

ПОЛИТОЛОГИЯ

THE STATE OF LIBERAL DEMOCRACY WITH REGARD TO ELECTIONS AND POLITICAL STABILITY IN AFRICA: BRIDGING THE GAP BETWEEN THEORY AND PRACTICE IN TANZANIA AND KENYA

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Abstract. *This study explores the state of liberal democracy and political stability in Africa. In particular it intends to assess what is said about liberal democracy in relation to free and fair election, political stability and the politics of ethnicity in Tanzania and Kenya and the reality happening on the ground (the practice) in East African countries. The rationale for undertaking this analysis is that the East African countries have experienced political transformation: for instance, for much of the post-colonial period East African countries tended to live under one-party regime, but since 1990s East African countries embraced multiparty system. This study pays attention to assessing the outcomes of liberal democracy in East African countries in particular examining the extent to which the liberal democracy promotes free and fair elections, political stability and the mitigation of the politics of ethnicity.*

This study employed a comparative analysis, in which it compared the extent to which liberal democracy is practiced in Tanzania and Kenya and how far the above-mentioned parameters are realized under the broad spectrum of liberal democracy. The methods of data collection were interviews and documentary review and the discussion of the findings was organized around the sub-themes of this study. The period covered in this discussion is the contemporary period from 1990's to 2019. The findings indicate that even though African countries have adopted liberal democracy, in some of the East African countries like Kenya, political stability and free and fair elections have not been fully realized, while in Tanzania the experience indicates that political stability is relatively realized after elections. This study concludes that even if the institutions of liberal democracy have gradually developed with partial free and fair elections, the manifestations of political instability still exist in some of the East African countries, as shown by the election violence in Kenya comparatively to Tanzania. Therefore, the interface between the liberal democracy and political stability has not been sufficiently realized in the liberal democratic tradition. This study recommends that elections as one of the pillars of liberal democracy should be properly and fairly instituted, so that the role of liberal democracy is realized in fostering peace and tranquility.

Keywords: *Liberal Democracy, Political Stability, Elections and Ethnicity*

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1. Introduction

2018 was the 13th consecutive year of decline in global freedom and liberal democracy. The reversal has spanned a variety of countries in every region, from long-standing liberal

democracies like the United States to consolidated authoritarian regimes. The overall losses are still superficial compared with the gains of the late 20th century, but the pattern is consistent and menacing. In states that were already authoritarian, governments have increasingly shed the thin façade of democratic practice that they had established in previous decades, when international incentives and pressure for reform were stronger. More authoritarian powers are now banning opposition groups, dispensing with term limits, and tightening the screws on any independent media. Meanwhile, many countries that were democratized after the end of the Cold War have regressed in the face of rampant corruption, antiliberal populist movements, and breakdowns in the rule of law. Furthermore, even long-standing democracies have been shaken by populist political forces that reject basic principles like the separation of powers and target minorities for discriminatory treatment.

On the other hand, improvements in individual countries including Malaysia, Armenia, Ethiopia, Angola, and Ecuador show that democracy has enduring appeal as a means of holding leaders accountable and creating the conditions for a better life. Even in the countries of Europe and North America, where democratic institutions are under pressure, dynamic civic movements for justice and inclusion continue to build on the achievements of their predecessors, expanding the scope of what citizens should expect from democracy. The promise of democracy remains real and powerful. Not only defending it but broadening its reach is one of the great causes of our time. Of the 23 countries that suffered a negative status change over the past 13 years (moving from Free to Partly Free, or Partly Free to Not Free), almost two-thirds (61 percent) had earned a positive status change after 1988. For example, Hungary, which became Free in 1990, fell back to Partly Free this year after five consecutive years of decline and 13 years without improvement (Freedom in the World, 2019).

In Africa, it is almost more than 50 years since the most of African countries gained their independence except South Africa, and South Sudan which gained independence on 9 July 2011 (i.e Tanzania got her independence in 1961, Kenya, Uganda, Burundi and Rwanda got independence in 1962). The first 30 years after Africa emerged from colonial rule were marked by the specter of one-party states, and usurpations of power either through assassination or military coups, personalization of power, repression of human rights, and predatory and rent-seeking leaders were all the grim orders of the day. Mobutu Sese Seko, whose corrupt and dictatorial rule held sway over Zaire for more than 30 years, allegedly made the claim that “democracy is not for Africa” (Leon, 2010:2).

As it is seen, the attainment of independence was supposed to be very positive and joyous development in all African countries. However, some of the East African countries have not been positive with the attainment of the independence. The history of the East African countries reflects what has invariably happened in the rest of Africa (Mukandala, 2001:2). A successful nationalist struggle, independence, military coups, assassination, betrayal, social movements, social protests and struggles for democracy and livelihood, continued subordination to global capitalism, falling proceeds from exports, rising costs of imports and debts, falling standard of living and declining livelihood. The overthrow of authoritative leadership such as Mobutu Sese Seko by Laurent Kabila and his allies in Uganda and Rwanda led to emergence of the New Generation of African leaders stretching from South Africa through East, Central and West Africa.

Furthermore, of recent examples, political repression worsened in Egypt, where President Abdel Fattah al-Sisi was reelected with 97 percent of the vote after security forces arbitrarily detained potential challengers, and political instability in Southern Sudan blew up in 2011 (Freedom in the World, 2019).

Nevertheless, Africa has made remarkable progress in the years since the end of the Cold War in 1989. Freedom House, a think tank based in the United States (US), calculates that in

1988 only 17 out of the 50 African countries on which it reported could be classified as 'free' or 'partly free'. Its most recent data, for 2015, estimates that 31 out of 54 countries are 'free' or 'partly free' (Cilliers, 2016:1).

As reflected in a study by Cilliers, (2016), while recent years have not been smooth sailing, the number of 'not free' and 'partly free' countries has shrunk in the last decade. As in other regions, the process of democratization in Africa has often been turbulent. Previous work by the Institute for Security Studies (ISS) has argued that election-related violence is an important contributor to the prevailing levels of conflict (ibid.). The increase in the number of elections every year in Africa (in 2016 the continent could host up to 24 elections, the most for several years) accentuates this trend. Violence in Africa has generally increased since 2005/6 due to a number of additional considerations, including the rise of terrorism and the impact and aftermath of the Arab spring. The problem is that elections do not necessarily translate into liberal democracy, regular free and fair elections do not provide for individual freedoms, political equality, female empowerment, an independent civil society, a free press or scope for deliberation, i.e all key components of liberal democracy.

