

## DEMOCRATIC EXPERIENCES AND PRACTICES IN KENYA (1992-2013): A CRITICAL ASSESSMENT

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### ABSTRACT

*The years of 1960s and 70s, Kenya was often portrayed as one the few successful democracies in Africa. Compared to other African states, Kenya exhibited some democratic achievements by the occurrence of regular competitive elections, and in 1978, a peaceful transfer of power. This, however, was short lived as Murungi (1992) observed that a few years later, President Daniel Arap Moi discarded the subtle façade of democracy and openly altered the democratic institutions and processes of political participation in Kenya. Among such changes was the introduction of queue system of voting, change of constitution among others. Thus, Kenya which had started as a young democracy at independence, instead of improving, deteriorated to a point when people started to call for democracy. This paper examines democratic practices and experiences in the contemporary Kenya between 1992 and 2013. The examination is based on the democratic ideals which include, but not limited to, freedom to form and join organizations, be they political parties, social movements, or civic, professional and welfare associations; freedom of expression and movements; universal adult suffrage; eligibility, in principle, of any citizen to seek public office; right of political leaders to compete freely for support and votes; free, fair and competitive elections; accountable governmental decision-making institutions; and freedom of elected officials from overriding opposition emanating from unelected officials.*

### Introduction

The year 1991 saw the change in Kenyan constitution which allowed multi party politics. The following year, 1992 became the year associated with the introduction of democracy in the country since this was the year when the multi party elections were held in the country. Therefore, from 1992 to present, Kenya has been a democracy. It is however, noteworthy that democracy as a form of government, a practice and a process through which decisions are arrived at is a system which once embraced, can be detected and even be determined in the way a government carries out its functions. This determination can be done through an examination of how a government conforms and embraces the various democratic ideals and practices. In this paper, we discuss how Kenya has actually performed in terms of elections, political participation and representation, consultation, rule of law and political accountability.

## Democracy and Elections

Dennis Thompson observed that elections can occur without democracy, but democracy cannot endure without elections (Medvic, 2014). Competitive political elections are defining features of democracy. In a multi party democracy, political parties' normally front candidates who battle it out and the winner is determined by the majority of votes. Rose and Massawir (Medvic, *ibid*) explain that elections serve at least four functions in a democracy; choosing public officials, ensuring accountability, influencing the direction of policy and granting legitimacy to governments. Through elections, citizens get a chance to choose whom they want as their leader and also serve them in various offices. Through these leaders, they also voice their opinions that influence decision making as well as granting mandate to the leader to implement their decisions.

Besides elections themselves, election processes are important aspects in so far as the authenticity of election outcomes are concerned. In a working democracy, authentic elections are those carried out regularly, and in a free and fair manner. A free electoral process is one where fundamental human rights and freedoms are respected, while a fair electoral process is one where the "playing field" is reasonably level and accessible to all electors, parties and candidates (*ibid*). A state that exhibit anything contrary to these, violates one of the important democratic aspects, and hence can be termed undemocratic.

From 1992 to 2013, Kenya held a total of five elections under a multi party system. From these elections, we could establish a trend which can enable us conclude whether Kenya has been democratic as expected, or not. After the 2002 general elections, a group of commonwealth observers commented there was no doubt that the electoral process was credible, the conditions existed for a free expression of will by electors and that the results reflected the wishes of the people of Kenya (Commonwealth Secretariat, 2013). The same group, after observing the 2007 general elections concluded that electoral commission of Kenya had not succeeded in establishing the integrity of the tallying process, thereby bringing the validity of the election results into question (*ibid*). This is an affirmation that there are indications which qualify Kenya as democracy, yet there are others that explain why fully democracy has not been realized. Nonetheless, the following trends have been established to characterize elections in Kenya since 1992;

### **Election Rigging**

Allegations of election rigging are commonplace in African politics. In Kenya, all the five multi party elections have not been free from these claims. Mutuma Mathiu (2011) contends that in Kenya, electoral thievery is as old as the hills. His doubt is whether there have fair election since 1957. According to Obiero Ogone (2008) in Kenya, the environment for rigging is so enabling, even those who do not plan it find themselves beneficiaries. Rigging in an election constitute a malpractice where an individual or a group employ unconstitutional or unlawful means to gain due advantage over the opponent. This usually amounts to inauthentic election results.

