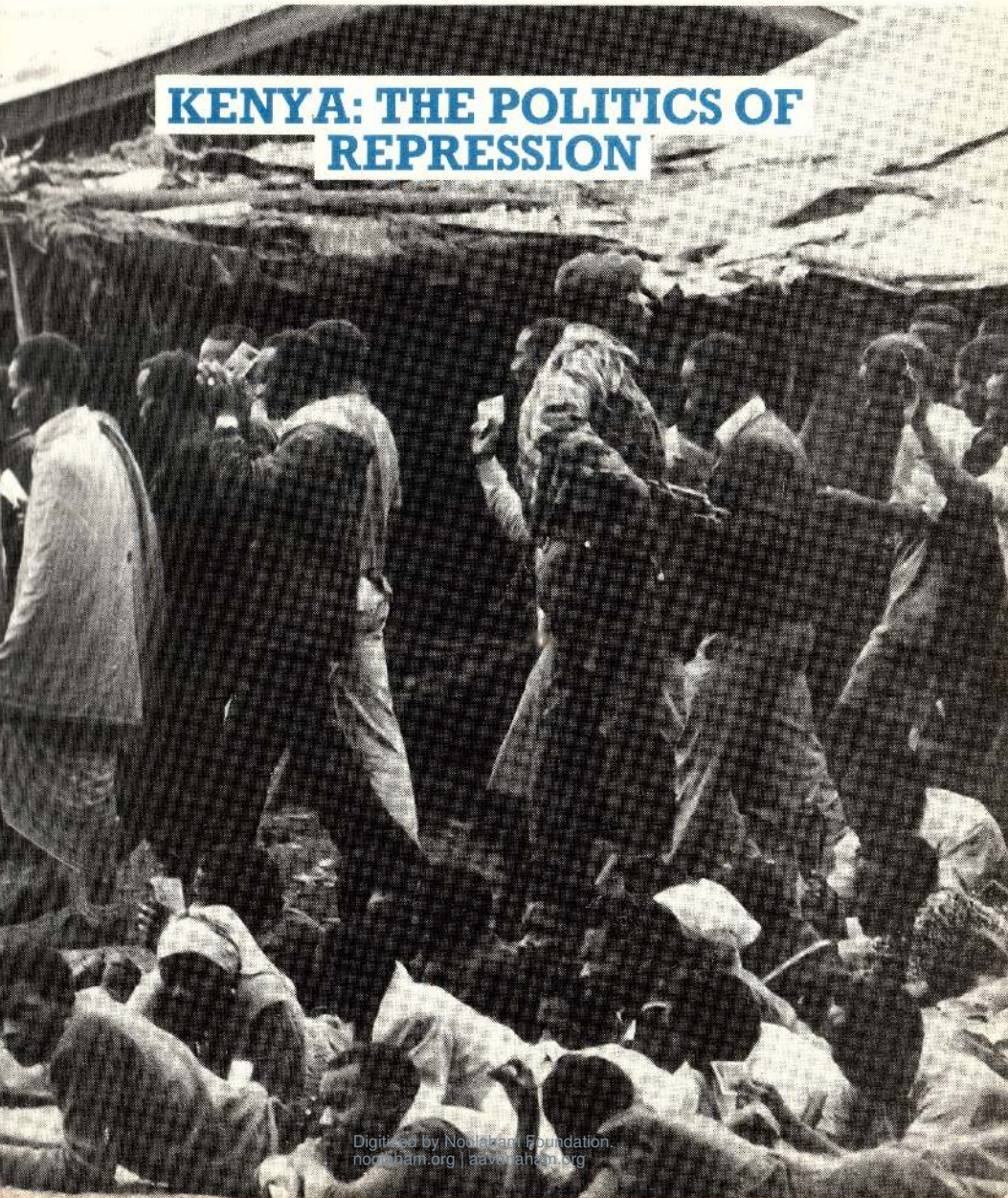
RACE & CLASS

A JOURNAL FOR BLACK AND THIRD WORLD LIBERATION

VOLUME XXIV
WINTER 1983
NUMBER 3 £2.00/$4.00

SPECIAL ISSUE

KENYA: THE POLITICS OF REPRESSION



CONTRIBUTIONS

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While welcoming contributions, particularly on Third World problems and realities, we would like to remind our contributors that manuscripts should be short (ideally, 5,000 words), clear (as opposed to obscure) and free of jargon. Typescripts should be double-spaced.

RACE & CLASS is published quarterly (in July, October, January and April) and subscriptions are payable in advance to any bookseller or to the Institute of Race Relations, 247-9 Pentonville Road, London N1 9NG. Subscriptions can be entered at any point in the volume. Current subscription rate £12/US$30 to institutions, £8/US$16 to individuals. Payment can be made in US or Canadian dollars drawn on US or Canadian banks respectively, or by international money order or sterling cheques drawn on a British bank. Special rates for booksellers are available on request. Back copies of Volumes 1-21 can be obtained from Wm Dawson and Sons Limited, Cannon House, Folkestone, Kent. Volumes 1-4 available in reprint at £4 per issue; Volumes 5-22 available in the original at £4 per single copy (Volumes 22-3 available at the IRR).

US Mailing Agent, Expediters of the Printed Word Ltd.,
527 Madison Avenue, Suite 1217, New York NY 10022, USA
2nd Class Postage Paid at New York, NY.

RACE & CLASS

A JOURNAL OF THE INSTITUTE OF RACE RELATIONS AND THE TRANSNATIONAL INSTITUTE

Volume XXIV Winter 1983 Number 3

ISSN 0306 3965

Cover design by Susan Hobbs
Cover Picture Camerapress
Typesetting by Lithoprint Ltd (TU), 329 Upper Street, London N1
Printed by the Russell Press, Gamble Street, Nottingham

Editorial

Wherever imperialism sets foot there's devastation, immiseration, deracination – and revolt. Kenya is not an exception. Kenya is a case in point.

The coup that shook Nairobi on the morning of August 1st may have been a coup that failed, but it was also a revolution begun. So too was the uprising that prompted Sandino's return to Nicaragua in 1925 a 'failure' – and the 1959 dockers' strike in Pijiguiti which propelled Guinea-Bissau into armed struggle. And, like them, the coup in Kenya was germinated in the culture of the people. For, as Cabral has said and the Mau Mau struggle has shown, it is the cultural resistance of a people that at a given moment in time takes on the form of political or economic or armed struggle 'to fully contest foreign domination'. And so it was precisely the cultural jugular of the people that Moi's government went for – closing down the people's theatre and imprisoning its songsters and playwrights, shackling the universities of learning and beating their students and teachers into submission, muzzling the media till it learnt to speak with one voice – the voice of Moi.

They were the acts of a desperate regime that could no longer hold, within the pretended bounds of democracy, the contradiction between the masters it served and the people it governed. In the event, the people had to go – and with them, democracy. The coup was only a catalyst, moving Moi towards open tyranny even as he succumbed to international capital (as witness the October economic measures). The path from democracy to dictatorship is paved with imperial gold.

So do all collaborationist regimes of the Third World still the voices of their people and drive their resistance underground. It then falls to us above-ground to give voice to their struggle and show solidarity in their cause. And it is in some small recognition of that task that *Race & Class* dedicates this issue to the Kenyan resistance. That the writers of

these articles should remain anonymous is in the nature of authoritarian regimes; but that one of them should put his name to it shows not only that he is not a Kenyan but that Kenyans are not alone.

A. SIVANANDAN

Foreword

The Mau Mau armed struggle against British colonialism (1952-62) was the first of its kind in colonised Africa. It demanded land, freedom and national independence, aims common to those liberation struggles the world knows better: Vietnam, El Salvador, Nicaragua and Namibia. But Mau Mau had some unique features too. Unlike the FLN in Algeria, Frelimo in Mozambique, MPLA in Angola or Zanla in Zimbabwe, Mau Mau had no rear base in an independent country, simply because most of the neighbouring territories were themselves under colonial rule. So for arms, food, logistics and propaganda the movement had to depend entirely on its own resources. For weapons the guerrillas had to make their own guns, or else wrest them from the enemy forces. For propaganda, so necessary in rallying internal support through explaining the political programme, and for creating a positive image for external support, they depended on songs, word of mouth and the occasional pamphlet. Although with the capture of Dedan Kimathi in 1956 their back was broken, the Mau Mau guerrillas never wholly surrendered and it was left to an 'independent government' under Kenyatta to persuade them to leave their camps in the mountains.

In the two decades since independence Kenyans have watched their country being slowly and systematically re-integrated into the West to make it even more dependent than it was as a British colony. Throughout these years Kenya's wealth has been looted, political dissent outlawed, its culture attacked at the roots and the most degrading values of western consumerism thrust upon it – even as its heroic past has been used to confuse the masses and progressive forces about the compromised character of the leadership.

Today, Kenya has become a centre for the spread of imperialist interests in Central, Southern, Eastern and North Eastern Africa – a link in a chain embracing apartheid South Africa and Zionist Israel. The regime has concluded military pacts or agreements with Britain, Israel and the US. And it is precisely because Kenya is a launching pad of imperialist interests that it has often been portrayed as a showcase of

western democracy, stability and progress – an illusion that has now been irrevocably shattered.

For what the coup of August 1st revealed was the increasing unpopularity of the Moi government and the severe deterioration of the standard of living for the majority of Kenyans. The government had offered Depo Provera where a land policy was needed, carte blanche to the creeping colonialism of the US and its military bases, and the banal slogans of 'peace-love-unity' as a solution to immiseration while the capitalist class filled its coffers with stolen wealth. Moi's response to the voice of protest was to reactivate the machinery of coercion in an attempt to hold his world together – only to deepen the disaffection of the people.

Since the attempted coup hundreds of workers and peasants have been arrested, imprisoned, killed. Students have been the victims of Kenya's kangaroo courts. The University, like the air force, has been dissolved. Torture has been used. Radical politicians and anti-imperialist democrats continue to be arrested, detained without trial or else imprisoned under dubious circumstances.

Hence the importance for us of this special issue. All these documents, articles, notes and comments build up our analysis of Kenyan society today – the political bankruptcy of its ruling elite, its economic dependency and corruption – and the ferment of resistance among ordinary Kenyans. 'Kenya: the end of an illusion' documents the context, background and events of the attempted coup; while the regime's use of judicial and other practices to silence its critics is evidenced in 'Politics of justice' and 'The social cost of detention'. 'Popular culture and popular struggle in Kenya: the story of Kamiriithu' testifies to the strengths, capacities and resistances of Kenyan peasants and workers, women and men – and the centrality of culture in that resistance, touched on also in 'Mau Mau after thirty years'. 'Kenya in US geo-politics' illustrates the country's transition, from neocolony to client state. And we have tried to show the range of the resistance; from the revolutionary alternative in *Pambana,* and the underground document *Cheche,* the radical nationalist standpoint of Odinga and Anyona and the populist position of the coup announcement. What they all share is a belief in the democratic process and a common anti-imperialist position.

We are well aware that in the present volatile atmosphere in Kenya events may render some part of this issue out of date by the time of publication. However, our task has been to 'catch history on the wing', to examine the material conditions that have led our country to crisis, and which will determine its course in the future. For obvious reasons we are forced to remain anonymous. But we look forward to the day when such secrecy will be unnecessary, when frank and open discussions abound, and when the creative forces of our people are set free to build a new world.

Kenya: the end of an illusion

> I announce to you today the overthrow of the corrupt regime of Daniel Toroitich arap Moi by the patriotic forces of our country. As I speak to you now our country is fully and firmly under the control of the armed forces. Every care has been taken to make the revolution as bloodless as possible.

After nineteen years of wishful thinking and mythmaking, this dawn broadcast shattered the image of independent Kenya as the success story of black Africa, the nearly unique representative of 'democracy' and capitalist development on the continent. Gunfire had been heard in the small hours of the night in Eastleigh, Buru Buru, Embakasi and the centre of Nairobi. By morning the Kenya Air Force (KAF) had manned roadblocks ringing the city. The main arterial road, Uhuru Highway, was blocked with abandoned and smashed cars. People who had turned on their radios by 6am were informed that they should stay in their houses and observe the round-the-clock curfew. Five minutes later university students were invited to take to the streets and demonstrate their support for their new 'popular government'.