Similarly, incumbent African regimes have also become adept at interfering in the electoral process, as recently seen in Zimbabwe, Uganda, Ethiopia, Kenya, Angola, Mozambique and elsewhere. Leaders in these countries invest significant resources in ensuring a favorable electoral outcome by constraining the democratic space (Gerring, 2016). This is done by rigging the registration process, running interference (by tying opposition candidates down in spurious legal cases or barring public gatherings), misusing state resources to dispense patronage, controlling the diet of information (particularly through the abuse of public media in favour of the ruling party) and, if all else fails, directly manipulating the results or frustrating any subsequent legal challenge. This happened twice in August, 2016, in Zambia and oil-rich Gabon, as presidents in the forementioned countries ensured their re-election in what were essentially "stolen elections".

The transition to liberal democracy in 1990s by East African countries was ironically regarded as important feature in East African renaissance. The multiparty system in Tanzania was introduced in July, 1992, replacing the one party system which has existed from 1962 to 1990s. Today, even the most authoritarian African leaders wish to have their leadership affirmed by liberal democracy through election, rule of law and participation (Byarugaba, 2010). Liberal democracy is increasingly seen as the only legitimate form of government in Africa which can promote political stability, but regular multiparty elections are required to be identified with good governance, rule of law, and political stability in any East African country.

Tanzania has been independent in 2019 for more than 50 years. While most neighboring states have gone through violent conflicts, Tanzania has managed to implement extensive reforms without armed political conflicts. Hence, Tanzania is an interesting case for the state of liberal democracy research on elections, political stability and the politics of ethnicity.

This study analyzes the liberal democracy in Tanzania and Kenya since the introduction of the multiparty system in 1990s, with a focus on investigating the extent to which liberal democracy has promoted free and fair election as well as political stability for the democratization process in connection with the 1995, 2000 and 2005, 2010 and 2015 elections. The question as to what extent Tanzania and Kenya have moved towards a consolidation of liberal democracy is analyzed through an analysis of three different aspects of importance for democratization, i.e the state of liberal democracy and elections, the liberal democracy and political stability, and liberal democracy and the politics of ethnicity. The analysis is based on secondary and primary data collected covering the period since 1995 to 2015.

2. Statement of the Problem

It is almost three decades (1990s to 2020) since the introduction of multiparty system in East Africa with the broad view of liberal democracy (Ng'ethe, 2010). The main emphasize of liberal democracy is representation, free and fair election, political participation, and adherence to the rule of law. Liberal democracy insists on a conducive system for free and fair election as well as political stability and protection and promotion of human rights, presence of independent press, rights to vote, institutions of political parties, freedom of expression and association. However, it is noted that little is known about liberal democracy and political stability in Tanzania and Kenya. This paper sheds light on examining the liberal democracy in Tanzania and Kenya since the introduction of the multiparty system in 1992, with a focus on the challenges for the democratization process in connection with the 1995, 2000 and 2005, 2010 and 2015 elections. The question is to examine the extent to which Tanzania and Kenya have moved towards a consolidation of liberal democracy, which is analyzed through three different aspects of importance for democratization, i.e the state of liberal democracy and elections, the liberal democracy and political stability and liberal democracy and the politics of ethnicity.

3. Objectives of the Study

3.1. General Objective

To examine the outcomes of liberal democracy on elections and political stability in East African countries

3.2. Specific Objectives

- i. To examine the extent to which liberal democracy has promoted free and fair elections in Tanzania and Kenya
- ii. To explore the extent to which liberal democracy contribute to political stability in East African countries, in particular Tanzania and Kenya

3.3. Research Questions

- i. To what extent liberal democracy promoted free and fair election in East African Countries?
- ii. How has liberal democracy contributed political stability in East African countries?

4. Literature Review

In this study, empirical literature review is anchored on historical perspective of the development of liberal democracy and its relationship with the politics of the contemporary African continent, in particular, East African countries, i.e Tanzania and Kenya. In addition, empirical studies were reviewed in order to establish a research gap which this study thought to fill. In general, the history of African Democracy can be broadly understood at two levels: one, as old as Africa itself, is based on the huge spectrum of African people's struggle for liberation, popular participation, sovereignty, genuine independence and a people's state. The other one is more recent and less than a century old (Mukandala, 2001; Jotia 2012).

Liberal democracy is much contested term both in Africa and around the World. It has application to a wide range of political propositions from the libertarianism of *laissez-faire* economics to democratic and egalitarianism of the welfare state (Leon, 2010). However, Mukandala (2001) notes that a consensus exists about the content of liberal democracy as it is characterized by constitutional order and political practices that provide for political representation, participation and accountability through regular competitive elections held under conditions of civil and political liberties guaranteed by the rule of law. These include

individual rights and liberties of expression, associations, belief and participation (Mukandala, 2001). This is aptly supported by Diamond (1991) and Huntington (1997) who further maintain that liberal democracy has prudent checks and balances between the executive, judiciary, and legislature, minorities and other disadvantaged groups are accorded equal protection, the ability of political party to influence election outcomes is limited, there are effective guarantees against arbitrary arrest and police brutality, and the press operate freely without censorship. Thus, liberal democracy requires more than simply periodic elections. It therefore means the existence of rule of law, individual freedom, and constitutional checks and balances, proper transparency and accountability and civilian control of the armed forces. This is by no means a closed list, but it does include all essential aspects of liberal democracy. These studies, i.e Diamond, (1991); Huntington, (1997) and Leon (2010), have enumerated the conceptual underpinnings of liberal democracy but do not further explain on how the liberal democracy has affected the elections and political stability in Tanzania and Kenya.

The shortcomings of African liberal democracy are embraced in the narrow and myopic definition of democracy which confines itself to multipartism and the periodic holding of elections, administered and monitored by constitutions which claim to be upholding the rule of law (Jotia, 2012). Liberal democracy's scope of operation reflects a lot of social justice to the masses and those who survive or enjoy the fruits of the government are the masses and the few elites who always ascertain that popular participation in the political and economic spheres is kept very minimal and enjoyed by only those who are the cog wheels of the illegitimate and corrupt governments.

