MONETARY CLOUT AND ELECTORAL POLITICS IN KENYA

The 1992 to 2013 Presidential Elections in Focus

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ABSTRACT

This article sets out to analyse the role and impact of monetary power in Kenya's presidential elections. It examines the economic advantages or lack thereof which each of the candidates marshalled to fight the elections and the extent to which the economic edge determined the final outcome. The article focuses on the five presidential elections Kenya has held since its first multiparty dispensation. The analysis traces the consistency of trends and the presence, or absence, of patterns in an attempt to draw generalisations and parallels, and demonstrates how economic wealth has been used by Kenyan presidential candidates since 1992 to influence and win elections. The article contributes to a comprehensive understanding of the conceptual, legal and practical development of the role of money in supporting and/or discrediting presidential electoral processes and outcomes in Kenya.

INTRODUCTION

In most African 'emerging democracies' (Cameroon, Zimbabwe, Democratic Republic of Congo, Kenya, Côte d'Ivoire and Sudan, to name just a few) where there have been reports of less than ideal electoral processes, money is believed to have played a central role in skewing election results in favour of those who control greater wealth – public or private.

In all the elections held between 1992 and 2013 in Kenya money was an important factor in defining politics and the nature of democracy. It has therefore become a 'necessary evil', owing to its worth and growing use as a determining factor in the fate of the candidates. Bakari (2002, p 271) argues that Kenyan politics has been all about money for a long time and that those who had money controlled politics. Former leaders, for example, Daniel arap Moi, the second president, who held office from 1978 to 2002, not only used money to manipulate government contracts and consolidate patronage by appointing cronies to high governmental positions, but also to enable him to give out public lands in attempts to win votes.

According to a report by the National Democratic Institute for International Affairs (NDI) (Bryan & Baer 2005), the availability or otherwise of money has enormous influence on the conduct and nature of general elections. Likewise, the high costs of elections have a direct bearing on two ingredients of electoral democracy, namely, popular participation and fair contestation. Money arguably determines the very basics of democracy (Mwangi 2008, p 268). As we illustrate in this article money is a versatile resource which helps muster support for political parties and strengthens and safeguards their influence in society.

While it is not the sole defining factor in electoral outcomes, if a political party does not have money its leaders and supporters may fail to achieve political participation through representation, which, in turn, often fosters the democratic protection of their interests. Therefore, the question of money in maintaining political parties and winning power through elections, we argue, is very pertinent to the conduct of elections and the building of democracy – which is not to say that the practice of democracy revolves solely around elections.

The importance of money to elections brings many questions to the fore: What role does it play? How and to what extent does a candidate's or a party's wealth influence election outcomes? With specific focus on the Kenyan presidential elections from 1992 to 2013, this article attempts to examine the consequences for electoral processes of the economic/monetary opulence of candidates running for the office of president and the impact of money on electoral outcomes.

It is common knowledge that candidates standing for public office have one shared goal – they all want to win. However, in other ways they differ. As candidates and, more importantly, as individuals, they have personal merits and qualities (such as education, talent, drive, popularity, value system and so on) and advantages or disadvantages (such as ethnic or regional affiliation, and so on) that can enable them to win or make them lose elections. But we argue that it is the spending power of the candidates that far outweighs the impact of all the other factors combined.

CONCEPTUAL FRAMEWORK

Elections, which are held to transfer governing rights, constitute one of the many defining and practical instruments of democracy that allow citizens the right to wield their human, civilian and constitutional rights. According to Kanyinga, Okello & Akech (2010, p 3), participating in elections is an ideal democratic moment that provides citizens with the opportunity to 'evaluate regimes, sanction or reward leadership based on performance and policy'. This notwithstanding, one major challenge in organising general democratic elections, especially presidential elections, relates to sponsoring and managing the election campaigns and activities.

Generally, campaigns organised for presidential elections are bigger and more ostentatious than those carried out for election to other public offices. Jacobson (2006, p 199) asserts that campaigns are an integral part of other electoral undertakings that influence the outcomes of elections. Jacobson traces this influence to the knowledge that campaigns enable voters to evaluate the contesting candidates and that voters' decisions are based on information about the candidates acquired during the run-up to the elections.