Students had already been visited in their dorms by representatives of the 'People's Redemption Council'. Many then walked to the nearby Voice of Kenya radio and television studios to hear more. Others boarded buses to ride around the city and spread the news. In Nairobi's main shopping areas there was little sign that a curfew was in operation. Air force men used their land rovers to pull burglar bars from the

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shopfronts, and then told the people to help themselves. At the large Westlands shopping centre the looters began their work at dawn in an almost courteous way. There was no hurry. People helped each other to try on garments and offered each other a share of the booty. They carried away headloads and returned for more at their leisure.

But, as the morning wore on, things changed swiftly. The day had begun in warmth and brilliant sunshine, a rare occurrence during the Nairobi cold season. By 10am the usual bank of grey cloud had begun to move across the sky. Around the city air force men engaged the army and General Service Unit (GSU) in sharp exchanges of gunfire. The looting took on a more frenzied tempo as the army and police alternately shot the looters and joined in the scramble. By 11am the sky was completely overcast, and would remain that way for several weeks. Hundreds, perhaps a thousand people had died by late afternoon, when the Voice of Kenya informed the nation that the *Nyayo* government was back.

At the time of writing, Moi is still President but it is not clear who actually holds the balance of power. There are indications that the military is playing a dominant behind-the-scenes role. The situation remains a fragile one and people say openly that 'it is not over yet'. The country seems to be holding its breath and waiting for something more to happen.

Were the events of 1 August a mere aberration, carried out by a handful of KAF hooligans, as the President would have the nation and foreign investors believe? Or had something gone drastically wrong under the leadership of Daniel arap Moi, putting a military coup irrevocably on the agenda in Kenya as in so many other African countries? How can we explain what appears to be a massive loss of confidence in the institutions of civil government and a horrifying potential for bloodshed in what was long regarded as one of the most stable regimes on the continent? To seek answers to these questions, we must first briefly consider the political economy of post-colonial Kenya.

The economic background

The vast majority of Kenyans still live on the land. According to official figures published in 1979, approximately half the total population live below the government's poverty line of 200 pounds per year per household. In the late 1970s it was estimated that the poorest quarter of the population received only 6 per cent of the total national income, while the richest tenth got more than 40 per cent. There are huge inequalities between rural and urban earnings, and large variations *within* the rural areas as well. The majority of the rural dwellers are either landless or smallholders, nearly half of whom receive a yearly income of less than 100 pounds per year. The number of absolutely

landless is increasing at a rate of nearly 2 per cent a year. Meanwhile, much of the best land in the country is still divided into large, underutilised, 'mixed' farms and estates, owned by rich African politicians, businessmen and civil servants, and by foreign individuals and companies.

Low farm incomes, a rapidly increasing population and growing landlessness force many Kenyans to migrate to the urban areas, where they earn a precarious living in the 'informal' sector. A small percentage of the total labour force are formally employed. Half of these find jobs in the government sector. Industry is largely foreign owned, and capital intensive. Thanks to their Kenyan contacts, many foreign firms have been granted monopolies on extremely favourable terms by the government, and produce high priced shoddy goods with no export potential. The manufacturing sector only employs 12 per cent of those in wage employment, a figure which, judging by the growing number of redundancies, must be steadily declining. Real wages in urban areas are today lower than they were in 1959.

These facts seem beneath the notice of the Kenyan bourgeoisie, who obliviously emulate European life styles, bank extensively in Switzerland and invest in London. The African middle class is still essentially non-productive. Its members are businessmen, politicians, managers, executives with foreign companies, civil servants, professionals, landlords and rentiers. Since Kenyatta's death, there is little indication that the African bourgeoisie is moving in any significant way into productive industry.

Kenyatta in power

Kenyatta's regime has been aptly described by Colin Leys as an example of 'Bonapartist' rule. 'Bonapartism' is characteristic of countries in which capitalist penetration and class formation are incomplete, and a national bourgeoisie has yet to consolidate its power. A 'Bonapartist' leader does not represent a single class, but must appear to be simultaneously promoting the interests of various groups in the society. He must encourage the emerging bourgeoisie, he must speak for the peasantry, he must satisfy the armed forces and the large bureaucracy which serves as his chief power base. To carry out these contradictory policies successfully, he must possess a certain charisma and political adroitness.

Kenyatta was a leader in the Bonapartist mould. By the time of his death in August 1978, his repression of opposition, the implication of his government in political assassinations and the land grabbing and corruption associated with various 'family' members had eroded a large measure of his support. However, he retained his undoubted charisma and reputation as a 'Grand Old Man' of African nationalism.

He still possessed a certain amount of the political cunning which had distinguished his long career. More importantly, there was enough leeway in the economy to enable him to give scope to the ambitions of the bourgeoisie (both national and foreign) and to expand the bureaucracy which provided jobs for school leavers and university graduates. The smallholders and landless were wooed with the Kenyatta charisma and settlement schemes, and the officers in the armed forces were courted with offerings of land. In 1964 a mutiny had been successfully contained; seven years later coup plotters, including the Army Commander-in-Chief, were undone by a well-developed intelligence network and artful sense of timing. With characteristic finesse, Kenyatta declined to press charges against the Commander, but instead encouraged him to retire to his 10,000-acre farm.

In his closing years Kenyatta faced widespread discontent following the murder in March 1975 of the enormously popular 'opposition' MP, J.M. Kariuki. The government detained without trial those people who openly deplored its cover-up of the murder, and in general intensified its use of repression. Kenyatta's personal popularity, crucial in a Bonapartist situation, was at a low ebb, but the economy came to his aid. By 1976 the effects of the Brazilian frost of 1975 were being felt in Kenya. Thanks to a huge boost in coffee prices, the economy was remarkably (though deceptively) buoyant: capital accumulation proceeded at a vigorous pace. During 1976 and 1977 farmers, including smallholders, uprooted their food crops and planted coffee instead. Smuggling of 'black gold' from neighbouring Uganda made middlemen and government officials instant millionaires, who had trouble deciding how to spend their money.

By 1978 Brazil was again filling its coffee quotas, and Kenya began to pay for its two-year boom. Prices had gone up, and would not come down. All sorts of expensive consumer items were being imported to cater for the inflated tastes of the newly wealthy, eating up foreign exchange and widening the already enormous gap in living standards and aspirations between the few rich and many poor. Coffee prices had gone into a nosedive. Before long farmers would uproot coffee trees in disgust and desperation. The extravagant corruption associated with boom times had further undermined public morality. Those in public office who had either not chosen or not managed to enrich themselves were regarded as deficient in know-how and common sense. Those who had made fortunes were determined to keep them by getting their money out of the country, uncertain about what would happen in Kenya following the death of Kenyatta.

Moi takes over

As is explained elsewhere in this issue (see 'The politics of justice in

Kenya'), Vice-President Moi and his faction, led by Kibaki and Njonjo, won the struggle for succession because sections of the bourgeoisie believed they would make no great changes, but would keep things as they were. While the opposing faction, clustered around members of the 'family', was widely known and detested by the people, Moi was something of an unknown quantity. It was felt that he could be easily manipulated by those with vested interests. Moreover, his leadership would be acceptable to those parts of the country which would be reluctant to be ruled by a member of the big Kikuyu bourgeoisie. In most ways he appeared a perfect candidate; since no one could be sure what he stood for, he could seem to stand for everything.

But as a candidate in a Bonapartist situation he was seriously deficient in two respects. One, he totally lacked charisma and any type of historical claim to the presidency. Two, he was not politically adroit, and seemed intellectually out of his depth.

On his accession to the presidency, Moi appeared as both the obedient follower and implicit critic of Kenyatta. He attempted to cover himself with Kenyatta's mantle, and at the same time to distance himself from the more corrupt features of Kenyatta's regime. The word *'nyayo'* (KiSwahili for 'footsteps') was soon elevated to the level of national ideology. It was first used by the new government to emphasise continuity: Moi was following in Kenyatta's footsteps. Lacking the Kenyatta charisma, Moi had to pledge himself to clean up the corruption associated with the previous regime in order to ensure that the people would follow in *his* footsteps. He had to pose as a populist leader who would foster the interests of the small man. Thus, one of his earliest pronouncements was that 'one can accumulate enough wealth to buy a golden bed, but one cannot buy sound sleep with money'. His first executive act was to suspend the allocation of residential and commercial plots on the grounds that some big men were grabbing everything. And he soon announced his intention to revive the moribund ruling party KANU, and to hold long overdue party executive and national elections.

As long as Moi had some credibility, and his populist rhetoric could be taken at face value, his appeal to the small man was an effective way of winning support for his government. But before long his populist directives began to fall on deaf ears. People saw that the government rarely followed through on its promises or, if it did, the result was often more damaging than if nothing had been done. Civil servants came to dread presidential decrees, finding them unworkable and likely to be reversed the following day. The suspension of plot allocations turned out to be an empty gesture – they eventually found their way into the hands of other big men. With great fanfare Moi decreed that primary school fees were abolished, and was ritually thanked by politicians for providing free primary school eduction. In fact, fees never

were abolished. Schools now cost considerably more to attend than they did in 1978. As a follow-up to the spurious offer of free schooling, Moi announced the provision of free school milk. In many parts of the country milk *was* provided on a twice a week basis, causing a severe milk shortage throughout the country. In some instances headmasters did brisk business selling off the children's milk.

As far as democratic procedures were concerned, elections for the party and for parliament were held, as promised, late in 1978. But under Moi's guidance, KANU used the issue of 'clearance' (of would-be parliamentary candidates) to exclude five former Kenya Peoples' Union (KPU) men and the former MP and ex-detainee George Anyona from standing for election. The issue of 'clearance' would be used even more blatantly in the years to come whenever a vacant parliamentary seat needed filling. Determined to keep the newly elected parliament under his control, Moi created an inordinately large number of ministers and assistant ministers, and made certain that the frontbench could always outvote and isolate the potentially outspoken backbench.

Despite his failure to match populist rhetoric with deeds, there is no disputing the fact that Moi was popular with most Kenyans at the end of 1978. His release of Kenyatta's political detainees on 12 December, and promise that his government would only use detention without trial as a last resort, brought even the university students into the streets to demonstrate in his favour. But soon things began to go spectacularly wrong for his government and the country. And once the downward spiral had begun, there would be no reversing it.

The economy in decline

Many of the economic difficulties which Kenya faced from 1978 were not, of course, of the government's own making. Moi took office at a time when the prices for Kenya's exports were falling, and the price of its chief import, oil, rapidly rising. The world was in the middle of a severe recession. Bordering countries, most notably Uganda, were economically ruined, and welcomed goods smuggled from Kenya. In addition, uncertainties surrounding the succession to the presidency led to a large-scale flight of capital. At the end of 1977 Kenya had a healthy balance of payments surplus; a year later it had a deficit of 580m shillings.*

Whereas the economy under Kenyatta was flexible enough to meet the aspirations of the middle class, and to keep the poor from despair, Moi's regime – thanks to these inherited problems and an incredible degree of mismanagement – had no economic safety net. The

* K.Shs 19/- = £1 sterling

government entered into a series of ill-conceived and wasteful business deals with foreign firms. Public money went down the drain while influential Kenyans grew rich on kick-backs. Public officials engaged in smuggling of commodities and currency. Local authorities fiddled here and fiddled there. Corruption continued to be a way of life.

This was, of course, nothing new. However, it is unlikely that Kenyatta would have permitted government officials to enrich themselves by selling off the nation's supply of food: he knew where to draw the line. Moi apparently either did not know what was going on in his government, did not have the power to stop it if he did know, or, for reasons of his own, preferred to let it proceed. From 1979 to 1981 the country experienced a food crisis more severe than any in its history as an independent nation. This was strange since there had been bumper crops of wheat and maize (the staple food of Kenyans) in 1977 and 1978.

Wheat was apparently being smuggled to Uganda throughout 1978. At the end of the year the government announced that it was obliged to import wheat, but that it had plenty of maize in storage. A few months later there were signs of a drastic maize shortage as well, and garbled accounts concerning the fate of those full storage bins. From early 1979 on, Kenya increasingly relied on the United States for concessionary food loans in order to be able to purchase wheat, rice and maize. Most of the imported maize came secretly from South Africa, a country with which Kenya denied having any trading links. Accustomed to eating white maize, Kenyans greatly resented being forced to eat the imported yellow maize, which they considered coarse and fit only for animals. Throughout 1980 the shortages worsened, with huge queues of people forming outside food shops on the days when maize deliveries were expected.

The US from mid-1980 had a vested interest in keeping Kenyans fed. Kenya had agreed to give it access to naval and air 'facilities' for its Indian Ocean Rapid Deployment Force. The government, aware that the deal would be unpopular with the people, insisted to Washington that it be kept secret. Since the US wanted to ensure Kenyan stability, it kept funds flowing for food imports. US officials meanwhile privately expressed their concern that the food did not seem to be reaching the people, but instead was being re-exported by some prominent politicians and civil servants. At the height of the maize shortage in mid-1980 Kenyan maize was being sold in London. This either represented a nearly suicidal form of behaviour on the part of the government, or demonstrated a lack of effective control over food import and distribution.

The shortages were to continue through the rest of 1980 and 1981. While grocery shelves remained full of expensive imported items consumed by the bourgeoisie, ordinary people lined up for hours to get

scarce supplies of milk, butter, rice, maize and bread. The arrival of food shipments from abroad seemed to have little impact on the size of the queues; something mysterious was happening to the food.

In addition to shortages of basic commodities, and rising prices of those which were available, the country's electricity supplies were rationed, which had a crippling effect on the manufacturing sector. Factories could only operate part-time, and were forced to lay off workers. To mollify the workforce the government in May 1980 made a long overdue increase in the minimum wage, raising it from 175/- per month to 215/- per month in the rural areas, and from 350/- to 456/- in the towns. The wage increase did not keep pace with increased prices of basic commodities, rent and petrol.

Two years after Moi had taken office Kenya was in the middle of a serious economic crisis. The country could no longer feed itself. It was increasingly dependent on foreign help; its rate of indebtedness was growing alarmingly. By the year's end it had a foreign reserves deficit of 1,800m shillings.

Political repercussions

The government continued to blame the world recession and the weather for these problems, but it was suffering a loss of credibility. There was growing unrest in the countryside, with cash crops being uprooted in Central Province and sugar plantations burned in the west. In addition, there were numerous strikes by pupils in schools around the country and demonstrations at the University against government policy.

During 1980, Moi discovered that the University (of which he was Chancellor) could serve as a convenient scapegoat. He announced that 'marxist lecturers' were being used by neighbouring countries jealous of Kenya's stability and progress to foment unrest and sabotage the economy. Lecturers were said to be arming the students and planning to carry out political assassinations. They had the audacity to blame the government for shortages which were actually caused by acts of nature. In this denunciation of the University a pattern of accusations emerged which would be embellished over the next two years: everything wrong in the country was the work of 'marxist agitators'.

Judging from the KANU Delegates Conference held in Nairobi in March 1980, it is unlikely that many aware Kenyans were taken in by these accusations. A Nairobi delegate denounced the government's inconsistent and contradictory statements and policies. She argued that the government had only itself to blame for student unrest, and that it had best mend its ways since Kenyans had no desire to live under military rule. Such outspokenness would not be tolerated for long. A few months after the Delegates Conference Moi, speaking impromptu

at the wedding of the son of the army chief Mulinge, banned the University Academic Staff Union for not taking a proper *nyayo* line, and, in the same breath, banned the largest union in the country, that of Kenyan civil servants.

Why should he risk alienating the bureaucracy, an essential underpinning of Bonapartist regimes? As his actions of the next few months suggest, Moi was apparently determined to eliminate any organisation which could conceivably embarrass him politically. In October 1980 he therefore ordered all 'tribal' associations to wind up their affairs. This move was specifically aimed at GEMA, the powerful Gikuyu-Embu-Meru Association, which had been a focus of capital accumulation and political power for the Kikuyu in Kenyatta's last years. Banning GEMA and similar bodies was an act of political desperation which had the added effect of frustrating the emergence of an indigenous class of capitalists.

1980 ended on an ominous note with a New Year's Eve bomb explosion at the luxurious Norfolk Hotel. Newspapers later speculated that the bomber was a Palestinian seeking revenge for the help Kenya had given Israel during the Entebbe raid years before. No doubt the government hoped that this would be accepted as a rational explanation for the disaster. But, notably, the government never declared Palestinian terrorism to be the 'official' explanation, since insurance companies would then not have to pay for the damage. In the end, the insurance companies paid, and the government brushed the bombing incident aside, leaving many unanswered questions.

Early in 1981 food lines lengthened, despite increased imports. The gravity of the economic situation was underscored by the government's somewhat quixotic demand that all Kenya residents, whether citizens or not, immediately transfer all their foreign assets into the country; not surprisingly, this directive, like so many others, was never implemented. The IMF was clearly worried about the illegal drain of currency from the country. To make Kenya more credit-worthy, it insisted on two devaluations of currency during the year. To keep the country from bankruptcy, the Central Bank imposed strict new import restrictions. But instead of cutting back on the importation of luxury goods, essential components for necessary products were restricted. Many businesses were eventually forced to close, since they could not get licences to import essential raw materials. Mercedes and Volvo cars continued to be imported for the bourgeoisie.

In parliament embarrassing questions from the backbench were ignored, and there was no public debate on fundamental economic issues. The management of the economy was simply characterised as an issue of *personality,* part of the rivalry between Kibaki (the Vice-President) and Njonjo (the strong man of the administration). MPs were not concerned, as long as they could vote themselves a substantial

salary increase.

An almost unbelievable level of incompetence continued to be a distinguishing feature of the Moi regime. To give but one example: in October 1981 Moi announced a *cut* in charcoal prices in order to *save* trees. The Ministry of the Environment took this Alice in Wonderland logic one step further by praising the President's wisdom and then gazetting prices which were *higher* than the previous ones. Following a public outcry, the government lifted all price controls on charcoal.

Things fall apart

By the middle of 1981 there were evident signs that the government could no longer keep the peace in the country. North of Isiolo, nomads and villagers were being terrorised by armed bandits, and their cattle stolen. West of Kapsabet, the Nandi and the Luhya were fighting a long-drawn out war over land, egged on, local sources say, by the President himself. Along the coast there were several deaths in clashes between squatters and Arabs with old legal titles to huge land holdings in what was once the Ten Mile Strip. In Nairobi coup rumours abounded, and Andrew Muthemba, a cousin of Charles Njonjo, was put on trial for treason (see also 'The politics of justice in Kenya'). Accused of trying to buy arms for the KAF depot at Nanyuki, Muthemba was acquitted when the magistrate accepted his argument that he was simply a public-spirited businessman who was demonstrating to the government how easy it was to buy arms. Njonjo was not damaged by the trial, but seemed to emerge stronger than ever in the next phase of factional rivalry.

With Moi about to become the Chairman of the Organisation of African Unity (OAU), the government began a crack-down on dissent. Moi was determined to separate 'true *nyayo* followers' – those who uncritically accepted all government statements and policies – from opponents of the regime. There were evidently plenty of the latter in schools. By May there was a wave of student strikes around the country, which even washed over St Paul's Theological College. The University was restless. When Odinga was banned from running for parliament because he said in public that Kenyatta had grabbed land, university students staged an anti-government demonstration. They also chanted their support for government doctors who had gone on strike protesting their rate of pay, conditions and a newly-enforced rule barring them from private practice. Bank workers were waiting in the wings, threatening a nation-wide strike.

Rather than address itself to any of the fundamental issues being raised by university protestors, doctors, bankworkers and parliamentary backbenchers, the government peremptorily closed the University and ordered male students to report every week to their chiefs. It

arrested doctors or, if they were in hiding, their wives. It threatened bank workers with a mass sacking, and eventually initiated court procedures against radical MPs. It also announced its determination to take 'drastic measures' against 'political agitators' wherever they were to be found, a promise it fulfilled a year later when it began to detain university lecturers.

Moi clearly hoped to stay in power without resorting to the use of detention without trial. He knew how hated detention was in the country, and, as Chairman of the OAU, he got considerable mileage out of his claim that Kenya was a rare African country without a single political detainee. As long as he was the head of the OAU, he hoped to keep detention in reserve.

But there were ominous signs on the horizon. The economy was failing. The long-awaited census revealed that Kenya had the highest rate of population growth in the world, with half its population under the age of fifteen. The stretched-to-capacity educational system could not cope with the rapidly growing numbers of school-aged children. Even university graduates were beginning to find it difficult to get jobs. Late in 1981 the civil service placed an immediate embargo on both recruitment and promotion: the public sector had reached saturation point.

The rapidity with which things fell apart in 1982 forced Moi to revive detention without trial before his OAU chairmanship had ended. The year began with the Treasury empty and ministries unable to pay out salaries. Foreign donors obligingly bailed out the government. The standard of living continued to decline for most Kenyans. So serious was the economic situation that the government-controlled trade union umbrella organisation, COTU, felt the need to speak out. It warned that in order for wages to keep abreast of inflation, they should be raised by approximately 700 per cent, to 1,471/- per month in the rural areas, and 3,194/- in the urban areas. After consultations COTU agreed to adjust these demands to 650/- and 1,450/- respectively.

Meanwhile, the situation in the countryside was causing growing concern. Productivity had been declining in the rural areas, especially on smallholdings, which were frequently exhausted and eroded. Small farmers could no longer afford expensive inputs like fertilisers and fungicides. Large-scale farmers were often absentee, and seldom made intensive use of their land holdings. Landlessness was increasing – later in the year the Minister for Lands and Settlement would announce that there was no vacant land left for settlement schemes in Central Province and the Rift Valley. Kenya was no longer self-sufficient in food production, and would have to expand its agricultural production by 8 per cent a year over the next fifteen years in order to become so.

But farmers had little incentive to expand their output. In Central Province especially they were at the mercy of appallingly corrupt marketing cooperatives, whose directors often neglected to pay them

their due, and embezzled cooperative funds. Peasant producers protested by seceding from the cooperative societies in large numbers. Increasingly, they would either by-pass established marketing structures or allow their crops to rot on the ground.

In January 1982 Moi appointed a Commissioner for Cooperatives to patch up the situation. But very soon it became apparent that the Commissioner's work was so much window dressing. When he tried to bring prominent thieves to court, he was told by the President to desist: 'If we were to prosecute all those involved in mismanagement and embezzlement then very many people would go in.' Peasant producers, especially in Central Province, became increasingly disillusioned with the Commission, and bitter at the new directive which ordered cooperative funds to be allocated for development purposes on a national, not regional, basis. They continued to form their own illegal networks of distribution and marketing; in effect, channels for smuggling commodities out of the country.

How did Moi confront the indisputable fact of economic decline in early 1982? First of all, he played the Asian card, accusing Asian retailers and manufacturers of hoarding and smuggling. It was they, he insisted, who were responsible for the drastic outflow of funds from the country, and for endemic shortages of basic commodities. Their hoarding forced prices to rise.

Shortly afterwards he rounded on parliamentary backbenchers who had denounced government officials for corruption, and tabled documents to prove it. One particularly rotund minister was accused of spending over 1m shillings of public money on his son's wedding. He retorted that he was capable of spending 40m or even 150m on his son's wedding if he chose to do so, a rather unfortunate remark coming in the wake of the President's call to the masses to tighten their belts. In April the same group of backbenchers presented documents indicating that the Attorney-General, the Minister for Labour, a deputy public prosecutor and a CID official had corrupt dealings with the Bank of Baroda, which was in the middle of an extended dispute with its employees. The Attorney-General and Minister for Labour had allegedly been given a 'loan' of 4m shillings, although they had no account with the Bank. These exposures so angered the President that he warned the backbenchers in no uncertain terms against 'abusing' parliamentary immunity, and threatened them with detention. The government officials escaped unscathed.

From early 1982 onwards the situation in Kenya deteriorated very rapidly. It seemed just a matter of time before detention would be revived, since the authorities appeared increasingly incapable of sustaining criticism. Soon the government found itself challenged from another quarter. In February Oginga Odinga, former Vice-President and founder member of the radical KPU (banned in 1969), held a press

conference with the ex-detainee and widely-respected former MP for Kisii, George Anyona, who, since his release from detention in 1978, had been unable to get a job. At the meeting they condemned Moi's economic policies and the flagrant corruption of his regime. Then, in April, they presented a memorandum attacking the government for allowing the US to establish 'naval and military bases in our country without full discussions and the consent of our people through their representatives in the legislature' (see 'Notes and documents', p.317). According to Odinga and Anyona, Moi should come out straight and tell the nation the details of his pact with the US, which could jeopardise the Kenyan policy of non-alignment and potentially draw Kenya into a nuclear war. The pact might also give the US the incentive to interfere in Kenya's internal affairs.

The following month Odinga went abroad on a lecture tour and announced that he believed Kenya needed a second political party, a move which was then completely constitutional since Kenya was only a de facto one-party state. On his return, both he and Anyona were expelled from KANU and their passports taken. No sooner had this been done than, in the same week, three colleges in Nairobi staged more or less simultaneous demonstrations, which were violently quelled by the riot police without student grievances being given an airing. All three institutions were closed. Suddenly, near the end of May, Moi brought back detention without trial, and incarcerated his business associate and ex-deputy head of Intelligence, who, it was said, was about to reveal some unsavoury things about their business partnership in a High Court hearing.

The Chairman of the OAU could no longer boast that Kenya had no political detainees. The detention of Stephen Muriithi opened the flood gates. Anyona was promptly detained, since the government feared his popularity. The lawyer of Muriithi, Anyona and Odinga was next to go. Others were arrested for the alleged possession of a 'seditious' newspaper called *Pambana* (Struggle), organ of the December 12 Movement, which attacked government policies and exposed corruption. At the 1 June Madaraka Day celebrations, Moi announced, 'my back is to the wall', and instructed the Commissioner of Police to 'do his duty'. The speech was the signal for a series of arrests and detentions designed to intimidate the population and prevent any further criticism of government actions. On 10 June Kenya was made a de jure one-party state in approximately forty-five minutes. Formerly outspoken backbenchers, having been threatened with detention if they made any trouble, voted for the measure. Charles Njonjo, the chief architect of the constitutional change, declared that the government was merely 'following the wishes of the people'.

The Lonrho-owned daily newspaper, the *Standard,* whose editor George Githii was a close collaborator of Charles Njonjo, eagerly

chimed in. Its editorials during most of June and July had an almost hallucinatory quality. Since the President continually talked of gun plots at the University, and accused the lecturers of arming students with bows and arrows, the *Standard* took up the theme: the 'Odinga group' and 'marxist lecturers' were out 'to destroy society and democracy as we know them'. They aimed at the 'abolition of all laws. Can you imagine a nation of sixteen million people with access to all sorts of weapons in a country without laws?' The dissidents intended that 'the national army be destroyed and replaced by a red army and this in addition to the assassination of all existing leaders'.

This was typical *Standard* fare from mid-June to mid-July. The newspaper egged on the security forces in their work of repression. But so extreme was the *Standard's* rhetoric that it seems likely few people were taken in. Many Kenyans assumed that Moi and his closest associates were out to hold on to power at any cost, and that students armed with bows and arrows had little to do with the crisis facing the country.

Given this background, the *Standard* editorial of 20 July appeared as something of a bombshell. It vigorously *condemned* the government's use of detention without trial and declared that the 'government should take steps to put an end to the prevailing fear and insecurity in the body politic' by reviving democracy, freeing the detainees and abolishing detention without trial. Kenyans read and were puzzled: was the *Standard* simply out to sell newspapers (it quickly sold out two editions on the 20th), or had it had a complete change of heart – or, judging by subsequent events, was it part of a larger plan?* For, at the end of July, Moi travelled to Central Province to open the Nyeri show. The Nyeri show was unusual in that the air force formed a guard of honour, a role usually reserved for the army. KAF planes thundered in formation overhead and the KAF Commander was commended by the President for his sterling example of dedication and service to the nation. But later that Saturday, 31 July, Moi travelled to his farm near Nakuru in the heart of the former White Highlands. He intended to rest there, and prepare for his trip to Libya the following week, where he was due to relinquish the chairmanship of the OAU. Leaving Nyeri that afternoon, his closest Kalinjin associates were tense and jumpy. Coup rumours were rife.

On the same Saturday, an editorial in the Aga Khan-owned newspaper the *Daily Nation* called for an end to the 'politics of *Kumalizana'* (intimidation) and warned that KANU party procedures must be democratised swiftly: 'to fail to do so would be to force

* The MPs reacted in fury to the editorial and, with few exceptions, demanded Githii's immediate detention. But though he was sacked by Lonrho, he was not detained.

politics underground'. The warning came too late. A few hours after midnight air force men opened fire at Embakasi and in the city centre, and the air force base ninety miles away at Nanyuki began to mobilise.

Unanswered questions

There are many questions, and many rumours, surrounding the timing and organisation of the coup attempt which may never be satisfactorily answered. The government is characteristically doing little to enlighten the public. Rumours that one, and possibly two coups were being planned had been persistent since March. There was nothing particularly novel about these rumours – during the previous year, the Muthemba trial had convinced many people that something was definitely in the air. But it seemed unlikely that anything would be tried while Moi was head of the OAU. Kenyans had shown little enthusiasm for Sergeant Doe who killed Tolbert while he was OAU Chairman. The coup in Liberia did not seem a precedent worth emulating.

If there was any substance to the coup rumours of March and subsequent months, then it is hard to believe that Kenya's intelligence sources, as well as those of Israel and the US, simply ignored it. It is far more likely that the government, or certain members of it, were informed of the plots. It is possible that certain individuals used this information for their own ends, and set about ensuring that a coup attempt, like the Githii editorial, would shake the government and force Moi to make way for another leader. Or perhaps some authorities, using Kenyatta's tactics, were allowing the coup plot to mature in order to draw out all those involved. They might have thought they could arrest it at the last moment, before any damage had been done.

But perhaps matters were even more complex than this. It has been persistently suggested that two different plots were in the works – one involving junior officers with populist aspirations, the other intended as a right-wing take-over bid by 'big men' who feared Moi had lost effective control of the country. There are indications that there was a coup scheduled for the week that Moi was to spend in Libya, and it is possible that this knowledge gave a certain urgency to junior officer plans. A last minute leak of vital information concerning these plans may have forced those involved to act while they were still able.

It is difficult to believe that junior KAF officers would have planned to act alone, and face certain opposition from the army, police and GSU. There is evidence that certain sections of the army *were* involved in planning and execution; others were expected to come over to the side of the plotters as soon as things got underway. The spokesman for the 'People's Redemption Council' spoke of an 'armed forces' take-over during the dawn broadcast. Eyewitness accounts speak of army

men manning some road blocks alongside air force men, of early morning gunfire in the army barracks at Kahawa, of an apparent mutiny at the Gilgil army barracks, of active involvement by the army unit posted at Embakasi. Air force men and army men exchanged 'power' salutes at the Voice of Kenya studios. Clearly the air force men thought they were on the same side. A few minutes later the army opened fire, reportedly killing seventy-eight members of the KAF who were manning the studio.

There is evidence that at one time members of the KAF and army were plotting together. It is not clear whether army men lost interest, or had been secretly detached from the plot by politicians or intelligence agents with prior knowledge of what was going on. Did the KAF expect army support which never fully materialised? Could this fact explain the utter confusion evident on 1 August, when none of the participants seemed to know what to do next, and when they failed to eliminate a single member of the 'gang of local tyrants' who had 'made life almost intolerable in our society'? Is there some truth behind the particularly widespread rumour of a last minute split in the armed forces over the issue of leadership? Can this account for the magnitude of the botched job?

The logic behind the coup attempt

The coup attempt was clumsy and disjointed. Its timing caught the nation by surprise. However, it was not wholly unexpected. Kenyans expected something to give, and what else could happen under the circumstances? A military coup was the logical outcome of crumbling Bonapartism, of the government's growing authoritarianism and evident loss of control. A Bonapartist regime is only secure as long as it can juggle the interests of the various groups of peasants, bourgeoisie, armed forces and bureaucrats. They all had to feel they had something to gain by supporting the regime. By mid-1982 few Kenyans had any illusions about President Moi. He had dropped his populist line somewhere along the way, and was becoming increasingly dictatorial and repressive. He had surrounded himself with corrupt yes-men, who frequently warned Kenyans that the President was above the law. He had no idea what to do about the collapsing economy. He blamed Kenya's economic decline on nature, when the rains were adequate, on the jealous designs of neighbouring countries working through their agents at the University, and on the world recession (which was true enough). Peasant farmers, the majority of the population, were increasingly dissatisfied with declining prices for their commodities and rising prices of everything else; their standard of living was being sharply eroded. The discontent of the bourgeoisie can be seen in the heightened outflows of capital. Businessmen chafed against import

controls, which forced many of them into bankruptcy, and increasingly resented the lax terms which the government offered foreign competitors. In the towns wages lagged far behind prices, and urban employment was drying up. During 1982 there were many redundancies, and little likelihood of new migrants from the rural areas finding paid employment. The civil service could not absorb any more school-leavers and university graduates; its employees even found their salaries being withheld.

Clearly something had gone wrong in Kenya under Moi. Food costs had escalated. Rents, including those of Mathare Valley shanties, were beyond the means of single families, who frequently have to share one or two rooms. Corruption went unpunished and often rewarded. And democratic channels for popular expression and change were methodically blocked. As for Kenya's self-image, it not only had political detainees, but a growing number of political exiles. It was increasingly in debt to foreign donors, including the IMF and World Bank. In 1981-2 the government relied on foreign loans and 'aid' for one-third of its expenditure. Even more ominously, the government of Kenya seemed prepared to relinquish sovereignty over part of its soil, and its decision-making, to the US.

The US presence poses another large question mark over the coup attempt. Were KAF men, who lived alongside the US military at Nanyuki and Embakasi, reacting against the level of US involvement in the country permitted by President Moi? Is it purely coincidental that the music they played over and over for the three hours during which they controlled the radio station was a song about the miseries of ghetto life in America, by a black American heavy rock group? The insistent musical refrain of 'America, America' made a peculiar theme song for a military take-over in Kenya.

However inappropriate the music may have seemed at the time, there is little doubt that the US is moving into Kenya in a big way. At present it is dredging and widening Mombasa harbour, at a cost of $50m, to prepare it for aircraft carriers. Explosives used in the dredging have damaged many houses in the town. Mombasa Airport has also been extended to accommodate US heavy bombers. The US has leased extensive territory thirty miles inland at Mariakani, and has cleared local people from the site and the surrounding area. It is suspected that large underground structures are being built there, possibly for the stockpiling of nuclear weapons, which some reports say have already been brought into the country. US military personnel are present in large numbers at Nanyuki and Embakasi, where they have played an increasingly important role in training the Kenyan armed forces. They have provided liberal arts courses for soldiers (including some in political science), as well as purely technical and military training. These courses have encouraged many soldiers, particularly the better educated and

technically more skilled men of the KAF, to look at the Kenyan situation analytically.

It is apparent that some junior KAF and army officers shared Odinga's concern at the escalating US involvement in the country. They lived side by side with US personnel, and thus experienced their subordination to US interests at first hand. It is also likely that the rapid expansion of the air force in both numbers and equipment caused a radical internal shake-up which was fertile ground for dissent. In 1979 Kenya purchased $44m of air force weaponry from the US. In April 1981 it got a further $50m of military credits from the US, mostly for the air force.

The situation within the KAF was therefore a fluid one: there were rapid promotions which might have fed ambitions and encouraged those who felt that the Kenyan government policies were bankrupt, and that change could only come from the barrel of a gun. Moi, like Kenyatta, had used grants of land to keep senior officers loyal. After the first Rawlings' coup in Ghana, land grants in Kenya went to junior officers as well. Large areas around Nakuru and Ngong were handed out to keep the armed forces behind the government. It is difficult to say if this strategy worked. Certainly, to many junior officers, Moi, never charismatic, appeared as a petty dictator, as grasping as any of the old Kenyatta 'family'. He had forfeited his Bonapartist pretentions as a populist leader of all the people. He had throttled all other potential avenues of change. He simply had to go.

The events of 1 August

Most Kenyans who had not turned on their radios by 6am on 1 August remain ignorant of the content of the dawn broadcast which announced the armed forces' take-over. Not surprisingly, the People's Redemption Council's statement of intent (see 'Notes and documents', p.000) has been suppressed in Kenya. The coup-makers have been depicted as drunk and incoherent. In fact, the message to the nation was remarkably coherent and thoroughly populist. It was read in a calm, reassuring voice by someone who clearly thought the armed forces *were* 'fully and firmly' in control. After the long statement, and several minutes of the song 'America', another voice came on the air, claiming to represent university students, and declaring their 'unconditional support' for the 'popular' People's Redemption Council.

Assuming for a moment that the KAF did act alone, what could have been their possible strategy? Could junior air force officers have hoped to seize power and keep control of the country, with the army and GSU ranged against them? Perhaps, as has been officially denied, important senior officers acted with them, and helped reduce the odds. It is possible that, convinced of the coup's popularity, the KAF expected

segments of the army to come over to their side once it was underway. In fact, this was not a far-fetched expectation, since evidence suggests that for every officer in the army who was firmly behind the government, there was one who played a 'wait-and-see' game. Thus, if junior army officers were not involved in planning the coup, they were expected to join in once things had begun. Certainly, there was a long gap of six hours or so between the first shots and the first moves by the army and GSU against the KAF. Were the officers deciding which way to jump?

It is also possible that the coup-makers expected to succeed simply because of the widespread desire of the people for some kind of change. Judging from eyewitness testimony, and from the large number of subsequent prosecutions of people who 'celebrated' the downfall of the government, there was mass rejoicing among people of all levels of political sophistication, not only in Nairobi, but in villages all over the country. Under Moi, the food had disappeared; it was impossible to make ends meet. Moi was detaining innocent people. Moi was muzzling parliament. People were being terrorised by their district commissoners and the Special Branch. They knew they were being lied to by the government. It was time for a change.

And so goats were slaughtered, and celebrations began. In West Pokot, near the border with Uganda, village shops were looted. In Lodwar, near Lake Turkana, the police freed the prisoners and relaxed with beer. In Nairobi junior officers invited citizens to loot, possibly as a way of ensuring popular support for the coup, possibly to bring so many people into the streets that the army would hesitate to shoot.

In the city centre of Nairobi approximately 400 shops were looted, some casually, others thoroughly. If one adds to this number the looted shops in Westlands, the industrial area, and Ngara Road and surrounding areas, the figure probably approaches 1,000. The affluent western suburbs alone were untouched, although it was probably just a matter of time before the crowds moved in that direction. The KAF and civilians started the looting. Later, the army and police joined in.

The chief target of the looters was the Asian community. While wealthy Asian families were safe in the western suburbs, the less affluent who inhabited neighbourhoods bordering the huge squatter settlement of Mathare Valley bore the brunt of the violence. These were the small shopkeepers, traders, mechanics and artisans who had long seemed, in African eyes, to stand in the way of their own self-betterment. Looters expressed their rage against the Asian community for its class position, and its racial and cultural exclusiveness. In some cases, they destroyed everything in Asian households which they could not carry away. And the violence and the reprisals continued for some twenty-four hours after the government had regained control. There are horrifying accounts of mass rapes and the abduction of Asian girls.

African women were also abducted and gang raped by soldiers. The wives and children of KAF men were special victims of army bestiality. Many were raped and viciously beaten, and then thrown into the streets. Many do not know the whereabouts of their husbands months after the coup attempt.

Although the *Nyayo* government hastily announced that 'everything is back to normal' on the Monday following 'Black Sunday' (as the President and newspapers call it!), in the week to come the horrors continued. Whole neighbourhoods were surrounded and searched by the army for 'looted' goods. In Kangemi and Kawangware, men and children sat under guard in the school compound while soldiers and police ransacked their houses looking for 'loot', which often turned out to be items for which no receipts could be produced. Women were kept behind in the houses, many of them raped by the searchers.

This type of brutality was also practised against anyone thought to be a student. When the University was shut down on Monday, 2 August, police and army surrounded the dorms, and beat and robbed the students as they tried to leave. At Kenyatta University College at least twenty women students, and probably more, were raped by the GSU. According to eyewitness accounts, students are still subjected to beatings and rape months later, when they go to report to their chiefs. Several students have been severely injured in the coup aftermath.

There was apparently more looting in Nairobi during the few hours of take-over than in a week after a military coup in Uganda. The government has tried to play down the extent of the devastation in order to keep up the confidence of foreign investors and tourists, and erase the vivid image of rape and killing at the Hilton Hotel. To restore confidence the government has placed the figure of those killed during the 'disturbances' at 159. Reports from eyewitnesses, hospitals and mortuaries suggest that the figure is probably ten times higher. Most of those killed were members of the KAF. There are reliable accounts of KAF men being shot on returning from leave after 1 August; of others being shot in front of their families on surrendering. Two persistent but as yet unconfirmed rumours are particularly gruesome. One is that wounded KAF men were taken from their beds at Armed Forces Memorial Hospital and killed. Another is that some KAF rebels were made to lie down at the Hurlingham army headquarters, and were run over by army trucks.

If these stories and others like them are true, what could be the motivation behind such mass slaughter? One possible explanation is that the army, or sections of it, were originally involved in the coup plans, and that subsequently there was a campaign to eliminate all who knew of this possible collusion. Amid all the rumours one fact is clear: the vindictive nature of the attack on the KAF will not be quickly forgotten. Kenya has witnessed the total destruction of a very expensive, highly educated section of the armed forces. The bitterness

felt by KAF families and friends will last for a long time, with possibly grim consequences.

Parents of university students share these bitter feelings. The fact that the University was immediately closed, and students dispersed to the countryside, makes it difficult to arrive at an accurate figure of student deaths. But at least four bus-loads of students were fired upon by the army. The densely packed passengers in one bus were apparently massacred, and an army captain who came upon the scene afterwards has put the number of dead at forty-five. At a conservative estimate, there were perhaps between fifty and eighty student deaths. Some informed sources say there were far more. One village alone outside Nairobi is at present mourning the loss of four students.

Despite government assertions that there were no army deaths, it is clear that several members of the army and GSU were killed in shoot-outs in the city centre and outlying areas. Days after the coup there were still ambushes in the middle of Nairobi, in the Karura forest on the city edge, in the Ngong hills and around Mount Kenya. One woman was reported in the newspaper as having found the bodies of her two army sons and one KAF son at the mortuary.

Mortuaries in hospitals and the main one for the city were full of bodies all week long. In the city mortuary, they were piled in a heap, and relatives were told to go and shift them around until they found what they were looking for. Bodies were lying in the streets of east Nairobi housing estates as late as the Wednesday following the coup. Some were KAF men; others were civilians who were shot as suspected looters or simply caught in the cross-fire. Bodies lay on Ngara Road and elsewhere until they were eaten by dogs. The danger to civilians did not end on Sunday. On Monday the government exhorted people to return to work, reporting the situation as 'normal'. Those who looked suspicious to the army guarding the streets, or who failed to react quickly when told to produce an identity card, were in danger of being shot with no questions asked. For days people walked the streets with their hands and identity cards above their heads.

The aftermath

But within a week a visitor to Nairobi would have seen little sign of the damage sustained by the city, except for occasional bullet holes. Shopkeepers quickly replaced smashed windows, often with cinder-block, and put up stronger burglar bars. Most shops were back in business before the week was over, giving an uncanny air of normality to the city. The President, after a hesitant beginning, warmed to his theme, and pronounced the coup attempt a 'disturbance' by air force hooligans and their age-mates at the University which had lasted less than an hour. The government official who went to Tanzania to fetch back a KAF plane and its occupants claimed that there had in fact been

no coup attempt in Kenya, and that the country was as 'stable' as ever.

Appearances are deceptive. Many businesses, on the brink of bankruptcy before the coup when they could not import essential raw materials or stock, are now likely to go out of business altogether. They are laying off workers in considerable numbers. Since increasing numbers of urban workers no longer have access to land in rural areas, redundancies could spell social disaster. The employment situation will become even more desperate if early signs of a mass Asian exodus are borne out.

What is Moi doing to restore confidence in the economic future of the country? While assuring foreign investors and tourists that all is well, the President launched an appeal to western nations for two billion shillings in emergency aid, to supplement a huge 'compensation fund' set up by the IMF and World Bank. Immediately after 1 August banks had frozen their loans and credit, and cash in circulation had contracted dangerously. These emergency funds are intended to head off the impending collapse of the fiscal system.

But much more had to be done, and quickly. On 21 September Moi unveiled a plan to 'stabilise the economy' which will lock the country more firmly into dependent neo-colonial relationships. Moi has brought back the Export Compensation scheme which he had abolished a mere four months ago, he has promised to ease restrictions on essential imports, he has reassured Asians that all Kenya citizens are 'brothers and sisters' and they should stay. Following the advice of foreign donors, he has promised to ease the government out of its corrupt and wasteful participation in prestige projects, leaving these to private interests. He has warned that government expenditure will be severely curtailed, since the Treasury has run dry. Parastatals will be left to fend for themselves.

The best news is for foreign investors. Moi has pledged to make the already lax laws regarding the repatriation of profits and capital even more favourable to investors from abroad, who will now, furthermore, be given long-term trade licences designed to help them think ahead. Easing up on the present system of work permits for foreigners, Moi has said they will also be allowed as many of their 'own people' as they need to look after their business affairs. 'Local firms will also be permitted to bring in non-Kenyans with appropriate knowledge and experience to ensure their businesses are run efficiently.'

Thus, Moi is opening the doors to as many expatriates who are willing to come and enjoy the sunshine, an almost incredible act given the level of resentment felt by Kenyans at the role expatriates presently play in the country. They are resented for taking jobs, receiving pay way out of line with local salaries, for always giving orders regardless of their capacities, and for their grossly inflated life-styles. Moi has now committed a greater share of the country's scarce foreign exchange to subsidise the luxurious expatriate way of life, and has

tightened the chains of dependency. With Moi's speech Kenya has been brought several steps nearer the 'free port' which international capitalists would like it to become. This situation is bound to be deeply troubling to thoughtful professionals, managers, businessmen, civil servants, technicians and teachers with nationalist inclinations, who are already exasperated by the degree to which the country's needs are subordinated to foreign interests. These are the people who presently read, copy and re-circulate underground pamphlets deploring the direction in which the country is heading – will they not now prepare for action?

If they do, they will find the mass of people ready. 'No one is happy today' is a refrain heard in the towns and villages since the return of the *Nyayo* government. As if to thumb his nose at the people, Moi on 20 August announced a derisory wage increase. COTU had requested a legal minimum monthly wage of 650/- for rural workers; they were given 255/-. COTU wanted urban workers to receive 1,450/- to keep up with inflation; they will now get 480/-. Having raised the basic wage by 15 per cent, Moi in the same speech raised the prices of basic commodities by 20 per cent. How, people wonder, can they support their large families when they are fortunate if they have a job bringing in 20/- a day, and when a day's ration of maizemeal costs over 6/-. Where will the money come from for charcoal, oil, salt, rent, transport, clothes, school fees, and school books? Sugar, tea, vegetables and meat are now – as they never were under Kenyatta – considered luxuries. And there is a fuel shortage, and the likelihood of petrol rationing, which is sure to cause another substantial price increase.

Given these stark economic facts of life, one can easily understand why the coup attempt was so popular. Meanwhile, the government has found it hard to digest the fact that its downfall was widely celebrated. 1 August demonstrated how fragile a thing was Kenyan stability, how powerful the material aspirations and hostilities which had been submerged for years. Some prominent Kenyans, military men among them, did read the writing on the wall, and have advised Moi to ease up on repression and instead seek a genuine national conciliation. Unfortunately, Moi does not seem inclined to listen. It can be said of him what was once said of the doomed Bourbon kings – that he 'had learned nothing and forgotten nothing'.

Repression is intensified. The air force has been abolished. The University has no foreseeable future. Many lecturers have resigned; some have fled the country. Many students, including sons of ministers and prominent civil servants, have been arrested and face fourteen years in jail on sedition charges. Influential parents refuse to visit their sons for fear they will compromise themselves with the President. The Commissioner of Police and head of the GSU have been arrested and held without explanation and with no word as to their fate. Security forces have also moved against outspoken MPs, against Catholic

church workers, newspapermen and a variety of people from western Kenya. The Luo and Luhya communities have presumably suffered so heavily in the onslaught because of the identities of the two KAF privates who escaped in a plane to Tanzania where they have, to the consternation of the Kenyan government, been offered refuge. Several people have disappeared, others are being tortured, court martialled or prosecuted for 'celebrating' or looting. Under these circumstances no one feels safe. Moi has publicly threatened the police and the CID; he has said that he will arrest any civil servant who criticised the government. He has even vowed to arm the children with bows and arrows so that they can exterminate 'anti-*nyayo*' elements.

At present, Moi is doing all the talking, but he does not appear to have a firm grip either on the government or on the country. Publicly he seems to be holding everyone at arm's length, including those who were his closest advisers. He appears to trust no one, disturbed perhaps by the claim made by some politicians that there was a 'big man' behind the coup attempt. Meanwhile, he is trying to re-assert his old populist image, dormant since 1978. Everywhere he goes, making unsystematic speeches, the police make certain there is a large crowd to hear him, even if that means dragging people out of their houses, bringing in masses of school children, and forcibly re-routing buses. He alternately harangues the crowd ('I will finish anyone who is anti-*nyayo!*') and bribes it with impossible promises. Malindi squatters recently found out that his populist rhetoric is as empty as ever. During a visit to the coast, the President told them they could stay on land to which the Arabs had ancient title deeds, thus appearing to resolve in their favour an age-old dispute. No sooner had the President gone, than court cases and evictions were resumed.

It is possible that while Moi talks and the newspapers dutifully try to make sense of his speeches, the National Security Council, composed of powerful civilians like the Chief Secretary as well as military men, is in fact directing affairs in the country. It is also possible that certain individuals encourage him to talk in order that he will further discredit himself and there will be demands for a change at the top. Things have a temporary feel to them; the situation as it now stands seems too precarious to last.

The bitterness deepens with each new act of repression. In Nakuru the post-coup detention of the courageous MP and ex-detainee, Koigi wa Wamwere, has left the people with the feeling that there is nothing left to do but to organise underground. The arrest and intimidation of Koigi's friends and supporters by well-connected politicians who want to grab his parliamentary seat has made a further mockery of democratic procedures. Elsewhere too, people also recognise that there is a long struggle ahead. With so many weapons now hidden in shanties and on farms, it is likely that the future will see major clashes between the authorities and the people.

The politics of justice in Kenya

In a constitutional (as opposed to a fascist) system a confident ruling class relies on the political process to bolster and consolidate its rule. Under such circumstances, political institutions such as the party, elections, parliament and public debate play a prominent role in resolving power conflicts and controlling power relations. Conversely, a weak ruling class, fearful that a democratic operation of the political process may result in its displacement, relies more on non-political measures such as administrative and judicial procedures, sectors in which it exercises appointive independence, and hence domination, to ensure its political survival.

Kenya emerged from colonialism with extremely weak political institutions and an equally weak political culture. This was to be expected, given the fact that the basic problem of colonial rule was security, specifically, how to subjugate and dominate a numerically superior people. The rule was consequently law-and-order oriented, repression being the major mechanism for ensuring 'stability'. Under the circumstances, politics among the colonised was not tolerated and was correctly perceived as subversive of the colonial order.

One of the major problems of the period leading to political independence in 1963 and the period immediately following was how to open up the society to politics. Political parties were hastily formed to contest elections. These parties were in essence never popular mass-initiated movements, but bureaucratically organised structures.

Nevertheless, there were genuine attempts, arising from some form of nationalist consensus at independence, to democratise the political process. In many respects, the 1960s were the most democratic years of Kenya's post-independence history. Witness the extremely open parliamentary debates reported in the *Hansards* of the period, the public debates accompanying the announcement of the government economic blueprint on African socialism, and the formation of an opposition party, the Kenya People's Union (KPU).

But precisely because of the weak political culture resulting from colonialism and the fact that the essential features of the colonial political economy were continued, this democratic beginning did not and objectively could not become institutionalised. Personalistic dictatorial rule has increasingly replaced institutional responses to politics with the government enlisting the support of the workers and peasants through populist slogans such as '*Harambee*' (Let's pull together), 'Love, peace and unity', 'Alleviation of poverty', 'Rural development' and 'African socialism', while at the same time emasculating the growing movement of these very classes by co-opting their leaders, restricting trade unionism and harassing and isolating their political spokesmen.

In this context, solutions to socio-economic problems are seen in what has been called inter-personalistic, client-patron terms. The patron offers a trickle-down of economic benefits, such as cash handouts, jobs or protection, while the client reciprocates with esteem or information about the machinations of the patron's enemies. Nationally, there exist networks of patron-client relationships within the hierarchies of the civil service, state corporations, trade unions, army and, indeed, parliament, which arise to fill the vacuum created by the absence of institutional norms. But precisely because of this, a structural response to national socio-economic problems is compromised. Loyalty based on self-interest and material incentives naturally registers itself in the practice of corruption, an increasingly rampant problem in Kenya.

There was some form of popular national consensus in the first few years of Kenya's independence. Kenya African National Union (KANU), the ruling party, was the institutional structure in which this consensus manifested itself politically. The legitimacy of Kenyatta, the first president of the country, as the sole ruler was never seriously contested, save for a brief period by the short-lived KPU. His dubious claim to the leadership of the nationalist struggle and role in the Pan-Africanist movement reinforced each other nationally and internationally to feed an at once charismatic, self-assured, confident and almost deified personality.

To the extent that Kenyatta had some political constituency and a historic claim to leadership, his government was able, in the first decade of his rule, to fight major political battles within the bounds of

existing political institutions. Thus, faced with the first major political challenge of his rule in the formation of KPU, a socialist-oriented opposition party, the Kenyatta government marshalled parliamentary and party support to amend the constitution and the standing orders of the National Assembly and party regulations to head off the challenge. It may be safely stated that until his death, Kenyatta, though increasingly unpopular, was the sole and unquestioned political head of government. All power struggles were waged, not to dislodge him from power, but in anticipation of his demise.

The 'change-the-constitution' crisis immediately preceding Kenyatta's death was, in essence, a manifestation of the struggle between different fractions of capital to ensure the succession of a ruler who would protect and promote their specific interests. The fractions that wanted the constitution changed aimed to thwart Moi's succession, which was then assured by virtue of his vice-presidency, while those that opposed the move saw Moi as the best protector of their interests. The latter were personalised in the Moi-Kibaki-Njonjo triumvirate. In the event, the triumvirate succeeded because the various fractions of capital realised that the consequence of open struggle was uncertain and stability (i.e., the conditions under which all capitals can reproduce themselves) was threatened. To the extent that Moi was perceived as lacking in personal ambition and historical alignment with any particular fraction, he was the best choice to represent the community of interest of the various capitals.

Unlike Kenyatta, Moi came to power with no historic claim to it. He had not only played no direct role in the nationalist struggles leading to independence, but had been in opposition to it, being a member of the pre-independence Legislative Council as a colonial appointee. And in the early years of independence he had also been in opposition to the nationalist consensus as a member of the Kenya Africa Democratic Union. His personal attributes were dramatically opposed to those of Kenyatta. He lacked his predecessor's charisma, confidence and exuberance.

To the extent that manipulation is an art of politics, he was not a politician. Thus, he paradoxically became the chief political leader *because* he was non-political. This was his best credential to leadership in that he would not radically alter the existing power relations.

The fact that the new political leadership, personalised in the Moi-Kibaki-Njonjo and the 'keep-the-constitution' politicians, lacked a political or historical base of leadership forms the basis of the increased use of 'political justice' in the post-Kenyatta era. The aim has been to utilise judicial devices and court proceedings to bolster existing power relations and consolidate and entrench them along the lines established under Kenyatta. How has this 'political justice' manifested itself in Kenya?

The criminalisation of politics

One device has been to use criminal charges and trials as a means of discrediting and disabling political opposition. This is illustrated in the cases of Waruru Kanja and Chelegat Mutai. Kanja was charged with contravening a requirement imposed by the Exchange Control Act and regulations and orders made thereunder. He pleaded not guilty. The magistrate found him guilty of the offence and sentenced him to three years' imprisonment. Kanja appealed the decision to the High Court where the sentence was reduced to one year's imprisonment.

At the time of his conviction, Kanja was MP for the Nyeri constituency. An ex-freedom fighter, condemned to death by the British colonial government in 1953, his sentence was later reduced to life imprisonment. He was released in 1959 in the wake of independence, and was elected to parliament in 1969 during Kenyatta's rule. In 1979 he was appointed assistant minister by Moi. While in parliament, Kanja challenged the government to name the assassins of Tom Mboya and J.M. Kariuki. Subsequently in parliament he asserted that Charles Njonjo, one of the most powerful personalities in the political hierarchy, and G.G. Kariuki, ally of Njonjo, were dishonest and abusive of their public offices. He further alleged that because of his public views, Njonjo, in collusion with the CID, was intending to kill him.

Under Section 39(1)(b) of the Constitution of Kenya, an MP loses his seat when sentenced to imprisonment for more than six months. For the prosecution to achieve political justice, it had to argue for a custodial sentence of at least six months. This would ensure that Kanja lost the political platform which he had successfully used to embarrass people in power. The defence, on the other hand, had to prevent such a sentence or, failing that, get publicity on the political nature of the prosecution. How did the adversaries argue their case?

The prosecution asserted that 'sentence must depend entirely on the facts and circumstances of each case', in an attempt to distinguish Kanja's case from a whole line of cases under the Exchange Control Act in which custodial sentences had not been imposed. The defence attempted to pre-empt the state's aim by likening the case to similar cases, submitting that, according to widely recognised practice, like cases should be decided alike. Citing a long list of cases under the relevant section of the Act, it established that the sentence in all those cases, where the amount of money involved was generally higher than in Kanja's case, had been a fine. Moreover, the defence submitted, in most of these cases, the contravention consisted of money being taken *out* of the country, a much more serious contravention from the viewpoint of the national economy than Kanja's case, which involved money being brought into the country. It concluded with a plea that since the

contravention was merely technical the accused should be leniently treated. The magistrate, however, imposed a custodial sentence.

In its appeal, the defence argued that, assuming that Kanja had committed the offence, a fine was the only sentence open to the trial court. The defence also opened a political flank by stating that Kanja was being discriminated against because of his parliamentary record. At this juncture there is strong evidence to suggest that there was a plea bargain which the state subsequently refused to honour. Instead, the state maintained that the sentence imposed by the trial court was proper. Indeed, in reducing the sentence from three to one year imprisonment, the appellate court indicated that had the appellant offered to pay a fine through his lawyers during the appeal, it might have been accepted. After the high court decision, Kanja was, for all practical purposes, left without a judicial remedy, since appeals to the Court of Appeal under the Kenyan judicial system must be on the merits of the case, not the sentence.

Knowing that established legal procedures were nearly exhausted, Kanja decided to invoke the last procedure open to him and petition for a presidential pardon. If the petition succeeded, the establishment would triumph, because the legitimacy of its rules and procedures would have been acknowledged by a political opponent. If it failed, Kanja as an individual would be in no worse a position, but his political image stood a chance of being tarnished by virtue of his submission. Since the object of the accused in a political trial is to maintain and possibly improve his status in his group, Kanja, the nationalist, needed to maintain his political credentials. His petition, therefore, reiterated the legal arguments already advanced in the courts, and then proceeded to argue politically: 'It is this striking discrepancy which makes me feel that it is my kind of politics ... that would have had a negative effect on the subconscious part of the mind, in the courts which imposed on me a custodial sentence.' Taking the political nature of the case further, Kanja argued that, given the colonial history of Kenya, the roots of the judiciary in that history, and his own political past, the custodial sentence was 'inevitable'.

On the same day that he petitioned the President, 22 December 1981, Kanja wrote to the Speaker of the National Assembly informing him of the petition and requesting him therefore not to declare his parliamentary seat vacant under the section of the Constitution already referred to, since a pardon was still a possibility. But the Speaker gazetted Kanja's seat vacant *before* the President made a decision on the petition, which he rejected on the grounds that he found it 'extremely difficult to accept' the assertion 'that our courts will not give you a fair trial. This amounts to a question of the integrity and impartiality of our judiciary. Accordingly, I find no merit in pardoning you.' For political justice to succeed, at least in its educative function, it is crucial

to maintain the illusion that the judiciary is independent and insulated from politics under the separation of powers. The President's statement was meant precisely to cement this illusion.

In the case of Chelegat Mutai, she was charged with making false mileage claims against the National Assembly amounting to shs. 99,000/-. She was at the time MP for Eldoret North. She was released on bail pending trial. However, she jumped bail and fled to Tanzania where she was subsequently given political asylum, causing great diplomatic embarrassment to Kenya as the first Kenyan political exile. The case, therefore, never came for trial and our brief examination is limited to its political background.

Though not a vocal critic of government at the time of her case, Mutai had a history of political radicalism dating back to her activities as a student leader at the University of Nairobi in the early 1970s. She was also known to be sympathetic and close to MPs critical of government policies, including the former member of Kitutu East, George Anyona.

That making a false mileage claim is a crime is not in debate. What is debatable are the motives for preferring the charge against Mutai. It is known that the Mutai case was intended to be the first of a series of prosecutions against seven MPs on similar charges. The others were Koigi wa Wamwere (Nakuru North), Abuya Abuya (Kitutu East), Wasike Ndombi (Lurambi South), James Orengo (Ugenya), Onyango Midika (Nyando) and Lawrence Sifuna (Bungoma South). It is politically very significant that all the seven were consistent critics of government policies from the left, and were increasingly establishing a popular national constituency by addressing issues such as land ownership, inflation and unemployment in a parliament otherwise dominated by petty personal squabbles and uncritical subservience to everything and anything pro-government. Koigi wa Wamwere was subsequently detained, and James Orengo, charged with theft, awaits trail. The other MPs have had their passports withdrawn.

Direct attack on the constitutional order

Sedition and treason are the two major legal characterisations of direct attacks on the established constitutional order in the law of Kenya. For the purposes of this article, the only treason trial in post-colonial Kenya is analysed with a view to demonstrating how a fraction of the ruling class tried, unsuccessfully, to resort to political justice in order to dislodge a dominant personality in a rival fraction. The case in point is *Republic* v. *Andrew Mungai Muthemba* and *Dickson Kamau s/o Muiruri.*

Andrew Muthemba is a cousin of Charles Njonjo. He was charged with treason contrary to section 40 of the Penal Code in that between

15 December 1980 and 23 February 1981 in Kenya, being a person owing allegiance to the Republic of Kenya, he compassed, imagined, or intended to depose by unlawful means the President His Excellency Hon. Daniel arap T. Moi from his position as President of the Republic of Kenya, and expressed, uttered or declared such compassings, imaginations, or intentions by overt acts including attempting to obtain explosives and other military equipment. Kamau was charged with concealment of treason contrary to section 42 of the Penal Code.

One of the most dramatic pieces of evidence adduced by the prosecution to prove the overt acts was an alleged statement by Muthemba to the effect that Moi had to go and that 'Njonjo is the right man' to replace him. In acquitting and discharging both the accused, Judge A.H. Simpson based his judgement on the reasoning that the overt acts had not been satisfactorily proved. He took strong exception to the Special Branch's handling of the investigation, pointedly accusing it of dishonesty and ineptitude and transparency in its 'attempt to involve Mr Njonjo'. Going out of his way to exonerate Njonjo, Judge Simpson ruled that 'there is not a shred of acceptable evidence in the whole of this case adverse to the well deserved reputation of Mr Njonjo'. The point to be noted is that the case became not a trial of Muthemba and Kamau but a political exoneration of Njonjo.

At the time of the trial, Njonjo was Minister for Home and Constitutional Affairs whose portfolio included the CID and judicial affairs. A few years earlier he had resigned his civil service post of Attorney-General and joined electoral politics as the unopposed member for Kikuyu constituency. He was then promptly appointed to a cabinet post. James Karugu, a less flamboyant but technically more respected lawyer, succeeded Njonjo as the Attorney-General, the Chief Public Prosecutor, a succession which no doubt had his predecessor's blessing. Karugu, however, quickly de-politicised the office by his personal style. He established a professional independence of the office, at least in the technocratic sense, from the political process.

Given the executive appointment of the judiciary in Kenya, and Njonjo's status in the executive generally and political influence in the judiciary in particular, and given the further fact that Karugu's decision to prosecute would be seen, rightly or wrongly, within the patron-client networks in government as a political double-crossing of Njonjo, it was to be expected that the trial would be perceived as putting Njonjo's political future in the dock. As far as political justice goes, the trial indicates an unsuccessful attempt by one class faction to challenge the dominance of another. Since the attempt failed, and in fact resulted in the loss of a professionally independent Attorney-General, in the final analysis, it only bolstered and consolidated the power of the dominant factions.

Political prosecutions

In addition to its practice of criminalising politics, the state makes wide use of preventive repression. It can pass a legislative act empowering it to deal summarily and administratively with political opposition without the legitimacy of the act being questioned, either in the legislature or the judiciary. Alternatively, it can invoke the judicial process by instituting a political prosecution which is handled as a case implying sedition or treason. As we shall see, Kenyan governments have used both methods to bolster and consolidate their rule.

Section 83 of the Constitution and the Preservation of Public Security Act empower the President to institute preventive detention on security grounds. This legislative power was widely used by the Kenyatta government to detain political opponents. On coming to power, Moi released all political detainees and promised never to resort to the practice, except in exceptional circumstances. In the wake of mounting criticisms of government policies in early 1982, the President warned that he was fully prepared to invoke the draconian powers he has under the law to curtail constitutional rights.

The Kenyatta detentions were extremely unpopular. Internationally, they marred Kenya's liberal-democratic claims and were widely and regularly criticised by Amnesty International and other human rights groups. By releasing the Kenyatta detainees and promising not to resort to detentions, Moi captured a domestic populist constituency and signalled to international allies a desire to build a more open political society.

The second factor to be noted, and this is crucial for the present analysis, is that the mere fact of invoking detention is recognition of the *political* status of the detainee. The fact draws a clear distinction between criminal and political activity, implicitly accepting the latter as warranting special consideration. By closing off the possibility of detention as a means for dealing with political opposition, the Moi government had limited its repressive options for handling such opposition. Yet the government's political base and legitimacy were shallow, leading to an inability or unwillingness to practise open party politics. It was precisely under such circumstances that resort to criminal law to resolve questions of political power increased in the post-Kenyatta era.

The political fragility of the post-Kenyatta government has been further increased by factors beyond its immediate control. Chief among these factors is the world-wide crisis of 'stagflation'. Kenyatta had presided over a fairly buoyant economy, kept afloat by generally stable world market prices for Kenya's primary exports, climaxing in the coffee boom in the late 1970s. As recession and inflation in the industrialised capitalist countries to which Kenya is closely appended

took hold in the late 1970s, the crisis was increasingly imported into the country. Growing unemployment, spiralling inflation, depletion of foreign exchange reserves and worsening balance of payments and debt-servicing problems, arising from previous and continuing heavy foreign borrowing, have all acted to produce a hitherto unknown economic crisis. These problems have naturally registered themselves in concrete terms, such as greater social differentiation, the increasing marginalisation of the peasants and workers, cut-backs in welfare and other social service spending by government and a generally low level of economic activity.

Given the neocolonial setting of the government, remedial measures for the looming economic catastrophe have invited an even closer embrace of the West generally. Thus, the IMF has prescribed a typical stabilisation programme, leading to greater social differentiation and political repression. These developments have intensified social discontent. A government already politically weak on its own merits has been further weakened by the increasing economic weakness of its friends, the capitalist West. A government already repressive by virtue of its political insecurity has become increasingly sensitive to criticism and more ruthlessly repressive.

Under these circumstances the Moi government has recently resorted to political detentions to shore up its repressive arsenal with a gusto and an abandon that would have shocked its predecessor. In so doing, the government has drawn a clear distinction between criminal and political activity, implicitly accepting the latter as warranting special consideration. Within a period of two months, nine people have been detained: five University lecturers (Mutunga, Mukaru Ng'ang'a, Oyugi, Wachiira and Mazrui); two political adversaries (Anyona and Koigi wa Wamwere); one former Special Branch officer and business associate of Moi (Muriithi); and one attorney (Khaminwa). Khaminwa's detention is particularly blatant and disturbing from the viewpoint of the legal process. A member of the Law Society of Kenya and an advocate of the High Court of Kenya, he had acted as defence counsel for two other detainees.

From the current trend, it is likely that detention without trial as a form of political justice is going to be heavily relied upon, given the heightened political paranoia of Kenya's rulers. Such a ruling group is likely to see a subversive in every person who does not join the national choir of sycophancy. Such people do not fit into any clause of the Penal Code and are therefore the best candidates for pre-emptive repression. The government can, alternatively, deal with opposition by carrying out political prosecutions. But for the prosecution to succeed, some measure of collaboration is necessary from the accused in that they need to admit to enough evidence so that the prosecution may substantiate its prefabricated picture of a dire future. The trials' aim is

to demonstrate that – but for official intervention – the accused would have succeeded in their subversive acts. In cases like these, the state has generally entered a *nolle prosequi* (i.e., a direction to the court not to proceed) and dropped the charges.

The most recent case in which a *nolle prosequi* was entered warrants a brief comment because it highlights the increasing disregard for even the most basic and fundamental tenets of criminal justice and the lack of sophistication in dispensing political justice. Willy Mutunga, a lecturer at the University of Nairobi, had been remanded in custody for several weeks awaiting trial, his applications for bail having been denied in a ruling by the High Court, which clearly pre-judged the pending trial. The state failed to produce him in court in the last two mentions before the hearing. In the last of these mentions, the state entered a *nolle prosequi,* but still failed to produce the accused. Remand prison sources have indicated that Mutunga was removed from his cell by police officers several days before the *nolle prosequi* was entered. It is now clear that he was removed to a detention camp – some weeks after the state dropped the charges against him, his detention was gazetted.

The *nolle prosequi* was most likely necessitated by the refusal of the accused to collaborate and thus help the prosecution prefabricate alternative scenarios. Moreover, by its very nature, political prosecution requires considerable coordination of the various state organs, the CID and Special Branch. All these factors make this method of preventive repression too elaborate and unpredictable, hence its paucity.

At the time of writing, there has been only one 'successful' prosecution of this type, the case of *Republic* vs *Wang'ondu Kariuki* (see also 'Mau Mau after thirty years' in this issue). Wang'ondu Kariuki, a journalist who in February 1982 unsuccessfully contested the Nyeri seat, vacated by reason of Kanja's imprisonment, was arrested and charged with the possession of seditious literature under section 37 of the Penal Code. He pleaded not guilty. He was convicted of the offence and sentenced to four and a half years' imprisonment. What highlights the political nature of the case is not so much the fact that Kariuki was found guilty, but the *manner* in which he was found guilty.

It is a fundamental principle of criminal justice under the accusatory system that the accused is innocent until proven guilty beyond doubt by the prosecution. The onus of proof is thus on the prosecution. The only way it can do this is by adducing evidence to establish the guilt of the accused. Thus, in Kariuki's case, the prosecution needed to prove beyond doubt at least two facts: that the publication in question was seditious and that it was found in Kariuki's possession. As to the second fact, Kariuki's contention was that the publication was planted by the police officers who arrested him. He adduced evidence which at the very least should have raised doubts as to possession. However, the much more significant legal point is the fact that there was no trial as to

the seditious nature of the publication.

The Chief Magistrate, Abdul Rauf, summarily accepted the prosecution's submission that, due to security of state, the contents of the publication could not be debated in open court. The prosecution thereafter simply underlined sections of the publication it considered seditious. The magistrate accepted them as 'manifestly seditious' without any further proof from the prosecution or debate by the defence. The trial was thus not only a farce, but also illustrates the extent of deference the Kenyan bench affords the *political* views of the Executive, thereby turning the criminal court into just another administrative tribunal.

Administrative and judicial disenfranchisement

Established power-holders within the ruling party KANU have, in recent years, increasingly intervened in the electoral process through technical administrative measures and a whole battery of nebulous practices, generally termed 'clearance of candidates', to pre-empt or influence the electoral process within the party, local authorities and the national parliament. The aim of such interventions has been to bar candidates perceived as adverse to the politics of neocolonialism, and thus ensure either the election or, more usually, unopposed 'election' of pro-government candidates – both the present incumbents and their cronies or clients.

In most instances, the administrative interventions are in clear contravention of the KANU constitution. 'Clearance' is a practice that has evolved without any constitutional basis in the party and with far-reaching implications for the democratic process in a de facto one-party state. (Kenya was such a state until June 1982, when the constitution was amended to legislate for a de jure one-party state.) The implications of 'clearance' within a de jure one-party state are going to be even more undemocratic. Its constitutionality vis-à-vis the constitution and the electoral laws of the country is highly questionable.

To illustrate the way power-holders use the judicial process to thwart democratic procedures, let us examine the constituency of Bondo. Bondo is the home of the most controversial politician in independent Kenya, Oginga Odinga, one of the founding members of KANU. His role in the nationalist struggle and campaign for the release of Kenyatta are well-known. Because of his prominent role in pre-independent Kenya, he became the first Vice-President of the independent country under Kenyatta and the MP for Bondo.

In the mid-1960s some nationalists in KANU increasingly felt that the party was fast departing from its manifesto and nationalist origin and turning into a party of patrons far removed from the Kenyan masses. They argued that the nationalist consensus heralding

independence in 1963 had been based on the political understanding that the inherited colonial economy was going to be transformed to benefit the masses, but that the government had maintained colonial structures with the result that independence was compromised and neocolonial policies pursued. Odinga became the magnet around which many of those who criticised the Kenyatta government clustered.

The ideological chasm separating KANU mainstream politics and the Odinga cluster culminated in Odinga's resignation from the vice-presidency of the country and the formation of KPU in 1966, the opposition party which he headed. The following year, Odinga published his autobiography, *Not Yet Uhuru* (not yet independent), whose basic theme was that KANU had betrayed the nationalist mandate as a result of which Kenya had become a new colony.

KPU had a short life-span. In the three years of its existence, it posed a serious ideological threat to the government from the left, but never a serious political challenge, since its politicking and membership recruitment were seriously impeded by government repression. In any event, the challenge it posed was serious enough for the government to proscribe it in 1969 and detain its leaders, Odinga included. On his release from detention, Odinga rejoined KANU, but was never able to be reconciled with Kenyatta. His attempt to rejoin electoral politics from his Bondo constituency in the 1979 elections was blocked since the Moi regime's KANU refused to 'clear' him. It is against this background that the Bondo by-election 1981 is to be understood.

On 1 April 1981 the Speaker of the National Assembly gazetted the Bondo parliamentary seat vacant by reason of the resignation of the then MP, Ougo. After being barred from contesting the 1979 elections, Odinga had given support to Ougo, thus ensuring the latter's election over Omamo, the pro-government incumbent who had been elected to the seat following Odinga's detention. It was not surprising, therefore, that Ougo's resignation speech indicated that he was resigning in order to give Odinga a chance to contest the seat.

That, however, was not to be. KANU once again denied Odinga 'clearance'. Omamo presented himself for the preliminary elections which had been set for 16 May 1981. Gordon Jalang'o Anyongo, a little known personality in Kenyan politics, also presented himself to contest the seat. In Bondo, Omamo was regarded as a pro-government man who had been and was, once again, being used by the political hierarchy to fight Odinga, the unquestioned popular leader of the constituency. To the extent that Omamo was perceived as a pro-government candidate, Anyongo was perceived as an Odinga man and his election in an open democratic contest was almost a foregone conclusion. It was against this imminent political development that the fight was removed by KANU from the political arena, where it was

sure to lose, to the administrative and judicial institutions, where it was confident it could 'win'. How was this victory achieved?

On nomination day, Omamo presented his nomination papers which were duly accepted and subsequently certified as being in order and complete in accordance with the election laws by the returning officer. Anyongo's nomination papers, though at first rejected by the returning officer as incomplete, were subsequently found to be acceptable. Omamo then (on 27 April 1981) applied to the High Court for an order of certiorari to quash Anyongo's nomination, claiming that the returning officer had no power to alter the initial decision that Anyongo's papers were invalid. There being only two candidates for the seat, if Omamo succeeded in his application, he would become the next unopposed MP for Bondo. The High Court, presided over by the Chief Justice, ruled in favour of Omamo's application, substantively agreeing with Omamo's contention that the returning officer had no power to alter his decision under regulation 18(1). The decision was a clear judicial disenfranchisement of the Bondo people. A cynical and bitter joke circulating in the country after the ruling underscores this fact. The joke was that Omamo had been elected by the three votes of Chief Justice Wicks and Judges Hancox and Platt, the thousands of Bondo votes being spoilt.

The politics of opposition

We have already seen that the practice of 'clearance' by KANU has been used by power-holders to maintain themselves and their allies in power. With the proscription of KPU in 1969, Kenya became a de facto one-party state. Several attempts to form opposition parties simply met with non-registration. In political rhetoric, however, Kenya's leaders continued to emphasise the democratic nature of their rule by pointing out that, unlike many other African countries, formation of opposition parties was a guaranteed constitutional right of Kenyans.

In a visit to London early in 1982, Oginga Odinga gave a speech before members of the British parliament analysing African politics in the 1980s and asserting that the experience of one-party systems in Africa had proved to be extremely undemocratic. According to Odinga, there was a need to open the political process to contending shades of political views through multi-party systems. He further argued that the socialist party should be the party of the future in the continent. The Kenyan government interpreted this speech to be a declaration of intent by Odinga and like-minded Kenyans to launch a socialist opposition party. It reacted sharply by declaring that it would push for an amendment to the constitution to make Kenya a one-party state. In the meantime, KANU expelled Odinga and Anyona from the party for allegedly being the prime movers of the attempts to form an

opposition party. These expulsions were in contravention of the procedures established under the KANU constitution in that they by-passed the National Executive Committee and did not accord the expelled members the right of audience before the Governing Council.

A chorus of 'support' for the move to make Kenya a one-party state and the expulsion of Odinga and Anyona from KANU echoed from every crony of the power-holders in a characteristic sycophantic unison. The only discordant note was heard from university students and one of their lecturers, Mukaru Ng'ang'a, who condemned the moves as undemocratic. Ng'ang'a was detained soon after. In any event, the President summoned back parliament from recess to debate the constitutional amendment. The 'debate' turned out to be a monologue by the mover of the motion, the Minister for Constitutional Affairs, Njonjo, and the bill was passed 'unanimously' in less than an hour.

Parliament has clearly become a rubber-stamp for the wishes of the ruling class. In a parliament of 158 members, 28 are cabinet ministers, 54 assistant ministers and 12 nominated members. The back-bench, which in a one-party state should act as an opposition, or a check on governmental action, has thus been rendered impotent. Just as the executive has intervened in judicial affairs, thereby compromising its independence, so it has encroached upon the role of the legislature to pre-empt its effective and democratic control of government activity.

The coup d'etat of 1 August 1982, the first in Kenyan history, should be seen as a result of the political weakness of the ruling group, its increasing reliance on repression and the de-politicisation and de-legalisation of Kenyan society. With no opportunity for open debate on vital national issues or the possibility for a democratic change of leaders, the political process found means of self-expression through a segment of the armed forces.

Mau Mau after thirty years

One sure way to become suspected of 'radical' inclinations in Kenya today is to show an active interest in the Mau Mau movement of the 1950s. In the current climate of repression, when the people are continually exhorted by authorities to 'forget the past', a 'radical' is that person who argues that the Mau Mau liberation struggle should be studied at schools and at the University; its songs and dances should be a part of a living national culture.

One can cross the thin line separating 'radical' from 'subversive' by asserting that Mau Mau was a progressive movement with elements of nation-wide support, and that its goals were betrayed by loyalists who have, since independence, consolidated economic and political dominance at the expense of the former freedom fighters. Many of those in power today do not want to be reminded of the Mau Mau guerrilla songs, which attacked collaborators with the British in the following terms:

> And you traitors
> Who sell us to the white oppressors
> You must realize that
> We will expel the white oppressors
> From this our land.
> Then you will pay
> For your treacherous acts with your lives.

From *Thunder from the Mountains, Mau Mau Patriotic Songs.*[1]

They prefer to dismiss Mau Mau as an example of 'tribal nationalism' or even Kikuyu atavism. Most Kenyan scholars at the University share these views without going into the subject deeply. They appear anxious to play down the significance of the Mau Mau movement, and steer their students into other fields of research. Only two Kenyan writers, Mukaru N'gang'a and Maina wa Kinyatti, interpreted Mau Mau as a movement with progressive nationalist goals in the special issue of the *Kenya Historical Review*[2] devoted to the subject. They are both now in prison.

Mukaru N'gang'a has traced the defeat of Mau Mau nationalist aims in the post-independence period, as Murang'a loyalists emerged with economic and political power. Maina wa Kinyatti also knows Murang'a intimately. He was born in Mukurwe wa Gathanga in Murang'a – on the site of the shrine to the original ancestors of the Kikuyu people, Mumbi and Gikuyu. During the Emergency the British built a Home Guard post on the site of the shrine, and as a boy Maina was witness to the tortures and executions carried out by the British and their Kenyan collaborators. His father lost his shops and other property when he was arrested as a Mau Mau suspect, and detained for ten years. His teenage brother was also arrested and spent seven years in detention, several of them in the same prison where Maina is now held.

As a historian, Maina has dedicated himself to the task of documenting and preserving the role played by patriots in the Mau Mau struggle. In his view, the existing history books tend either to slight Mau Mau, or to interpret it as a tribalistic, terrorist movement, whose goals – such as demanding that the land be returned to the peasants – were an embarrassment to the moderates who inherited government office at independence. Those few books which are sympathetic to Mau Mau rely, he believes, too exclusively on colonial documentation. Maina takes a different approach. For the past decade, he has been interviewing men and women who took part in the movement and recording memories which authorities today, like their colonial predecessors, would prefer to obliterate. His research has not been confined to Kikuyuland. He has found evidence of nation-wide support which he maintains dispels any interpretation of Mau Mau as a purely Kikuyu movement. Maina and his wife Mumbi, a lecturer in Creative Arts at the University, have shared the task of helping keep alive a 'culture of resistance', and making Kenyan youth proud of their heritage.

Maina's translation of freedom songs at present serves as a text in oral literature on the 'A' level syllabus. The book will, in all probability, be removed when the government unveils a new syllabus free of what it calls 'works of violence' which teach the youth 'to hate their government'. In June 1982 the Ministry of Higher Education announced its aim to 'exercise all the power at its disposal to control and curb

any ideologies which may find their way into the secondary school system'. At present it feels that too much attention is being paid to anti-colonial liberation movements, in Kenya and elsewhere, which 'teach violence'. This theme has been repeatedly sounded by other government officials. Over the past two years the President has sporadically accused some unnamed university lecturers of teaching the 'politics of subversion through books majoring in violence'. It seems that any book specifically on Mau Mau could fall into that category. It is, therefore, most unlikely that either of the books Maina has been preparing on Mau Mau will be allowed on the university syllabus. One is a history of the movement, with a final chapter on post-independent Kenya which was confiscated by the security men who searched his house in early June 1982. The other is a translation of the letters of one of the leaders of the Kenya Land Freedom Army, Dedan Kimathi, which demonstrates that the Mau Mau movement had a broadly nationalist character.

The figure of Dedan Kimathi, as we shall see, has become a central one in rival interpretations of history and culture. The official directive to 'forget the past' apparently refers only to the *recent* colonial past. The distant past is an acceptable subject for study, offering up material which the newly-created Ministry of Culture seeks to preserve and display on ceremonial occasions. