crackdown in Kenya Strains Ties with U.S.: Congress to Review Foreign Aid to Nairobi," Washington Post, 9 July 1990, p. A13.

and free. It argued that the best way to influence change in Kenya, where also a free market economy was in place, was to increase aid and commercial contact instead of applying pressure for political reform.

Upon his arrival back to Nairobi, Moi publicly announced that Kenyans would be left free to express their feelings and opinions about the type of political system they wanted. Most significantly, he "allowed" a public debate on multi-partyism. He, however, abruptly called the debate to an end in mid-March. This brief expression of tolerance may have also been a way of mollifying domestic critics who had increasingly implicated his government in the murder of Kenya's Foreign Minister, Robert Ouko, in early February. But the abrupt manner in which he ordered an end to the short-lived debate on multi-partyism betrayed Moi's fear of reforms. During the short-lived debate, several Kenyans had enthusiastically emphasized that they favored pluralism. His threat that those who "threatened unity," (read multi-party advocates) would be "hunted down like rats," underlined his strong opposition to reforms.<sup>6</sup>

#### **Ambassador Hempstone's Early Initiatives, Moi's Intransigence and the Administration's Equivocation**

Any study of U.S. intervention in Kenya's democratic transition process must of necessity begin with the initiatives of Ambassador Hempstone. Indeed, the story of U.S. pressure on the Moi regime to allow multipartyism, to release political prisoners and to initiate democratic reforms in general is, in large part, an account of the

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<sup>6</sup>See Economist, "Kenya: Less Nice Than It used to Be," 23 June 1990, p. 39.

ambassador's three year tenure.<sup>7</sup> He began his tour of duty in December 1989 as the fifth U.S. ambassador to Kenya when U.S. policy toward Africa was beginning to emphasize democracy. Local and external pressure for democratic reforms in Kenya were also just beginning to coalesce. Barely six months into his tour of duty, Kenya's government critics began to organize themselves to demand the restoration of multi-partyism and other reforms. It was during his tenure that multipartyism was reintroduced and the first multiparty elections in twenty-six years held. He played such an extraordinarily resilient role in the democratic transition process that his initiatives require a separate account from that of the administration in general.

Mr. Hempstone may be credited with the "kick-off" of what Holly Burkhalter has called a "minuet dance" between the Moi government and the U.S. over the issue of democratic reform.<sup>8</sup> Within a short time he quickly established himself as a fierce critic of Moi's repressive rule. At a time when the administration in Washington had not yet contemplated engaging Moi on the issue of democratic reform, Hempstone became the first foreign ambassador accredited to Kenya to publicly call for an end to one-party rule in Kenya. He was also the first American ambassador in Africa to express publicly the new shift in U.S. policy tying aid to democratic reform.<sup>9</sup> In a speech to members of the Nairobi Rotary Club on May 3, 1990, he warned the Kenyan government of aid cuts

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<sup>7</sup>For Hempstone's own account of his role see his memoir, Hempstone, *op.cit.*. The memoir was a primary source of information for this study.

<sup>8</sup>See Holly Burkhalter, "Kenya: Dances with State," *Africa Report*, 36, no.3 (May-June 1991): 53.

<sup>9</sup>Jane Perlez, "U.S. Envoy Steps into Political Firestorm in Kenya," *New York Times*, 6 May 1990, p. A13.

if it did not adhere to democratic principles and embraced multi-party politics. He said, in part:

I would be derelict in my responsibility to the Government of Kenya if I did not tell you that a strong political tide is flowing in our Congress, which controls the purse-strings, to concentrate our economic assistance on those of the world's nations that nourish democratic institutions, defend human rights and practice multi-party politics."<sup>10</sup>

This speech had important implications not only for relations between the U.S. and Kenya but also for Kenya's democratization process. It upset the existing *status quo* in relations between Kenya and the U.S. insofar as it broke the long-standing U.S. silence on human rights and democracy issues in Kenya. Even though some unease had set in following the cool reception Moi had received in Washington earlier in the year, relations between the two countries had remained cordial. Although the Moi government had been shocked at the U.S. objection to its request for funds at a World Bank meeting in London in early February to construct the ruling party's headquarters, there had been no major diplomatic hitch between the two countries.<sup>11</sup>

Hempstone's speech and the Kenya government's reaction triggered an atmosphere of acrimony which quickly reshaped the diplomatic equation. Domestically, the ambassador's initiative emboldened the multi-party advocates. That Hempstone's speech was a significant development in Kenya's political scene was apparent both in

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<sup>10</sup>See U.S. Department of State, "Relations between Our Two Countries..Have Never Been Better," American Foreign Policy Current Documents, 1990 (Washington, D.C.: GPO, 1991), 762.

<sup>11</sup>See Economist 3 February 1990, p. 41. The proposal to build the party headquarters in one of the recreational parks in Nairobi had met fierce opposition from environmental groups in Kenya. Several government critics had also questioned the wisdom of spending huge sums of money on the mostly exhibitionist project at a time when Kenya was facing dire economic problems.



the reaction of top government officials, including Moi, and in the headlines it received in the local dailies. Kenya's most read paper, the *Daily Nation*, carried it as its lead story with the headline, "U.S. Mounts Pressure for Multi-Parties."<sup>12</sup> Since Moi had "banned" public debate on multi-partyism in March, few people had dared express their views publicly. Moreover, no foreign diplomat had ever talked about the issue publicly.

The government was stunned because, until that time, Kenya had been U.S.' most valued friend in sub-Saharan Africa, especially in the past decade. Moi's government's reaction to Hempstone's speech was conditioned, in part, by the fact that it was given the same day that two government critics, Mr. Kenneth Matiba and Mr. Charles Rubia, held a rare and daring (as at that time) press conference in Nairobi calling for the re-introduction of multi-party politics. Although Hempstone claimed that his speech and the press conference were pure coincidences, the Kenyan government charged that there had been prior consultations between him and the two politicians. According to the government, therefore, Hempstone, and by extension, the U.S., had taken sides on the issue of reform: the U.S., especially the embassy, was collaborating with "dissidents" against the Kenya government.

The government and the ruling party, KANU, also accused the ambassador of meddling in Kenya's internal affairs. Kanu's organizing secretary, Kalonzo Musyoka, told Hempstone not to "dictate to us" while the Minister in charge of internal security ordered the provincial administration to monitor the ambassador's movements outside Nairobi. Moi, for his part, reiterated that Kenya was "a sovereign state and equal to other states" and did not "require any guidance from outsiders on how to run its

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<sup>12</sup>See Daily Nation, 4 May 1990, p. 1.

affairs."<sup>13</sup> He threatened that Kenya would reconsider its position (vis-a-vis the U.S.) if the "interference' in its internal affairs was "not stopped forthwith."<sup>14</sup> He also threatened not to honor Hempstone's earlier invitation to open the American Trade Fair on May 9. Eventually he did turn up but took the opportunity to warn Kenyans to be wary of those "who have little or no knowledge of the intricate workings of our society to try and move us in directions which are inimical to our cultural values and national interests."<sup>15</sup> In response to the threats of aid cuts, he said that Kenyans would take the risks "if the risks and sacrifices will serve the people of this nation today and in generations to come."<sup>16</sup> The ruling party, KANU, issued a statement emphasizing that Kenya's "national interests must never be dictated by external forces for Kenya is a sovereign state, a fact which is not negotiable and which cannot be compromised at any cost."<sup>17</sup> The party's newspaper, the *Kenya Times*, in a headline, advised the ambassador to "shut up" and "stop meddling in Kenyan politics."<sup>18</sup> Government security officers were ordered to monitor the activities and movements of diplomats "inciting" the people against the government of Kenya.

Beneath the government's rhetorical attacks on Hempstone, however, lay the regime's realization that it was dealing with the ambassador of a country with

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<sup>13</sup>Quoted in Perlez, 13.

<sup>14</sup>Weekly Review, 11 May 1990, p. 14.

<sup>15</sup>Quoted in *Ibid.*, 93.

<sup>16</sup>Weekly Review 18 May 1990, p. 6.

<sup>17</sup>Quoted in *Ibid.*, 14.

<sup>18</sup>See Kenya Times, 4 May 1990, p. 1.

considerable diplomatic and economic leverage. Moi's change of heart to open the trade fair and the sudden stop to attacks on the ambassador at the government's prompting illustrated the caution the government was exercising not to unnecessarily antagonize the U.S. Even an anti-U.S. demonstration promised by the Mombasa KANU branch was hastily put off. In the aftermath of Hempstone's speech, the Kenyan embassy in Washington contracted another lobbying firm, Black, Manafort, Stone and Kelly, to lobby the U.S. Congress and the administration on behalf of Kenya. Kenya was not oblivious of the potential damage the encounter with Hempstone was capable of causing to its interests in the U.S.

The incident also marked the beginning of the tussle between the United States and the Moi regime on the issue of democratic reform. The bad faith created between Moi's government and the ambassador continued to haunt U.S.-Kenya relations for the next three years. For it soon became clear that Hempstone was just articulating a policy that had been decided upon in Washington. His own personal initiative lay only in his decision to break with the diplomatic tradition of raising issues of this nature in private with his host, the President, rather than publicly. As he later observed in his testimony to Congress, he decided to use both "quiet" and "public diplomacy: he "would speak both to Moi and to the Kenyan people."<sup>19</sup>

It is noteworthy that Hempstone made his multi-party call only a fortnight after a meeting of all the forty-four U.S. ambassadors serving in Africa organized by the State Department in Washington during which the new pro- democracy policy for

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<sup>19</sup>Congress, House, Committee on International Relations, Review of Clinton Administration's Performance in Africa: Hearing before the Subcommittee on Africa, 104th Congress, 2nd sess., 2 July 1996, 42.

Africa was articulated. He had apparently come back determined to play an assertive role in articulating that policy in Kenya.<sup>20</sup> Just one week earlier, he had met and discussed the issue of multipartyism with a member of Moi's cabinet and party official, Mr. Shariff Nassir. Mr. Nassir, a well known defender of one-party rule had been just as intransigent as his colleagues. But even this meeting was extraordinary. As the Weekly Review, a highly respected Kenyan magazine, had observed,

The exchange (between Mr. Nassir and Hempstone) was much more significant for the fact that a diplomat would go out of his way to state such a position quite so bluntly before a politician known to be in the forefront in defense of the one-party system. Hempstone's views may in all probability be shared by other diplomats accredited to Kenya, particularly those from other Western multi-party countries, but it is doubtful whether any of them would express them so openly as Hempstone did.<sup>21</sup>

Thus his Speech the following week at the Rotary meeting was not spontaneous. It was part of Hempstone's well-thought out plan to carry out the new pro-democracy policy as articulated by the administration in different fora in the early part of the year, and specifically in their April meeting in Washington.

His meeting with Mr. Nassir, like his speech at the Rotary meeting, signaled the creeping changes in U.S. policy toward Kenya, namely, (i) that the U.S. was no longer going to ignore Kenya's internal affairs, especially the governance system, and (ii) that the U.S. intended to play a leading role in nudging Kenya toward pluralism.

Hempstone's initiative was novel insofar as it symbolized a break from the past in U.S. policy where the U.S. merely reacted to internal events in target countries. Hempstone

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<sup>20</sup>Hempstone, 90.

<sup>21</sup>Weekly Review, "A New American Assertiveness," 4 May 1990, p. 14.

was, in contrast, taking a proactive, anticipatory step. As he observed in an interview, his discussions with Nassir had convinced him that there was no hope for private dialogue with KANU: the only way out was to go public.<sup>22</sup> Hempstone's approach was also revolutionary to the extent that he put the Kenyan government on notice that he was going to use both private and public means on matters of reform. Indeed, in another unusual development, the embassy issued a press statement as a rejoinder to accusations that the U.S. was fomenting trouble in Kenya. This increasingly public posture contrasted sharply with previous U.S. policy of discussing matters related to Kenya's internal affairs in private. In an interview, Mr. Hempstone explained that his assessment of the situation had been that Moi's government would be more responsive to public criticism than private.<sup>23</sup>

For the local democracy movement, Hempstone's speech and public initiatives were a boon to the extent that they revealed the fact that the international community, including the world's most powerful nation, was sympathetic to local demands for democratic reform. Hempstone's willingness to publicly call for political reform in Kenya also emboldened the democracy activists insofar as it signified that the Moi regime was losing the support of one of its once most important patrons. Even more satisfying to local government critics was the idea that this powerful patron was now identifying with the opposition rather than with the regime. The democracy activists were more than eager to be identified with the U.S. as could be discerned from their silence even as the government charged that they were being "incited" by Ambassador

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<sup>22</sup>Interview in Bethesda, Maryland, U.S.A. on July 3, 1998.

<sup>23</sup>Interview in Bethesda, Maryland, U.S.A., on July 3, 1998.

Hempstone. Hempstone, for instance, found it intriguing that as the government falsely accused the embassy of financing and organizing opposition, the opposition leaders themselves did "nothing to discourage this false assumption."<sup>24</sup> For government critics, close identification with the U.S., especially the U.S. ambassador, was crucial because it could reduce the risks associated with opposition to a regime which was more than ready to use its powerful security machinery to silence its critics. To be shielded by the world's only superpower with immense leverage over the Moi regime was, to say the least, in itself an impetus to continue the struggle. As Raymond W. Copson has observed, "democratic elements in Kenya took great encouragement from Hempstone's stance. The regime was constrained in its ability to suppress opposition forces, however much it might have wished to do so."<sup>25</sup> It was in this context that one of Moi's leading critics and a key player in the democratic reform movement, Reverend Timothy Njoya, described Hempstone as "God's providential gift to Kenya."<sup>26</sup>

If Hempstone's initiatives had signaled a shift in U.S. policy toward Kenya, the administration's reaction to the controversy they created in Kenya was ambivalent. The State Department remained silent as officials of the ruling party, KANU, and Moi's government railed accusations, some of them highly personalized, against Hempstone. It appeared that Washington was not ready yet to make democracy issues a major policy agenda in U.S. relations with Kenya. It soon became clear that the policy

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<sup>24</sup>Hempstone, 92.

<sup>25</sup>Raymond W. Copson, Africa's Wars and Prospects for Peace, (New York: M. E. Sharpe), 183.

<sup>26</sup>See Weekly Review, 18 November 1991, p. 11.

establishment in Washington was not amused that Hempstone had disturbed the status quo. That the administration was still reluctant to engage Moi on the issue of democratic reforms was demonstrated by a visit to Nairobi by Assistant Secretary Cohen and the regional director for East African Affairs, Mr. Jack Davis, on May 17, 1990, just two weeks after Hempstone's speech. The purpose of the visit, as Cohen told Hempstone, was "to smooth Moi's ruffled feathers."<sup>27</sup> In Hempstone's presence, the Assistant Secretary reassured Moi that the U.S. government had "not yet" made movement toward a multi-party system a condition for American economic assistance.<sup>28</sup> He did not only appear to distance the administration from Hempstone's remarks on aid conditionality, but also reiterated that it was only some "individuals in the U.S. Congress" who favored such an approach.<sup>29</sup> On relations between the U.S. and Kenya, which the Assistant Secretary obviously felt had been disturbed a bit by Hempstone's multi-party comment, he hoped for a return to a "business-as-usual" posture.<sup>30</sup> He observed that, overall, relations between the two countries were excellent. As if to underline that U.S. policy was still basically pro-Moi regime and did not embrace government critics, Cohen refused to meet with any local democracy or human rights activist.

Cohen's visit was significant in many ways. It demonstrated the administration's unwillingness to pursue the democracy agenda in Kenya despite the official rhetoric in

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<sup>27</sup>Hempstone, 95.

<sup>28</sup>Ibid., 94-95.

<sup>29</sup>Ibid., 95.

<sup>30</sup>Ibid, 94.

various documents and speeches. It is instructive to note that his comments had come only a month after the State Department's seminar for U.S. ambassadors in Africa during which the new pro-democracy policy had been articulated. By advising the Kenya government that it was time to embrace pluralism, Hempstone had been articulating this new policy. As he emphasized in his memoir, he had left the seminar "resolved to implement President Bush's policy with all the vigor and determination I could muster."<sup>31</sup> Cohen's visit obviously watered down and undermined Hempstone's initiative. As Hempstone himself pointed out, Cohen's visit undercut his position on human rights and democratic reform in the long term.<sup>32</sup>

Cohen seemed to portray Hempstone's call for multi-partyism in Kenya as not reflecting U.S. policy. His refusal to meet with human rights and democracy activists left the impression that, in associating with the domestic clamor for multipartyism and democratic reform in Kenya, the ambassador was pursuing a personal crusade. Moi may have deduced from Mr. Cohen that the U.S. would continue to pursue a policy of indifference on issues related to his regime's internal behavior. This may have given him and his one-party government additional confidence as they continued clamping down on democracy activists throughout that summer. As Human Rights Watch later observed, Cohen's visit "strengthened President Moi's hand at a time of mounting pressure for Kenya to democratize (and) helped to facilitate the serious deterioration of respect for human rights that followed."<sup>33</sup>

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<sup>31</sup>Ibid, 90.

<sup>32</sup>Ibid, 95.

<sup>33</sup>Human Rights Watch, World Report, (Washington, D.C. 1991), 42.



Cohen's visit and his efforts to appease Moi should, however, be understood within the context of U.S. policy towards Africa in general. In Kenya, like in other African countries, the administration was slow to incorporate democracy concerns into policy. While by the end of the 1980s, promotion of democracy had clearly become a major defining element of U.S. foreign policy in general, in Africa, the Bush administration, despite strong rhetoric, appeared to adopt a "wait-and-see" attitude even as the "democracy wave" increasingly swept through the continent in the early 1990s. While the U.S. generally condemned dictatorship, it was slow to disengage from its authoritarian allies in Africa. This was, however, a reflection of the usual low priority given to African issues in the policy establishment.<sup>34</sup> The fact that Africa had always been treated as a policy back burner had allowed the Bush administration to practice what a scholar has called the "politics of avoidance" which operated along the guideline: "do not let African issues complicate policy toward other more important parts of the world."<sup>35</sup> Accordingly, Latin American and Eastern European democracy waves required more urgent responses than the African one.