Furthermore, the part of the package of liberal democracy is mass ethnic cleansing such as the one that took place in Rwanda and led to enormous human sufferings. The intolerance that some of the African governments have towards opposition parties is a clear indication that in some of the African countries democracy has no respect for personal freedoms and that it continues to suppress human rights. So the argument here is that some of the African technocratic elites have declared war on one another and accumulated wealth all in the name of liberal democratic functions. The dismal performance of most of the African leaders is a reflection of the fact that democracy in Africa is still a nightmare (Jotia, 2012). Development in this case cannot be expected to assume a pronounced direction if democracy is still in limbo. Even though there could be a counter-argument that democracy is not a precondition for development and/or vice versa, the state is yet to provide social security and better the standards of living for the ordinary citizens if it is not democratic. This study has enumerated the challenges of liberal democracy in African states, however, the work is silent on whether democracy promotes political stability, and it addresses the question of the politics of ethnicity in African countries.

In addition, in liberal democracy, elections are the mechanisms whereby people express their will when choosing their representatives or deciding on substantive matter by way of referendum. Elections are also mechanisms whereby the electorate may recall representatives if they are deemed not to have performed as promised or expected. Election is one of the greatest symbol of liberal democracy where individuals seek to be elected to political offices and the people willingly vote them to those offices for a given time. Elections therefore, force leaders to go to those electorates and tell them their programmes if elected (Byarugaba, 2010). Nevertheless, it should be noted that elections, however frequent they may be, are not the sign of liberal democracy, but what matters is their quality of being free and fair; and this study assesses whether elections are free and fair in order to promote peace and tranquility in Tanzania and Kenya.

Furthermore, another study noted that liberal democracy is creating a system where the public can remove administrations, without changing the legal basis for government,

democracy aims at reducing political uncertainty and instability, and assuring citizens that however much they may disagree with present policies, they will be given a regular chance to change those who are in power, or change policies with which they disagree (Oldfield, 2000). This is preferable to a system where political change takes place through violence (ibid.). It is further observed that political stability may be considered as excessive when the group in power remains the same for an extended period of time, i.e no regular elections are held, but this is more common in non-democracies. One of the notable feature of liberal democracies is that their opponents (those groups who wish to abolish liberal democracy) rarely win elections. Advocates of liberal democracy use this as an argument to support their view that liberal democracy is inherently stable and can usually be overthrown by external force, while opponents argue that the system is inherently stacked against them despite its claims to impartiality. In the past, it was feared that democracy could be easily exploited by leaders with dictatorial aspirations, who could get them elected into the office. However, this study has discussed the role of the liberal democracy in ensuring political stability, in particular promoting regular elections, but what remains unknown are the outcomes of liberal democracy, i.e free and fair election and its impacts on political stability.

4.1. The Theory of Liberal Democracy

Liberal theory emerged particularly in the 17th century in England. One of its preoccupations was to provide a compelling account of political obligation for a post-reformation age that had lost the certainties of medieval Christendom. In the context of discussing the genesis and development of liberal democratic theory, however, it is this aspect of liberal theory that is of major concern. The context within which Locke wrote his *Two Treatises of Government* (1690) was of course resistance to the perceived absolutist and arbitrary pretensions of the restored Stuart monarchy. Civil government was to be limited in two ways: it was to be limited by being subject to, and not above, the law; and it was to be limited concerning the extent of human affairs over which its authority could legitimately be exercised.

This latter consideration was given expression in a doctrine of natural rights, which, for Locke, were men's rights to their Lives and Liberties, which is the Property. The function of civil government was thus solely to secure and protect these rights, and if it persistently and deliberately failed to do this, for whatever reason, stated beyond its bounds, then a right of resistance could be invoked, because the relationship between people and government was a contractual one, based on trust in performance of the terms of the contract (Oldfield, 2000).

What was emphasized by employing a doctrine of natural rights was that individuals needed protection against government as much as against each other. Civil government itself was to ensure the latter, and the terms of the contract were designed to secure the former. This limitation of government to the protection of individual natural rights has had an implication for liberal theory, and later for liberal democratic theory, that has lasted until the present day, even though we now seldom talk of natural rights. A sharp separation was created between the domain of human affairs that was properly the subject of political determination, and the domain that was not properly so subject, i.e the realm of what would later be called 'civil society' (Putnam, 1993). There are a number of points to make here. First, the separation of the political realm from that of civil society has often been presented in terms of a distinction between the public and the private, with the public being coterminous with the political. This of course, is a mistake, for much that takes place in civil society is highly public in character, especially those aspects of civil society having to do with economic matters such as business of carrying on economic enterprises and earning a living. Within liberal theory, even one in which the prime, perhaps the sole, purpose of politics is to protect the natural rights of individuals, intervention in civil society is justified only if it serves that overriding purpose: to

ensure, for example, that the law of contract is honored, and that economic enterprises are carried on without fraud (Putnam, 1993). A second point that emerges from the separation of the political realm from civil society, and, it follows, from the public/private distinction, is that liberal theory regarded the family as being firmly within the private domain, and sanctioned a thoroughly patriarchal view of the exercise of authority some would say power within the family. This theory has enumerated the genesis and the development of liberal democracy and how it replaced absolutism in Western countries. Nevertheless, this theory was used in this study to examine how liberal democracy has promoted free and fair election, political stability and the lessening of the politics of ethnicity in Tanzania and Kenya.

5. Methods and Materials

5.1. Case Study Design

The study was conducted in Tanzania and Kenya. There are other research designs which this study could have made use of, such as survey research design and correlation research design, to mention a few. Nevertheless, this study used the case study design to enable the researcher to deeply examine the topic and describe the units in detail. Indeed, a great deal can be learned from a few examples of the phenomenon through the case study.

Also, the case study design was applied in this study due to its advantage of using different disciplines to investigate the subject matter. This method was preferred to the other research designs because it enabled a detailed investigation of the topic being studied in the specific institutions. Furthermore, case studies are used to provide a holistic perspective on causality because it treats the case as a whole. It therefore offers the possibility of investigating causal relationships between many relevant factors of the phenomenon under investigation. Also, Berg-Schlosser *et al.* (2009) note that selection of the case study can be based on the performance outcome which includes case studies with both positive and negative performance outcomes to facilitate comparison. A case study is selected looking at factors affecting success, and so, for example, the researcher selected both successful and unsuccessful case studies in Kenya and Tanzania for comparison.