Since the introduction of multi party politics, claims of rigging have dominated all the elections. These have taken different and varying styles ranging from multiplication of ballot papers, importation of voters, manipulation of results, exchange of results to declaring losers as winners. In most of these claims, the opposition have been on the receiving. Claims of the ruling government using state machinery to get advantage over the oppositions have also been part of the rigging.

Rigging is a violation of rules of the game in an election. In a free and fair election, all the players are accorded equal chances of either winning or losing. In any rigged results, the loser is always the disadvantaged. In Kenya, it is clear that the opposition has been disadvantaged in the multi party elections.

### **Electoral violence**

A report by The Youth Agenda (2007) indicates that every elections held in Kenya since independence and the by elections in between, have been characterized by varying degrees of electoral violence. Electoral violence refers to the violence that happens during the electioneering period. This violence normally start during the campaign period and stretches even after the elections. The violence usually involve the supporters of contestants, or contestants through their supporters whose motive is to intimidate the opponent so that he or she does not freely participate in the process.

Besides opponents and their supporters engaging in direct violence against each other, sometimes contestants hire goons and militia groups to mete violence on the opponent's supporters. Such groups as the *Mungiki*, *Taliban* among others are known to be hired by

individuals or groups or even government of the time to cause violence, which takes varying shapes. Lafargue (2009), elaborates this thus; violence, a recurring phenomenon after the beginning of multipartism, became a tool used by the government to stamp its dominance in the Kenya society. Termed ethnic confrontations, land battles, livestock theft, border clashes or banditry, these acts occurring in a local framework of deep conflicts also had a hidden agenda of terrorizing the population suspected of supporting the opposition in order to prevent them from voting. The results of this violence has been displacement of people, deaths, and injuries which have had a bearing on the practice of democracy in Kenya.

Friedrich Engels (1820-1895) explained this violence in terms of class struggle. He believed that even given universal suffrage and free elections, violence will be unavoidable (Hall & Jarvie, 1996). This is because; politics entails class differentiation, the privileged political class, and the rest of the citizenship. In this case, the political class resorts to violent means to maintain their status, especially from those with political ambitions.

### **Political Participation, Representation and Policy Congruency**

One indicator of a democratic society is the extent to which its members participate in the affairs of the state. Political participation, according to Bratton (1999) is a multidimensional concept; involving far more than voting in elections, it includes election campaigning, collective action around policy issues, contacting political representatives, and direct action like protests and demonstration. He further poses that it would be expected that transition from authoritarian to democratic rule would be accompanied by citizen activism. After all, democratization often originates in popular demands for long-denied rights of expression, association, and political representation. This has not been the case with elections in Kenya.

According to Rosema, Aarts and Denters (2011), the most essential features of democracy has been that of political representation... and the classic idea that the ultimate aim of democracy is to establish government policy that reflects the preferences of its citizens. Representation is about inclusion into the political processes and decision making. It is about taking into consideration the interests of all the members of the state with regard to the uniqueness of each group present. By group present, we refer to women, youth, those with special needs among others. Dahl (Gallego, 2015) points out that a democratic government should be continuously responsive to the preferences of its citizens, considered as political equals. It is further noted that unequal

participation produces unequal representation, that is, it privileges the interests, preferences, and needs of some citizens over others, thus corrupting the democratic process. In line with this, it should be noted that its only individual group that knows best its needs and hence inclusion will bring about proper representation. This implies that the individual must have an open political channel, either direct or indirect, through political parties and other interest groups to convey his needs and problem (Gildenhuis, 2004). In this respect, representation and participation should be reflected within parties, national politics and in policy making structures.

### **Women Participation**

Since the introduction of multi-party politics in Kenya in 1991, the level of women's participation in democracy and electoral processes have not improved (Kasongo, 2005). Study findings indicate that women are poorly represented in high decision-making levels. The country had witnessed a decline in the number of women in positions of leadership both at national and local levels (ibid). It is observed that most legislators are men in a parliament where women are grossly under-represented, yet decisions or policies made at the national levels are likely to affect women's well-being. It is therefore important that women's views be taken into account. This low women participation points to a number of observations; first, that either women are not interested in politics and in decision making position; or second, that women are denied chances to participate, or thirdly, that prevailing conditions and rules of the game do not allow women a fair playing ground.

At the initial stages, women were not allowed to participate in politics due to patriarchal norms which preferred men over women. Although women had been interested, culture, and not constitution, prevailed over them and allowed men to dominate. Together with this, the prevailing electoral conditions have not favoured women contestants. Physical violence and financial implications that characterize politics have been the major obstacles for women. Murunga and Nasong'o (2007) contends that women who ventured into politics were not spared the psychological impact of the culture of physical and verbal violence that in turn generated a culture of fear and silence. That throughout the 1990s, political violence and gender biases/stereotypes remained women's greatest obstacles in political participation. As noted above, Kenya elections have been characterized by violence, usually instigated by men, who also

happen to be property owner. These two guarantee them limited competition from women who are less violent (Straus & Gelles, 1990) and not well economically endowed.

From the above, it can be concluded that Kenyan system is inclined towards male gender and unfavorable to female. Despite the fact that women have had interest in politics and other positions, the one sided governments have not accorded them fair chances of thus end up not participating equally as men. Thus, their participation is low.

### **Political Consultation in a Democracy**

Democracy, in its very nature is consultative. Instead of a decision being by one individual, views of the stakeholders are considered in order to avoid conflicts. One of the major weaknesses that have haunted political leadership in Kenya has been to do with consultation in matters of decision making. Individuals in leadership positions have been accused of making political decisions without consulting the views of stakeholders. The independent constitution gave the executive much power and therefore both Kenyatta and Moi were covered by the constitutional mandate which allowed them to make decisions solely without consultation, unless they deemed fit. It can, however, be noted that even though the law did not state it out, the two governments had the cabinet who were supposed to advise in crucial matters.

With the introduction of multi party politics, the National Alliance Rainbow Coalition (NARC) government was founded on the basis of consultations and deliberation in line with the famous Memorandum of Understanding (MoU). As a matter of fact, what gave birth to the so called MoU was the deliberations and consultations between the officials of different parties which formed NARC. Nonetheless, this was only at the initial stages. As soon as NARC came to power, the same accusations of limited consultation came up with one section of the coalition, Liberal Democratic Party (LDP) accusing the executive of not consulting them on issues of national importance. This was against the spirit of the coalition.

This same problem came up in the PNU- ODM Government of National Unity. According to the agreements between the two, commonly referred to as the Kofi Annan's Peace Accord, any decision made by the president will be in consultation with the Prime Minister. The consultative relationship between the two is best captured by Joyce Nyairo (2015) in her book *Kenya @50: Trends, Identities and the Politics of Belonging*. Coalition government – *Serikali ya Mseto* –

became a code-name for heightened animosity and a fractured government. Like a dysfunctional sieve, the two-headed government leaked from every corner. Besides the perpetual “I was not consulted,” stood an obdurate Kibaki making pronouncements left and right as if he truly couldn’t see the man standing on his right-hand shoulder.

Consultation is still elusive even at lower levels of representative politics. Whereas Njogu and Olunya (2007) observe that the culture of democracy (tolerance of dissent, representation, consultation and consensus) needs to develop from the grassroots, Mwanzia and Strathdee (2010) point out that this has not been the case. That contrary to participatory democracy, representative democracy tends to increase individual power, not collective power to make decisions...in practice, many representatives fail to consult the communities that elected them and they speak out their own ideas. They also fail to give feedback to the communities they purport to serve. This is common with elected leaders such as the members of parliament and members of county assembly who make decisions contrary to the wishes of their electorates and which do not reflect their needs at all.