The Bush administration's equivocation on the issue of democracy promotion in Kenya could also be attributed to the fact that by 1990, the Cold War was not yet over in the strict sense. Despite the break up of much of the communist empire in Eastern Europe and the growing rapprochement between the Soviet Union and the U.S., uncertainty still abounded as to the future relations between the two superpowers. No

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<sup>34</sup>Michael Clough, "The United States and Africa: The Policy of Cynical Disengagement," *Current History* 91, no. 565 (May 1992): 193.

<sup>35</sup>Ibid.

one had even contemplated the Soviet Union's demise as a single nation. Given the Cold War-related geostrategic interests that Kenya served in U.S. policy, the administration was not yet willing to antagonize Moi by pushing too hard for democratic reform. During the congressional presentation of the aid budget for the Financial Year (FY) 1990, Allison Rosenberg, the Deputy Assistant Secretary of State for African Affairs, had spiritedly pleaded with Congress not to cut aid, because by cutting aid, the U.S. would be risking injury to a friendly government and face "acrimonious charges of bad faith."<sup>36</sup> But by mid-1991, when it was clear that the Cold War was over, the administration increasingly exhibited a willingness to condition aid on movement towards democracy and respect for human rights in Kenya. This also reflected a significant feature of U.S. policy toward Africa in general and Kenya in particular: that policy responded to larger regional and global developments more than it did to developments within the target country. Hence, as will be evident later, U.S. pressure for democracy in Kenya was also conditioned and determined by regional and global developments.

The administration's equivocation and ambivalence notwithstanding, Hempstone's initiatives represented new realities in U.S. policy in general, and Kenya specifically. First, they reflected the growing assertiveness of the U.S. in the new "world order" devoid of the old superpower rivalry. For the most part of the first quarter of 1990, the Bush administration had been emphasizing the new role of the U.S. as the sole superpower in the "new order." Implicit in Washington's conception of the new order was the idea that U.S. had won the Cold War and would play a more assertive

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<sup>36</sup>Quoted in Clough, 193.

role in shaping the international system according to its values and wishes. The relegation of geopolitical and strategic considerations to the bottom of the list of policy priorities that had accompanied the thaw in the Cold War had also created opportunities for a more assertive role in the internal affairs of other countries without worrying about consequences for overall policy. Commenting on Hempstone's unprecedented exchange with Mr. Nassir, the editor of the Weekly Review, had aptly observed that

In this new climate, the U.S. voice has begun to acquire the undisputably dominant say in international affairs. Along with this unprecedented influence has come a new American assertiveness, no longer constrained by conventional diplomatic reticence, and an overt eagerness to push relentlessly all over the world for the adoption of political programs that are consistent with American interests with multi-party systems being all the vogue.<sup>37</sup>

With regard to Kenya, the erosion of its geostrategic value had led to the decision by U.S. not to renew the Military Access Agreement when it expired in 1990. Ambassador Hempstone's aggressiveness in calling for reform and his willingness to pursue the new pro-democracy U.S. policy in Kenya knowing that his moves would certainly bring Kenya and the U.S. into a collision course should be viewed within the new opportunity structure engendered by a changed international environment. This opportunity structure had been made possible by the recession of the global communist threat, the thaw in the East-West rivalry, and the rise of the U.S. as the sole superpower. Hempstone was, therefore, taking advantage of this opportunity structure which evidently favored the pursuit of the democracy agenda in Kenya. It is unlikely that he would have risked antagonizing the Moi regime on issues pertaining to internal

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<sup>37</sup>Weekly Review, "A New American Assertiveness," 4 May 1990, 14.

governance at the height of the Cold War.

Hempstone himself had been a Cold Warrior and had opposed economic sanctions against the apartheid regime.<sup>38</sup> Indeed, his major worry as he awaited confirmation as Kenya's ambassador had been that he would be asked why he thought he could defend human rights and promote democracy in Kenya given his background.<sup>39</sup> In an interview for this study, he wondered whether he would have played the same role in the 1960s, for instance.<sup>40</sup>

The controversy generated by Ambassador Hempstone's remarks at the Rotary meeting and its ramifications on both Kenya's domestic political scene and U.S.-Kenya relations were fueled partly by the government's intransigence and hypersensitivity to criticism, especially on issues related to human rights and democratic reform. Such sensitivity may be attributed to the sense of insecurity the regime felt in the face of developments elsewhere in the continent. In countries like Benin, Zambia and Zaire, the one-party system was increasingly bowing to demands for reform. This sensitivity, as a U.S. foreign service officer who worked in the Kenyan embassy during this period put it, "played into the hands of ambassador Hempstone and the U.S."<sup>41</sup> Even Hempstone himself appeared not to have expected such an intense reaction to his speech and appeared somewhat reconciliatory a week later. He told Moi at the trade fair that he did not expect relations between his country and Kenya to deteriorate. He predicted that

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<sup>38</sup>Hempstone, 14.

<sup>39</sup>See Hempstone, 14-15.

<sup>40</sup>Interview at Bethesda, Maryland, U.S.A. on July 3, 1998.

<sup>41</sup>Interview in Washington, D.C., June 11, 1998.

"those seeking to drive a wedge between the United States and Kenya will not succeed."<sup>42</sup> He was even more surprised at the charge that he was anti-Moi for he had stated categorically that he believed in Moi's ability to lead the reform agenda.<sup>43</sup> He had even praised Moi as "a strong leader, a friend of America and a key international statesman in the search for peace in African nations."<sup>44</sup>

### **The *Saba Saba* and the fall-out**

If Hempstone's call for multi-partyism in Kenya in May had disturbed the status quo in U.S. Kenya policy, the embassy's role and reaction to the events leading to and after the aborted pro-democracy rally in Nairobi on 7th July, 1990 raised the level of tension in U.S.-Kenya relations even higher. Since both Matiba's and Rubia's press conference and Hempstone's speech on May 3, government critics had stepped up their calls for political change. The government had maintained a hard line stance, dismissing calls for multi-partyism as ill-founded and foreign instigated. Cohen's reassurance that it was not yet U.S. policy to push for multi-partyism in Kenya seemed to have left the Moi regime confident that it could meet the challenge from its critics without much external interference. No other ambassador accredited to Kenya apart from Mr. Hempstone had publicly called for the introduction of multi-partyism. Britain, the other country with immense leverage over Kenya, had remained quiet.

For a brief period after Cohen's visit to Kenya, Hempstone had slowed down in his calls for change and his relations with Moi appeared to have smoothed somewhat.

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<sup>42</sup>See Hempstone, 93.

<sup>43</sup>Ibid., 91

<sup>44</sup>Weekly Review, 18 May 1990, p. 6.

Some element of unease and distrust, however, continued to characterize relations between the embassy and the government, for Hempstone continued to associate with government critics. The government did not take it kindly, for instance, that he had invited "dissidents," including Mr. Rubia, to the U.S. independence celebrations at his residence on July 4, 1990. According to Hempstone, he had invited both government officials and government critics to the celebrations to provide a venue for dialogue between the government and its critics.<sup>45</sup> This latent mistrust exploded when the next day Matiba, Rubia and Odinga were arrested and detained without trial. The three had earlier applied for a licence to hold a pro-multiparty rally in Nairobi on July 7. The government had declared the rally illegal and the politicians had agreed to call it off. The U.S. embassy's reaction and that of the State Department must have confused Moi in light of Cohen's reassurance earlier in May. Hempstone issued a public protest on July 5, condemning the detentions as serious violations of human rights. He was the only foreign ambassador to issue a public protest over the arrests. On the same day, the State Department issued a statement expressing "distress" over the arrests and urged the Moi government "to respect individual rights of freedom of expression and assembly."<sup>46</sup>

A major test for U.S. policy on the unfolding clamor for democratic change in Kenya came on 7th July, 1990 when the government reacted violently to attempts by some Kenyans to go ahead with the rally. During the confrontation, which has since

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<sup>45</sup>Interview at Bethesda, Maryland, U.S. A. on July 3, 1998.

<sup>46</sup>Quoted in Neil Henry, p. A13.

become known as the *saba saba*<sup>47</sup> disturbances, up to twenty people were officially reported killed as the disturbances spread for two days to the outskirts of Nairobi. Hempstone again scathingly criticized the government for its repressive clamp down on the demonstrators whom he defended as having been exercising their basic freedoms of assembly and association. His decision to grant refuge to Gibson Kamau Kuria, a staunch critic of Moi government's violations of human rights, at the embassy further underlined the extent to which the embassy was willing to go in protecting those it considered to be fighting for democratic reforms in Kenya. He later successfully negotiated with the government to allow Kuria to seek asylum in the United States and physically escorted him to the airport.<sup>48</sup>

The Kenya government expectedly criticized the U.S. and specifically accused Hempstone and the embassy of involvement in the disturbances. On the same day of the demonstration, Moi had stated at a public rally at the coastal town of Kilifi that he was "not amused by a foreign mission taking such a keen interest in Kenya's local affairs."<sup>49</sup> A government statement from the office of the president accused the U.S. of "gross interference in Kenya's internal affairs." It singled out the embassy, in particular:

U.S. embassy has openly given solace and support to elements in the country bent on destabilizing the constitutionally elected government of Kenya. It has even gone to the extent of harboring individuals

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<sup>47</sup>"Saba" is Kiswahili word for "seven." Hence the phrase "saba saba" denotes the fact that the disturbances occurred on the seventh day of the seventh month, that is, July.

<sup>48</sup>For details on the negotiations between Ambassador Hempstone and the Kenya government on the issue of Kuria's asylum and his departure, see Hempstone, 105-112.

<sup>49</sup>See Sunday Nation, 8 July 1990, p. 1.

sought by the law for their criminal and subversive activities aimed at undermining state security.<sup>50</sup>

The Kenya government's reaction was, however, cautious and reflected some restraint. The criticism was more directed at Hempstone as an individual and not at the U.S. government in general. The ruling party's newspaper, Sunday Times, for instance, singled out Hempstone as a person. Its editorial criticized the ambassador as "the epitome of developed world conceit of the violent kind."<sup>51</sup> It further warned Hempstone that he would "have only himself to blame if Kenya finds it necessary to proclaim him a *persona non grata*."<sup>52</sup> Many government leaders let it be known that the problem between U.S. and Kenya could be easily solved were Hempstone to be recalled. Washington did not recall him. But neither was he expelled by the Kenya government. The government and the ruling party certainly weighed the cost of such an action in view of the immense leverage the U.S. wielded over Kenya. That the government did not want to antagonize the U.S. was demonstrated by the Parliament's Speaker's decision to halt the debate on Mr. Hempstone. It was not lost to Moi and his government, for instance, that in 1990, Kenya had received US\$ 49.8 million in U.S. aid, the largest in sub-Saharan Africa, and had been earmarked for as much as US\$ 42 million in the FY 1991. The fact that Moi was willing to negotiate Mr. Kuria's asylum with the ambassador was in itself an expression of his government's lack of options

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<sup>50</sup>Quoted in Neil Henry, "Kenya Protests U.S. Refuge for Dissident," Washington Post, 10 July 1990, p. A13.

<sup>51</sup>Sunday Times, 8 July 1990, p. 6.

<sup>52</sup>Ibid.



against the U.S. For instance, it was no longer possible to play the Cold War card to buy U.S. acquiescence.

The bitterness with which the government criticized Hempstone's behavior during the *saba saba* disturbances suggested a high level of frustration with an envoy too powerful to be expelled. As the editor of a Kenyan weekly had noted two months earlier, "a less powerful ambassador, indeed any other envoy would have been given his marching orders from the government."<sup>53</sup> Barely three months later, when the Norwegian ambassador dared to attend a court case in which Koigi Wamwere, a perennial government critic, who had been granted refugee status in Norway, was accused of treason, he was immediately expelled. Kenya was willing to risk the huge aid that it received annually from Norway.<sup>54</sup> Norway, unlike the U.S., was a much lesser power with less diplomatic leverage over Kenya, despite its generous aid to Kenya in recent years.

By singling Hempstone for personal attacks, the government had sought to impress upon Washington that it only had problems with Hempstone, not with the U.S. as a nation, and that all would be well between the countries if he were recalled. Perhaps Moi still remembered Cohen's assurance in May. But the reaction, at least publicly, from Washington left no illusion that the administration backed Hempstone's conduct during the "saba saba" disturbances. Even though Hempstone insinuates in his memoir that his decision to grant Kuria refuge and asylum was not initially well

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<sup>53</sup>Weekly Review 11 May 1990, p. 15.

<sup>54</sup>Norway gave Kenya US\$ 26 million dollars annually. After Kenya broke relations and expelled Ambassador Neils, many projects funded by the Norwegians, especially the NORAD (Norwegian Agency for Development) programs stalled.

received by the State Department, (indeed, Cohen had wondered what this might do to "relations with Moi" <sup>55</sup>), the decision by Cohen to summon the Kenyan ambassador in Washington, Dennis Afande, to protest against the "personal" attacks on Hempstone, went a long way in affirming that the ambassador was carrying out U.S. policy. The State Department also released a protest note affirming that Hempstone's concerns about democracy and human rights in Kenya reflected U.S. policy.

The decision by the U.S. to issue a travel advisory for all U.S. citizens traveling to Kenya in the wake of *saba saba* further demonstrated Washington's willingness to use any means available to demonstrate its leverage over Kenya. About 35,000 American tourists visited Kenya annually. Given tourism's leading role as Kenya's foreign exchange earner, the advisory move was bound to hurt the tourist industry. Kenya was expected to get the message that if it continued to mete violence on pro-democracy demonstrators it could lose much more in terms of revenue. Besides the U.S., no other country issued a similar advisory. This negative publicity campaign against Kenya resulted in the cancellation of the International Bar Association's conference scheduled for Nairobi in September 1990. The conference which would have earned Kenya some US\$3 million was eventually shifted to New York.<sup>56</sup> Thus while in the recent past, the U.S. had played the leading role in giving Kenya positive publicity, it was now leading in the negative publicity campaign. While it may be true that the *saba saba* incident had severely dented Kenya's image as a peaceful country and may have raised concerns about the safety of foreigners, it would appear that the

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<sup>55</sup>See Hempstone, 107.

<sup>56</sup>Ibid., 113.

negative publicity campaign by the U.S. was motivated more by the desire to demonstrate to the Moi government the damage the U.S. could inflict on his regime if he did not mend his ways and continued to attack its ambassador.<sup>57</sup> In the wake of the travel advisory, a group of American Baptist missionaries in Kenya, for instance, accused the U.S. government of "exaggerating reports about Kenya's situation."<sup>58</sup>

Congress reacted even more aggressively given that the incident took place only two weeks after some Congressmen had dispatched a letter to Moi over human rights issues. Congress was furious and sent a senior staff member to tell the Kenyan ambassador, Mr. Dennis Afande, that Congress would "interpret the clamp down as Moi's official response to the letter."<sup>59</sup> Moi's critics in Congress tabled two bills calling for a moratorium on all aid to Kenya until the government released political prisoners and restored democratic freedoms. Senator Edward Kennedy and Representative Howard Wolpe, chairman of the House Africa sub-committee, pressed for the cancellation of all economic and military aid to Kenya. The chairman of the Senate Foreign Relations Committee, Claiborne Pell, wrote to the Secretary of State, James Baker urging a "reassessment" of U.S. relationship to Kenya, especially aid policy.<sup>60</sup> In the end, Congress ordered US\$ 5million in undisbursed military aid frozen and

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<sup>57</sup>Remark by a senior State Department official during a discussion with this researcher in Washington, D.C. on July 9, 1998.

<sup>58</sup>Weekly Review, 27 July 1990, p. 6.

<sup>59</sup>Quoted in Neil Henry, "Crackdown in Kenya Strains Ties With U.S.: Congress to Review Foreign Aid to Nairobi," Washington Post, 9 July 1990, p. A13.

<sup>60</sup>Christian Science Monitor, "Kenya Democracy Moves Bring Arrests, U.S. Protest," 16 July 1990, p. 3.

suspended a further US\$ 7 million in Economic Support Fund aid.

Ambassador Hempstone's public exhortations for political reform, association with government critics and condemnation of the Moi regime's violations of human rights and democratic principles appeared to be having impact in another direction. Other envoys accredited to Kenya also began to follow Hempstone's lead, though none was not yet willing to come out publicly. In the aftermath of *saba saba*, diplomats from the embassies of Norway, Sweden, Finland, Denmark and Iceland met the permanent secretary in the foreign office in Nairobi and expressed concern about "the setback in democratization."<sup>61</sup> Even though these envoys opted to protest through the normal diplomatic channel without going public, their initiative to comment on democracy concerns was a novel development.

While it cannot be denied that many Western countries, especially the Nordics, had expressed concern about the human rights situation in Kenya even before the U.S. had started showing concern, at least officially, Hempstone's increased public involvement in the democracy crusade in Kenya may have provided an impetus for these other countries to assume a more assertive role in condemning human rights violations by the Moi regime. Hempstone had set the precedent. Hempstone's role as the pace setter becomes more pronounced when his reaction to the internal political developments in Kenya are contrasted with that of Sir John Johnson, the High Commissioner of Britain, another foreign power with considerable leverage over the Moi regime. As the respected British Weekly, the *Economist*, observed, as Hempstone came out publicly in favor of political reforms, Sir Johnson "maintained a dignified

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<sup>61</sup>See Weekly Review, 20 July 1990, p. 6.

public silence."<sup>62</sup> Even the reaction by the State Department and Congress back in Washington contrasted sharply with the silence at Whitehall and parliament in London.

**August 1990 - March 1991: Congressional pressure, Moi's Limited Reforms and U.S. Policy Carrots.**

Between August 1990 and March 1991, U.S. pressure on the Moi regime relaxed somewhat. During this time, it was Congress that carried the mantle by imposing one embargo after the other in response to specific human rights issues. Congress also maintained pressure through occasional visits to Kenya by groups of Representatives and senators. Although Hempstone toned down his rhetorical criticism of the government, he continued to associate with the pro-democracy activists. On the Kenyan political scene, Moi initiated limited political reforms but still refused to allow multi-partyism.

On August 9, 1990, Assistant Secretary Cohen and his deputy, Irvin Hicks, made another visit to Nairobi to hold talks with Moi. Hempstone reports that Moi had requested that he should not attend.<sup>63</sup> The purpose of the meeting must have been related to the deteriorating situation in relations between the two countries. It is not known whether Cohen took the same position he took during his May visit. But it was clear that Cohen was still equivocal about the U.S. government's position on multi-partyism. He told a news conference in Nairobi that it was not for the U.S. to tell Kenya to adopt multi-partyism. In light of the growing crisis in the Gulf (Iraq had just invaded Kuwait), the administration was even more cautious because of Kenya's potential role

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<sup>62</sup>Economist, "Kenya: Tribal Styles," 11 August 1990, p. 46.

<sup>63</sup>Hempstone, 116.

should the crisis escalate as to require the deployment of U.S. troops. In that eventuality, the U.S. could not rule out using the port of Mombasa.

Hempstone's determination not to relax the pressure for reform was demonstrated when he traveled in August to western Kenya and met with many individuals considered by the government to be dissidents. In a tour which took him to several towns in early August, Hempstone demonstrated his resolve to ignore the Kenyan government's charges that he was "inciting" dissident politicians and hosted parties for such government critics as Oginga Odinga, and Bishops Henry Okullu and the late Alexander Muge.<sup>64</sup> The government, however, continued to monitor his movements. On one occasion he was nearly assaulted by local KANU officials.<sup>65</sup> That an ambassador would tour a country in what looked like a political detour was unprecedented in Kenya. That the government tolerated this, without expelling him continued to demonstrate the Moi regime's caution when dealing with the U.S.

As Hempstone continued applying pressure on Moi in Kenya, Congress pressured the administration to review aid to Kenya with a view to freezing all of it until Moi introduced democratic changes. In October 1990, not pleased with the Moi regime's continued harassment of its critics and its reluctance to embark on a meaningful political reform process, Congress directed that the funds appropriated for

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<sup>64</sup>Bishop Muge, a fierce critic of the Moi regime, died five days later in a tragic road accident after receiving threats from members of Moi's government, including one by a cabinet minister. The fateful accident occurred as he was coming from a church function in Western Kenya. One of the members of Moi's Cabinet had warned him of "dire consequences" if he dared travel to the function. An inquest later declared the death natural.

<sup>65</sup>See his own account in Hempstone, 113-126.

the FY 1991 under the ESF and Foreign Military Financing programs for Kenya could only be released when President Bush “certified that the Moi government was taking steps to improve human rights and political conditions in the country.”<sup>66</sup> Kenya had to meet four conditions before the resumption of aid, namely, “restoration of independence of the Judiciary; restoration of freedom of expression; cessation of physical abuse and mistreatment of prisoners; and either release or trial of political detainees.”<sup>67</sup> The legislators also made it clear that Congress would make the final decision as to the resumption of aid only after receiving the President’s certification. In order to give the embargo legal weight, these conditions and the requirement for the President's certification were included in the Foreign Aid Appropriations Act for FY 1991 which was signed by President Bush himself in November, 1990.<sup>68</sup> Soon after signing the bill, however, it became clear that the administration had been forced into the aid embargoes by Congress. For only three months later, it released the US\$ 5 million in military aid suspended in July 1990 without consulting Congress. It is also instructive that at the November 19-20, 1990 Consultative Group for Kenya donors' meeting, the U.S. had joined other donors to pledge more than US\$ 1 billion for Kenya.<sup>69</sup> The administration was not ready yet to use the aid lever against the Moi regime.

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<sup>66</sup>Dagne, 2

<sup>67</sup>See Weekly Review, “Kenya-U.S. Relations: Mending Fences,” 22 February 1991, p. 12

<sup>68</sup>See Foreign Aid Appropriations Act, FY 1991, Section 597.

<sup>69</sup>See African Recorder, (January 15-28, 1992): 8292.

In November, the chairman of the Appropriation of Foreign Operations subcommittee, Patrick Leahy, led a delegation of five Congressmen and his staff to Nairobi to assess the human rights situation. Expressing concern over the plight of political prisoners, the delegation announced that the U.S. would freeze military and security-related economic support to Kenya unless the government gave way on specific human rights issues. They especially demanded the release of political prisoners. One month later, Moi released twenty prisoners who, however, continued to face sedition charges.

In December, the government and KANU announced some limited reforms. These reforms were allegedly based on the report and recommendations of the Saitoti Commission appointed earlier by Moi to collate the views of Kenyans on the political situation in the country. Despite an overwhelming popular support for multi-partyism expressed in the public meetings held by the commission, the government decided to make only a few amendments in the party constitution. A KANU delegates meeting endorsed Moi's proposal to abolish the 70% nomination rule that required that any candidate who was nominated by that percentage of the votes was declared automatically elected to parliament. The clause that had replaced secret balloting with queue-voting was also repealed, reinstating the former. In parliament, the security of tenure was restored for judges, the Attorney-General and the Controller and Auditor General.

#### **Administration's Magnanimity: Influence Through "Carrots"?**

The year 1991 began on a good note for the relations between Kenya and the U.S. Some understanding appeared to be emerging as U.S. pressure on Moi to initiate



political reform relaxed considerably. In the first quarter of the year, the U.S. was extremely generous with Kenya. On January 7, Moi and Hempstone held talks at the State House where they discussed "matters of mutual interest between Kenya and the U.S." and agreed to open a new chapter in the two countries' relations.<sup>70</sup> For a brief period, there was considerable rapport between the embassy and the government. Hempstone seldom raised, at least publicly, issues concerning democracy and human rights that had caused diplomatic problems the previous year. It was only in Congress that the pressure on Moi's government simmered every now and then. The State Department and the embassy in Nairobi seemed to take a low profile. Instead of "sticks," the administration was offering "carrots" to the Moi government. The State Department sometimes took actions that suggested that it was distancing itself from Congressional criticism of Moi. In Nairobi, Hempstone became more vocal in praising the recent political reforms than in criticizing the government for its human rights record. Congress was also preoccupied with issues related to the Gulf crisis which had reached a crucial stage at that time.

The first set of "carrots" came with the cancellation of Kenya's debt to the U.S. in official development loans since 1964 in two instalments, in January and February. In total, US\$ 44.7 million was canceled.<sup>71</sup> Then as a prelude to a mini conference of Kenya's donors scheduled for March, the U.S. canceled another US\$4 million in

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<sup>70</sup>For details of this meeting, see Weekly Review, 11 January 1991, pp. 10-11.

<sup>71</sup>Figure quoted by Ambassador Hempstone who co-signed the cancellation with the Vice-president and Minister for Finance, Professor George Saitoti in Nairobi. See Hempstone, 142.

Kenya's debt.<sup>72</sup> In early February, the administration announced the release of the US\$ 5 million in military aid suspended in July the previous year.

On the surface, the cancellation of Kenya's debts by the U.S. and the release of military aid looked like normal dispensation of patronage by the U.S. to its former erstwhile friend. The general explanation given by the administration for these magnanimous gestures was that they were rewarding Moi for having initiated some reforms in December. A closer look at the motivation behind U.S. magnanimity, however, suggests that the Moi regime was being rewarded, not for these reforms, which in any case, were later described by administration officials as too "modest", but for reasons that had less to do with political developments inside Kenya.

One of the reasons had to do with the then escalating crisis in the Gulf. In the months of January and February the crisis entered the crucial stage at which Kenya's geostrategic significance would become more appreciated by Washington. The U.S. could not rule out making use of its facilities in Mombasa should the war in the Gulf drag on. It was, therefore, important to mollify the Moi regime in preparation for future requests for cooperation. To pressure it on the issue of democratic reform, an issue it was apparently allergic to, would be jeopardizing future cooperation from the government when it would be needed most.

The Kenyan government had also been recently very cooperative and helpful to the U.S. in some difficult situations in the region. After a diplomatic fall out with the Sudanese government in the last quarter of 1990, the U.S. decided to evacuate its

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<sup>72</sup>See *Weekly Review*, "Kenya's Foreign Debt - U.S.A. Cancels shs. 994 million," 15 February 1991, p. 22.

ambassador, James Cheek, and his staff from Khartoum to Nairobi from which they continued to monitor events in that country. In the wake of the unfolding crises in Rwanda, Ethiopia and Somalia, Kenya was the inevitable "safe haven" to which U.S. personnel in these countries could be evacuated. When the Somali government fell in early 1991, the U.S. ambassador to Somalia temporarily used Nairobi as his base. In January, a number of Peace Corps volunteers had been evacuated from Rwanda and Burundi to Nairobi. Kenya had also agreed to the Americans' request to use Moyale airstrip in Northern Kenya should need arise to evacuate U.S. diplomats from the politically volatile Ethiopia. Permission had also been granted for American C-130s to be stationed in Mombasa for emergencies. Kenya's significance in U.S. regional strategies was thus abundantly brought to the fore. Hence the caution not to antagonize Moi who was, in any case, eager to please the U.S. so long as he was left alone on democracy related issues.

The administration's magnanimity was also certainly to reward the Moi regime for his cooperation in the "Haftar affair" in January and February.<sup>73</sup> In January, Ambassador Hempstone had approached Moi to ask if he could allow into the country some 354 dissident Libyans who were being evacuated to the U.S. from their camp in Zaire. These were ex-Libyan soldiers captured in the course of the Chadian civil war in the 1980s and were reportedly being trained by Americans for an anti-Gaddafi mission. They had been flown out of Chad in December, 1990 when the pro-Libyan forces of Idriss Deby defeated Government forces of Hissene Habre and formed the government there. They were flown to Zaire but bad relations between President Mobutu's

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<sup>73</sup>For a detailed account of the "affair," see Hempstone, 136-141.

government and the U.S. over democratic reform issues jeopardized their safety.

According to Hempstone's account, no other country in the region had accepted to hold them temporarily as the U.S. sought ways to settle them permanently.<sup>74</sup> Nigeria had earlier refused to accept them before they were flown to Lubumbashi in Zaire. To U.S. surprise, Moi accepted to offer them temporary refuge for ninety days. They were to stay in Kenya in a secret camp guarded by Kenyan security men as the United Nations Commission for Refugees sorted out their refugee status and the U.S. arranged for permanent destinations.

Moi's acquiescence to the U.S. request could not have been motivated by any other reason but by his eagerness to please Washington. He certainly hoped that in return for this "service," the U.S. would relax its pressure for political reform. Past experience had taught him that the U.S. could dispense favors and patronage in exchange for services such as this one. Hempstone himself had reminded Moi when he went to present the request, that "the United States knew how to show its appreciation to those who did the right thing."<sup>75</sup>

Despite denials by U.S. officials that the debt cancellations and the release of part of the suspended military aid were "pay-offs" for Moi's services in the evacuation of American diplomats from Sudan and Somalia, promise of support in the Gulf War, and, more significantly, his "unexpected" cooperation in the *Haftar* affair, evidence seem to confirm that, indeed, they were. In the case of the release of the US\$ 5 million in military aid, Hempstone, a major player in the *Haftar* affair, makes an implicit

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<sup>74</sup>See Hempstone, 137

<sup>75</sup>Hempstone, 137.

admission that even though it "was in no way a quid pro quo for the granting of temporary asylum to the Libyans," it was still "of course, a major consideration."<sup>76</sup> He also cited Kenya's cooperation in the other regional issues as worthy of "reward."<sup>77</sup> Assistant Secretary Cohen's defense of the release of the military aid on the grounds that it went into training Kenyan military personnel in order to help expose them to "U.S. democratic values and U.S. tradition of military subservience to civilian rule" and to keep the military apolitical was not convincing either.<sup>78</sup> Many of the military leaders who had seized power in military coups and governed their countries for decades in the third world had at one time benefitted from training in the U.S. under the International Military Education and Training Program. Such training may have even enhanced their capabilities to commit human rights violations, especially torture.<sup>79</sup>

The administration explained that they had released part of the frozen aid "to acknowledge limited steps that occurred in the area of human rights."<sup>80</sup> The embassy in Nairobi also justified the action on the same grounds. In a statement, it cited the

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<sup>76</sup>Hempstone, 142.

<sup>77</sup>Ibid.

<sup>78</sup>See testimony by Mr. Herman Cohen, Assistant Secretary of State for African Affairs in Congress, House, Committee on Foreign Affairs, A Review of U.S. Policy and Current Events in Kenya, Malawi and Somalia: Hearing before the Sub-committee on Africa of the Committee on Foreign Affairs, 102nd Congress, 2nd sess., 23 June 1992, 14.

<sup>79</sup>For an interesting account of how the IMET program produced some of the worst military dictators, see Frances Moore Lappe, Rachel Shurman and Kevin Danaher, Betraying the National Interest: How U.S. Foreign Aid Threatens Global Security by Undermining the Political and economic stability of the Third World (New York: Grove Press, 1987).

<sup>80</sup>A State Department statement quoted in Burkhalter, 55.

scrapping of the queue-voting method and its replacement with the secret ballot system, the decision by KANU to do away with expulsion of members, and the restoration of security of tenure for judges.<sup>81</sup> But it still remained unclear as to whether the U.S. was satisfied with the Moi regime's efforts to address the fundamental issues that had caused misunderstanding between the two countries, especially the critical issues of human rights and political pluralism.<sup>82</sup> Especially doubtful was whether all the conditions set in the Foreign Appropriations Act in November the previous year had been met and whether the President had certified to that effect as provided in the Act. The government had not released all political prisoners. Mr. Matiba, Mr. Rubia and Mr. Odinga who had been detained in July the previous year were still in prison. Nor had they been charged in court as demanded in the first condition. Even though condition three which called for the restoration of the independence of the judiciary may have been partially met by the restoration of tenure for judges, it was unclear as to whether political interference in court cases, especially those involving "dissidents," had stopped.

If the administration had thought that its "carrots" would have had a positive impact on Kenya's transition to pluralism and democracy, it was mistaken. Moi might have interpreted the "carrots" to be payments for specific services he rendered and did not see how they were related to political reform. In February, the government arrested and jailed a human rights activist, Mr. Gitobu Imanyara, for publishing the manifesto of

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<sup>81</sup>See excerpts of the statement in Weekly Review, "Kenya-U.S. Relations: Mending Fences," 22 February 1991, p. 11.

<sup>82</sup>Ibid.

a party formed by Oginga Odinga in his magazine, Nairobi Law Monthly.<sup>83</sup> The Bush administration was immediately put on the defensive as it rushed to distance itself from the regime it had just lavished with hefty "rewards." The State Department issued another protest note calling the arrest, "another denial of freedom of expression in Kenya," emphasizing the need for "greater respect for human rights." But when the Senate threatened to withhold aid, senators discovered that half of that money had already been released by the administration. To prevent a similar situation, Congress expanded the aid suspension to include "prior year" Security Assistance appropriations.

The decision by the administration to give concessions to the Moi regime underlined the persistence of inconsistencies in U.S. pressure for reform because such concessions tended to have negative impact. It also underscored the potential tension between promotion of democracy as a policy goal and other interests. In the main it confirmed the general proposition that whenever promotion of democracy conflicted with concrete national interests, priority was given to the latter. It further underscored the fact that while Kenya's perceived regional significance may have been one of the motivations for U.S. pressure for democratic reform, it was a double-edged one. It could also reduce the pressure, especially when the U.S. wanted to exploit Kenya's significance to fulfill other regional interests. Indeed, U.S. policy on Kenya's transition process in general was, to a significant extent, influenced by regional considerations

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<sup>83</sup>Odinga's party, the National Democratic Party, was, however, predictably denied registration on legal technicality because opposition was by then outlawed by Section 2(a) of the constitution. Moi's government was, however, wary of magazines that gave publicity to such anti-government initiatives and Imanyara's magazine had increasingly carried articles critical of the regime while articulating the course of the budding democracy movement.

that at times required the relaxation of pressure on the Moi regime in order to secure its cooperation on urgent regional and other issues. This was a recurrent feature of U.S. policy throughout the period under study. The overall impact of the inconsistencies created by conflict of interests and the necessity for concessions is that it gave Moi room for maneuver and considerably lessened the impact of other policy instruments. Pressure could not be sustained.

## **PHASE II: SPRING 1991 TO DECEMBER 1992: THE ERA OF INTENSE PRESSURE**

From March 1991 through December 1992 the U.S. intensified the pressure on the Moi regime to embark on a meaningful political reform process. Exhortations to reform and protests against specific human rights violations and undemocratic behavior by the Moi regime became more sustained. There was more cooperation between the administration, Congress and the embassy in Nairobi. The administration in Washington now came out more clearly in support of Ambassador Hempstone's initiatives in Kenya. It was also during this period that the U.S. developed a framework for cooperation with other external actors, especially Kenya's other donors, in an effort to forge a united front to nudge the Moi regime into carrying out political reforms. Mounting pressure from the U.S. and other donors eventually forced Moi to allow multi-partyism in December 1991. More over, the Moi regime's half-hearted commitment to real reform provided the U.S. with the opportunity to put to full use its economic and diplomatic leverage. The U.S. began to openly give technical and financial assistance to various human rights and legal groups and other non-governmental organizations directly involved in the political reform process. Some



policy inconsistencies notwithstanding, the policy establishment displayed greater resolve to push the Moi regime into making basic reforms. In this phase, the major areas of disagreement between the U.S. and Kenya included the release of political prisoners, the legalization of multi-partyism, the removal of undemocratic laws, the creation of an environment conducive to free and fair elections following the repeal of section 2(a) of the constitution, ethnic violence that erupted as multi-party elections approached, and whether or not international election monitors should observe the December 29, 1992 elections.

The increased willingness by the administration to apply more pressure on the Moi regime during this period could be attributed to the conclusion of the war with Iraq and the formal death of the Cold War with the dissolution of the Soviet Union. Pre-occupation with the more urgent issues of national interest both in the Gulf and in some of Kenya's neighboring countries had led to some slackness, if not ambivalence, in policy. With such pressures gone, the U.S. was now freer to engage Moi in a more sustained manner.

### **Pressure for the Release of Political Prisoners, Defending Human Rights and the Push for Multi-partyism**

After securing Moi's assistance on the several issues that had worried the U.S. in the first two months of the year, Hempstone was once again increasingly vocal on human rights and democracy issues in Kenya. By mid-March, he was again in a diplomatic collision with the regime as he became even more abrasive in his demands for reforms. In the second week of March, 1991, the growing acrimony between Hempstone and the regime showed itself when a member of parliament accused

Hempstone of visiting various parts of the country with “ulterior” motives.<sup>84</sup> The member had gone as far as confiscating some books the ambassador had donated to a school in his electoral district, claiming they could be “seditious.” Even though it turned out that the envoy had made the trip with the full knowledge of the foreign office in Nairobi and the local administration, the reaction of parliament exemplified the growing mistrust and bad faith between the ambassador and the government. The acrimony was to continue throughout the year as Hempstone relentlessly criticized the government whenever it took some action deemed by the ambassador to be undemocratic or a violation of human rights.

The highlight of Hempstone's "come-back" was his "courtesy call" on the Attorney General, Justice Matthew Muli, in mid-March. He raised issues pertaining to the human rights situation in Kenya in general, and to the plight of political detainees, especially Mr. Matiba, Mr. Rubia and Mr. Raila Odinga. He also challenged the provision in the Kenyan law that sanctioned detention without trial. When Muli told him that detention in Kenya was legal, he retorted that, its legality notwithstanding, detention without trial would still continue to be a political problem between his country and Kenya.<sup>85</sup> He also challenged the government to come clean on the allegation that the three political detainees had been denied visits by relatives and lawyers. Muli later submitted to him a document showing that the detainees had been granted access to their lawyers and relatives. Hempstone's encounter with the Attorney

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<sup>84</sup>See Weekly Review, 22 March 1991, p. 6.

<sup>85</sup>Weekly Review, “Detainees: Muli Gives His List of Visits,” 5 April 1991, p. 12.

General marked the beginning of the second round of the "minuet duel" between Kenya and the U.S. that ended only after the general elections in December 1992.

Hempstone's concern on the plight of the detainees and Muli's decision to submit to him the list underscored the extent to which the ambassador had gone in challenging Kenya's internal governance practices. The incident sparked off another public row between the ambassador and the government. There were new calls for his recall. The Minister for Foreign Affairs, Ndolo Ayah, warned that "any diplomat risked being asked to leave the country if his conduct was beyond limit."<sup>86</sup> Members of parliament decried the ambassador's disdain for Kenya's sovereignty. One member, lamented: "once we do that (comply with a demand for a list of visits), we cease to be a sovereign country."<sup>87</sup> Once again, the reaction of the government and parliament underscored the frustration felt by the establishment in that it could not muster the courage to expel Hempstone. The fact that parliament had gone out of its way to violate its own rules barring overt criticism of an accredited foreign envoy in the House meant that the establishment viewed Hempstone's behavior with such grave concern that if it had been possible, he would have been expelled. Nevertheless, Moi released the three detainees in June, 1992.

In the second half of the year, the political temperature in the country rose to an unprecedented high as the opposition regrouped and attempted to forge an organized front to press for reforms. The government remained as adamant as ever. Ambassador Hempstone continued to identify himself with the cause of the pro-democracy activists

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<sup>86</sup>Quoted in Ibid.

<sup>87</sup>Ibid.

who were becoming bolder and bolder. He was quick to reprimand the government whenever it committed any atrocity against the activists. The formation of the Forum for the Restoration of Democracy (FORD) in August 1991 and the government's determination to frustrate its efforts to mobilize the public gave Hempstone the platform for criticizing the government. He also attempted to mediate between the regime and the members of FORD, which had been denied registration and declared illegal by the government. His open association with the FORD officials drew him into further confrontation with the government.

As the government harassed FORD members, the embassy assumed the role of advocate for many of them. Ambassador Hempstone often interceded for their release whenever they were arrested. For instance, in late September, 1991, the ambassador released a strong statement condemning the arrest of one of the officials of FORD, Councillor Ahmed Bahmariz, and threatened to take up the matter with the administration in Washington. The government immediately released the political activist. Hempstone released another statement saying, "This is a particularly unseemly thing for a civilized country to engage in."<sup>88</sup>

Congress also continued to exert pressure on the Kenya government on their own. In August, 1991, three senators, Dennis Denconcini (D-Arizona), Paul Simon (D-Illinois, chairman of the Africa sub-committee, and Charles Robb (D-Virginia), visited Kenya to assess the political situation. When Moi granted them audience, they impressed upon him the need for pluralism in Kenya and presented him with a letter

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<sup>88</sup>See Peter Biles, "Kenya: Yearning for Democracy," *Africa Report* 36, no. 6 (November-December 1991): 32.

from Congress denouncing the imprisonment of government critics, especially Ng'otho Kariuki, George Anyona and Koigi Wamwere. Moi repeated his objections to multipartyism claiming Kenya was "not yet cohesive enough" to accommodate the stresses that multiparty could bring.<sup>89</sup>

### **The November 16 Multi-party Rally and Its Impact on U.S. policy**

One of the most significant events in Kenya's political reform process occurred in mid-November, 1991. After suspending a rally it had called in October after the government declined to issue a permit, FORD decided to go on with one on 16th November with or without permit. As expected, the government outlawed the rally and warned of dire consequences for anyone who would attend. When the government realized that the FORD leaders were determined to hold the rally, it ordered their arrest on November 14. Like in the case of *saba saba* the previous year, crowds still turned out at the rally venue on November 16. A group of multi-party activists who had escaped arrest attempted to address the rally before the government security forces descended on them.

The controversy surrounding the rally and the government's response again provided the U.S. with an opportunity to make an impact on the political reform process. Ambassador Hempstone had attempted to mediate between the government and the Ford leaders. The mediation process, however, had broken down due to intransigence on both sides. Following the arrest of the FORD leaders on November 14, the embassy released a statement circulated to the press condemning "this blatant

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<sup>89</sup>See Weekly Review, "Human Rights: Friendly Talks with Foreigners," 23 August 1991, p. 9.

interference in the civil and human rights of these individuals."<sup>90</sup> It also reiterated Americans' belief in "the rights of people to assemble and to exercise their right to free speech." Ambassador Hempstone, accompanied by Ambassador Mutzelburg of Germany, called on the permanent Secretary for Foreign affairs to protest the arrests. Despite the government's warnings that foreign diplomats should not try to attend the rally after the organizers announced that they had invited them, the U.S. embassy defiantly announced that it would be sending observers to the rally. Earlier, the president had warned Hempstone personally at State House that he would consider it a "provocation" were any diplomat invited to the rally to attend.<sup>91</sup>

On November 15, Hempstone wrote a letter to the government asking Moi or any other government representative not to attend the second U.S.-East Africa Trade Fair which Moi had been scheduled to open on November 18 in Nairobi. He made it known that he had taken the action "in view of the deteriorating political and economic situation in Kenya, particularly the suppression of human rights."<sup>92</sup> Even though it is not clear whether Moi would have attended the ceremony after all following the November 16 incident, what is certain is that Hempstone wanted to avoid another situation which would have given the impression that the U.S. was engaged in a business-as-usual relationship with Kenya despite the government's disregard for human rights and democratic principles. Especially, he did not want the U.S. to "look

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<sup>90</sup>Quoted in Jane Perlez, "Riot Police Break Up Opposition Rally in Kenya," New York Times, 17 November 1991, p. A6.

<sup>91</sup>Hempstone, 249.

<sup>92</sup>Ibid, 251.

like a paper eagle."<sup>93</sup>

Following the aborted rally, the U.S. embassy, and Ambassador Hempstone, in particular, once again bore the brunt of criticism by the Kenya government. The government accused the embassy of "inciting criminal activities in Kenya" and masterminding and abetting" the political opposition movement."<sup>94</sup> The government statement alleged that the embassy had taken part in organizing the rally because "cars carrying Ford Leaders began their journey from American embassy." The KANU secretary general even saw U.S. involvement in Kenya's political reform crusade as part of a wider regional plot. He accused the U.S. of "engaging in political corruption and a deliberate scheme to destabilize peaceful governments in the world."<sup>95</sup> He charged that the U.S. had put in place US\$30 million to destabilize East African countries.<sup>96</sup> KANU announced it would organize anti-American demonstrations in Nairobi and Mombasa. The following Tuesday, parliament suspended normal business to, "pour vitriol" on Hempstone. A member accused the ambassador of treason for "scheming to overthrow the government." Parliament called on the U.S. to replace the ambassador and resolved

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<sup>93</sup>Ibid.

<sup>94</sup>Quoted in Neil Henry, "Police Use force to Keep Kenyans from Rally," Washington Post, 17 November 1991, p. A38.

<sup>95</sup>Quoted in Weekly Review, "Pressure from Foreign Embassies," 22 November 1991, p. 14.

<sup>96</sup>He must have been referring to the money allocated by the State Department under the Human Rights Fund given to embassies for supporting human rights groups. Assistant Secretary Cohen had just announced that US\$ 30 million had been earmarked for "promotion of democratic infrastructure in Africa. See U.S. Department of State, "Democratization in Africa," Dispatch 2, no. 43 (October 28, 1991): 796.

that should he not be recalled, he should be declared *person non grata*.<sup>97</sup> Members passed a motion to the effect that:

In view of the atrocious conduct of Mr. Smith Hempstone, the United States Ambassador to Kenya, through arrogant and contemptuous behavior toward the Kenyan Head of State and Kenyans, the flagrant disregard of normal diplomatic conduct culminating in his negative attitude towards the popularly elected government of Kenya...this House strongly deplores the personal conduct of Mr. Hempstone and calls upon the U.S. government to replace him.<sup>98</sup>

The harshest and most personalized attack on Ambassador Hempstone, however, came from the Foreign Affairs Minister, Ndolo Ayah. Addressing the press after meeting Hempstone together with other envoys from Germany, Denmark, Sweden, Canada, and Finland in his office, Ayah singled out the U.S. ambassador for the most virulent attacks. He described the ambassador as a racist and "arrogant man who has contempt for Africans his attitude is that of a slave owner who wants to guide Africans to wherever he wants them to go."<sup>99</sup> He accused Hempstone of having been "personally involved in organizing events in this country."<sup>100</sup> Hempstone replied in kind. On the charges that he was racist, he retorted, "Who is racist? The one who suggests Kenyans are mature enough to handle multi-party democracy or those who

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<sup>97</sup>For a summary and a critique of the parliamentary discussion of Hempstone, see Weekly Review, 22 November 1991, 14-15.

<sup>98</sup>*Ibid.*, 15.

<sup>99</sup>Quoted in Neil Henry, "Kenya Levels Broadside at U.S. Ambassador," Washington Post, 19 November 1991, p. A16.

<sup>100</sup>*Ibid.*



suggest they are too primitive to handle it."<sup>101</sup> Thus disagreements over reform issues had degenerated into a shouting match between the Kenyan government and the U.S. embassy.

This round of Moi's crack down on multi-party advocates, especially the arrests of FORD leaders and the violent break up of the November 16 rally marked another turning point in U.S. policy on Kenya's transition process. It strengthened the hand of the anti-Moi faction in the administration and Congress. Washington resolved to intensify pressure for reform as the events of November 14-16 had exposed Moi's recalcitrance and justified a concerted role by external forces. There was no illusion whatsoever about Moi's lack of commitment to change. Hence, the Moi government itself had played into the hands of U.S. officials by being overly impatient with the democracy activists. By its own actions, the government had helped build a strong consensus against itself in Washington.

If the Kenya government had hoped to isolate Hempstone by portraying him as the major problem in U.S.-Kenya relations, Washington's reaction exposed the hollowness of such a strategy. Instead of recalling Hempstone, the administration strongly protested against the attacks on him and reiterated that he was carrying out official U.S. policy. In a statement delivered on November 18, the U.S. government discounted Mr. Ayah's suggestion that the ambassador's behavior and statements reflected his personal views rather than those of the U.S. government. It clarified that "Ambassador Smith Hempstone (was) the President's personal representative in Kenya," and that President Bush had "full confidence in his ability to carry out U.S.

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<sup>101</sup>Ibid.

policy toward Kenya."<sup>102</sup> It also reminded the Kenya government that U.S. policy with regard to political change in the country was "to support the basic principles of universal human rights," and to encourage "in particular, the right of the Kenyan people to the basic freedoms of expression and peaceful assembly."<sup>103</sup>

Despite the sharp rhetorical attacks on the U.S. embassy and Hempstone, in particular, a critical scrutiny of the Kenya government reaction again revealed that the government was still careful not to antagonize the U.S. so much in view of the impending Paris Club meeting scheduled for November 25. When it dawned on the government that the U.S. could use its leverage to influence an unfavorable decision for Kenya in the donors' meeting, the government took an initiative to put an end to attacks on the U.S. which it itself had started. KANU headquarters canceled the anti-U.S. demonstrations it had planned. Those who criticized Hempstone in parliament had been at pains to explain that they had attacked not the U.S. per se but Hempstone as a person. Indeed, most members had even praised the "excellent relations" between Kenya and the U.S. As an observer noted, "in drawing the line between Hempstone as an individual and the U.S.A., the parliamentarians demonstrated, somewhat ironically, their awareness of the formidable leverage the American government wields over Kenya."<sup>104</sup>

On the eve of the Paris meeting, to avert an aid freeze, Moi ordered the arrest of

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<sup>102</sup>U.S. State Department, "Statement by the Office of the Assistant Secretary/Spokesman, November 18, 1991," in *Dispatch* 2, no.47 (1992): 867.

<sup>103</sup>*Ibid.*

<sup>104</sup>*Weekly Review*, "Pressure from Foreign Embassies," 22 November 1991, p. 5.

key suspects who had been named by the Scotland Yard detective in the investigations into Ouko's murder the previous year. Those arrested included Mr. Nicholas Biwott, Moi's closest confidant who most donors loathed as the mastermind of corruption in the Moi government. The government also dropped charges against and unconditionally released all the FORD leaders arrested in connection with the aborted multi-party rally.

### **Rallying Donors Against Moi: The Aid Freeze**

The events of November 16 provided the U.S. with the opportunity to forge a united front with other Western powers and donor institutions to nudge Moi into initiating democratic reforms. To U.S. advantage, Moi regime's behavior appeared to have alienated even some of his sympathizers among the donor community. It was easier to coordinate a collective aid freeze because no donor would have liked to give the impression that it supported the Kenya government's blatant disregard for human rights. Britain, which had all along played a more timid role, could not afford to appear to be supporting the regime. On November 15, it had publicly protested the arrests of the FORD leaders, the first such public rebuke of the Kenyan government by Britain since the beginning of the pressure for reform. For the U.S., bringing Britain on board was significant because at that time, Britain was Kenya's largest bilateral donor, giving as much as US\$ 70 million for the 1990/1991 period. Germany, another significant donor, had gone as far as recalling its ambassador, who had also increasingly become vocal, for consultations. Japan and France had no option but to get along even if mildly.

In the U.S. itself, pressure mounted on the administration to use its influence in the donor community to ensure Kenya did not get any aid pledges at the Paris meeting. Senator Deconcinni urged Congress to freeze all except humanitarian aid. The

influential U.S. weekly magazine, Time, released on the eve of the Paris meeting urged the U.S. not to miss the opportunity to send a strong signal to the Moi regime on the question of political reform. It argued that the events of November 16 had proved that Moi did not "deserve respect-or aid." In the story headlined "Creating the Next Uganda," it observed about Moi: "He's going the wrong way. It may be expecting too much for him to follow the Kaunda model. But no group has more clout to make the case than this week's gathering of the World Bank and donor nations in Paris."<sup>105</sup>

As the meeting in Paris was going on, Congress, in an unprecedented twin hearings on Kenya both in the House and in the Senate, was pushing for a tough stance against Kenya. In the House, Representative Wolpe told Cohen that "anyone that believes there is an iota of good faith on Mr. Moi's part is engaging in an act of monumental self-delusion. I don't think there is anything in the record of Mr. Moi in recent years to suggest that this man has any intention whatsoever of moving towards a genuinely democratic and open political system."<sup>106</sup>

The U.S., using its financial leverage and diplomatic influence in the donor community, exploited the opportunity to galvanize international opinion against the Moi regime. The sign of a new spirit of collective efforts by donors, led by the U.S., to use the aid leverage as an instrument for influencing democratic change in Kenya came during the Paris Club meeting. Owing largely to U.S. efforts, donors suspended the

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<sup>105</sup>Time, 2 December 1991, p. 58.

<sup>106</sup>Quoted in Hempstone, 255.

disbursement of about US\$ 350 million in quick disbursement aid<sup>107</sup> to Kenya for six months. The Club, chaired by the World Bank, consisted of Kenya's major donors including the African Development Bank, the World Bank itself, Britain, Canada, Denmark, Finland, the European Community, Germany, Italy, Japan, The Netherlands, Sweden, Switzerland, and the United States. Even though the main agenda had been economic reforms, the donors also pegged aid resumption on good governance and political pluralism. Among the economic conditions were the reduction of budget deficits, retrenchment of the civil service, and privatization of parastatals. Announcing their decision to suspend aid, the Consultative Group members, in an apparent reference to the events of November 15-16, asked Kenya to uphold "the rule of law and respect for human rights, notably the basic freedoms of expression and assembly."<sup>108</sup> They specifically conditioned aid resumption on "the early implementation of political reform, including greater pluralism."<sup>109</sup> Kenya, the once-favored recipient of Western aid thus became the first country in sub-Saharan Africa to be subjected to political conditionality in this way. As a member of the U.S. delegation and head of the AID mission in Nairobi, observed, "We sent a strong message. I don't think it's ever

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<sup>107</sup>Quick-disbursing aid is that aid given directly to the government to address immediate balance of payment problems. It is given in liquid cash transfers by multilateral and bilateral donors to subsidize budget deficits and current account deficits incurred by the country. It is important to note that even though quick-disbursement aid was suspended, aid for development projects was not.

<sup>108</sup>The World Bank, "Meeting of the Consultative Group for Kenya," Press release, 26 November 1991, 3.

<sup>109</sup>Ibid.

happened before. No performance, no money in certain areas."<sup>110</sup> Although it was common knowledge that foreign aid always had political motivations behind it, such motivations had rarely been so bluntly stated publicly.

To demonstrate publicly what the donors' decision had cost Kenya in terms of U.S. aid, the U.S. embassy in Nairobi released a press statement on November 29, only three days after the conclusion of the Paris meeting, detailing the amount of aid the U.S. had suspended. Kenya, according to the statement, had been earmarked for US\$ 47 million in U.S. aid for the FY 1992. This would have been an increase of US\$ 8 million over the 1991 allocation. But following the consensus at Paris, Kenya would receive only US\$ 19 million which would go directly into family planning, agricultural research and humanitarian assistance. This statement from the embassy was clearly "an attempt to drive home the point that there was abundant American aid available for Africa but Kenya could not expect to benefit from it unless the government curbed corruption and opened up the political system."<sup>111</sup>

U.S. share of US\$ 28 million in the withheld US\$ 350 million may have appeared small but U.S. acquiescence was crucial if the other donors were to release their share given its influential position in the donor community. It could, for instance, invoke its vetoes in the World Bank and IMF to bloc aid disbursement to Kenya. As can be deciphered from Table 6 below, the U.S. controlled 17.32% of the votes in the International Development Association (IDA), the World Bank's concessionary lending

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<sup>110</sup>Quoted in Steven Greenhouse, "Aid Donors Insist on Kenya Reforms," New York Times, 27 November 1991, p. A1.

<sup>111</sup>Jane Perlez, "U.S. Reveals Sum of Aid It Withheld From Kenya," New York Times, 1 December 1991, p. A10.

affiliate, from which Kenya drew most of its financial aid. France, which had been unenthusiastic about punishing the Moi regime through aid conditionality, for instance, controlled only 5.84% of the votes. Moreover, France did not traditionally give Kenya quick-disbursement aid. Italy, the other country considered sympathetic to Kenya, controlled a mere 3.75% of the votes.

Table 8: Influence of Kenya's Major Donors in the World Bank and the IDA: Voting Shares as at 1991.

<b>United States of America</b>	<b>17.32%</b>
Canada	3.03%
France	5.84%
Germany	6.09%
Italy	3.78%
Japan	7.89%
United Kingdom (Britain)	5.84%

Source: World Bank, Annual Report, 1991, reproduced in Congress, House, Committee on Foreign Affairs, The Future of U.S. Foreign Policy in the Post-Cold War Era: Hearings Before the Committee on Foreign Affairs, 102nd Congress, 2nd sess., 2 July 1992, 285.

### **Moi's Capitulation and The Legalization of Multi-partyism**

The Moi government's reaction to the donors' decision was conspicuously muted and timid. Unlike in the past, the government did not condemn the decision publicly. Nor did it issue any public statement on the matter. The decision by the donors to suspend quick disbursing-aid was a big blow to the Moi government which had become increasingly dependent on non-project aid to fund government expenditure. In 1989, 14% of government expenditure was financed by quick-disbursing aid. By

1990, the percentage had risen to nearly 30%.<sup>112</sup> Kenya desperately required the hard cash especially in view of the growing trade deficit and to meet the IMF budget deficit targets. The aid freeze was, therefore, a very bitter pill for the Kenya government. For a government that had thrived on patronage, the suspension of quick-disbursing funds also meant reduced ability to buy support and loyalty from constituencies critical to the regime's survival. The government required funds for patronage especially at this time when the regime was facing an unprecedented onslaught from its local critics.

Within a week of the donors' decision, Moi hurriedly called a KANU delegates conference which on December 3, 1991 endorsed a recommendation from the government to allow multipartyism. A few days later, parliament repealed section 2(a) of the constitution, effectively making Kenya a multi-party system. The government also released political detainees and took a number of civil servants to court to face charges of embezzlement of donor money. In view of the Moi government's intransigence even up to a week before the Paris meeting, Moi's capitulation barely a week after the aid freeze could only be interpreted in the context of the donors' decision. Indeed, just less than two months before the Paris meeting, Moi had told a British Broadcasting Corporation (BBC) interviewer that he could not allow multi-partyism because it would lead to bloodshed. The impact of the aid freeze on the government's attitude towards multi-partyism was aptly captured by the Economist :

Told that if he did not change his principles he would get no money, President Daniel arap Moi promptly changed them. For more than a decade he has denounced multi-party democracy as unsuitable for Kenya with its tribal and regional tensions. Faced with a refusal by aid donors to cough up, he

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<sup>112</sup>Weekly Review, "Aid: Western Donors Yet to Meet," 5 June 1992, p. 30.



decided that if no democracy meant no money, he would allow opposition.<sup>113</sup>

This, however, was not to be the end of external pressure, especially that from the U.S. In fact, from then on the U.S. played a more concerted role in the transition process, applying diplomatic and economic pressure on the government, at least, until the multi-party elections in December 1992. Indeed, the U.S. kept adding conditions for the government if it wanted aid to resume. For instance, after the introduction of multi-partyism in December, U.S. officials insisted that the government must repeal all laws, especially the sedition and detention laws, which it had used to harass its critics before aid could be resumed.

There is no doubt that the U.S. had played a dominant role in forcing Moi to acquiesce to the demands for multi-partyism. While a few embassies like that of Germany had contributed in their own ways, the role played by the U.S. embassy was unparalleled. Indeed, some of the embassies seemed to follow the U.S. embassy's lead. That the U.S. ambassador was the clear leader of the external front of the pressure for democratic reform, especially the legalization of multi-partyism in Kenya, was acknowledged by both the government and the opposition. It was in clear recognition and appreciation of the U.S. role, for instance, that several multi-party enthusiasts held a pro-U.S. demonstration in Nairobi on December 6, 1991 after the repeal of section 2(a) of the constitution. This was the first pro-U.S. demonstration in independent Kenya. The last public demonstration in front of the U.S. embassy was in 1965 organized by critics of the Kenyatta regime who accused the U.S. of influencing

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<sup>113</sup>Economist, "Kenya: Cash Counts," 7 December 1991, p. 50.

Kenyatta to subvert nationalist ideals in both domestic and foreign affairs.<sup>114</sup>

### **Sustaining the Transition Process: January 1992 to December 1992**

If convincing Moi to accept multipartyism was a hard task (indeed, it had taken a collective effort by donors to force him to reconsider his intransigence), ensuring that he kept the reform process going proved to be more challenging. The repeal of section 2(a) of the constitution had merely initiated the reform process. A lot still had to be done. Although multi-partyism had been legalized, the political environment was still far from conducive to the true spirit of pluralism. More over, even after legalizing the opposition, Moi had made it clear that multi-partyism had been forced on him. He left no doubt that he was not committed to democracy and that he would go to great lengths to retain power. The ruling party, KANU, still had enormous advantages over the opposition parties. Several sections of the law needed to be repealed or adjusted to tune the political system to the new pluralistic ethic. Even though political detainees had been released, the Preservation of Public Security Act remained intact, preserving the government's power to detain its critics at will. Sedition laws could still be manipulated to undermine opposition activists. The powers of the executive remained intact. Politicians could not hold rallies without official permits which opposition politicians found hard to secure. Then there were the so-called "ethnic clashes" which threatened to throw the whole reform process into disarray.

The challenge that faced the U.S. in these circumstances was two-pronged: to pressure the regime to stay on course on the reform path, and to allow for an

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<sup>114</sup>See William Attwood, The Reds and the Blacks: A Personal Adventure, (New York: Harper & Row Publishers, 1967).

environment both legally and practically conducive to free and fair multi-party elections. The U.S. adopted four main approaches to this task. It increasingly “exhorted” the regime to carry out needed reforms through public statements. The administration also adopted the “applause” approach in which it would applaud any new reform initiated by the regime while encouraging it to continue on the reform path. It also continued to issue protests from time to time whenever the regime took any action considered to be a setback in the reform process. But the most novel initiative was to forge a multilateral fora of donors through which it could apply pressure for reform. This initiative was concretized within an organizational, albeit informal, framework.

#### **The Donor Democracy and Development Group (DDDG): Pressure Through Multilateralism**

After the Paris Club meeting, the U.S. seemed to have strengthened its resolve to apply political conditionality to its maximum effect. Whereas in the previous two years, the administration had been reluctant to use the aid lever to induce reforms in Kenya, the U.S. now seemed to be setting the pace in this regard. Donors’ policies increasingly followed the U.S. model.<sup>115</sup> The U.S. worked hard to prevent the resumption of aid by any donor before Kenya had fulfilled the conditions set in Paris in November, 1991. It exploited the emerging consensus among other donors and democracy-oriented foreign agencies in Kenya to forge a multilateral alliance to pressure the Moi regime to carry out meaningful political reforms.

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<sup>115</sup>Katarina Tomasevski, Between Sanctions and Elections: Aid Donors and Their Human Rights Performance, (Washington, D.C.: Pinter, 1997), 181.

In March 1992, through the initiatives of the U.S. embassy officials and USAID's democracy and governance regional program, an informal group known as the "Donors Development and Democracy Group" (DDDG) emerged. The founder members of the group which brought together both bilateral and multilateral donors were the U.S., Germany, Canada, The Netherlands, Denmark, Sweden, and Finland. The British stayed out in the beginning but joined in the second half of 1992. Later, non-governmental organizations such as the European Union, the German foundations, Friedreich Erherbt and Friedreich Neuman, and the regional office of the American-based Ford Foundation joined.

The initiative by the U.S. to bring together this group was motivated by many factors. First, was the desire to maximize the impact of the external pressure on the Moi regime. The U.S. had realized that even though diplomatically, its hegemonic position gave it considerable leverage over Kenya, the impact of its aid leverage could be neutralized if countries like Britain who enjoyed even stronger economic leverage decided not to apply it effectively. In any case, most of U.S. aid to Kenya was in the form of development assistance, a huge chunk of which had always gone to private groups and non-governmental organizations. It was not an important donor in the area of balance-of-payments. Britain and the IMF were the largest donors for balance of payment support. Suspension of balance-of-payment support funds was bound to have more immediate impact than the suspension of project funds. The government depended on balance-of-payment support funds to run its recurrent expenditure, especially to pay salaries. Hence their suspension would threaten the survival of the

regime itself.<sup>116</sup> Thus through the DDDG, the U.S. would apply pressure through coordination, ensuring that its pressure was not neutralized by other less democracy minded donors. Also, other foreign agencies or embassies which were reluctant to come out openly in favor of political reforms would find the DDDG a convenient cover.

Second, the U.S. decided to have this multilateral group as a "buffer" for the embassy in its diplomatic engagement with the Moi regime. DDDG would act as a "shield" from the barrage of criticism that the U.S., and the embassy, in particular, had faced since it pioneered external pressure for reform. By pursuing its democracy agenda through the DDDG, the U.S. would minimize the chances for direct hostility towards the U.S. by the Kenyan government. The Kenya government would not easily get the excuse to single out the U.S. for criticism. As one of the U.S. officials who was actively engaged in the DDDG observed, the DDDG strategy was to drive the point home to Moi that many other countries, not only the U.S., wanted to see a transition to democracy in Kenya.<sup>117</sup> In order to down play U.S. role, the U.S. encouraged the Canadians to chair the meeting. Meetings were held in the Canadian embassy under the chairmanship of the Canadian International Development Agency (CIDA). Canada had not been particularly forceful in pressuring the Kenyan government on political reforms. The relations between the Canadian embassy and the Kenya government were, therefore, warmer than those between the latter and the U.S. embassy. Because of the

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<sup>116</sup>In Benin and Zaire (now Democratic Republic of Congo), the lack of funds to pay salaries to critical constituencies like the military and civil servants had greatly undermined the regimes there as these constituencies withdrew their support and loyalty.

<sup>117</sup>Interview in Washington, D.C. on June 22, 1998.

Canadian chairmanship, Kenya government officials were more likely to cooperate with the DDDG when necessary. In the run up to the elections, for instance, the Attorney General and the chairman of the Electoral Commission coordinated with the group on matters ranging from domestic and international elections monitoring to the supply of materials for the election exercise.

Third, the U.S. mooted the DDDG idea to avoid the contradictions that would encumber its policy on democratic reform in Kenya, especially when and if pressures of other important interests dictated a retreat like in the case of the "Haftar affair." As a former senior FSO at the embassy explained in an interview, in case of conflicts of that nature, the ambassador would slow down his diplomatic onslaught in order to gain the cooperation of the Kenya government on the issue at hand while the U.S. representatives in the DDDG would continue the pressure from that end.<sup>118</sup> The DDDG was also a safety valve for U.S. policy insofar as it prevented, to some extent, a shouting match between the U.S. ambassador and the Moi government.

Fourth, the DDDG was also a strategic policy safety valve for the U.S. as far as assistance to Kenya's political parties was concerned. According to U.S. law, the administration was not allowed to finance political parties directly. But the U.S. could influence DDDG members who faced no such restrictions to aid Kenya's nascent political parties. By harmonizing, coordinating and rationalizing aid to various Kenyan reform constituencies, some members who did not have such legal restrictions could concentrate on political parties while the U.S. concentrated on the other civil or civic society groups. As a State Department official observed in an interview, the U.S. policy

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<sup>118</sup>Interview in Washington, D.C. on May 28, 1998.

establishment had been worried that Kenya's new political parties needed external technical and financial assistance for them to play a meaningful role in the democratic transition. Yet the U.S. could not finance them. The DDDG offered the opportunity to divide resources, while allowing those groups like the German foundations and Ford foundation to finance the political parties.<sup>119</sup> The U.S. would, therefore, advocate for funding for political parties in the DDDG even if it couldn't do so itself.

U.S. participation in the DDDG was carried through the USAID Kenya mission. While this was also part of the strategy to maximize the impact of pressure for reform, it was also a convenient way of dividing responsibility between the U.S. actors in the reform process. USAID would pursue the political conditionality issues through the DDDG while the embassy would apply pressure on the diplomatic front. It is instructive to observe that since USAID, as a government agency, was under the jurisdiction of the State Department, the head of its mission in Nairobi reported to the ambassador. This would allow the embassy to indirectly influence the decisions at the DDDG. To underscore the significance of the DDDG as a vehicle for pressure for political reform, USAID was represented in the group by the head of the Democracy and Governance program in Nairobi who at this time was a political scientist with specialization on Kenya. He had been contracted by USAID as a consultant on democracy.<sup>120</sup>

The DDDG met regularly and compared notes on governance matters. The

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<sup>119</sup>Interview in Washington, D.C. on June 11, 1998.

<sup>120</sup>The Democracy/Governance program was created after USAID adopted the Democracy Initiative.

members reported results of their discussions to their respective embassies. The group was also a mechanism through which donors could collectively monitor the progress Kenya was making on economic and political reforms. It was thus an important avenue which the U.S. could use to ensure the harmonization and coordination of external pressure on the Kenyan government. A U.S. official, however, hinted that the embassy was aware of the limitations of the DDDG when it came to pressure for democratic reforms in Kenya. Some members were not really interested in democracy and had joined only for the sake of not being seen to be the odd ones out. Some members, especially the World Bank and the IMF, were also more interested in “good governance” than in human rights or progress towards democracy.<sup>121</sup> But in such cases, the U.S. would use the diplomatic strategy of government-to-government engagement at the ambassadorial level.

Although the DDDG strategy had allowed the U.S. to use its hegemonic influence to rally the international community behind the democracy agenda in Kenya, it also revealed the limits of the U.S. ability to rally its Western allies for its causes in a post-Cold War era. With the Cold War over, the U.S. found that its policies in Africa could no longer get unqualified and automatic support from its allies, especially those from Western Europe who also had their own interests in Kenya. Britain, for instance, had been lukewarm all along.<sup>122</sup> Even when other lesser powers like The Netherlands

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<sup>121</sup>Joel D. Barkan, “Toward a New Constitutional Framework in Kenya,” Africa Today, 45, no. 2, (1998): 217.

