

## Cover Story

### ANTI-TAX PROTESTS IN KENYA: NO EASY SOLUTIONS

In June 2024, Kenya witnessed widespread anti-tax protests, particularly against the passage of the Finance Bill 2024. The protests, initially peaceful, escalated into violence, resulting in the death of 39 protesters and widespread vandalism. The bill aimed to raise KES 302 billion, the largest increase in Kenya's history, amid high inflation and economic challenges. The government's insistence on passing the bill despite public outcry fuelled distrust in President William Ruto, who had campaigned on a platform of reducing the cost of living. The protests, which started as opposition to the tax hike, evolved into a broader movement against Ruto's leadership. Kenya's economic challenges, including high public debt and sluggish growth, have limited the government's options for addressing the crisis. While Ruto's administration has attempted fiscal consolidation, the protests underscore deep-seated discontent with the political and economic status quo

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Thousands of uncontrollable protesting youth stormed the Kenyan Parliament, torched and vandalised sections of it on 25 June 2024. Few other government buildings were also put on fire by the enraged masses. Reportedly 39 protesters were killed, hundreds wounded and more arrested in police action by 30<sup>th</sup> June.<sup>1</sup> Similar clashes between thousands of protestors against the passage of The Finance Bill 2024 and police forces took place across cities and towns putting the country in chaos. This is how Kenya Government faced a serious challenge as it planned to increase its annual revenue through the finance bill. The mob demanded revocation of the bill that was approved and passed by the Kenyan Parliament despite wide-scale discontent and protests. The bill intended to mop additional KES302 billion to the treasury, which is the largest ever increase (43 per cent over the previous bill) in the history of independent Kenya.<sup>2</sup>

Anti-tax sentiments gathered momentum since the introduction of the bill in the second week of May 2024, and transformed into huge protests in the month of June.<sup>3</sup> The protests initially were largely peaceful that later escalated into violence due to the Government's

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intransigence for not acceding to the people's demand, and determination to achieve the revenue increase. Although the government retracted taxes on certain essential items under people's pressure, it simultaneously was determined to tax other items to meet the target. William Ruto, the President of Kenya faced the wrath of the youth and the common *mwananchi* (citizens). The protests that began with the objective of the government dropping the raise in taxes snowballed into a movement against President Ruto despite his refusal to finally sign and enact the bill. Protestors expressed their distrust for Ruto as he had taken a strong line against the violent protestors on 25<sup>th</sup> June, saying the symbols of the State of Kenya were being targeted by 'criminal elements' who had intruded into the protests. For people, it was too late for him to take a U-turn and retract the bill. The issue no more was the financial bill but the deeper underlying structures of the Kenyan politics and economy that President William Ruto represents. This article, therefore, explores the structural reasons for people's rage against the William Ruto Government. It also analyses options available to the government for resolving the crisis and addressing the underlying problems leading to such chaos.

### What Triggered the Protests?

The Financial Bill 2023 signed and enacted by President Ruto was unpopular for imposing housing levy.<sup>4</sup> The bill was challenged in court which declared it unconstitutional. However, Ruto found another way to bring back the levy through Affordable Housing Bill, 2023.<sup>5</sup> This affected working class as the tax was to be collected directly from their gross salary and income. This led to protests which were primarily organised by political parties in opposition to Ruto Government. However, it is not the case in 2024.<sup>6</sup> No leading organisation has taken responsibility for the protests. The movement began as small youth agitation that snowballed into mass movement that primarily included millennial students and youth who were later joined by professionals, families and civil society members united with rising costs of living in Kenya.

People were dissatisfied with the bulldozing attitude President Ruto had shown towards the court's decision regarding housing levy and the Finance Bill in 2023. Ruto had shown resolve to increase revenue even if people were not happy with it. To get his way, he was even inclined to not adhering to relevant provisions of the constitution. It was also felt that the 'public participation' process during consultations on the bill was 'cosmetic', 'inadequate' and 'mockery' of the sovereignty of the people.<sup>7</sup>

The purchasing power of Kenyan consumers is relatively lesser than before. They are compelled either to reallocate spending or consume lesser. High inflation due to prolonged drought and supply chain conditions, because of the Ukraine war, has in general raised the prices of

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food, energy and transportation.<sup>8</sup> Accumulated anger towards the rising cost of living, a consistent phenomenon in relation to increases of income over years, erupted with the new proposed tax regime.

### The State of Kenyan Economy

Current price GDP of Kenya in 2023 was USD108.92 billion,<sup>9</sup> putting it in the league of ten largest economies in Africa. With a fluctuation between 0.2 and 8.1 per cent, the country was able to maintain an average annual real GDP growth rate of 5.58 per cent during the 15 years (2005-2019) before 2020 (when the global catastrophe of COVID-19 pandemic struck the country leading to a contraction of the real GDP by 0.3 per cent). The real GDP growth rate after the COVID year (during 2021-23) has been 5.9 per cent on an average, which is significantly lower than its agenda 2030 target of achieving an annual growth rate of 10 per cent.<sup>10</sup>

The country however has not been able to register itself among the fastest growing economies in Africa. The average 12-month inflation between July 2023 and June 2024 has been 6.36 percent, showing an improvement from the past.<sup>11</sup> The unemployment rate, which was almost stagnant around 2.8 per cent till 2016, however, has seen an annual rise with an average 0.4 per cent since 2017. The rate of unemployment in the year 2023 was 5.7 per cent.<sup>12</sup>

The 29<sup>th</sup> Kenya economic update released in June 2024 has shown improvements on growth and inflation front. The report, however, expects the economy to slow down slightly and remain around 5 per cent in 2024. Service sector, especially Tourism and finance, is the largest contributor to Kenya's GDP<sup>13</sup> with around 55 per cent share in 2023.<sup>14</sup> Although exports are the third largest contributor in the economy, export-GDP ratio has been falling over the last decade. The export-GDP ratio of Kenya is about one-third of a country with a comparable economy in size. The country faces competition in terms of competitive advantage and has also not been able to add new products of value in its basket for quite some time. Agricultural products, minerals and chemicals are the three largest contributors to the country's export basket.<sup>15</sup> The economy is structured traditionally, and the exports are of low value. The country, therefore, is not able to generate enough revenue to invest or fund developmental projects, leading to accumulation of public debt over years.

### Debt Situation and Servicing

The Kenyan economy, if not fast, grew well above the world average rate of 2.7 per cent in 2023,<sup>16</sup> and it is not growth but the type of growth in the root of the economy's problems. It is heavily indebted and has few means to increase revenue for debt-servicing and developmental needs. Kenya's total public debt at the end of financial year (FY) 2022-23 was 72 per cent of the GDP which is estimated to come slightly down to 68 per cent in 2023-24. This is, however, still too high in relation to the acceptable standards, and the larger share of borrowings in recent years have come from external sources.<sup>17</sup>

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President Kenyatta relied on debt led growth as he wanted to capitalise on the status of Kenya as a “frontier market” in Africa. Debt financed grand infrastructure projects that have not yet been able to give much returns have raised questions regarding who benefitted out of these projects.<sup>18</sup> The Kenyan debt to GDP ratio has almost doubled in the last decade as it was only 41 per cent in 2014. The estimated debt servicing ratio for the FY 2023-24 is 5.7 per cent of the GDP, which would stand around 37.9 per cent of the estimated tax revenue.<sup>19</sup> The pressure to remain solvent, therefore, leaves little room to invest in the long-term priority areas for the economy to grow at a faster rate. Requirement to keep the economy growing, catering to people’s needs and demand, compels the government to borrow and be trapped in a vicious cycle of debt. Although Ruto Government has shown determination to cut fiscal deficit by increasing revenue through taxation, this has backfired putting his government’s survival at stake.

### Expectations from William Ruto

William Ruto, who was sworn in as President of Kenya only two years ago in September 2022, is facing a formidable challenge to keep his government functional. He was elected with a small margin over his major opponent Raila Odinga with 50.49 per cent of votes which was challenged and validated in court later. Many felt that his election was not very popular and was highly contested. Ruto had come to office with a promise of bottom-up agenda for 2022-27, projecting his humble background of “street chicken seller” and a narrative of his rise from the grassroots.<sup>20</sup> He has a trajectory of rise that the common masses can look up to for inspiration. The expectations from President Ruto as a “hustler”, however, were much more than others as the common people chose to believe him to be different among the ‘legacy’ candidates. Despite his association with Uhuru Kenyatta under whom he served as Vice President for nine years, he campaigned on this ‘difference’ and raised unrealistic hopes. Ruto’s primary election promise was to bring down the cost of living, which seems to be a distant dream, as he desperately attempted to raise revenue for the exchequer of Kenya through taxation. He also blamed his predecessor for ruining the economy by increasing subsidies and “avoidable” borrowings. He knew that the country had been “living large and way beyond” its means.<sup>21</sup>

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Ruto awakened class issue in the Kenyan politics and termed the main political opponents as leaders with “pedigree” who have inflicted a “state capture” by manipulating institutions of the nation.<sup>22</sup>

This worked for him as the people had been looking for a fresh air in a political environment captured by political legacies. But it meant he would be under acute scrutiny by opposition and all other stakeholders. His steps to collect more for the government coffers to deal with burgeoning debt and deliver his promises were no respite. People looking forward to immediate relief interpreted it as betrayal. The opposition also got the opportunity to settle scores, as Ruto has not been following the tacit consensus among the political elite to protect

the predecessors. There have been action by state agencies against the family members of former President Kenyatta, other opposition members and their assets.<sup>23</sup> The political elite had not expected this. Ruto, therefore, is a target for both, the people as well as the opposition.

### General Discontent with Politicians

The immediate interpretation of attempts to increase revenue through taxes as deceit, is a result of the long-term experiences of Kenyan people. For common *mwananchi*, corruption in Kenya is on “a grand industrial scale” and politicians have used the “state as a site for personal accumulation and enrichment” by marginalising the masses.<sup>24</sup> Kenya stood 126<sup>th</sup> out of 180 countries in list of most corrupt countries in the world in 2023.<sup>25</sup> The changes in the rankings and overall perceptions of corruption in the administration over the years have not been very encouraging. People distrust the politicians and their means of accumulating wealth.

### Options for Solution

The problems of Kenyan economy, although complicated by dismal conditions of the global economy, is “largely homemade.” The solutions, therefore, must come out of the Kenyan economic and political decision-making processes. The government has been borrowing and investing in grand public infrastructure like roads, rails, and port, keeping the growth rate steady.<sup>26</sup> But this has not yet given expected returns and acceleration to growth.<sup>27</sup> On the contrary, this has added to public debt.

Increasing exports and harnessing demographic dividend can be other means to accelerate growth. However, governments in Kenya have failed to benefit as their policies could not increase exports and generate jobs or required skills in the available working force.<sup>28</sup> Increasing exports and demographic dividend needs systematic economic and educational reforms that need sustained investments over time.

In 2021, Kenya had to go to the International Monetary Fund (IMF) for stabilising its fiscal conditions.<sup>29</sup> But this is rather a problem than solution in the Kenyan context.<sup>30</sup> Ruto Government, therefore, has planned a “multi-year fiscal consolidation effort centred on raising tax revenues and tightly controlling spending.”<sup>31</sup> The strategy has slightly improved the economy in the last financial year with respect to current account balance and fiscal deficit. But public expenditure in a country like Kenya cannot be strictly tightened for long, as this may impede an already stagnated growth or induce political consequences like this episode of intense protests.

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Debt restructuring is another option but it takes time and diplomatic efforts to negotiate. China is the largest bilateral creditor to Kenya.<sup>32</sup> Given the Chinese mercantilist as well as strategic approach regarding their loans, it is not easy to re-negotiate the debt without additional concessions to them. Multilateral financial institutions are also going to take a cautious approach

towards any restructuring, as the share of Kenyan multilateral debt is already over 25 per cent.<sup>33</sup> This, too, makes it difficult for the country to get a new round of loans.

Grants are the best option to finance Kenya in the current situation, but they are very limited as developed countries have grown more cautious and circumspect in giving grants due to their own economic and geopolitical uncertainties. Developing countries have limited capabilities even if they resort to providing on account of helping a friendly country or investing in an economy of future currently mired in poor financial governance and decision making. However, in empirical and practical terms, grants have never been a solution to economic problems of a country. The grant component in the Kenyan GDP for the FY 2022-23 was a negligible 0.2 per cent while estimates for FY 2023-24 are only 0.3 per cent.<sup>34</sup>

### Conclusion

The Kenyan debt crisis reveals that the leadership chose easier, faster and optical rather than robust way to economic growth. The strategy of borrowing to finance growth and development has failed. People have only seen inflation and lack of returns on economically questionable projects. Given President Ruto's involvement in the preceding government as Vice President, expectations from him to be a saviour of the poor were fragile. His strong statements against the protestors, and use of heavy force by police killing many, worsened the crisis. Protestors want Ruto out of office, but they do not have any alternative leadership that could be fundamentally any different. The realistic means to a long-term solution to the Kenyan economic problem is to raise revenue through taxation or other means. All other means than taxation appear to have either reached their economically viable limits or would require further investment and diplomatic efforts involving time and uncertainty. The most robust solution, therefore, is to increase revenue domestically and sustainably, but this can be done only in a calibrated manner in the longer term. Relying heavily on taxing people's needs and daily lives to get immediate results has backfired. Rolling back the Financial Bill 2024 is a move to calm people down, and there is no easy and immediate alternative to taxation. The problem is not Ruto specific, but as President he has to be more creative and defter in exploring the right combination of all possible means of revenue in small measures over longer period of time. He is a victim of the expectations that he had raised to get elected. Not only him, but all Kenyan Governments have to be patient to criticism as they cannot bring the economy back on track immediately with drastic measures.

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