### **Rule of law**

The United Nations define the Rule of Law as a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards (UNDP, 2013). Implicit in this definition are three things, supremacy of the Law, equality of enforcement and independency of bodies that adjudicate the laws. Any state that proclaim and accept rule of Law, the Law has to be supreme and above any other subjective opinion. In an attempt to enforce this law, the determining factor should be justice, in the sense that what the law stipulates should be the basis of decision making, and not any other consideration. Also, those who are responsible in adjudicating should be people of integrity and independent minded, not to be swayed by anything else, apart from what the law stipulates.

In the Preamble of the Constitution of Kenya, it is stated that Kenya as a people aspire for a government based on the essential values of human rights, equality, freedom, democracy, social justice and the rule of law. Chapter One, section 2 (i) of the same constitution assets that the Constitution is the supreme law of the Republic and binds all persons and all State organs, while

article 159, section 2 (a) notes that in adjudication of law, justice shall be done to all, irrespective of status (KLR, 2010). These are affirmations that Kenya is a democracy guided by the rule of law. This affirmation notwithstanding, some of the activities, decisions and pronouncements have been on the contrary.

### **Independence of Judiciary**

An independence judiciary is essential to the Rule of Law, which is in turn the bedrock of a democratic society, and the only basis by which public bodies and the executive can exist (Wagstaff, 2014). Mbote and Akech (2011) observe that lack of independence of the judiciary has been on the greatest threats to the rule of law in Kenya. They add that successive governments in Kenya have circumvented the prescriptions of law when they found them to be a hindrance to the attainment of their short-term political interests. Further, parliament has interfered with the separation of powers by passing laws that give its members executive powers. As a result of this, the Kenyan courts have been unable to make just rulings, which in turn have resulted into conflicts and violence.

The Kenya parliament in 2000 affirmed that the whole doctrine of judicial precedence has been greatly undermined by interference in judicial decision making process, noting that even election petitions in this country have become a game of chance (GoK, 2000). This tendency make the citizens lose confidence in the judiciary, hence end up being insecure. In Thomas Hobbes' view, the natural causes for conflict are based on insecurity, absence of agreed standards, and lack of a common power. Nonetheless, the establishment of rule law can solve the conflict or turn enemies into friends (Bunce 2009). This can only happen if people are subjected to a common standard and power.

It should further be noted that the constitution of Kenya, Article 160, section (1) mandate the judiciary to only act in accordance to the Constitution and the Kenyan law, and shall not be subject to the control or direction of any person or authority. In this respect, interference with the judicial system amounts to undermining of the same constitution.

### **State appointments**

In Kenya, appointment to public offices is governed by the law. There are laid down procedures which appointing authority should follow, and the qualifications which the appointee has to



meet. Enshrined in these procedures and qualifications are national values as stipulated in the constitution. Among these values are; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized (KLR, 2010). The constitution obligates the appointing authority, in many cases the president, to respect, uphold and safeguard its provision; safeguard the sovereignty of the Republic; promote, enhance and symbolize the unity of the nation; promote respect for the diversity of the people and communities of Kenya; and the ensure the protection of human rights and fundamental freedoms and the rule of law (Mbondenyei and Ambani, 2012). What this implies is that the constitution of Kenya is an all inclusive document, and if followed, then the virtues of justice and fairness shall be realized.

Some of the past appointments to state offices have, however indicated disrespect to the said constitutional provisions, a situation which has raised many controversies, complaints and criticisms. A case of this was the president's appointments to key State Parasitatal, which were faulted by Commission for the Implementation of the Constitution (CIC) (Mbaka, 2014). According to the Commission, the appointments did not uphold confidence in the office to which appointments were made, and that even the manner in which they were made, did not promote public trust in the appointing authority as required by the law. In the commission's view, the appointments were based on political considerations, favouritism, nepotism, improper motives and corruption, and lacked transparency and accountability, which are the key requirements by the law.

Similar complaints were raised by Hassan Omar Hassan (2012) against Amos Kimunya's appointments of Kenya Ports Authority (KPA) Board of Directors. In Hassan's view, the appointments constituted ethnic imbalances which was a contravention to the constitution, and denied other Kenyans their fair share and representation.

These, among others, point to the extent to which appointments to state offices contravene the provisions of the constitution. Whereas the law is clear on the procedures, criteria and qualifications, appointing authorities have been driven by other motives including ethnicity and political inclinations in their appointments. This, according to John Rawls (1999), is immoral and shows how unjust the society is. He contends that the sentiment of justice is not a different desire from that to act on principles that rational individuals would consent to in an initial

situation which gives everyone equal representation as a moral person. In other words, any right thinking human person should be aware of just situations.

### **Political Fairness**

Garrett (1999) has noted with all aspects of modern politics, money is crucial to success. Qualification for the ballot and the ability to trigger a popular vote – money is virtually always sufficient for success, and it is becoming a necessary component as well. The influence of money in the day today life of Kenyans cannot be overstated. Money controls all aspects of life, and without it, nothing can be achieved. In politics, money has taken over political ideologies, manifestos, and meritocracy, and thus those who participate in the leadership are those with money.

The significance of money starts right away from the voter registration to last stage of voting and tallying of votes. During the time of voter registration, rich politicians buy out poor voters, especially from their opponents' strongholds not to register as voters with the aim of minimizing their numbers. A case of this was reported by Thibon et.al (2014) that during the 2013 general elections, many young people were unable to obtain the required identity cards, and rumors that political parties were buying up identity cards to prevent certain voters from registering. This was widespread in the slums and aimed at deterring certain segments of voters from registering at all. In 2002, towards the general elections, it was reported in parliament that a voter buying exercise was going on the countryside. That the KANU machinery was buying votes as they had discovered that the only way they could win was reduce the numbers of votes cast by buying votes and throwing them away (GoK, 2002).

Resnick (2014) reported that political parties encourage loyalty among the urban poor by disbursing money, T-Shirts, food, and other selective benefits during electoral campaigns. Voters see such handouts as an indicator of future benefits they may receive if that particular party came into office. From this situation, one major question that we ask is why would one use money to sway a decision? An obvious answer is lack of popularity and convincing manifestos which are key to election and decision making situations. Use of money in Kenyan politics is meant to inhibit free decision, and instead appeal to one's situation.

### **Political Accountability and government institutions**

Butler (2013) noted that in adopting the democratic principle of multiparty elections, Kenyan politicians entered into a new political world where accountability, a key characteristic of a functioning democracy, would be expected from leaders. Claasen and Alpin (2010) define political accountability as the requirement of those in power to explain and take responsibility for their choices and actions. Nyasani (2010) adds that accountability is a state of qualified transparency whereby an individual undertakes to steer clear of any dubious and underhand deals which might threaten to mar/his/her own reputation and that of the general public through acts of commission or omission. It is an ability to ensure that officials in government are answerable for their actions. Accountability ensures that people operate according to the expectations of their positions, and execute them with good intention.

Ziegenhain (2015) identifies three kinds of accountability, which he regards as essential for deepening of existing democracies. The first is electoral accountability which refers to the mechanisms in which citizens hold those in power accountable for their action via elections. This is an audit kind of, where citizens' expectations are used as the benchmark to evaluate the performance of those in power. Elections are the climax of this kind audit, and they are used to vote out non performers or those who went contrary to the laid down regulations and people's expectations. The challenge to this kind of accountability, though is that it requires citizens' awareness in regard to their rights and freedoms, as well as civic education.

The second kind of accountability is the vertical, which he refers to as the division of political and interaction between national and sub national levels of government. Butler (2013) terms this as a relationship between unequal parties as powerful actors are held accountable by inferior groups such as citizens, civil society and the mass media. Or it also occurs within the political system when higher-ranking officials hold subordinates accountable. This is a two way accountability, where the process owner tasks those below him, while at the same time he is answerable to the citizens.

Horizontal accountability is the third. Both Butler and Ziegenhain agree that it concerns actors on a level playing field. It commonly through the separation of process between different branches of government that is able to enforce a system of checks and balances on one another.

In a democratic government, the executive, legislature and judiciary are expected to operate through this kind of relationship.

The Kenyan accountability status is summed up by Butler (ibid). Kenya is a glaring example of the need for improved accountability, as the political history of the country has been plagued by “bad governance, divisive ethnic based politics, tribal clashes, massacre, gross violation of human rights, gender violence, dehumanizing poverty, high level corruption, economic stagnation, and impunity. This history reveals that activities and behaviours of people in various departments and sectors, both leaders and subordinates have on many a times displayed lack of accountability. On the part of leaders, cases of irresponsible utterances, misuse of public offices and resources, coupled with corruption have marred local and international media. Institutions such as the legislature and the executive have topped the list of condoning the vice. Anassi (2004) points out corruption among the police and notes that such reflects a lack of institutional accountability.

Public accountability is central to good governance. Such a lack of real accountability, as Hope (2012), puts it, is major bane of Kenya, which has bred irresponsibility among public officials. In this case, most public officials have behaved and acted contrary to what their offices mandate them to. This situation, however, has been contributed to due to lack of public involvement in the affairs of the state. Claasen and Alpin (ibid) observe that accountability requires two things, first, a strong public voice and strong accountable institutions and rules, and two, the international community. In a situation where the public does not take part, leaders tend to take advantage and relax in their mandate.

### **Conclusion**

This paper has attempted to evaluate democratic practices and experiences in the contemporary Kenya. In line with democratic ideals suggested by Murunga and Nasong’o (2007), which include; freedom to form and join organizations, be they political parties, social movements, or civic, professional and welfare associations; freedom of expression and movements; universal adult suffrage; eligibility, in principle, of any citizen to seek public office; right of political leaders to compete freely for support and votes; free, fair and competitive elections; Accountable governmental decision-making institutions; and freedom of elected officials from overriding opposition from unelected officials, the essay established that Kenyan democracy has evolved in

stages through different regimes. It affirms Kenyan democracy, between 1992 and 2013, experienced challenges specifically from the government of the day.

The paper notes that the actualization of contemporary democracy has been stagnated by some individual and institutional practices that contradict the realization of the common good. Democratic deficiencies were found to exist in elections and electoral processes as manifested through election rigging and violence; minimal and to some extent lack of political participation, especially by women; limited consultation; lack of rule of law, especially in the interference of the judiciary and skewed state appointments; monetized politics and corruption; and lack of political accountability.

## REFERENCES

- Anassi, P (2004). *Corruption in Africa: The Kenyan Experience*. Victoria: Trafford Publishing
- Bratton, M (1999) "Political Participation in A New Democracy: Institutional Consideration from Zambia" in *Comparative Political Studies*, Vol. 32 No.5, August 1999, 549-588
- Bunce, R.E.R (2009) *Thomas Hobbes*. London: Continuum International Publishing Group
- Butler, J (2013). "Evolving Political Accountability in Kenya" in Falola, T. & Achberger, J. (2013). *The Political Economy of Development and Underdevelopment in Africa*. NY.: Routledge
- Claasen, M & Alpin, L.C (eds) (2010). *Social Accountability in Africa: Practitioner's Experience and Lessons*. Cape Town: Idasa
- Commonwealth Secretariat (2013). *Kenya General Elections, 4 March 2013*. London: Commonwealth Secretariat
- Gallego, A (2015). *Unequal Political Participation Worldwide*. NY.: Cambridge University Press
- Garrett, E (1999) "Money, Agenda Setting, and Direct Democracy" in *Texas Law Review*, June 99, Vol. 77:1845
- Gildenhuys, J.S.A (2004). *The Philosophy of Public Administration: A Holistic Approach*. Stellenbosch: Sun Press
- GoK. *National Assembly Official Report*, Tuesday, 7<sup>th</sup> November, 2000
- GoK. *Kenya National Assembly Official Report (Hansard)*. Tuesday, 22<sup>nd</sup> Oct, 2002
- Hall, J.A & Jarvie, I.C. (1996). *The Social Philosophy of Ernest Gellner*. Amsterdam: Rodopi B.V.
- Hassan, O.H (2012) "Parliament Must Censure Kimunya over Ethnicity in KPA Appointments." *Standard Digital News*, Sunday April 29<sup>th</sup> 2012.
- Hope, K.R (2012). *The Political Economy of Development in Kenya*. NY.: Continuum International Publishing Group
- Kasongo, T.L (ed) (2005). *Liberal Democracy and its Critics in Africa: Political Dysfunction and the Struggles for Social Progress*. NY.: Zed Books Ltd
- KLR (2010) *The Constitution of Kenya*. National Council for Law Reporting
- Lafargue, J. (2009). *The General Elections in Kenya, 2007*. A Publication of French Institute for Research in Africa (IFRA), Special Issue. May – August 2008