While this phenomenon is recurrent, another element is that the success or otherwise of election campaigns depends heavily on the financial resources of the competing candidates or their political parties. In support of this line of argument Campbell (2005, p 1) highlights the possible impact of money on voter turnout and on governance and how monetary incentives can influence voters' decisions. The disproportionate effects of money on election outcomes suggests the potentially enormous impact of this single factor on countries where elections are part of the political process.

To highlight the undesirable role money has played in some situations, as was the case in the Kenyan presidential elections, is not to discount its useful and positive role in the organisation and running of election campaigns and activities. There are challenges in coordinating and managing election campaigns and the monetary investments involved therein. These reside in the fact that often the use of resources devoted to conducting and steering campaigns are not limited to promoting the political platforms of the contending candidates but are also employed to undermine and corrupt the electoral process, mislead voters and eventually marginalise other candidates, who control less wealth and resources.

The relationship between money and elections has remained a tacit area of focus in political and academic research. Electoral outcomes most often, especially in the context of 'African democracies', have been, to some extent, influenced by the wealth of the candidate(s) or their parties. This is not a new phenomenon, given that contenders for public office and rulers have, throughout history, leveraged the power of the economic upper hand of the wealth they own or control, or the strong economic muscle their political base provides to gain an edge over rivals, competitors, and detractors.

The modern political landscape is replete with political systems in which rulers and governing bodies – monarchs, military dictators, elected heads of state, legislatures – across continents rely on their economic and financial clout, whether ill-gotten or legitimately accumulated, to gain access to and/or maintain political power. The distinct and determinant role economic power plays in politics is universal in that individuals, political parties and interest groups with the greatest access to and control of financial and economic resources shape, in varying degrees, the outcomes of political processes in developed as well as developing countries. Presidential elections represent the epitome of political life in any society and, for this reason, encapsulate the intensity with which the interplay of the economic clout/political advantage dichotomy is manifested.

As Mwangi (2008, p 268) rightly states, money is a vital aspect of elective politics and of the shaping of democracy. Evidence from Kenya, South Africa and Ghana, to mention just a few countries, has shown that strong political parties are essential to open, competitive democratic politics, particularly in emerging democracies. The creation of a national network for a political party requires a huge amount of resources to fund, among other things, advertisements, outreach programmes, campaigns and membership recruitment. Without finances parties have little chance of surviving and those who have the power and the money are able to dictate, while the masses are merely tolerated (Fawole 2005, p 160).

LEGAL FRAMEWORK

Kenya lacks a credible legal framework regulating the funding of elections and election campaigns. The Political Parties Act of 2011 does, however, regulate how money is sourced by political parties. Article 29 of the Act stipulates that political parties should be transparent in and accountable for the way they spend their monetary resources.

They must reveal the amount of money received from various sources of the spending Fund, such as funds not being less than zero point three per cent of the revenue collected by the national government as may be provided by Parliament; contributions and donations to the Fund from any other lawful sources, including from its members; and their own income and expenditure; as well as their assets and disbursements. The Act directs that monies allocated by the Fund to a registered political party must be used for purposes compatible with democracy, including:

- Covering the party's election expenses and communicating its policies;
- Organising civic education in democracy and other electoral processes;
- Bringing the party's influence to bear on the shaping of public opinion; and
- Administrative and staff expenses of the party, which must not be more than 30% of the funds allocated

The Political Parties Act 2011, Article 24

In spite of this, another debate that focuses particularly on campaign financing is underway. Kenya's 10th Parliament (from 2008-2013) was presented with the Campaign Finance Bill 2012 for enactment into legislation that would regulate the use of money during elections. The Bill proposes that a candidate who or a political party or a referendum committee which receives contributions under this Act shall:

- Use the contributions to pay for party nomination expenses, election campaign expenses, or referendum campaign expenses as the case may be;
- Issue a receipt for every contribution received; and
- Keep a receipt and documentary evidence of all expenditures.

The law was drafted to enable the Independent and Electoral Boundaries Commission (IEBC) to fulfil the constitutional provision found in section 88(2)(i), which makes the commission responsible for 'the regulation of the amount of money that may be spent by or on behalf of a candidate or party in respect of any election'. However, as noted in the African Union Elections Observation Mission (AUEOM) Report (2013, p 9), the Bill was not passed and the electoral process took place without any campaign finance regulation in place. In its recommendation, the AUEOM (2013, p 18) proposes that a comprehensive legal framework for party and campaign finance regulation should be passed into law by the next Parliament to ensure probity, transparency and fairness in electoral financing.

MONEY AND POWER IN THE 1992 ELECTIONS

Since the emergence of multiparty elections in Kenya in 1992 it has become evident that it is only those parties that have huge resource bases that have continued to win elections. Prior to 1992 the one-party system had built a monopoly under the presidency, leaving no space for relevant competition in presidential elections.

The genesis of multipartyism and eventual elections therefore meant the ruling party had to brace itself against stiff competition from an opposition that was determined to take over government.

According to Barkan (1993, p 94) and Foeken & Dietz (2000, p 135), the apparent reality of what lay ahead for the Kenya African National Union (Kanu), given the new system, prompted it to dispose of large amount of (state) money to set up national secretariats for its support groups, with full-time staff, in preparation for the elections. Throup & Hornsby (1998, p 351) allude to the fact that vast sums were allocated by the central government to fund the campaigns of candidates representing the ruling party.

Throup & Hornsby (1998, p 358) also point out that huge amounts of taxpayers' money – about KSh 2-billion (US$208-million) were funnelled into Moi's election campaign. The funds were used for a variety of purposes ranging from hiring transport for voters and bodyguards for candidates to employing thugs and distributing party T-shirts and even cash to passersby.

These actions were intended to garner support among the majority of poor Kenyans, most of whom were persuaded by one meal to cast their vote. Barkan (1998, p 94) asserted that prior to the 1992 elections the government had organised an array of pro-KANU campaign organisations, using a flood of misappropriated public funds. Surprisingly, Moi not only used money to buy people's support but also to woo opposition supporters to return to Kanu. Barkan further notes that several North Eastern opposition candidates were given cash handouts in an effort to persuade them to defect to Kanu.

Against this backdrop, Barkan (1998, p 94) underscores that 'so great was the flow of money from the Central Bank of Kenya to the president and KANU nominees that the money supply increased by an estimated 40 percent during the last quarter of 1992'. As a result of money laundering, the whole process of buying voters and their support with money destabilised the economy and the Moi regime found itself in difficulties. While the possibility of losing power as a result of economic challenges plunged Moi into a state of anxiety, it did not deter him from his plan and his attempt to win the presidential election.

Githinji & Holmquist (2012, p 61) aver that one of the easiest way for Moi to achieve this was to urge the government to print more money, thus leading to inflationary surges around elections in a country that had relatively low levels of inflation. In 1991,

> inflation reached 20 percent, the highest it had been since 1982. For the next three years subsequent to 1991, it reached an all-time high of 45 percent in 1993 before falling to 28 percent in 1995, and then below 10 percent in 1996.
>
> Githinji & Holmquist 2012, p 61

While this signalled the beginning of the test of true democracy, what was left was political manipulation and greed for money and power.

Relatedly, reports in the *Daily Nation* detailed that Moi's administration had, in the run-up to the 1992 election, manipulated the economically vulnerable youth, who had very few, if any, resources, to eke out a living through recruitment into unscrupulous groups. Youths like the Youth of KANU '92 (YK '92), and Operation Moi Wins and Toroitich [Moi's middle name] Till 2000, under the leadership of people like Cirus Jirongo, Julius Sunkuli and William Ruto, were used to gather money, buy votes on a large scale and intimidate voters and candidates (*Daily Nation*, 21 and 26 November 1992), thus partly ensuring Kanu's victory that year.

While Kanu used state's resources to mobilise support and influence voters (Foeken & Dietz 2000, p 137), the economy weakened and inflation rose, placing many Kenyan communities and individuals in a precarious financial position. Intrinsically, it made the communities easy to manipulate so that food, cash, and the distribution of loans to voters became the most successful tactic in creating dependency.

Kenyans were left with almost no choice, for incurring the enmity of the government was extremely unwise in a society in which the government dominates the economy. Government propaganda led people to believe that there was no chance of an opposition victory and only if they voted for Kanu would patronage continue to flow. The regions that voted against the ruling party were marginalised and government money was used to reward areas that remained loyal (Throup & Hornsby 1998, p 350).

Not surprisingly, the sums spent were never acknowledged or disclosed, but certainly exceeded anything Kanu, or even Moi and his business partners, could afford (Throup & Hornsby 1998, p 351). The funds are believed to have come from the vast personal wealth of clients of Moi and his ministers, from the state itself and from a series of clever schemes which released so much cash into the money supply that they threatened Kenya's economic stability, creating serious inflation in the aftermath of the election (Throup & Hornsby 1998, p 352).

Throup & Hornsby (1998, p 351) highlight several incidents in which President Moi and Kanu openly used control of public resources to mobilise support. For instance, in August 1992 the president issued a cheque for KSh14-million to compensate sugar farmers, who had not been paid since the collapse of the Kwale Ramisi sugar factory. On 18 October he ordered minister Ngala to provide sugar cane farmers, who had not been paid for over a year, with KSh20-million for deliveries to the Nzoia Sugar Company. Two weeks later he was in Bungoma District with another KSh20-million cheque as a personal gift to the sugar farmers there. He also paid out KSh10-million in Kanduyi in Bungoma for a teacher training college.

These are just some of the manoeuvres invented by the incumbent to tilt the electoral outcome in his favour. There were other schemes too. Research reveals that on 10 October the president promised that tea and coffee auctions would henceforth be held for foreign exchange, to ensure that farmers were protected against the devaluation of the KSh. In addition, the government ordered the coffee board's third annual payment to farmers of KSh533-million on 4 December, just three and a half weeks before the election, in an attempt to bolster Kanu's support in Kikuyu coffee growing areas.

On Jamuhuri Day, 12 December 1992, President Moi also rewarded four major groups – workers, women, civil servants and Muslims. He raised the minimum wage by 12%, announced that women civil servants would receive house allowances, directed that Muslims be allowed time off work between eleven and one o'clock on Fridays to attend prayers and raised the amount of foreign currency they could take abroad for the Haj. In the main, President Moi did not hesitate to assure civil servants that under Kanu their jobs were secure, in contrast to the cutbacks planned by opposition parties such as the Democratic Party (DP) and FORD-Kenya (Throup & Hornsby 1998, p 351).

In the context of the Kenyan electoral processes, Mwangi (2008, p 267) contends that the question of money for financing political parties has become more prevalent since the reintroduction of multiparty politics because the multiparty arena has opened up democratic space that has intensified inter-political party competition. This has not only increased the opportunities for corrupt political financing, it has also led to the misuse and forfeiture of huge sums of money during political campaigns in attempts to command more support across the country. Närman (2003, p 344) also suggests that the money that was used for electioneering in 1992 had serious repercussions for the national economy.

The 1992 elections were also characterised by scandals such as the Goldenberg schemes, which have, to date, remained an unresolved puzzle (AfriCOG 2011; Warutere 2005). As Throup & Hornsby (1998, p 352) record, this scam involved the exportation by Goldenberg International Limited (GILtd) between 1991 and 1992 of gold and diamond jewellery to fictitious companies in Switzerland and Dubai, and the reclamation of the money from the government as export compensation. While the company had, by 1992, received a payment of KSh580-million (US$11--million) in 'compensation', the Central Bank commissioners overseeing the compensation maintained that the items for which the company was reimbursed either did not exist in Kenya or had been grossly overvalued.

AfriCOG (2011, p 1) and Warutere (2005, pp 1-3) assert that this scandal was one of the cleverest scams associated with the excess money pilfering by GILtd and Exchange Bank Limited for counterfeited export compensation and foreign exchange claims respectively. Likewise, it was connected with the purported embezzlement by politicians of huge amounts of KSh and their use for the purposes of supporting the financing of the 1992 presidential election.

Warutere (2005 p 12) draws attention to the fact that an issue commonly alluded to but unverifiable during and following the Goldenberg scandal was the fact that the Exchange Bank and Postbank Credit served as 'money laundering outfits for political expediency, including financing the 1992 election'. In line with this, Throup & Hornsby (1998, p 548) cited the scam as an ostensible means by which Kanu funded its election campaign. Thus, the Goldenberg Scandal provides a significant link between money, political power and the outcome of Kenya's first multiparty presidential poll.

THE ROLE OF MONEY IN THE 1997 PRESIDENTIAL ELECTION

In addition to the ethnic patronage that has continued to characterise Kenya's multiparty elections since 1992, the country's electoral practices and outcomes have also been greatly influenced by the financial clout of candidates for presidential office. The role of money provides important cues to the manner in which campaigns and outcomes have been managed over the years. The 1997 election, like that of 1992, offers a basis on which to examine the issue of monetary power.

The period leading to the 1997 election saw the registration of 16 political parties in addition to the 11 parties that were already registered (Commonwealth Secretariat 2008, p 1). When President Moi won another term in office the losing parties lodged complaints, alleging that the election had been flawed, corrupt and not transparent and there ensued demonstrations and widespread violence, which were largely attributed to ethnic animosity (Commonwealth Secretariat 2008, p 1; Sundet, Moen & Barasa 2009, p 8).

It had been hoped that the 1997 electoral process would be more transparent and peaceful enough to turn the page on the violent demonstrations that ensued after the 1992 election. However, it would seem that the violence that followed the 1997 election was even more extreme.

Added to the factors and events that clouded the run-up to the 1997 election are the practices of undemocratic consolidation, domination, corruption and manipulation of political processes and institutions, which seem to be inherent in 'African emerging democracies'. In this regard Bay (2010, p 45) highlights the fact that the 1997 general elections, like those in 1992, saw the misappropriation of state resources to instigate ethnic clashes, with the intention of terrorising opposition supporters.

The role, effects and consequences of this misuse of resources cannot be disentangled from the non-compliance with the normal democratic standards of free and fair elections. The Constitution and Reform Education Consortium

(CRECO 2012, p 1) reports that a lack of regard for electoral rules led to the irregularities and disorder that have characterised Kenyan elections since the return to multiparty politics.

CRECO lists these irregularities as:

- Highly controversial and often violent political party nominations, which sideline women, youth, marginalised groups and so on, due to their highly competitive nature and undemocratic rules;
- An electoral register that does not contain all names, especially of a burgeoning young population, and often contains the names of 'ghost voters';
- The first-past-the-post (FPTP) electoral system, which creates all manner of disparities such as anomalous results, which therefore do not lead to universality and equality of the vote;
- An electoral process that is insensitive to the needs of vulnerable groups such as persons living with disability;
- An electoral system that seems to be largely controlled by whoever occupies power, who often manipulates the electoral management body; and
- Electoral areas resulting from past and continuous gerrymandering by the political party in power, which leads to discriminatory results within the FPTP system.

CRECO 2012, p 1

With regard to the issues that clouded the 1997 elections, the media reported on the disorganised electoral processes and irregularities. These generally included oversights and omissions from the ballot papers of candidates' names, non-concealment of the secret ballots at 13% of polling stations and bribery, corruption and the buying of votes even on election day (Foeken & Dietz 2000, p 145).

In addition, the 1997 election was characterised by violent incidents, incomplete registration and intimidation of opponents. The European Union described the election as falling short of 'normal democratic standards', and the Electoral Commission of Kenya (ECK) itself stated that in view of the flawed electoral environment the elections could not be called fair (Foeken & Dietz 2000, p 146).

THE 2002 ELECTION

In 2002, after 24 years of President Moi's oppressive rule, Kanu, for the first time, lost the election to the National Alliance Rainbow Coalition (NARC), thus officially relinquishing power to Mwai Kibaki. Compared to the presidential elections of 1992 and 1997, the 2002 election marked a significant shift in Kenya's voting history; it was the first to be commended as free and fair. However, using individual-level survey data from a study by Afrobarometer of a nationally representative sample of more than 1200 Kenyans, Kramon (2009, p 2) notes that even though the 2002 presidential and general elections were relatively free and fair, the campaigns were characterised by corruption relating to monetary resources spent to buy votes.[1]

According to a constitutional amendment of 1992, by 2002 Moi's two terms of office were officially over. This did not stop him from attempting to influence the outcome in favour of his nominee, Uhuru Kenyatta (Bachelard 2010, p 187). Närman (2003, p 344) states that Uhuru Kenyatta was accused of using a considerable quantity of state funds for his personal election expenses. The Commonwealth Observer Group (COG 2006, p 8) chronicled allegations of vote-buying, including the distribution of food and other materials during the campaign. This was coupled with large sums of money reportedly distributed at campaign rallies.

COG (2006, p 19) reported large-scale buying of voters' cards and votes, and photographs were taken of party leaders handing out money at one of the campaign rallies. Throup (2003, p 1) asserts that 'KANU did bribe, it did rig, it did intimidate'. Furthermore, Bachelard (2010, p 187–188) states that prior to the 2002 elections Moi purportedly attempted to manoeuvre military officers to stage an intervention if NARC won. Despite these reported contraventions, the 2002 election resulted in Kenya becoming an electoral democracy. Even though this success was not consolidated, it was attributed to the fact that the ruling party was facing a significantly united opposition, which made it realise it could only lose more money if it engaged in bribery (Throup, 2003).