In addition, selection of the case study can be determined by the location of the problem or issue under investigation in order to develop interventions and their effects (Imas and Rist, 2009). In this study, case studies are used to discover the causal inference and relationship between Tanzania and Kenya with regard to best practices of liberal democracy on elections, political stability and ethnicity in politics. Purposive sampling was also used because Tanzania and Kenya are in the same regions. Nevertheless, they also share similar political characteristic such as the time when multiparty politics was introduced in both countries (the 1990s).

5.2. Sources of Data

The study used two major sources of data which are primary and secondary sources. Primary sources enabled the researcher to collect primary data directly from respondents through interviews. Secondary data were collected from secondary sources, i.e documentary review. It involved gathering data that already has been collected by someone else, collection and analysis of the published and unpublished materials and electronically stored information, such as books, records and reports from government. The documents reviewed included but not limited to the liberal democracy and election reports for the period since the liberal democracy was established to 2019 in order to supplement the weaknesses of open-ended interviews. Denscombe (1998) noted that documentary review include books, records, government publications and official statistics; as far as this study is concerned, this method was employed to gather information from various documents related to liberal democracy, election and political stability in Africa, in particular, Tanzania and Kenya.

5.3. Methods of Data Collection

This study used open-ended interview in collection of primary data. According to Kothari (2004), interview is defined as the method of collecting data that involves presentation of oral verbal stimuli and reply in terms of oral verbal responses. Open-ended interview, on the other hand, enables the researcher to subject every informant in a study to the same stimuli, for instance, asking each informant similar questions. The reason for using open ended interview was that reliability of the information gathered is high because the informant is subjected to similar questions with others, they also give in-depth information about a particular case. This method of data collection was used because the researcher intended to get insights, experiences related to the state of liberal democracy, elections and political stability in Tanzania and Kenya.

5.3.1. Tool of Data Collection: Interview Guide Questions

Interview guides are written lists of questions or topics that need to be covered by respondents in interview sessions (Kothari, 2004). In this study interview guide questions were used during the interview discussion because they are flexible, as they consisted of open-ended questions, and also they helped the researcher to gather in-depth information relating to liberal democracy, election and political stability in Tanzania and Kenya.

5.3.2. Documentary Review

It involved gathering data that already has been collected by someone else and collection and analysis of the published and unpublished materials and electronically stored information, such as books, records and reports from government. The documents reviewed included but not limited to the liberal democracy and election reports since the liberal democracy was established to 2019 so that to supplement the weaknesses of open-ended interviews. Denscombe (1998) and Kothari (2004) noted that documentary review include books, records, government publications and official statistics; as far as this study is concerned, this method was employed to gather information from various documents related to liberal democracy, election and political stability in Africa in particular Tanzania and Kenya.

5.3.3. Data Analysis Techniques

Data collected from the field were analysed using content analysis. This is a method used for analysing data which are qualitative in nature, specifically data obtained from in-depth interviews and documentary review, such as field notes and government reports on the state of liberal democracy, elections and political stability in Tanzania and Kenya. Content analysis consisted of reading and categorising the responses and transcribing them in a way that allowed identification of similarities and differences in order to develop themes and sub-themes relating to the research objectives, such as to examine the extent to which liberal democracy has promoted free and fair elections in Tanzania and Kenya, to explore the extent to which liberal democracy has promoted political stability in East African countries, in particular Tanzania and Kenya. The data were categorised into their specific sub-themes of liberal democracy, election and political stability.

Content analysis enabled the researcher to analyse primary data systematically and objectively to determine the pattern of responses and opinions given by the respondents in relation to the research questions. The data were then systematically classified into defined categories comprising patterns of related responses and information. This facilitated the making of inferences from the qualitative data and coherence of the research findings. On the other hand, with the help of the Statistical Package for Social Sciences (SPSS), descriptive statistics and cross-tabulation were used to analyze the quantitative data. The quantitative techniques were used mainly for descriptive purposes. In particular, such data on the

frequency of the responses on free and fair elections and political stability. The choice of SPSS for the merging of quantitative data was guided by the fact that Statistical information such as cross-tabulations and frequencies provided a summary of the findings, making it easier to understand and provide coherence for discussion.

5.4. Sample of Respondents

One hundred and seventy two (172) respondents were purposively selected to participate in this study. In many qualitative studies, the sample is purposive: researchers use their judgment to select a sample that they believe may provide information needed for the study (Fraenkel and Wallen, 2000). It is believed that the respondents would give the required information to the study. The selection was purposive to target only the respondents with experience with liberal democracy to determine its outcomes on the politics of ethnicity, political stability and free and fair elections in Tanzania and Kenya. The sample distribution of the respondents is presented in *Table 1* below for further details.

Table 1. Sample Size and Respondents' Distribution

S/No	Category of respondents in Tanzania	Category of Respondents in Kenya
1	Opposition parties' respondents (CHADEMA and CUF) N= 16	Opposition parties respondents (ODM party) N=16
2	Respondents from the Electoral Commission N=06	Respondents from the Electoral Commission N=06
3	Respondents from the ruling party (CCM) N=12	Respondents from the ruling party (Jubilee Party) N=12
4	Voters N= 52	Voters N=52
5	Sub-Total No. of respondents N=86	Sub-Total No. of Respondents N=86
6	Total Number of Respondents N= 172	

Source: Field data, April, 2020.

6. Presentation and Discussion of the Findings

The first objective of this study was to examine the extent to which liberal democracy has fueled free and fair elections and hence political stability in East African countries, in particular, Tanzania and Kenya. This section of the paper starts with a conceptual underpinning of free election and then is followed by assessment of free elections in Tanzania and Kenya.

6.1. The Extent to Which Liberal Democracy has Fostered a Free Election

Free and fair election in this study was measured and conceptualized against the following criteria: a free election means absence of intimidation of the voters by any kind of force. Garber (1984) notes that any force of undue influence, coercion or violence is anathema to the freedom of elections. In essence, for an election to be free an access to voting for any candidate of their choice and to be elected as representative is indispensable. There must be equal opportunity for everyone to participate without intimidation.

All eligible voters and candidates should be free to register and vote on their own free will for the candidate of their choice. People should be free to attend rallies without fear of losing their lives or property. The counting of votes (the process) should be transparent and the winners declared immediately thereafter. The Electoral Commission or any other body charged to manage the process of election must be independent or seen to be independent. This must be so because voters' confidence is only achievable through independent Electoral Commission.

6.2. Assessment on the Extent to Which Liberal Democracy has Fostered Free Elections in Tanzania and Kenya

Table 2. Response on Whether Free Elections were/are Held in Tanzania in 1995–2015

S/No	Category of respondents	Elections were not free	Election were free	I do not know	Total No. of respondents
1	Opposition parties' respondents (CHADEMA and CUF) N= 16	16 (100%)	00	00	16 (100%)
2	Respondents from the Electoral Commission N=06	00	06 (100%)	00	6 (100%)
3	Respondents from the ruling party (CCM)	00	08 (66.7%)	04 (33.3%)	12 (100%)
4	Voters N= 52	18 (34.7%)	34 (65.3%)	00	52 (100%)
5	Total No. of responses	34 (39.5%)	48 (55.8%)	04 (4.7%)	86 (100%)

Source: Field data, April, 2020.

Table 2 indicates that of the overall sample of 86 respondents in Tanzania 48 (55.8%), specifically, 16 (100%) electoral commission staff, 8 (66.7%) respondents from CCM, 34 (65.3%) voters and 4 (33.3%) reported that elections held in 1995 to 2015 were free because the voters were not subjected to any form of intimidation by any kind of force. They further noted that there was not any force of undue influence, coercion or violence which is said to be a denunciation to the freedom of elections. In essence, elections held in the forementioned years enabled voters accessibility to voting for any candidate of their choice and gave the rights to the contesters to be elected as citizens' representatives through their constituencies and wards. Generally, they noted that there was an equal opportunity for everyone to participate without intimidation and discrimination.

However, 34 respondents (39.5%), including 16 (100%) opposition parties' respondents and 18 (34.7%) respondents from voters were of the view that the elections were not free because they were associated with intimidation and violence. On the whole, the study findings indicate that the majority of 48 (55.8%) respondents perceived that elections were free in Tanzania in 1995 to 2015. The findings are presented in Table 2.0 for further details.

The responses from respondents as presented in Table 3 indicate that 52 (61.5%) respondents, comprising 6 (37.5%) respondents from opposition parties, 6 (100%) respondents from electoral commission, 10 (83.3%) respondents from ruling party and 30 (57.7%) voters, had the view that elections held were free because the voters and the electoral contesters were not subjected to any form of intimidation and electoral violence. These findings are contrary to those of election observers, such as Tanzania Election Monitoring Committee (TEMCO). Killian (2008) notes that in 1995 election did not pave the way for democratic consolidation but rather led to political stand-off with CUF and its followers refusing to recognise the legitimacy of elections and of the CCM government. Similarly the 2000 election witnessed similar pattern and cases of massive irregularities that compelled Tanzania Election Monitoring Committee (TEMCO) to declare them as aborted elections which denoted the presence of widespread deliberate and severe violation of electoral rules and procedures causing a substantial number of voters, candidates and/or parties to withdraw from the race. Similarly, in 2000 to 2005 elections, similar patterns were experienced and cases of massive irregularities were detected. For instance, in 2005 registration process was characterised with gross violation of laws and conflicts (ibid.).

Table 3. Response on Whether Free Elections were Held in Kenya in 1995 to 2015

S/No	Category of respondents	Elections were not free	Elections were free	I do not know	Total No. of respondents
1	Opposition parties' respondents (Orange Democratic Movement) (ODM) N= 16	10 (62.5%)	6 (37.5%)	00	16 (100%)
2	Respondents from the Electoral Commission N=06	00	06 (100%)	00	6 (100%)
3	Respondents from the ruling party (Jubilee) N=12	00	10 (83.3%)	02 (16.7%)	12 (100%)
4	Voters N= 52	22 (42.3%)	30 (57.7%)	00	52 (100%)
5	Total No. of responses	32 (37.2%)	52 (61.5%)	02 (2.3%)	86 (100%)

Source: Field data, April, 2020.

On the other hand, in Kenya 32 (37.2%) out of all 86 respondents, comprising 10 (62.5%) opposition parties' respondents and 22 (42.3%) respondents from voters, held that elections held in Kenya from 1995 to 2015 were not free (see Table 3.0). In general, the findings indicate that out of all 86 respondents in Tanzania, 48 (55.8%) reported that elections held in 1990s to 2015 were free because the voters were not subjected to any form of intimidation of the voters by any kind of violence. In similar case, these findings corroborate with the findings in Kenya which indicate that 52 (61.5%) out of all 86 respondents said that elections held were free because the voters and the electoral contesters were not subjected to any form of intimidation and electoral violence. The findings give the impression that a slight majority in both countries, i.e Kenya and Tanzania, perceived that free elections were held in both countries, as they perceived lack of intimidation and violence to the voters and the contesters in both countries. The findings do not corroborate with Kenyan historical experience. For instance, Katumanga and Nyunya (2010) note that in 1990s election violence was experienced in Rift Valley and other parts of Western Province.

Comparatively, the study findings indicate that apart from what was stated by respondents, the documentary data indicate that elections have not been the panacea for inculcating peace and tranquillity in some cases in Tanzania and Kenya as indicated also by Killian (2008) and Katumanga and Nyunya (2010). This is because elections are characterised by the violation of election laws and procedures which undermine the freedom of elections.

6.3. Assessment of the Fairness of Elections in Tanzania

In this study a fair election has above all to do with a levelled playing field in the campaign and the run-up to the polling day. The fairness concepts embody non-discrimination, equal distribution of polling stations around the country so as not to impede voting by certain segments of the population (Garber, 1984). It covers the country's publicity, e.g. countrywide campaigning without hindrance so as to reach the entire electorate with alternative political programmes and choices with a view to offering genuine choice.

A fair election is difficult, especially in one-party African states, where elections cannot be fair due to authoritarianism and gerrymandering that goes on. Elections legitimise regimes and their incumbents (Sachikonye, 1991). However, there is hope, especially in Tanzania and Kenya, where the transitions from authoritarian to democracy since 1990s has brought new

perspectives. Although the results are scant, there is a hope that this continues to bring some constitutional space. Elections are not only the path to transition to democracy. We must hasten to add that elections per se, however frequent they may be, are not the sign of this transition, it is their quality of being free and fair. Responses on whether fair elections were held since 1990s to 2015 in Tanzania are summarised in *Table 4*.