- Mbaka, J (2014) "Charles Nyachae Faults Uhuru on State Appointments." Standard Digital News, Monday, January 13<sup>th</sup> 2014*
- Mbondenyi, M.K & Ambani, J.O. (2012) The New Constitutional Law of Kenya: Principles, Government and Human Rights. Nairobi: LawAfrica Publishing (K) Ltd*
- Mbote, P.K and Akech, M (2011). Kenya Justice Sector and the Rule of Law. Johannesburg: Open Society Foundations for Eastern Africa*
- Medvic, S.K. (2014). Campaigns and Elections: Players and Processes. NY.: Routledge*
- Murunga, G.R & Nasong'o S.W (eds.) (2007). Kenya: The Struggle for Democracy. London: Zed Books Ltd*
- Mutuma, M (2011) "How we Learnt the best way to Steal Elections" in Daily Nation, 22/9/2011*
- Mwanzia, J.S & Strathdee, R.G (2010). Participatory Development in Kenya. Burlington: Ashgate Publishing Company*
- Njogu, K. & Olunya, G.O (eds)(2007). Cultural Production and Social Change in Kenya: Building Bridges. Nairobi: Twaweza Communications Ltd*
- Nyairo, J (2015). Kenya @50: Trends, Identities and the Politics of Belonging. Contact Zones NRB Text – 15*
- Nyasani, J.M (2010). Philosophy of Development: An African Perspective. Nairobi: Consolata Institute of Philosophy*
- Obiero Ogone (2008) "Democracy a Mirage as Long as Parties Rig Polls" in Sunday Nation, December 28, 2008*
- Rawls, J (1999). A Theory of Justice, Revised Edition. Cambridge: the Belknap Press of Harvard University Press*
- Resnick, D. (2014). Urban Poverty and Party Populism in African Democracies. NY.: Cambridge University Press*
- Rosema, M. Aarts, K . and Denters, B. (2011) "How Democracy Works: An Introduction" in Rosema, M. Aarts, K . and Denters, B. (eds) (2011). How Democracy Works: Political Representation and Policy Congruence in Modern Societies. Amsterdam: Pallas Publications*
- Straus, M.A and Gelles, R. (1990). Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families. New Brunswick: Transaction Publishers*

*The Youth Agenda (2007). Who is Guilty? Youth Perspectives on the 2007 Pre-Polls Electoral Violence in Kenya. Nairobi: The Youth Agenda*

*Thibon, et.al. (2014). Kenya's Past as Prologue: Voters, Violence and the 2013 General Election. Nairobi: Twaweza Communications Ltd.*

*UNDP (2013). Rule of Law and Access to Justice in Eastern and Southern Africa: Showcasing Innovations and Good Practices. United Nations Development Programme*

*Wagstaff, R.H (2014). Terror Detention s and the Rule of Law: US and UK Perspectives. NY.: Oxford University Press.*

*Ziegenhain, P. (2015). Institutional Engineering and Political Accountability in Indonesia, Thailand and Philippines. Singapore: ISEAS Publishing*