THE 2007 ELECTION

The conduct of elections is, without doubt, integral to the practice of democracy. However, in reviewing Kenya's election history one might be tempted to state that elections there are synonymous with the overspending of money to garner voter support and with post-election violence. Focusing on the 2007 elections, more specifically on the presidential election, the Coalition for Accountable Political Financing (CAPF) 2008 reports, as well as the Kriegler and Waki reports of 2009,

1 Vote-buying in the conduct of elections in Kenya (as it is in almost all democracies) remains a tactic used by various political factions and individuals in order to attract voters to their camp.

document issues of corruption and the overspending of state resources to secure and acquire votes.

The 2007 elections were described as the most vigorous and highly contested in the history of the country since independence. The main challenger of the incumbent, President Mwai Kibaki, was Raila Odinga, (a Kibaki supporter in 2002), who posed a real threat, coming close to ousting Kibaki.

Among the developments prior to the 2007 election were the number of political parties that were formed shortly before the elections, a remarkable upturn in the number of voter registrations – especially by the youth – and an increase in the number of voting stations created to accommodate the growing number of registered voters.

Like the previous elections, the 2007 elections sparked concerns about the misuse of state funds and resources to sideline opposition presidential candidates and stakeholders, promote state patronage, undermine societal welfare and organise expensive campaigns and the purchase of votes (CAPF 2008a, p 11; Bay 2010, p 32).

The Anglo-leasing scandal is one example, linking corruption and money laundering as tools to manipulate the electoral outcome. It involved a series of security contracts with official payoffs that were meant to fund and support the government's forthcoming 2005 Constitutional Referendum and NARC's 2007 election campaign (Githongo 2006, cited in Chege 2008, p 129).

According to the report of the Kriegler Commission, the 2007 presidential election was void of transparency and stifled with extensive bribery, coercion, vote-buying and voting fraud, which made the whole electoral process flawed (combined Kriegler and Waki Reports 2009).

The CAPF estimated that President Mwai Kibaki and Prime Minister Raila Odinga spent a traceable amount of $75-million on their presidential bids in 2007 and parliamentary candidates spent an average of $100 000 (International Crisis Group 2013, p 31; *The East African News* 2012). In addition, the CAPF (2008b) report also stated that the election was fraught with spending irregularities and expenditure that was unaccounted for, in that, while the political parties and candidates spent KSh5.6-billion on their campaigns, the original amount raised was an estimated KSh4.8-billion.

The table below, adapted from the CAPF (2008a, pp 25- 27; 2008b, pp 23-24) highlights the estimated expenditure of the three dominant parties – the Party of National Unity (PNU), the Orange Democratic Movement (ODM) and the Orange Democratic Movement-Kenya (ODM-K). Expenditure on the presidential campaign is highlighted.

Table 1
Estimated PNU Coalition Campaign Expenditure

Expenditure category	Amount
Fundraising costs	KSh36-million
Mass media and publicity	KSh189-million
Campaign materials	KSh160-million
Constituency support	KSh190-million
Travel and logistics (vehicles)	KSh9-million
Kibaki Tena rallies	KSh190-million
Media facilitations (journalists)	KSh9-million
***Presidential campaign teams**	***KSh150-million**
Vijana Na Kibaki	KSh300-million
Party nominations	KSh120-million
Campaign coordinators	KSh230-million
Party agents (polling stations)	KSh390-million
General ICT	KSh39-million
Opinion polls	KSh19-million
Propaganda	KSh10-million
Total	**KSh2. 1-billion**

Table 2
Estimated ODM Campaign Expenditure

Expenditure category	Amount
Fundraising costs	KSh30-million
Mass media and media facilitations (advertising)	KSh152-million
Campaign Materials	KSh39-million
Constituency support	KSh27-million
Travel and logistics (choppers & vehicles)	KSh200-million
National campaign vents (Manifesto launch and Nairobi rallies)	KSh57-million
Pentagon team	KSh147-million

*Presidential nominations	*KSh54-million
Party nominations (personnel, logistics, communications)	KSh156-million
Campaign coordinators	KSh50-million
Party agents (polling stations)	KSh120-million
Rallies and meetings, trainings and seminars	KSh89-million
Security and rally personnel	KSh70-million
Opinion polls	KSh6-million
Propaganda	KSh3-million
Total	**KSh1.2 billion**

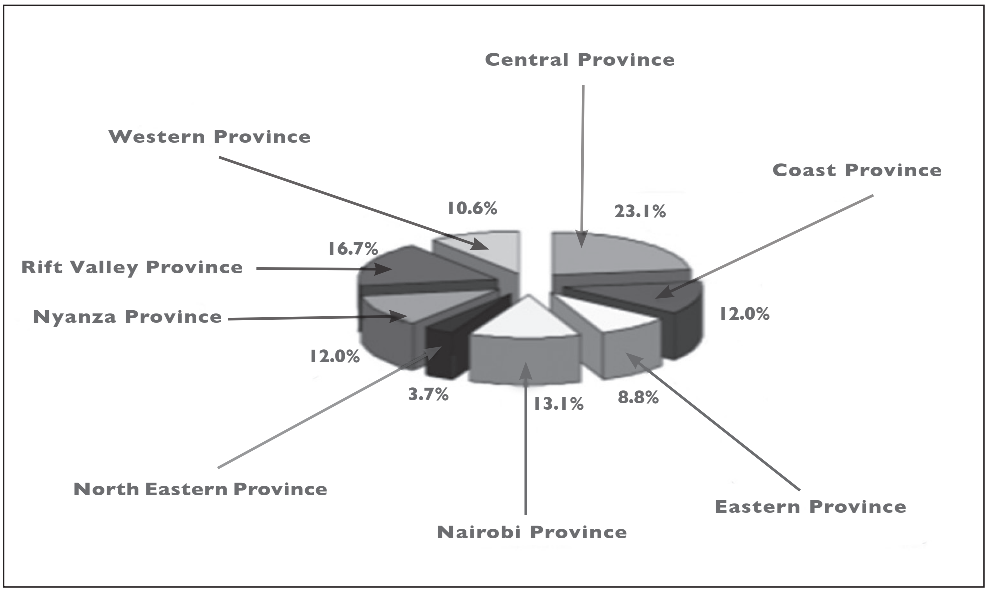
Table 3
Estimated ODM-K Campaign Expenditure

Expenditure category	Amount
Mass media and publicity	KSh6-million
Campaign materials	KSh9-million
Constituency support	KSh8-million
Travel and logistics	KSh28-million
National campaign events (manifesto launch, Nairobi rallies)	KSh22-million
***Presidential nominations**	***KSh17-million**
Parliamentary nominations	KSh21-million
Campaign coordinators	KSh9-million
Party agents (polling day)	KSh9-million
Rallies and meetings	KSh16-million
Security	KSh12-million
Total	**KSh157-million**

The importance of the overspending by the political parties and candidates in 2007 cannot be overstated, especially given the CAPF and Kriegler reports, which highlighted the problem of vote-buying and voter bribery. The funds were used for both monetary handouts and cash payments to voters and supporters and for the delivery of gifts and convenient public services (Kenya Human Rights Commission 2008, p 38). According to the CAPF (2008b, p 45) report, the youth, women and religious groups were the groups most targeted in an attempt to take advantage of poverty and unemployment to secure political support. CAPF's monitoring report and data indicated a total of 75 137 instances of vote-buying voter bribery in the 71 districts monitored.

Figure 1, from the Election Monitoring and Response Centre (EMRC), illustrates instances of voter bribery by province (Kenya Human Rights Commission 2008, p 38).

Figure 1
Bribery Instances by Province



Source: Kenya Human Rights Commission 2008, p 38

Another notable factor in the 2007 election was the deep-seated corruption and prejudice that created tensions and conflict between the opposing parties and presidential candidates, especially the PNU (with Mwai Kibaki as the candidate) and the ODM (Raila Odinga) (Bay 2010, p 36). The rift between the parties was instigated by and attributable to the outcome of the elections, from which the incumbent president, Kibaki, emerged victorious. According to Orji & Uzodi (2012, p 50), reports indicated that the ODM was leading but that owing to the ruling party's access to state resources, the outcome of the election was manipulated in favour of the PNU.

The PNU's ability to sway the election outcome could also be linked to the fact that the incumbent president had significant influence over the appointment of members of the ECK and over its decisions (International Crisis Group 2013, p 25). As further highlighted by Orji & Uzodi (2012, p 50; Human Rights Watch 2008, p 22), it was obvious that the results had been rigged, considering that the opposition had secured 99 seats at the parliamentary election as against 43 seats by the PNU.

In line with the above, the Kriegler Commission (2008) highlighted that fraud at polling stations was widespread among the electoral commissioners given the inconsistencies in tallying and documenting the votes. This made it extremely difficult to establish who among the presidential candidates had indeed won the election. AfriCOG (2009) attributed this to manipulation of political power by major political parties. The misuse of power, as further recorded in the 2009 AfriCOG report, created an arena wherein electoral malpractice was inevitable.

The violence that followed the announcement of the results portrayed and created deep distrust of state institutions and brought the country to the brink of war.

THE 2013 GENERAL ELECTION

Reports from the *Sahan Journal* (2013) and *Business Daily* (2013) suggest that the 2013 general election was the most expensive, biggest and flashiest in the country's history, with coalitions and individuals using their financial muscle to beat their financially weaker opponents. According to the *Business Daily* account, by the end of 2012 the Jubilee coalition had spent about Ksh40.66-million on media, compared to the Cord coalition's Ksh23.29-million. Musalia Mudavadi for the Amani Coalition spent KSh4.58-million, Peter Kenneth's Eagle KSh1.47-million, while other parties spent about Ksh10-million among them. The Jubilee coalition used six helicopters and four fixed wing planes on its campaign trail at a cost of about $1 700 (KSh147 900) per hour for the helicopters, for a minimum of two hours, and the planes about KSh443 700 an hour, excluding fuel.

On the individual trail, in Mombasa County, Governor Ali Hassan Joho is reported to have spent well over KSh700-million to win the highly competitive seat. Former Changamwe MP Ramadhan Kajembe spent between KSh50-million and KSh100-million on his campaign for a senatorial seat.

According to the AUEOM Report (2013, p 9), the campaigns in 2013 became a platform on which major political parties and coalitions exhibited their financial muscle, lashing out on political advertising and messaging, logistical arrangements and campaign material. It is not surprising that the smaller parties were unable to match the scale of expenditure, making for a very uneven playing field.

CONCLUSION AND RECOMMENDATION

It would not be an overstatement to suggest that since independence in 1963 Kenya's political culture has been blemished by corruption and political exclusion, especially during elections. What is particularly confounding is the fact that the introduction of a multiparty/democratic system did not mitigate voter intimidation, corruption in decision-making and the systematic marginalisation of some constituents of society in the electoral processes. In these circumstances the use of money during election campaigns, as outlined in this article, constitutes 'licit' corruption by the candidates seeking election.

Having studied the patterns of Kenyan presidential elections from 1992 to 2013, this study agrees with Bakari's assertion (2002) that Kenyan politics has, for a long time, been all about money. While the multiparty system is an enviable sign of democracy, that in Kenya is infested with abundance for a few members of the political elite and with poverty for the majority.

This study has attempted to link the access of political parties to financial resources with the accumulation of power and the nature of democracy in Kenya, where financial resources have considerable influence over who wins elections.

As the study has indicated, the conduct of presidential elections has repeatedly shown that the pursuit and use of money during political campaigns disfigure the democratic morality of Kenyans. This, in turn, has negatively shaped the system of democratic governance, defiling the principle of free and fair elections and enlarging the space for the abuse of power, pillaging of public resources, inequality, poverty and a high unemployment rate among the youth and exposing the country to power struggles instigated along inter-communal and ethnic lines.

Not only has the manipulative misuse and overspending of public money to finance and influence presidential elections undermined the integrity of true democracy in Kenya, it has largely contributed to weakening the country's economy.

For these reasons and in order to redefine democracy in Kenya to reflect the government 'of the people, by the people, for the people', it is necessary to address the question of the financing of political parties. Accounts of some of the parties' campaign expenditure suggest that money is the political will of the people, which is not consonant with the interpretation of democracy. Therefore, it is imperative that all contesting parties put effective financial regulatory mechanisms in place to monitor the accessing of funds that aid them not only in calling for support, but in making their policies acceptable by the voters. Only then can the true will of the masses be reflect in the country's elections. Regulatory mechanisms will not only ensure a realistic democracy, they will also help to guarantee that voters are persuaded by policies rather than by the money parties distributed to them during political campaigns.

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