Table 4. Response on Whether Fair Elections were/are Held in Tanzania in 1995–2015

S/No	Category of respondents	Elections were not fair	Elections were fair	I do not know	Total No. of respondents
1	Opposition parties' respondents (CHADEMA and CUF) N= 16	12 (75%)	04 (25%)	00	16 (100%)
2	Respondents from the Electoral Commission N=06	00	06 (100%)	00	6 (100%)
3	Respondents from Ruling party (CCM)	02 (16.7%)	10 (83.3%)	00	12 (100%)
4	Voters N= 52	26 (50%)	26 (50%)	00	52 (100%)
5	Total No. of responses	40 (46.5%)	46 (53.5%)	00	86 (100%)

Source: Field data, April, 2020

In Tanzania, the respondents were asked on whether the elections held in 1995 to 2015 were fair. The findings indicate that the slight majority, i.e 46 (53.5%) comprising of 04 (25%) respondents from opposition parties' (Chama Cha Demokrasia na Maendeleo (CHADEMA) and Civic United Front (CUF), 06 (100%) respondents from the Electoral Commission, 10 (83.3%) respondents from the ruling party and 26 (50%) respondents from the voters, noted that elections held from 1995 to 2015 were fair. In this case, elections were perceived by the respondents that they were neither violent nor discriminatory. These findings corroborate with Garber (1984) who observes that:

“For election to be meaningful there must be a real choice of alternatives, between parties and candidates. This implies that multiple political parties must be allowed to form and to campaign for votes on the basis of their manifestos of programmes. This is best expressed in the term of liberal democracy. In other words, contestation and genuine competition for votes is at the core of democratic system. Furthermore, elections must be held at regular and reasonable intervals, typically 4-6 years”.

On the other hand, 40 (46.5%) of all 86 respondents including 12 (75%) respondents from opposition parties, 02 (16.7%) respondents from the ruling party (CCM) and 26 (50%), 3 (50%) respondents from voters were of the view that 2010 to 2015 elections were not fair.

On the whole, the majority of respondents, 46 (53.5%) out of all 86 (from opposition parties, electoral commission staff, ruling party i.e CCM, and voters were of the view that elections held in the forementioned periods were fair. The summary of the findings is presented in Table 4. above.

The data presented in *Table 5* indicate that 66 (76.7%) of all 86 respondents noted that elections were fair in Kenya from 2010 to 2015. These responses made by 08 (50%) respondents from the opposition parties, 6 (100%) respondents from electoral commission, 12 (100%) respondents from the ruling party (Jubilee) and 40 (76.9%) respondents from the voters stated that election held in Kenya from 2010 to 2015 were fair. They further noted that most of the political parties' contesters were given an opportunity to campaign and as well as political rallies.

Table 5. Responses on Whether Fair Elections were/are Held in Kenya in 1995–2015

S/No	Category of respondents	Elections were not fair	Elections were fair	I do not know	Total No. of respondents
1	Opposition parties' respondents (ODM) N= 16	8 (50%)	08 (50%)	00	16 (100%)
2	Respondents from the Electoral Commission N=06	00	06 (100%)	00	6 (100%)
3	Respondents from the ruling party (Jubilee party)	00	12 (100%)	00	12 (100%)
4	Voters N= 52	12 (23.1%)	40 (76.9%)	00	52 (100%)
5	Total No. of responses	20 (23.3%)	66 (76.7%)	00	86 (100%)

Source: Field data, April, 2020

On the other hand, other respondents had different opinion and they said that elections were not fair. This position was shared by 20 (23.3%) respondents of all 86 who included 8 (50%) respondents from the opposition parties and 12 (23.1%) voters who casted their votes in various elections since 2010 to 2015.

As foretated, the yardstick currently used to measure liberal democracy in Africa is the presence of multiple parties and the continuous conduct of elections. If a country has several political parties contesting for the governance of the country, the national government can declare that democracy is reigning regardless of whether the promises and lies of elections are fulfilled to meet the expectations of the electorates. The conducting of the so-called free and fair elections in East Africa, in particular, Kenya, is often seen as a step that gives a birth to a liberal democratic society. Surprisingly, some of these elections are not as free and fair as they are supposed to be according to some respondents. Is it not an amazing abuse of democracy that the rigged elections in Kenya in 2007 were declared free and fair despite the fact that just before the elections, the political atmosphere in Kenya was so volatile, that almost 1500 died due to election violence and conflicts? That being as it may, some election observers and news agencies declared the elections “free and fair.” This paints a bad image for the liberal democratic political theory. In fact, while the respondents perceived free and fair election, the trend in Kenya suggested that there has been election violence which undermines free and fair elections, and in the long run it may captivate political instability in East African countries, as was the case of Kenya in 2007.

6.4. Liberal Democracy and Political Stability

Traditionally, most of the opposition parties in Africa end up being compelled to challenge the outcomes of the elections, and this eventually leads to further development of deadly political differences which ultimately culminate to armed conflict (Freedom in the World, 2019). Ethnic and religious differences in most African countries perpetuate political instability that emerges when opposition party leaders challenge the outcomes of elections, as it happened in the case of Rwanda, Burundi, Nigeria, of late Zambia. Although liberal democracy appears to have given hope as an alternative form of government, the results of its successes in Africa are yet to be seen in most of the states.

Sachikonye (1995) asserts that liberal democracy in Africa has resulted in many autocratic regimes which resist and frustrate mass demands for the democratic change by manipulating the political system through the electoral process so as to block the ascendance of popular opposition forces. Given this argument, it could be outlined that elections are used

as a tool, through which governments resume office regardless of whether the civil society regards the elections as free and fair or not. It is for this reason that African governments still have a long way to go prior to having proper democratic transitions. The relationship between the civil society and the so-called government of the day remains sour in most instances.

For instance, Angola, DRC, Zimbabwe, Somalia, Rwanda, Sudan, amongst many, are typical sad stories of democracies that have failed to operate by having the welfare of the civil society at heart. These countries have been war zones which glorify blood flow more than the freedoms and rights of the masses. For instance in 2017/2018 Kabila wanted to extend his presidential term, which led to mass demonstrations and strikes in Democratic Republic of Congo, and at last Kabila terminated his lucrative political project of extending his presidential terms. It is therefore noted that social movements such as labor organizations, cooperatives, students and women movements, youth, as well as churches, in particular, Roman Catholic Churches, have resorted to radical approaches which challenge governments to deliver socio-economic and political services to the people. In addition, trade unions such as Congress of South African Trade Unions, (COSATU) in South Africa and Ghana Trade Union Congress, amongst others, continue to challenge governments on pertinent issues affecting the society.

The shortcomings of African liberal democracy are embraced in the narrow and myopic definition of democracy which confines itself to multiparty system and the periodic holding of elections, administered and monitored by bizarre constitutions which claim to be upholding the rule of law. Liberal democracy's scope of operation reflects a lot of social injustice to the masses and those who survive or enjoy the fruits of the government are the few elites who always ascertain that popular participation in the political and economic spheres is kept very minimal and enjoyed by only those who are the cog wheels of the illegitimate and corrupt governments.

Solomon and Liebenberg (2000) assert that the liberal democratic state in Africa has led to unspeakable corruption and embezzlement, tyranny and dictatorship, civil war and deadly conflict. In view of this criticism, it could be relayed confidently that with a few exceptions, the so-called democracy we see in Africa has bred more "thugs, thieves and war mongers" rather than true representative leaders of the people. African liberal democracy reflects a chain of "mischievous and monster acts" by those in power to better their own economic, social and political positions with little concern for the citizens. Solomon and Liebenberg (2000:14) further draw our attention to the fact that wars in Nigeria, Angola, Mozambique, Chad, Somalia, Liberia and DRC are true indications of the fact that liberal democracy is failing to bring positive developments to some of the African Countries.

The other terrifying phenomenon that is part of the package of liberal democracy is mass ethnic cleansing, such as the one that took place in Rwanda and led to enormous human sufferings. The intolerance that most of the African governments have towards opposition parties is a clear indication that African democracy has no respect for personal freedoms and that it continues to suppress human rights. So the argument here is that African technocratic elites have declared war on one another and accumulated wealth all in the name of liberal democratic functions. The dismal performance of most of the African leaders is a reflection of the fact that democracy in Africa is still a nightmare. Development in this case cannot be expected to assume a pronounced direction if democracy is still in limbo. Well, there could be a counter-argument that democracy is not a precondition for development and/or vice versa, but sound as the argument might be, it can be tackled at a different platform. The state is yet to provide social security and better the standards of living for the ordinary citizens. Saul (2001) mentions that it will take long before development can take shape in Africa because the ruling classes are in the habit of sidelining public resources for their own private use. Saul's study has noted the egoism of

some of the ruling class in Africa, nevertheless, this study seems to be of long historical time range and hence it lacks the current experience and practices with regard to liberal democracy, elections and political stability in Africa.

Furthermore, Turok (1987) notes that independence and liberation in Africa means raising the flag and singing a national anthem and then later going back to the bush. There is some truth in Turok's assertion in that for decades the Great Lakes in Central Africa have been submerged in a spiral of ethnic conflict. We have seen the same in Kenya of late. Every effort to try to resolve disputes appears to have led to the emergence of new conflicts. This conflict therefore affects development in that there is no way in which productive economic and social activities can be conducted if the country is at war.

In August 1998, war broke out in the Democratic Republic of Congo between the former Kabila's government and the opposition rebel movements. These conflicts took shape because liberal democracy has failed to deliver the promised services to the masses. Baregu (1999) indicates that former president Kabila was at the heart of the conflict in his country since he facilitated the mutilations of the minority of Banyamulenga people within his state. It therefore goes without saying that the leaders in African states are mostly biased and lack vision in their ways of dealing with the civil society to the extent that they generate and support ethnic conflicts in order to cling to their power.

As if not enough, on the eve of Christmas in 1989, a group of dissidents of Charles Taylor invaded Liberia with the intention of unseating the then government of President Samuel Kanyon Doe who also had seized power through evil bloody tactics in 1980. Taylor succeeded in his coup attempt and eventually had his National Patriotic Front of Liberia (NPFL) rebels occupying a good portion of Liberia. During this conflict, the civilians were massacred in large numbers and development of the country got to a standstill. The provision of basic necessities under Taylor's regime became a difficult if not an impossible exercise. The case of Taylor is just an example and to some degree a seed of some justification of the fact that most of the African governments make development a secondary issue whilst conflicts and war become more of a primary matter. In instances where you have the so-called stable and successful governments, the traditional norm under those governments is that corruption, fraud and total anarchy become part of the composition of the marrow of the government. This state of affairs is troubling and deserves an immediate panacea.

Sandbrook (2000) also positively contributes to this discussion by mentioning that in Kenya, ethnic conflicts occurred in 1997, as supporters of the then President Moi sought to "cleanse" the province of migrant opposition supporters prior to the elections. Moi always claimed that his government was a shining example of African democracy and maintained the ideal that multiparty elections in Kenya would aggravate ethnic animosities and tamper with the country's democracy. Moi intimidated the opposition parties and was forever ready to counter-attack the demands for electoral reform with violence. Such actions indicate beyond any scope of doubt that in Kenya liberal democracy did not recognize the civil society and other pertinent organizations and movements as key actors in the governing of the state. The notable post-election political crisis and tension in Kenya, which took course in 2007, is a testimony about the fragile nature and complexity of Africa's liberal democracy. Although Moi is no longer in power in Kenya, the bottom line issue is that the legacy of his leadership style is alive given the current political wrangling. Abuses of power, cheating during elections and the general spirit of conspiracy have compromised development and social justice in Kenya. Liberal democracy legalizes governments and in turn the leaders fail dramatically to address the needs of the electorates. Ake (1996) noted that political conditions in Africa are the major obstacles to development and that development is not regarded as a matter of priority. Instead the political leaders use state power for the accumulation of resources, a spirit that emerges from individualism coupled with systemic corruption and marginalization of the masses.

6.5. Liberal Democracy and the Politics of Ethnicity

Ethnic pattern is an integral part of a colonial legacy and it has been a major factor for the failure of the state in Burundi, Rwanda and so to say in Kenya as opposed to Tanzania. The use of ethnicity to manipulate electoral processes demonstrates its destructive influence within the post-colonial state and contemporary liberal democracy. Although it is noble, it seems ultimately futile to resist the suggestions that the colonial state and its successor have failed to inspire loyalty and forge a nationalistic identity among the elites as well as within citizens. Citizens as a whole lack an instinctual and nationalistic bond to the state, hence those who become rulers pillage it in the league with members of their ethnic groups and resort to massive human rights violation to repress those they have excluded.

Kenya is a good examples of the inability of the elite to develop and pursue national, as opposed to ethnic, interests. The history indicates that after independence from Britain in 1963, the anticolonial coalition of major ethnic groups collapsed in 1966 because of ideological differences. In 2000, Kikuyus organized to block Daniel arap Moi, a Kalenjin, from assuming the office of the president upon the death of Kenyatta. However, the timing of the founding father Jommo Kenyatta's death and squabbles within the political elite allowed Moi to assume the presidency. Moi continued Kenyatta's legacy: he forced the Kikuyu out and replaced them with the Kalenjin who took the key positions in the civil service and armed forces.

In 1992 and 1997, the last two contested elections, the parliament and presidential votes were split primarily along ethnic lines. These voting patterns are extremely bad for the future of democracy and may become a cyclical problem in virtually every subsequent election in the Country.

The findings indicate that, while the holding of regular elections in Africa is on an upward trajectory, there are worrying trends in incumbents' clinging to power and blocking executive rotation or replacement. For instance, presidents Pierre Nkurunziza of Burundi, Dennis Sassou Nguesso of Congo-Brazzaville and Paul Kagame of Rwanda amended their constitutions to allow unlimited presidential incumbency. Thus, even though majority of respondents perceived free and fair election, the liberal democracy has not been able to play its part on presidential limit of power as the case cited above illustrate. These findings corroborate with Luhurmann et al. (2019) who note that repression of civil society organizations has similarly become significantly worse in 26 countries while conditions have improved in only 17. In conclusion, media and the freedom of civil society, and to some extent the rule of law, are the areas under most severe attack by governments over the last ten years of the current third wave of autocratization.

7. Conclusion

It should be further noted that even though some of the respondents perceived free and fair election in Tanzanian and Kenya, elections results are often associated with violation of election laws and procedures and in the long run not accepted, which is the source of political volatility. This calls for establishing and application of the due procedures for elections that are vital for peace and development of the East African countries. This study further concludes that even if the institutions of liberal democracy have gradually developed with partial free and fair elections, the manifestations of political instability still exist in some of the East African countries, marked in the election violence in Kenya comparatively to Tanzania. Hence, it is further noted that the interface between the liberal democracy and political stability has not been sufficiently realized in the liberal democratic tradition. Liberal democracy is necessary for a democratic development, but not sufficient for democracy to be consolidated for state building. The findings of this study indicate that liberal democracy

through election has led to mixed results, because while in some cases elections promote national consolidation, in other they have led to political instability. Each mismanaged election has tended to bring about public outcry calling for constitutional reforms and observance of rule of law.

Free and fair elections are chiefly a reflection of involvement of the people. There are recent examples where aspirations have themselves contested the fairness of elections, e.g. the recent concluded 2015 elections. It should be further noted that even though some of the respondents perceived free and fair election in Tanzania and Kenya, as may be seen from the findings of this study, elections' results are often not accepted, which is the constant source of political instability from a political point of view. This calls for establishment and application of the due procedures for elections that are vital for peace and development of the East African countries, in particular, Tanzania and Kenya.

The main conclusion is that even if the institutions of liberal democracy have gradually developed through elections, the manifestations of political instability still exist in some of the East African countries such as in Kenya comparatively to Tanzania. Hence, it is concluded that the interface between the liberal democracy and political stability has not been sufficiently realized in the liberal democratic tradition. Liberal democracy is necessary for a democratic development, but not sufficient for democracy to be consolidated for stability and state building.

8. Recommendations and Future Research

Election as one of the pillars of liberal democracy should be properly and fairly instituted because, in order for the role of liberal democracy to be realized in fostering peace and tranquility, preparations should be made to ensure credibility and peace in elections.

There should be coordination in organization and management of electoral process. Effective coordination is important at all levels either internally i.e the electoral body or between the stakeholders that is contesting parties.

Election laws should be established to curtail the politics of ethnicity in East African countries, in particular, in Kenya, because if it is left unattended it may lead to political crisis and political stability as it has been the case in Kenya, Rwanda and Burundi.

Electoral commissions should be independent of the influence from any government institution. This is only possible by establishing laws which insist on independence of electoral commission through its resources (human and financial resources).

This study was mainly based in Tanzania and Kenya, thus it is recommended that another study may be conducted to examine the same aspect in other East African countries, i.e Rwanda, Burundi, South Sudan and Uganda. Furthermore, another study can be conducted on liberal democracy and separation of powers in East African countries.

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СОСТОЯНИЕ ЛИБЕРАЛЬНОЙ ДЕМОКРАТИИ В КОНТЕКСТЕ ИЗБИРАТЕЛЬНОГО ПРОЦЕССА И ПОЛИТИЧЕСКОЙ СТАБИЛЬНОСТИ В АФРИКЕ: ПРЕОДОЛЕНИЕ РАЗРЫВА МЕЖДУ ТЕОРИЕЙ И ПРАКТИКОЙ В ТАНЗАНИИ И КЕНИИ

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***Аннотация.** В статье предпринята попытка оценить состояние и степень проникновения базовых принципов либеральной демократии в Африке в контексте проведения выборов и поддержания политической стабильности. Основной исследовательский материал относится к восточно-африканскому субрегиону, прежде всего Кении и Танзании. Особое внимание уделяется реализации либерально-демократических установок и принципов в плане проведения свободных и честных выборов, а также связанным с последними вопросам политической стабильности и этнической политики в двух восточноафриканских государствах. Автор исследования исходит из того, что за последние десятилетия политические системы многих африканских стран претерпели изменения, что выразилось, в частности, в превращении многопартийности в преобладающую норму. В работе предпринята попытка показать глубину этих изменений. Методы, использованные в данном исследовании, включают опросы, анализ источников, а также статистическую обработку полученной информации. Автор приходит к выводу, что, несмотря на определенный прогресс во введении институтов либеральной демократии, произошедший с 90-х гг. XX в. в восточноафриканских странах, конечная цель – достижение политической стабильности и обеспечение честных и свободных выборов – все еще не достигнута в желаемой степени, что иллюстрируется на примере Кении в сравнении с Танзанией. Автор подчеркивает, что для построения полноценной системы либеральной демократии необходимо обеспечить беспрепятственную работу такого механизма передачи власти как свободные выборы, обеспечивающие всем заинтересованным сторонам равные возможности участия, не допускающие давление или применение насилия и дискриминацию по этническому признаку.*

***Ключевые слова:** либеральная демократия, политическая стабильность, выборы этническая политика*

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