

KENYA: KEY HISTORICAL AND CONSTITUTIONAL DEVELOPMENTS

1944: Eluid Mathu became first African appointed to the Legislative Council (LEGCO)

1952: State of emergency declared. 183 Kenya African Union leaders were arrested. Kenyatta, Paul Ngei, Achieng Oneko, Bildad Kaggai, Fred Kabui and Kung'u Karumba were charged in the notorious Kapenguria trial with managing or assisting to manage, the proscribed society of Mau Mau.

1956: The Courts Report established voting qualifications as income qualification of 120 pounds a year (nearly double the average African income)

1957: The first African elected members to the LEGCO took oath of allegiance. They were a total of 8 namely, Mboya, Ngala, Mate, Oguda, Mulira, Arap Moi and Odinga Odinga

1957: The number of elected African members to the LEGCO was increased from 8 to 14.

1958: All 14 elected African members of the LEGCO walked out of the LEGCO Chambers when Governor Evelyn Baring said the Constitution was to stay irrespective of what the Africans wanted. A boycott of the LEGCO by the Africans ensued.

1960: Kenya African National Union launched

1960: Kenya African Democratic Union launched by Muliro and Ngala

1960, 1962 and 1963: Lancaster House Constitutional Conferences were held in London and Nairobi (1963) to negotiate Kenya's independence constitution.

1961 (Early): A KANU delegation was sent to government House in Nairobi and to the colonial office in London demanding the release of Kenyatta in time for the approaching general election

1961(October): Kenyatta became member of the LEGCO and led a delegation to London to press for a conference on a Constitution for internal self government.

1963 (May): General elections were held on the principle of one person, one vote. The Kenya National African Union (KANU) obtained overwhelming victory.

1963 (June): Kenya attained internal self-government.

1963: Talks on Independence Constitution opened

1963 (December): Full independence was granted to Kenya after 61 years of colonial rule.

1963 - 1968: Secession threat by Kenyan Somalis led to protracted civil war and the promulgation of emergency law until 1992. The North Eastern Province has been run by the government analogously to an occupied territory during war time.

1964: Kenya became a republic with Jomo Kenyatta her president after unification of the hitherto dual executive. KANU and the opposition party Kenya African Democratic Union (KADU) merged to pave way for de facto one partism. 1964 (twice), 1965, 1966 (four times), 1967, 1968 (twice), 1969, 1974 (twice), 1975 (twice), 1977, 1979, 1982, 1984, 1986, 1987, 1988, 1990, 1991 (twice), 1992, 1997, 1999 Various constitutional amendments were affected. The first set (1964- 1988) dismantled multipartism. The second set (1990 to the present) have begun to hesitantly recreate a multiparty democracy.

1965 (February): Pio Gama Pinto was assassinated outside his house

1966: An opposition party the Kenya Peoples' Union (KPU) led by Odinga Odinga was formed.

1969: KPU was banned and its leaders detained; Tom J. Mboya was assassinated; General elections were held

1974: General elections were held

1975: J .M. Kariuki was assassinated

1978: Jomo Kenyatta died; his vice president Daniel Arap Moi succeeded him as president.

1979: General elections were held

1982: A constitutional amendment made Kenya a de jure one party state to forestall the registration of an opposition political party by Jaramogi Odinga Odinga and George Mosei Anyona. In August, there was an attempted military coup d'etat which was ruthlessly crushed.

1982 - 1988: Protracted crackdown of MWAKENYA and other political dissidents. These years represent the hay days of the Moi dictatorship.

1983: General elections were held

1988: General elections were held

1990: Saba Saba demonstrations whose central demand was resumption of multipartism were violently broken by the police. Scores of demonstrators were killed. KANU established a Review Committee to collect views from Kenyans on how KANU should be reformed.

1990: Robert Ouko Foreign Minister was assassinated.

1991 - 1993: Politically instigated ethnic clashes left about 1000 Kenyans dead and many thousands more especially from the major ethnic Kikuyu community rendered internal refugees.

1991: Donors withdrew budgetary support aid so as to pressurise for return to multipartism.

1991(December): A special conference of KANU agree to the introduction of multipartism.

1991: Multipartism restored through the repeal of section 2A of the constitution. The amendment also introduced 2 five year term limits for the Presidency.

1992: Tribal conflict leaves approximately 2000 Kenyans in West of the country dead.

1992: By 1992 several opposition political parties were in existence. Forum for the Restoration of Democracy (FORD) split into FORD - Kenya and FORD - Asili.