<sup>122</sup>For a more detailed account of the role of Britain in the early Kenya democratization process, see Phillip O. Nying’uro, “The External Sources of Kenya’s Democratization Process,” Journal of Political Science, 45 (1997).



and Sweden demonstrated willingness to engage the Moi regime in the reform process, the British policy remained ambiguous, if not indifferent. Some members of the DDDG felt that one of the reasons why the British declined to join initially was because they detested the fact that the group was a U.S. initiative.<sup>123</sup> As a non-U.S. participant in the DDDG observed in an interview with the researcher, the behavior of the British all along had suggested that they did not want to see the U.S. play a bigger role in Kenya.<sup>124</sup> It was intriguing, for instance, that when the Commonwealth Secretariat in London sent a team to Kenya in March 1992 to assess the preparations being made for multi-party elections, the team refused to share its findings with the group. Instead it shared it only with the British High Commission in Nairobi, under whose auspices it had stayed in Kenya.

That the British detested the assertive role the U.S. had assumed in pressuring the Kenyan government to embrace pluralism is suggested by the contrasting roles of Ambassador Hempstone with those of British High Commissioners, Sir John Johnson and, later, Sir Roger Tomkys. When Hempstone challenged the Kenya government on the issue of political detainees in early 1991, Tomkys, on a courtesy call, told a member of Moi's cabinet that it was not his duty to question reasons for political detentions. He emphasized his duty was "to promote friendship between Kenya and Britain."<sup>125</sup> The British were careful not to antagonize Moi because of a number of reasons. They did

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<sup>123</sup>Information given by a senior World Bank official who played a prominent role in the DDDG in an interview in Washington, D.C. on July 8, 1998.

<sup>124</sup>Interview in Washington, D.C. on July 8, 1998.

<sup>125</sup>Weekly Review 15 April 1991, p. 12.

not want to unnecessarily antagonize the Moi regime because of the desire to protect the huge US\$1 billion worth of British private investment in Kenya. They perceived Moi and his aides as “pillars of stability and protectors of British investments in Kenya.”<sup>126</sup> They may have also feared that if they stood up to Moi whom they had always supported, “he might *a la* Idi Amin expel the Asian community, more than 40,000 of whom were eligible to seek refuge in Britain.”<sup>127</sup> Britain also seemed to place great value on the importance of Kenya as its most dependable ally in independent black Africa.<sup>128</sup> Indeed, the British had a stronger aid relationship with Kenya than the U.S. Kenya had been receiving the largest share of British Overseas Development Aid (ODA) in sub-Saharan Africa. Since 1987, Kenya had ranked third among the top ten recipients of British bilateral aid in the third world. Thus the British wanted to have an independent policy on Kenya. Indeed, when the U.S. initiated the DDDG, the British High commissioner replied in kind by initiating an informal group of ambassadors from the European Economic Community of which Britain was current chairman. The British dominated the proceedings of the meetings, tempered only by the Germans. Hempstone also initiated another front consisting of non-EEC ambassadors.<sup>129</sup>

The U.S. also faced another problem with the DDDG as far as sustained pressure for democratic reform was concerned. Because of its desire to maintain the

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<sup>126</sup>Michael Chege, “Our Man in Nairobi,” *A Review of Rogue Ambassador: An African Memoir*, by Hempstone, in National Interest, (Spring 1998): 115.

<sup>127</sup>Hempstone, 109.

<sup>128</sup>Biles, 34.

<sup>129</sup>See Hempstone, 272-273.

collective effort and not to be seen to be “ordering” others around, the U.S. sometimes had to tolerate collective measures that were too weak to have any impact on the reform process. As a DDDG participant observed, some joint statements drafted at the meeting were too mild to have any impact on the Moi government.<sup>130</sup> Those countries like France that had openly demonstrated lack of political will to apply pressure on Moi could not be expected to endorse strong but necessary anti-regime statements. Like in any united front tactic, there was always the risk of settling on the lowest common denominator in order to accommodate the interests of every member.<sup>131</sup>

### **The Pressure for More Reforms and Free and Fair Elections.**

If the Kenya government had thought that U.S. pressure would wane after the repeal of section 2(a) and the registration of opposition political parties, it had been mistaken. In fact, the U.S. became more and more assertive in its desire to influence the course of democratic reform. Many U.S. officials were convinced that Moi could not initiate reforms on his own. In view of the relative weakness of the opposition which had even started to fragment along ethnic and personality lines, external pressure had to be sustained if a meaningful transition to democracy was to occur. In December, 1991, Assistant Secretary Cohen had told Congress that the U.S. would remain firm with the Moi government on human rights and democracy-related issues. The State Department issued statements more frequently than before exhorting the Kenya government to remove the remaining barriers to meaningful democracy.

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<sup>130</sup>Interview in Washington, D.C. on June 12, 1998.

<sup>131</sup>Frank Holmquist and Michael Ford, “Kenya Politics: Toward a Second Transition?” *Africa Today* 45, no. 2 (1998): 229.

In early March 1992, when Kenyan security forces clamped down on the mothers of political prisoners who were holding a peaceful demonstration in Nairobi, the U.S. government issued a statement expressing "deep concern" over harassment of opposition leaders and urged Moi to ensure that genuine reforms were initiated. The statement said, in part:

The U.S. Government is deeply concerned that, after Kenya's multi-party democracy's promising start, opposition parties still growing obstacles to organizing and holding rallies. We urge the government to take all appropriate actions to ensure the respect of key freedoms. Failure to do so would jeopardize Kenya's commitment to multi-party democracy and to the democratization process.<sup>132</sup>

In early April 1992, at a meeting in Washington with Kenya's Vice-President Saitoti, Secretary of State James Baker voiced concern that "after a promising start, multi-party democracy in Kenya (was) threatened by a growing climate of political intolerance, including serious violence."<sup>133</sup> He further called for an end to the violence and urged the Kenyan government to exercise its responsibility for ensuring the respect of basic freedoms.<sup>134</sup>

For the most part of 1992, U.S. pressure was singularly focused on preparations for elections. Of interest were the voter registration process which was generating controversies and the issue of domestic and international observers. Moi did not want domestic observers. He had acquiesced to demands for international election monitors

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<sup>132</sup>U.S. Department of State, "Developments in Kenya," Dispatch 3, no.10 (9 March 1992): 200.

<sup>133</sup>Ibid.

<sup>134</sup>Ibid.

but was restrictive as to where they should come from. He evidently favored the British and the Commonwealth group. The U.S. saw Moi's preference for Commonwealth and European Community observers to those from the U.S. as stemming from his government's appreciation of Britain's ambivalent, if not indifferent, policy on political reforms in Kenya. The president of the U.S. National Democratic Institute for International Affairs (NDI), which was later denied permission to monitor the elections by Moi, argued, for instance, that Britain and Moi were working together to rig the elections. He claimed that it was Britain that had convinced Moi to admit only small teams of observers from the Commonwealth and the European Community, emphasizing that the British chaired the Community at that time.<sup>135</sup>

U.S. pressure for free and fair elections intensified in the second half of the year. In June, a Congressional hearing before the sub-committee on African affairs was dominated by election issues as Congress made it clear that all aid would be cut if the Kenyan government did not take appropriate measures to ensure free and fair elections. In particular, Moi was accused of unwillingness to make comprehensive reforms because he allegedly wanted to rig the elections. Calling for cuts in "all aid," Representative Joseph P. Kennedy II (D-Massachusetts) accused Moi of allowing only "cosmetic reforms (and) fanning ethnic violence to forestall elections."<sup>136</sup> Assistant Secretary Cohen announced that the administration was "urging the government to create a climate conducive to truly free and fair elections (and) to create a level playing

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<sup>135</sup>See J. Brian Attwood, "Kenya's Rigged Election," Christian Science Monitor, 2 September 1992, p. 19.

<sup>136</sup>U.S. House of Representatives, "A Review of U.S. Policy and Current Events in Kenya, Malawi and Somalia," 2, 5.

field.”<sup>137</sup> He also called on the government to ensure that the election commission had the “confidence of a broad spectrum of Kenyan society.” He announced that a fifth condition tying resumption of aid to the holding of free and fair elections and the acceptance of international election monitors had been added to the four conditions set earlier in the 1990 Foreign Aid Appropriations Act.

The U.S. was also concerned about the disagreements between the government and the opposition regarding preparations for the elections. In June, for instance, a section of the opposition had called on their supporters to boycott voter registration as the future of the elections themselves hung in balance. The main complaints were that the electoral commission was biased in favor of Moi and the ruling party. The opposition claimed, for instance, that the impartiality of the person appointed by Moi to chair the commission, Justice Zacchaeus Chesoni, could not be guaranteed because he had earlier been retired on bankruptcy charges. All members of the commission had also been appointed unilaterally by Moi without consulting the opposition. The U.S. position was, however, that the opposition’s move to boycott the registration of voters was ill advised and urged them to continue with the registration.

U.S. determination to have the elections go on as scheduled at any cost reflected the electoralism that had characterized U.S. policy on promotion of democracy for a long time. Obsessed with seeing that the elections took place, the U.S. ignored credible claims that Moi was putting in place a scheme for rigging the elections. He had refused to allow domestic and international monitors. He had also refused to allow for the formation of a new credible electoral commission acceptable to both KANU and the

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<sup>137</sup>Ibid., 7.

opposition. As Hempstone noted in a letter to Cohen in June, 1992, the registration of voters itself could not be fair when they were being conducted by the same government machinery that had been involved in rigging in the past.<sup>138</sup>

The U.S. appeared determined to have the elections go on at all cost and pressured both the government and the opposition to cooperate to ensure that they succeeded. In his testimony before the Congress, Cohen responded to the opposition's calls for the registration boycott by telling the opposition that it would be ill-advised to do so, arguing that it was "still unclear whether the irregularities (were) a deliberate attempt at fraud or the result of poor organization."<sup>139</sup> Expressing U.S. willingness to use the "stick" to ensure free and fair elections, he announced that progress toward political reform in Kenya was still too modest and setbacks too profound to warrant releasing the U.S.\$ 28 million withheld by U.S. in November 1991.

In July 1992, Secretary Baker wrote to Moi expressing U.S. concern for free and fair elections and threatened bad relations if elections were not free and fair. To further underscore U.S. seriousness on the issue, President Bush himself sent Moi a telegram in mid-August. He made it clear that the U.S. would not recognize the results of the elections if there were no domestic and international observers. Within a week, the Moi government gave in and announced that it would allow both domestic and international observers.<sup>140</sup> He also expanded the electoral commission by appointing other members

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<sup>138</sup>See Hempstone, 266.

<sup>139</sup>Ibid, 7.

<sup>140</sup>Information passed in by a senior officer in the East African Desk at the State Department during a discussion on June 11, 1998.

believed to be relatively independent of KANU. In October 1992, Kenya's Foreign Minister, Mr. Ayah, met with the Acting Secretary of State, Mr. Lawrence Eagleburger, in Washington to assure him of Kenya's willingness to accept American observers. However, the government refused to accredit the National Democratic Institute claiming it was partisan. Only the International Republican Institute (IRI.) was accredited from the U.S.

Congress also continued their pressure on Moi as the elections drew near. In August, 1992, Representative Joseph P. Kennedy II (D-Massachusetts) led a group of 103 Congressmen in writing a letter to Moi. They informed him that they were aware his government was trying "to manipulate Kenya's first openly contested elections and suppress human rights and the freedom of the press."<sup>141</sup> The congressmen also reiterated their determination to ensure that "certain types of aid" were withheld. The letter generally accused Moi of having "failed to initiate any meaningful political reforms."

On October 15, Hempstone gave an important speech spelling out U.S. policy on the impending elections and warned the Kenya government of the consequences of a rigged election. Addressing an American Business Association luncheon at the Nairobi Hilton Hotel, he warned that the U.S. was not prepared "to accept as legitimate an election that is obviously flawed, blatantly rigged. To do so would be to betray both the people of Kenya and our own principles."<sup>142</sup> Hempstone, who had become the key

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<sup>141</sup>Quoted in Gus Constantine, "Kenya wants AID, But Without Strings," Washington Times, 22 September 1992, p. A10.

<sup>142</sup>See Speech by Ambassador Hempstone to the American Business Association, Nairobi Hilton Hotel, October 15, 1992.



coordinator of international efforts to ensure free and fair elections, bluntly told Moi that the U.S., like other interested parties, was skeptical about his pledge to conduct free and fair elections. He also intimated that if Kenya wanted to have good relations with the U.S., a "free and fair election" was mandatory. Invoking the aid lever, he reminded the Kenyan government that increase in U.S. aid would be greatly determined by the conduct of elections.

The almost exclusive focus on elections in this period led to the neglect of other equally important issues. As had been the case in U.S. policy on promotion of democracy over the years, issues which were significantly related to democratization, even if indirectly, were ignored as U.S. officials concentrated on seeing that elections were held at all cost. In Kenya, while the U.S. was aware that the ethnic clashes that had erupted in the Rift Valley in Moi's home area, had the potential of interfering with the electoral process, U.S. officials in Washington and Nairobi appeared not to address the issue seriously enough. Instead of seeking an "end to this state-organized violence," the U.S. "focused on how to facilitate effective international monitoring of the elections" and to ensure that the elections were held on schedule.<sup>143</sup> Whether the ethnic violence was perpetrated by people associated with President Moi to vindicate Moi's often-repeated contention that multipartyism would breed ethnic conflicts or not, what was clear was that the violence threatened to disenfranchise thousands of voters following the displacement of nearly 55,000 people.<sup>144</sup>

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<sup>143</sup>Gilbert Khadiagala, "Kenya: Intractable Authoritarianism," SAIS Review, (Summer-Fall 1995): 56.

<sup>144</sup>For a detailed report on the ethnic violence and its impact on the electoral process, see Africa Watch, Divide and Rule: State-sponsored Ethnic Violence in Kenya,

In the last three months before the elections, the pressure on Kenya seemed to be left to the Nairobi embassy, especially Ambassador Hempstone. Two factors led to this situation. First, the Bush administration was too busy preparing for re-election in the Congressional and Presidential elections due in November. Second, the administration's attention had also been diverted to the situation in Somalia where famine was causing concern. As the U.S. considered a humanitarian relief operation for Somalia, the Kenya government's cooperation was required in airlifting relief supplies to refugee centers in Kenya and Somalia. Cooperation would certainly not be forthcoming in an atmosphere of acrimony. Moi had earlier threatened not to allow U.S. aircraft to fly over Kenyan airspace. In August, 1992 Moi had threatened to cancel the U.S.-initiated "Operation Provide Relief" when U.S. C-141 aircraft carrying food relief for Somalia landed in Mombasa without prior clearance with the government.<sup>145</sup> As he walked the tightrope between cooperating with Moi on the regional issues and keeping on the U.S. pressure for free and fair elections, Hempstone still managed to express U.S. displeasure at any undemocratic move made by the government.

As the elections drew closer, the embassy became even more concerned that they would not be fair. During nominations for parliamentary candidates in November, several anomalies had been reported. The worst was the alleged abduction of opposition candidates, especially in the Rift valley in areas inhabited by Moi's ethnic Kalenjin

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(New York: Africa Watch, November, 1993), Jane Perlez, "Kenya, A Land That Thrived, Is Now Caught up in Fear of Ethnic Civil War," New York Times, 3 May 1992, p. A3, Makau wa Mutua, "The Troubled Transition," Africa Report 37, no. 5 (Sept-Oct. 1992): 34-38, and Weekly Review, 25 September 1992, pp. 3-15.

<sup>145</sup>See Hempstone, 214-231.

group. Indeed, more than a dozen KANU candidates were declared elected unopposed after their prospective opponents failed to turn up due to harassment. Another serious anomaly was, according to the IRI observer mission report, "the purchasing by KANU agents of opposition identification and voter cards (to keep non-government supporters from voting.) In general, the IRI observed, the electoral process has been severely damaged by the government of Kenya's centralized and systematic manipulation of the administrative and security structure of the state to the ruling party's advantage.<sup>146</sup>

Elections were finally held on December 29, 1992. The U.S. had two teams of observers. The IRI had sent in a group of fifty-four representing thirteen countries. The embassy also sent groups to fifteen selected constituencies.

President Moi won the elections with 36.3 per cent of the national presidential vote. The FORD-Asili presidential candidate, Kenneth Matiba, received 26 per cent, Mwai Kibaki (Democratic Party) 19.5 per cent and Oginga Odinga (Ford-K) 17.5 per cent. Moi's KANU won 100 seats in parliament against 88 for the opposition.

### **THE POST-ELECTION PERIOD**

If assuring a free and fair election in an atmosphere of hostility between the U.S. and the Moi regime had proved quite challenging, the outcome of the elections presented the U.S. with even a more daunting challenge. The U.S. had to accept the reality that it would continue to deal with the same Moi regime that had the impression that the U.S. would have preferred its defeat. As a Congressional Staff report observed, "the election results may not have been a major surprise, although Washington might

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<sup>146</sup>See International Republican Institute, Kenya: Pre-Election Assessment Report, (Washington, D.C.: IRI, November 1992).

have preferred an opposition upset."<sup>147</sup> Indeed, many in Washington had "hoped that a new administration in Washington and a new political era in Kenya would improve relations between Washington and Nairobi."<sup>148</sup> Ambassador Hempstone had also left no doubt that the U.S. would have preferred an alternative regime. His statements after the elections only went further to reinforce this impression of partisanship. He, for instance, expressed disappointment at his failure to "unite the opposition" in order to remove Moi. In an interview with Kenya's daily, the Sunday Nation, he observed that if "they (opposition) had been united, backing one candidate, one of them would be in State House today."<sup>149</sup> He reiterated that Moi's victory was "a terribly high price the country had to pay for the lack of consensus and concessions among opposition leaders."<sup>150</sup>

The first post-election challenge for the U.S. was to declare its position on the election results in light of the charges of rigging by KANU. Nearly all election monitors, both domestic and international had acknowledged that there had been serious irregularities and that KANU had had an unfair advantage. The challenge was particularly critical as the three major opposition parties, FORD, DP and FORD-ASILI, with whom the U.S. had openly associated, had rejected the results. Recognized the results would certainly breed charges of betrayal by the opposition. Rejecting them outright would not only lead to further deterioration in relations between the two

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<sup>147</sup>Theodore S. Dagne, The Kenyan Elections, Report for Congress, January 26, 1993, 4.

<sup>148</sup>Ibid.

<sup>149</sup>Sunday Nation, 28 February 1993, p. 10.

<sup>150</sup>Ibid.

countries but could also complicate an already tense political situation, given the U.S. stature. The U.S. settled on a number of strategies aimed at satisfying both sides.

The U.S. equivocally endorsed the elections. While acknowledging that there were irregularities adopted the position of other election monitors that the election results reflected the true aspirations of Kenyans. In a press release, the State Department observed that "even though the elections had serious shortcomings, they nonetheless served to advance democratic institutions."<sup>151</sup> The Commonwealth Observer team, for instance, while asserting that "it was evident to us from the start that some aspects of the election were not fair, including the registration process, the lack of transparency," still concluded that the election results "directly reflect, however, imperfectly, the expression of the will of the people."<sup>152</sup> The U.S. team, the IRI, had reached more or less the same verdict. They too had found that "the electoral environment was flawed" but maintained that the elections constituted "a significant and early step on Kenya's road back to democracy."<sup>153</sup> The IRI, like Hempstone, believed that "opposition disunity was the single most important factor in the eventual outcome of the elections, despite a playing field highly advantageous to the ruling party."<sup>154</sup>

It appears that the U.S. was forced by circumstances to accept the results of an

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<sup>151</sup>Quoted in African Recorder (January 29 - February 11, 1993): 8878.

<sup>152</sup>Quoted in Hempstone, 308-309.

<sup>153</sup>Quoted in *Ibid.*, 308.

<sup>154</sup>International Republican Institute, Kenya: The December 29, 1992 Elections (Washington, D.C.: IRI, 1993), 53.

election they knew had been flawed. One consideration may have been the likely impact of U.S. rejection of the results which the Commonwealth team had, after all, endorsed. Given that the major opposition parties had also rejected the results, if the U.S. would have joined them in that rejection, a major confrontation which could have easily degenerated into chaos was likely. Hence, as Hempstone observed later, having a "second class democracy" was preferable to the risks of instability. It was U.S. concern about Kenya's role in the stability of the region which had, in part, motivated it to intervene in the democratization process. It would be counterproductive to take a decision which would promote instability in Kenya itself. This in itself was a demonstration of the contradictions in U.S. policy on promotion of democracy: on the one hand, there is the conviction that long-term stability can only ensue in a democratic environment; on the other, if pursuit of democracy means creating unstable situations, democracy is sacrificed in favor of stability.

Although the U.S. endorsed the election results, it stated clearly that it would not yet restore the suspended aid to Kenya. A State Department statement reiterated that the U.S. would not release the suspended aid immediately. It would still analyze and monitor the situation. In Nairobi, Hempstone told Moi that the U.S. would consider raising aid levels, only after the Kenyan government had proved that it was committed to "the spirit of fair play and democracy in political matters," in addition to taking measures to curb corruption and to privatize parastatals.<sup>155</sup> The U.S. demonstrated its determination to ensure that other donors did not immediately resume aid by initiating a meeting of major bilateral donors on January 14, 1993. Moi had just announced his new

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<sup>155</sup>Hempstone, 312.

cabinet which most donors had dismissed was "uninspiring."<sup>156</sup> The donors' meeting reiterated that no new aid was justified until problems of corruption and economic mismanagement were addressed. Exactly five days later, the Kenya government announced the release of two prominent political prisoners, Mr. Koigi wa Wamwere and Sheikh Khalid Balala.

Hempstone departed in March, 1993 after the expiry of the 100 days extension he had managed to negotiate with the new (Clinton) administration in Washington. It took another six months before a new ambassador reported. During this period, the Deputy Chief de Mission, Michael Southwick, acted as ambassador. These six months were very critical in Kenyan domestic scene. Ethnic clashes had not entirely stopped. The post-election stand-off between the government and opposition was getting worse as Moi and his top aides looked set to revenge on those living in "opposition zones." There were also many outstanding issues with regard to political reform. A comprehensive constitutional review was yet to be launched. On the economic front, the government had not shown enough commitment to implement the free-market reforms as agreed between it and its donors.

Another immediate post-election challenge for the U.S. was to ensure the maintenance of the collective spirit among Kenya's donors. Its main worry was that some donors might decide to release their portions of the suspended aid before the Kenyan government met the conditions set at the Paris meeting in 1991. In addition to many outstanding human rights and democracy-related issues, Kenya had yet to

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<sup>156</sup>The donors were particularly concerned that the Cabinet was still dominated by old faces in the pre-election cabinet.

demonstrate seriousness in implementing economic reforms. Even more worrying was the deterioration in the financial sector following indiscriminate lending by the Central Bank to "political banks" to finance the ruling party's campaign.<sup>157</sup> Relations between Kenya and its donors deteriorated especially in March when the Moi government announced it was suspending the implementation of the SAPs. Although, the government later rescinded the decision, the donor alliance began to crack as Moi embarked on a series of piecemeal economic reforms. It devalued the local currency, liberalized the foreign exchange market and initiated plans to sell some parastatals as demanded.

Soon, the donor alliance on political conditionality began to disintegrate as some donors increasingly focused on economic issues rather than political ones. Fissures in the alliance showed themselves when some donors individually decided to resume aid to Kenya. The IMF released quick-disbursing aid to Kenya in June, 1993. Japan released theirs in October. Later in the year, the Paris Club committed itself to a further US\$ 850 million in aid for 1994. The U.S., however, continued to withhold its portion of quick-disbursing aid suspended in 1991.<sup>158</sup> But its influence among donors in international efforts to nudge Moi towards greater political reform appeared to have decreased. Western European countries, together with the World Bank/IMF and Japan appeared to have agreed with Moi that economic reforms, not political reforms

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<sup>157</sup>Gilbert Khadiagala, "Kenya: Intractable Authoritarianism," SAIS Review, (Summer-Fall, 1995): 59.

<sup>158</sup>Indeed, U.S. was the last to resume quick-disbursing aid to Kenya in 1997.



should be the focus of the international community in Kenya.<sup>159</sup> The U.S. was alone among those insisting on politics. Soon, however, the U.S. also began to emphasize more on economic issues than on political ones.

On the diplomatic front, relations between the U.S. and Kenya appeared to be warming up in the aftermath of Hempstone's departure in March, 1993. Hempstone's deputy, Michael Southwick,<sup>160</sup> who acted as ambassador before the arrival of the new ambassador in July, 1993, had been less abrasive and was, therefore, more appreciated by Moi. The public exchanges between the government and the embassy diminished as both parties reverted to the traditional style of discussing contentious political issues, especially those touching on Kenya's internal affairs, in private. When the new ambassador, Auriel Brazil, finally reported in July, she took steps to "repair" what she thought were the damaged relations between the embassy and the Moi government.<sup>161</sup> She felt the embassy had alienated the government and the ruling party too far by going into the public arena. She thus reverted to the traditional "quiet" diplomacy style, preferring to raise contentious political issues with the government in private. However,

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<sup>159</sup>See Nicholas Kotch, "Kenya Wants Donors to Look at Economy Not Politics," Reuters World Service, 18 November 1994, Barbara Borst, "Kenya: Donors Happy with Reforms, Pledge US\$800 Million in Aid," Inter Press Service, 16 December 1994.

<sup>160</sup>Southwick later left Nairobi to become U.S. ambassador to next-door Uganda. His attempts to adopt the Hempstone-style public diplomacy to influence movement towards multi-partyism drew sharp resistance from the Ugandan government. Interestingly, he is reported to have received no concrete support from Washington. Indeed, the U.S. appeared reluctant to engage President Yoweri Museveni on the issue of multi-partyism which the latter fiercely argued Uganda was not ready for. Relations between the U.S. and Uganda have been remarkably warm despite Museveni's reluctance to allow multi-partyism.

<sup>161</sup>Interview in Virginia, U.S.A., on August 25, 1998.

as she herself emphasized, in order to create added impact of her quiet diplomacy she devised a method whereby she issued public statements after every six weeks expressing U.S. views on political issues in the country.

Although her decision not to continue with the public posture of her predecessor drew accusations from Moi's critics that she had given in to the regime on the question of political reforms, Ambassador Brazeal herself felt that public confrontations would have undermined U.S. efforts as an honest broker between the opposition and the government. Upon her arrival, the U.S. had increasingly assumed the role of "peacemaker" between Moi's government and the opposition. Whenever she issued any of her rare public statements on Kenyan political situation, she blamed both sides for refusing to cooperate. She also appeared to believe, like many of her colleagues at the Foggy Bottom, that Hempstone's approach had given the wrong impression that "democracy in Kenya could be imposed from outside."<sup>162</sup> A former senior FSO in Nairobi who worked with Hempstone also defended Ambassador Brazeal from claims that during her tenure the U.S. had capitulated to Moi on democracy issues. He emphasized that Brazeal and Hempstone represented the U.S. in different epochs of Kenya's political history. Each epoch may have required a different approach. While Hempstone had to induce the regime to accept multi-partyism and to conduct free and fair elections, Brazeal's major task was to "influence Moi to go on with the democratization process."<sup>163</sup> Brazeal also came at a time when the aid lever that the U.S. had used to back up diplomatic initiatives had been overspent and redundant. No

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<sup>162</sup>Interview in Virginia, U.S.A., on August 25, 1998.

<sup>163</sup>Interview in Washington, D.C., U.S.A., on June 11, 1998.

more threats of aid cuts could be used. Left with no other option, Brazeal had to be accomodationist in her approach. The opposition was also so disunited and weakened by their own wrangles that most external actors, especially donors, were increasingly becoming disillusioned with them. The U.S. had to deal with a government not fully committed to political reform and an opposition bereft of clear political vision and weakened by personality and ethnic rivalries.

## CONCLUSION

The U.S. decided to incorporate concerns of human rights and democracy into its policy towards Kenya in 1990. But policy was slow to change. It was not, however, until mid-1991 that the policy establishment began to exhibit the political will to seriously engage the Moi regime on the issue of democratic reforms. But even then, policy inconsistencies and conflicts over objectives persisted. However, U.S. pressure had still been instrumental in forcing the recalcitrant Moi regime to allow multi-partyism, to release political prisoners and to create an environment, even if flawed, in which opposition parties could compete in elections in December 1992.

The pro-democracy shift in policy coincided with a corresponding upsurge of pro-democracy activism in Kenya itself. As the U.S. publicly criticized the Moi regime for human rights violations and condemned the way it was clamping down on its critics, the local democracy activists became bolder and bolder in their demands for democratic reform. The decision by the U.S. ambassador to Kenya, Mr. Smith Hempstone, to associate with the opposition was especially a significant development in U.S. policy toward Kenya. In the past, the U.S. had avoided associating with government critics and, indeed, had indirectly shored up the Moi regime through economic and diplomatic

patronage.

Association with the U.S. embassy, and the ambassador, in particular, emboldened the local democracy movement insofar as it reduced the risks of confronting the Moi government. For instance, Ambassador Hempstone's decision to grant Mr. Kamau Kuria shelter in the embassy and eventually an asylum in the U.S. demonstrated U.S. willingness to protect local democracy activists from harassment by the government. Ambassador Hempstone's intervention on behalf of political prisoners also demonstrated that U.S. was willing to stick out its neck for the physical safety of government critics. His encounter with the Attorney-General on the issue of visits to Rubia, Matiba and Odinga in March 1991 and his intervention leading to the release of individuals like Ahmed Bahmariz in September 1991 went along way to confirm U.S. commitment to protect government critics from undue harassment.

U.S. policy on the transition to democracy in Kenya was also fraught with inconsistencies and conflicts, not only between the promotion of democracy as a policy objective and other U.S. interests in Kenya and in the greater Eastern African region but also between various policy actors. The need to secure the Moi government's cooperation on other U.S. policy projects in the region like the humanitarian relief operations in Somalia and the evacuation of U.S. personnel from Rwanda, Sudan and Somalia often led to contradictory diplomatic gestures and symbols. The administration's decision to release part of the frozen aid in 1991 in contravention of the provisions of the November 1990 Appropriations Act to secure Moi's cooperation on regional issues and in the *Haftar affair* demonstrated the priority given to matters of immediate national interest over concerns for democracy.

Another significant feature of U.S. policy was that in most cases the U.S. reacted to specific events and specific actions by the Moi government especially those it considered to be undemocratic. Rarely did the policy establishment initiate an important step toward reform on its own. Both the Kenyan government and the local opposition initiated the stimuli to which the U.S. responded. In its engagement with the Moi regime, the U.S. administration generally reacted to the Moi government's own steps. The end result was that when the regime did not commit any serious breach of human rights or democratic principles, the U.S. made a retreat and slowed down its pressure. Moi often took advantage of any sign of slackness on the part of the U.S. It often appeared as though Moi was the one setting the pace for U.S. policy, dictating its course. As one observed the U.S. and Kenya were involved in a "minuet dance" in which Moi often threatened to call the tune.<sup>164</sup>

U.S. policy also exhibited contradictions and conflicts between the three major players, the administration in Washington, the U.S. embassy in Nairobi, and Congress. This often resulted into ambiguity in terms of commitment to human rights and the democratic reform process. In certain instances, actions and statements from one policy actor would undermine those of the other. The best example is the administration's decision to release frozen aid without consulting Congress that had made the decision to suspend it. Another example was Assistant Secretary Cohen's visit to Kenya in May 1990 during which he appeared to contradict, indeed, undermine Ambassador Hempstone's initiatives. In many instances, there were different signals from the embassy, Congress and State Department. The net effect was ambiguity. This

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<sup>164</sup>Burkhalter, 53.

negatively affected U.S. ability to influence the democratic transition process because the Moi regime often took advantage of such conflicts. The lack of resolve on the part of the U.S., especially before the events of mid-November, 1991 reduced the impact of the aid leverage in particular.

Conflicts between the actors also led to ambiguity and vagueness in policy, especially on the nature of political reform the U.S. was advocating in Kenya. Before November, 1991, the policy establishment failed to clearly articulate the type of political system they favored in Kenya despite the consensus that democratic reforms were necessary. There were often conflicting signals from the administration, and surprisingly, even from ambassador Hempstone himself on the issue as to whether the U.S. favored multipartyism or a reformed one-party system. When Hempstone talked about the wind of change in Congress that favored multi-partyism and urged the Kenyan government to adopt it, Assistant Secretary Cohen flew in to tell Moi that it was not yet U.S. policy to tie aid to multi-partyism, claiming it was only a few individuals in Congress who favored it. In March, 1991 Hempstone denied in a press conference in Nairobi that either he or Cohen had ever demanded a move towards multi-partyism. He emphasized that what the U.S. was advocating was “ a responsible, responsive and transparent government,” adding that “meaningful reforms within KANU would make us happy.”<sup>165</sup> In his advertised message to Kenyans on July 4 to mark the celebrations of American Independence day, in an apparent effort to deny that the U.S. was advocating multi-partyism in Kenya, he again reiterated that “we do not

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<sup>165</sup>Quoted in Weekly Review, 29 March 1991, p. 9.

attempt to prescribe the form these (democratic) developments should take.”<sup>166</sup> As late as November 18, 1991 in the wake of the eventful November 16 aborted multi-party rally in Nairobi, Cohen told members of the U.S. African Studies Association that the administration might consider parliamentary elections in which seats were only contested by members of KANU as evidence of democratic reform.

As for the instruments, the U.S. employed mainly two strategies. One was the diplomatic strategy of government-to-government engagement, carried out by the administration but mainly by the embassy in Nairobi with occasional support from Washington. The second was economic sanctions in the form of political conditionality. Political conditionality was, however, forced on the administration by Congress, even though later in 1992, the administration appeared to unreservedly embrace it. Once the Paris Club had decided to freeze aid, the U.S. stood firm by the sanctions. Indeed, it was one of the last to restore quick-disbursing aid in 1997. For instance, even after the legalization of multi-partyism, the U.S. still insisted that the reforms were still too modest and even extended the list of conditions included in the November 1990 Appropriations Act which suspended aid.

In submission, despite some inconsistency and conflicts in policy, the U.S. influenced Kenya's democratic transition in significant ways. Its willingness to protect local democracy activists from the repressive clamp down by the government emboldened the opposition. Its willingness to use its aid and diplomatic levers to nudge the Moi regime into initiating democratic reforms made considerable impact. It used its

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<sup>166</sup>Weekly Review, “Focus on American Independence Day: Message from the Ambassador,” 26 July 1991, p. 20.

hegemonic, economic and diplomatic clout to mobilize the international community, especially Kenya's bilateral and multilateral donors to pressure the government to initiate democratic reforms. U.S. role in the democratization process was, however, circumscribed by pressures of other immediate policy concerns and U.S. interests in the region which could only be addressed through the cooperation of the recalcitrant Moi regime. This was, however, not surprising given the fact that any country's external policies are first and foremost geared towards fulfilling its national interests. Hence, the U.S. could be willing to push the Moi regime only to the extent that its pressure did not undermine the Kenya government's ability to cooperate with it (the U.S.) on matters of immediate national interest. In a nutshell, it would cooperate with the government and or the opposition depending on circumstances defined by its national interests.



## CHAPTER SEVEN

### CONCLUSIONS

#### SUMMARY OF FINDINGS

This study has examined U.S. policy on Kenya's democratic transition from 1990 through 1992. The central objective was to answer the questions as to why, how, and with what results the U.S. exerted pressure on the recalcitrant Moi regime to allow multi-partyism, conduct free and fair elections, release political prisoners, and to carry out necessary reforms to guarantee Kenyans' democratic and human rights.

The study concludes that U.S. pressure was instrumental in forcing the Moi regime to amend the constitution to allow for multi-partyism and to take other measures to open up the political system. Using the diplomatic instrument backed by economic sanctions in the form of political conditionality, the U.S. cajoled Moi's government and the ruling (single) party, KANU, into yielding to local and external demands for democratic reform. Even though other Western countries and donor institutions, especially the World Bank and the IMF, also contributed in their own significant ways, U.S. leadership was a crucial factor in rallying external pressure. The U.S. used its hegemonic position as the sole superpower and immense influence in the donor community to rally international pressure against the recalcitrant Moi regime. But it also took its own diplomatic and other initiatives to influence the transition process. Congress was particularly instrumental in the formulation and execution of political

conditionality as an instrument for pressure on the Moi regime. The embassy in Nairobi led by Ambassador Smith Hempstone played the crucial role on the diplomatic front as the U.S. mounted an unprecedented diplomatic pressure on the Kenya government.

The U.S. role stands out because while other actors appeared willing to only apply economic pressure through aid conditionality (even this, they did reluctantly), the U.S. was the only country (with the exception of Germany, to some extent) that used the diplomatic instrument more effectively in addition to the aid instrument. Indeed, without the corresponding will to apply diplomatic pressure, political conditionality alone was not sufficient to nudge the extremely recalcitrant Moi regime into democratic reform. With nearly all major powers unwilling and reluctant to engage the regime diplomatically, U.S. willingness to use the diplomatic tool was distinct.

Nevertheless, its relatively greater contribution notwithstanding, U.S. policy was fraught with a number of problems which, in many ways, minimized its ability to maximize pressure on the Moi government. Policy ambivalence, equivocation (especially in the initial period), contradictions, and conflict between the main actors (Congress, the administration in Washington, and the embassy in Nairobi) sometimes seemed to slow pressure for reform. Indeed, some policy actions occasionally contradicted stated objectives and intentions. One important factor that affected U.S. pressure was the need to secure Moi's cooperation in a number of policy projects. This required that the U.S. relent on its pressure for reform. Kenya's geostrategic significance in the wake of the Gulf Crisis and Moi regime's willingness to cooperate with the U.S. in a number of issues of urgent concern, including playing host to the "Libyan contras," availing Kenya as the base for U.S. relief and peace-keeping

operations in the region and as a "safe haven" for U.S. personnel evacuated from conflict-ridden Rwanda, Somalia and Ethiopia, affected policy negatively. They forced the U.S. to relax its pressure on Moi leading to some contradictory gestures like the release of frozen aid without Congressional approval and reluctance to back Ambassador Hempstone's initial initiatives in 1990. The need to "reward" the regime for services rendered to fulfill U.S. interests led to measures that greatly weakened U.S. resolve and the will to pressure for reforms and resulted in policy confusion as it sent mixed signals both to the opposition and the government in Kenya.

## **MAJOR ISSUES RAISED AND IMPLICATIONS FOR POLICY AND SCHOLARSHIP**

### **Motivations**

The review of the literature in chapter two identified three major categories of reasons why some countries intervene in others' democratic transitions. These were (a) the significance of the target country for the intervening country's national interests and foreign policy in general (b) reasons to do with domestic politics within the intervening country, and (c) the missionary zeal to spread "democratic values" cherished at home to other societies abroad. It was emphasized, however, that in practice, reasons to do with the intervening country's concrete economic, political, strategic and diplomatic interests have been the major source of motivation to intervene. The other two categories, (b) and (c), are usually secondary, largely serving the purposes of policy legitimation and support at home.

Students of U.S. foreign policy and the policy community have variously explained the motivations for U.S. interventions in many countries since the beginning

of the century within the framework of the three categories. In Kenya, the decision to intervene was largely motivated by U.S. perception of Kenya's significance for both its regional and global strategies. The U.S. policy establishment considered Kenya to be significant for U.S. interests in the Greater Eastern Africa.<sup>1</sup> Its superior economic, financial and social infrastructure had made it the kingpin of development in the region. As an emerging regional "hegemon," it had an important role to play in the globalization process, that is, spearheading the integration of its region into the global economy. Strategically, its geographical and relative political stability, despite concerns over democracy and human rights issues, bequeathed on Kenya a potential role in U.S. efforts in regional peace-keeping and conflict-resolution. For these reasons, the U.S. felt "obliged" to intervene to ensure timely transition to democracy to prevent it from degenerating into the political chaos and instability that most of its neighbors were experiencing.

It is in this context that it has been emphasized that U.S. intervention in Kenya was motivated more by regional and international developments as they concerned U.S. interests and policy objectives than by domestic politics within the U.S. or by a missionary zeal to spread democracy abroad. The U.S. role in Kenya's democratization process was guided by its national interests. It would cooperate with the regime on specific issues when it was in its interest to do so. It would support the opposition when this support did not undermine its key interests in Kenya and within its region. To this extent, this study has underlined the fact that U.S. policy on democratization in many

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<sup>1</sup>Greater Eastern Africa in this context includes Somalia, Ethiopia, Rwanda, Uganda, Sudan and Tanzania.

countries is determined and shaped more by international and regional concerns than by the events within those countries.

### **Policy Instruments**

The literature review in chapter two had identified four main instruments that could be used by external actors to influence democratic transitions in other countries. These were (a) diplomatic, that is, government-to-government engagement, (b) economic sanctions, (c) democracy assistance and, (d) military intervention. In the case of Kenya, the U.S. employed diplomatic and economic instruments. U.S. diplomatic leverage was based on its hegemonic position as the sole superpower in the post-Cold War era and on its close relations with the two Kenyan regimes since the latter's independence in 1963. Economically, it deployed the aid lever. In terms of aid, the U.S. derived the leverage from its great influence among the donor community, especially due to its position as the major share-holder in the World Bank and the IMF where it held veto powers. It had also acquired some leverage as one of Kenya's major bilateral donors since independence. It used its influence and leverage to rally Kenya's bilateral and multilateral donors behind the external effort to pressure the Moi regime into initiating democratic reforms. It also unilaterally suspended military aid.

The study has, however, underscored the limitations of both the diplomatic and aid levers as instruments of influence. Political conditionality, unlike the diplomatic instrument, requires more coordination with other donors who may not share U.S. agenda. Thus, the success of political conditionality depends on the attitude of other donors. As the study has demonstrated, some donors were more democracy-minded than others. The French and the Japanese for instance, were more interested in

benefits they could reap from their interactions with Kenya. Aid conditionality is also a blunt instrument. It can only be played once and it becomes difficult to sustain thereafter.

The role of the embassy in Nairobi, especially that of Ambassador Hempstone, has underscored the role and limitations of the diplomatic lever in carrying out the promotion of democracy policy. The assertive role that the embassy played in pressuring the Kenya government and encouraging local democratic forces demonstrated the fact that with an ambassador with the kind of determination, embassies abroad can play a key role in influencing democratic transitions. Through the embassies, the U.S. can provide leadership in international promotion of democracy. However, Hempstone's role should be viewed against his background and personality. The fact that he was a political appointee (and not a career diplomat) made great difference. As a political appointee he was more independent. He enjoyed more discretion also as the President's own appointee. He faced no career pressure and, therefore, could afford to take some initiatives on his own without worrying about repercussions on his career. But not all ambassadors are political appointees. Indeed, in 1990, only four of the forty four U.S. ambassadors to Africa were political appointees. However, such decisions as to whether to go public or not are for individual ambassadors to make. Personality of the ambassador also matters.

One of the problems with the diplomatic lever is that where the regime is so recalcitrant and obdurate over reforms, if not applied carefully, it can have negative repercussions in the long term. This is especially so because promotion of democracy as a policy goal entails direct interference in a country's internal affairs. Care should be

taken not to create such an adversarial relationship with the target regime that it would be difficult to pursue other diplomatic interests amicably. In the main, the embassy should be able to apply diplomatic pressure for democratic reform while at the same time being able to coordinate with the host government on matters of mutual interest. Indeed, the embassy needs to have a civil relationship with the host government of the day. A confrontational relationship undermines faith and trust which are crucial for fulfilling the traditional diplomatic roles. In Kenya's case, Hempstone's open association with the opposition and his open public brawl with the Moi regime was a problem when Moi was reelected. The problem with the adversarial approach is that difficulty occurs when the incumbent regime being pressured returns to power. Moi returned to power and the U.S. had to live with the hard truth that they were going to deal with the same government they had antagonized.

### **Unilateralism or Multilateralism?**

One of the major issues facing U.S. foreign policy in the post-Cold War era, in which it is the sole superpower, is whether and when it should adopt unilateral or multilateral approaches in its engagements abroad. This issue is particularly pertinent in the area of promotion of democracy which requires joint effort and coordination with other countries and international organizations. In Kenya's democratic transition, the U.S. employed both multilateral and unilateral strategies. Whether to apply pressure for reform multilaterally or unilaterally depended on the type of policy instrument. In the case of political conditionality, U.S. policy was more multilateral. The diplomatic instrument was deployed in a more unilateral manner. In forging a multilateral strategy to pressure the Moi regime to carry out democratic reforms, the U.S., however, faced

the problem of lack of cooperation from some of the major powers, especially Britain and France. These countries, especially the former, were not willing to accept U.S.' leadership of international pressure in Kenya. Diplomatically, each of them wanted to have an independent policy. Only Germany voluntarily coordinated its diplomatic efforts with the U.S. It was only in the area of political conditionality that the U.S. was able to forge a common front. But even in the case of political conditionality, the European powers were forced into agreeing to the collective suspension of aid by two factors, namely, the Moi government's blatant abuse of human rights and U.S. influential position in the World Bank and the IMF. But even the multilateral alliance on aid suspension did not last for long, for after the elections, U.S. attempts to maintain the collective aid freeze failed as each country decided on its own to resume aid to Kenya. Continued suspension of quick-disbursing aid by the U.S. without a corresponding suspension by the IFIs is not an effective lever for reform.

### **U.S. Policy in the Post-Cold War Era**

The U.S. faced a problem in coordinating international pressure for democratic reform in Kenya partly because in the post-Cold War era, each of the major countries sought to secure its own interests. These interests, however, conflicted with each other's. While in the Cold War era, the West had been united by the common goal of keeping the Soviets out of Africa with the U.S. recognized as the leader, now there was no such common interest.

For students of U.S. policy on promotion of democracy, this study has raised the important issues of the prospects and challenges of the promotion of democracy project in the post-Cold War era. Whereas in the Cold War era, the U.S. was assured of an



almost automatic cooperation and support from its Western liberal democratic allies in its endeavors to influence internal political processes of other countries, that support is not now automatic. The U.S. may find itself increasingly fighting off opposition to its initiatives, not only from the target regime but from its former allies like Britain. In the absence of the Cold War, former allies may have their own agenda which may run counter to U.S. policy. It was easier to secure a collective Western agenda in Africa during the Cold War. The British, for instance, did not seek to undermine U.S. policy in Kenya in the 1960s through the 1980s when U.S. leadership of the Western Cold War front was unquestioned. Absent the Cold War, Britain may want to reclaim the leadership position in its former colony, Kenya.

Another important observation is that the anticipation that the end of the Cold War had "freed" the U.S. to pursue more consistently promotion of democracy appears to have been misguided. What this study has demonstrated is that the Cold War may, indeed, be over, but U.S. policy is still defined in *realpolitik* terms. In the case of Kenya, for instance, even though its geostrategic value in terms of military strategy had waned, its geographical location, relative stability and economic prowess made it significant for U.S. policy in the region. Sometimes, in order to fulfill U.S. interests, the U.S. was forced to relax pressure for democratic reform. Thus U.S. policy is still encumbered by considerations of national interest that occasionally conflict with promotion of democracy as a policy objective. Hence the conflict between concerns for democracy abroad and those for national interests still persist. Indeed, it would seem that despite declarations to the effect that the end of the Cold War had "freed" the U.S. to promote democracy abroad unhindered, this is not the case. As the Kenyan case has

demonstrated, the pervasiveness of national interest as the key determinant of U.S. foreign policy means that policy on promotion of democracy will still be implemented inconsistently. Contradictions and conflicts persist due to the potential conflict between democracy concerns and concrete U.S. interests. Indeed, like in the past, it is sometimes still in U.S. interest to take actions that slow down rather than speed up the democratization processes in target countries.

This study has also underscored the fact that despite the end of the Cold War, U.S. policy on promotion of democracy is still largely reactive, rather than proactive. And, it is not anticipatory. In the Kenyan case, U.S. policy was to react to specific actions taken either by the government or the opposition. For the most part, it was Kenya's (Moi's regime's) actions which were too embarrassing and pushed the Americans to do something. Moi's government kept on backpedaling and doing things on which silence on the side of the U.S. would have been embarrassing to the latter. Indeed, even Britain was forced into some action by Moi's own excesses.

## **RECOMMENDATIONS FOR FURTHER RESEARCH**

This study's findings were limited by its subject and temporal scope, but it has raised other issues which require further research to enrich our understanding of U.S. policy on democratization not only in Kenya but in other countries as well. One area which requires further inquiry is the role of the different actors in U.S. policy on promotion of democracy. As this study has demonstrated Congress, the State Department and the Embassy in Nairobi appeared to play distinct roles at certain times. Sometimes conflicts occurred between them as to how and when to pressure the Moi regime. A detailed examination of the roles played by Congress, the administration in

Washington and U.S. embassies in democratic transitions in specific countries would be much more illuminating. The actor-specific approach could be extended to the role of private and semi-private organizations such as the National Democratic Institute (NDI), the International Republican Institute (IRI), the Robert F. Kennedy Memorial Center for Human Rights, and other human rights groups. This is because some individual actors are exerting strong enough pressure on U.S. policy on democratization abroad. In certain cases, their roles may conflictual. They may have their own agenda which might contradict U.S. official policy.

Another issue raised by this study which merits further inquiry is how the U.S. as the sole superpower is coordinating its policy on democratic transitions with its former Cold War allies like Germany, Britain and France. This would involve carrying out a comparative study of the role of these countries individually and collectively in the democratization process in a single target country. This will enrich our understanding of how conflict and cooperation between and among these powers affect the outcome of such transitions. Such a study will also address the emerging issue as to whether the U.S. should act unilaterally or multilaterally in the post-Cold War world.

#### **POLICY RECOMMENDATIONS FOR THE U.S. AND OTHER EXTERNAL ACTORS**

1. External actors should try to understand thoroughly the social, economic and political setup in the countries where they intervene. In Kenya, the U.S. clearly failed to understand Kenya's political system. Ignorance about how the Kenyan political system operated, for instance, led the U.S. to share the euphoria that Moi's time was over. The failure to appreciate the enormity of the ethnic problem in Kenya led to

counterproductive policies. In particular, the Americans failed to understand that Kenya's was a patron-client system in which the President acted patron, first to his ethnic group and also to a selected few on whose loyalty he depended. The fears of Moi's Kalenjin group were real. Moi could not abandon his clients. The U.S. failed to understand the Kalenjin's fears. The U.S. also did not appreciate political differentiation in Kenya. It also appeared to deny the reality that democratization would be bad for some people in power. They had faith in Moi handing over and thought that opposition was so overwhelming that he would not be reelected. As one of those who have worked on the democracy project in Kenya observed, Americans seem to get perplexed and dismayed that there is ethnic rivalry in Kenya. There was not a deep enough level of understanding of Kenya's political milieu by Americans. The U.S. needs to understand the interests of those in power and the fears and memories of Kenyan people. In order to influence someone's behavior you ought to convince him that you understand the milieu in which he is operating. Inasmuch as Ambassador Hempstone played a prominent role in the external pressure on the Moi regime, he seemed not to appreciate the deep influence of ethnicity on Kenyan politics.

2. External actors should neither take sides nor should they give the impression that they are supporting one side. Partisanship should be avoided at all cost if the U.S. is to play the role of an honest broker. Hempstone's open support for the opposition could not make him trustworthy enough to play this role. In an ethnically polarized society like Kenya, partisanship will most likely draw the U.S. into ethnic politics in Kenya.

3. An external actor should avoid giving the impression that it has the capacity to bring change on its own. Essentially, external actors may only play a catalytic role. Their

influence is limited only to the overtly observable features of the political reform process such as constitutional clauses and laws that need to be repealed, or the release of political prisoners. Beyond the initial opening of the political system, internal actors play a more crucial role. Indeed, whether the transition so initiated leads to real democracy depends more on the political will of both the regime and the opposition. In Kenya's case, Ambassador Hempstone's behavior tended to give the opposition an illusion of greater strength than they had. His paternalistic attitude towards the opposition was evident. He used U.S. diplomatic and economic leverage to try to "babysit" the opposition.

4. To preserve diplomatic leverage, an external actor should avoid unnecessary antagonism with the target regime. What is required is firmness and candidness in dealing with a recalcitrant regime. Public brawls seem to lower the dignity and the prestige of the intervening country.

5. External actors cannot achieve results on their own. Hence the need for coordination with other actors. Thus an individual actor should not only concentrate on unilateral initiatives but should also participate fully in building multilateral frameworks. In Kenya, U.S. role in the emergence of the DDDG was important. External actors should encourage such multilateral frameworks if their policies are to have meaningful impact. The U.S., in particular, should improve its level of consultation with other countries and IMF and World Bank.

6. Although public diplomacy can reinforce private diplomacy, press statements could be easily misunderstood by both the government and the public.

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