1992 (December): General elections were held. Moi re-elected under a multiparty system.

1994: Oginga Odinga died.

1995: On New Year's Eve, Moi promised constitutional review would start.

1996: The National Convention Planning Committee (NCPC), the executive arm of pro-democracy forces who had come together to agitate for constitutional change was formed.

1996: Karimi Nduthu was assassinated

1997: The National Convention Assembly and its executive arm the National Convention Executive Council (NCEC) were formed. Between May and July, widespread mass action forced the government to concede to minimum constitutional and legal changes necessary to facilitate freer and fairer elections. The Constitution of Kenya Review Commission Act, 1997 was passed to provide a framework for constitutional change.

1997: Charity Ngilu offered herself for presidency, being the first woman ever in Kenya.

1997: General elections were held. The general election saw the nomination of the highest number of women MPs being 5.

1997-1998: Second generation of politically instigated ethnic clashes.

1998: Negotiations between civil society and the political class for the review of the Constitution of Kenya Review Commission Act, 1997 led to an extensive amendment of the Act via the Constitution of Kenya Review Commission (Amendment) Act 1998 (the amended law was now called Constitution of Kenya Review Act, 1997) and the creation of a substantially people driven process of constitution-making was created.

1998 October: A KANU parliamentary caucus meeting resolved to seek parliamentary changes to the 1998 review law, to exclude civil society involvement in the organs of the constitutional review 1998: KANU created post of Director of Women and Youth Affairs

1998 December: President Moi assented to the Constitution of Kenya Review Commission (Amendment) Act

1999: KANU frustrated the establishment of organs for the review of the constitution and therefore the implementation of the review law; KANU and NDP successfully sponsored a parliamentary motion to facilitate the amendment of the Constitution of Kenya Review Act, 1997;

1999 (March): NCEC launched Katiba Mpya- Maisha Mapya: A Vision for National Renewal, a document that detailed how Kenya could overcome the existing political stalemate;

1999 December: A resolution was passed by parliament establishing a 27 member select Committee led by Raila Odinga, to review the Constitution of Kenya Review Act according to the wishes of Kenyans and facilitate the formation of the Review Commission

1999 December: The Ufungamano Initiative, a citizen's lobby on constitutional change led by the religious sector was established with the mandate that it should facilitate the making of a constitution for Kenyans by themselves.

2000: The Constitution of Kenya Review Commission headed by Prof. Yash Pal Ghai was set up. 8 out of 25 commissioners of the review of the Constitution were made women.

2002: Opposition parties united to form the opposition alliance National Rainbow Alliance which would later lead to defeat of KANU in the December elections.

2002 June: Parliament passed an amendment Act amending the National Assembly and Presidential Elections Act in order to provide for continuous voter registration.

2002 September: The Presidential and Parliamentary Elections Amendment regulations passed to rectify problems associated with polling, counting of votes etc.

2002 December: General Elections held in which Mwai Kibaki won the in a landslide victory, ending Daniel arap Moi's 24-year rule and KANU's four decades in power.

2004: The Draft constitution of Kenya (Bomas Draft) prepared by the Constitution of Kenya Review Commission (CKRC) and endorsed by the National Constitution Conference adopted.

2005 July: Parliament approved the Proposed New Constitution of Kenya (Wako Draft).

2005 November: Kenyan constitutional referendum held. Majority of Kenyans rejected the proposed new constitution amidst what is believed to have been a protest against President Kibaki.

2007 December: General Elections held. The presidential elections results were disputed which lead to violence in which over 1,500 died and an estimated 350,000 Kenyans displaced.

2008 January: Post election violence continued.

2008 March: After protracted negotiation between the Kibaki and Odinga factions, mediated by external mediators including Kofi Annan, in which the two parties came to a power sharing agreement, the Kenyan parliament enacted the Constitutional Amendment Act and the National Accord and Reconciliation Act which introduced the position of a prime Minister and deputy Prime Ministers.

2008 April: A new cabinet appointed and Odinga sworn in as Kenya's Prime Minister.

2008 October: The Truth and Reconciliation Commission Act passed and Commission established to investigate human rights violations and to promote national dialogue and reconciliation.

2008 October: Kenya Commission of Inquiry into the Post Election Violence recommended the creation of an international tribunal to prosecute crimes committed during post election violence. Some politicians were however reluctant to have such a tribunal claiming it could be a precursor to further tensions amongst Kenyans.

2008: National Assembly passes the Constitution of Kenya Review Act and later the Constitution of Kenya (Amendment) Act.

2009 August: US Secretary of State Hillary Clinton while on visit in Kenya criticized Kenya for failing to investigate the 2007/2008 post election violence.

2009 September: The International Criminal Court (ICC) Chief Prosecutor revealed that the ICC would prosecute those most responsible for crimes committed during the post election violence.

2009 October: Kenyan government agreed to co-operate with the International Criminal Court (ICC) to try key suspects in post-election violence.

2009: Committee of Experts appointed to harmonize the draft constitutions and the Harmonized Draft Constitution completed.

2010 April: Parliament approved the Committee of Experts draft Constitution on April 1st 2010.

2010 August: Kenyans voted in a referendum and approved the new constitution and the new constitution was promulgated.

The Commission for Implementation of the Constitution Act was enacted and the Commission formed to that effect.

2010 December: ICC names six Kenyans William Ruto, Uhuru Kenyatta, Francis Muthaura, General Hussein Ali, Henry Kosgey, and Joshua San as key suspects in the 2007 post election violence. (Famously referred to as the Ocampo Six).

2011 March: ICC issues summons to appear for the Ocampo Six.

2011 April: Ocampo Six appeared before the ICC Pre-trial Chamber.

2011 August: Ministers clash in parliament over delay of passing Bills implementing the constitution.

2011 August 22: Cabinet approved the last two Constitution implementation Bills (the Contingencies Fund and County Emergencies Bill 2011 and the National Government Loans Guarantee Bill 2011) that were required to be passed within a year of the promulgation of the Constitution on August 27, 2010.

2011 September: The Cabinet approved the Constitution Amendment Bill 2011 that sets the national election date to the third Monday of December after every five years. The constitutional amendment awaits a two third majority approval by parliament.

2012 January: International Criminal Court rules that several high profile Kenyans including Uhuru Kenyatta and William Ruto must stand trial over the 2007 post-election violence.

2012 January 13: Kenya's High Court ruled that the next presidential and parliamentary elections be held by March 2012, which will be 60 days after the end of the current parliament's five-year term.

2012 February: The High Court set aside orders barring public discussion of Uhuru Kenyatta and William Ruto's candidature in the next Presidential elections. A total of 150 MPs voted to extend the period allowed by the Constitution for passing the Land Bill, 2012, the Land Registration Bill 2012, and National Land Commission Bill 2012, with one member voting against the Motion.

2012 February 27: President Kibaki declined assent to the County Government Bill 2012 saying it should be amended to be in line with the Constitution.

2012 March: The Independent Electoral and Boundaries Commission of Kenya has set December 17 as an alternative date if it is forced by either arms of the government to reverse its decision to hold the Genreal Elections on March 4, 2013.

2012 March 07: Parliamentary committee accepted President Kibaki's memorandum rejecting the County Government Bill. However it proposed further amendments to appease members of Parliament. The committee proposed deleting a clause giving governors powers to chair security meetings. It proposed the sub-clause to establish an intergovernmental forum in charge of harmonization of services in the county.

2012 March 26: President Kibaki and Prime Minister Raila Odinga reshuffled their cabinet in the coalition government.

2012 March 29: Kenya Electoral Commission announces that citizens aspiring for public office will have to seek clearance from the Ethics and Anti-corruption Commission as stated in the new Leadership & Integrity Bill which if passed and enacted will keep out individuals with past criminal dealings from holding public office.

2012 April: Government announced that the Independent, Electoral and Boundaries Commission (IEBC) will establish polling stations in North America and Europe to facilitate voting of Kenyan diaspora.

Two Kenyans filed an application in the High Court to restrain deputy premier Uhuru Kenyatta, Francis Muthura, William Ruto and Joshua Sang who are facing charges of crimes against humanity from cooperating with the ICC pending determination of a petition claiming the Rome Statute is in conflict with the Kenyan constitution.

2012 April: KANU sent out its incumbent chairman, Uhuru Kenyatta and temporarily replaced him with Gideon Moi, his deputy at Special National Delegates Conference at Kasarani, Nairobi. Critics have cited that there has always been wrangles in the independence era party Mr. Gideon Moi, will act as chairman for the next two months as preparations are made for electing the next party Chairperson.

2012 April 19: Political parties were reminded by the Kenya Electoral Commission to raise their terms of participation to be in sync with the Political Parties Act or face deregistration.

2012 April 23: The Deputy Prime Minister of Kenya Mr. Musalia Mudavadi, quit the Orange Democratic movement (ODM) ending months of internal party misunderstandings.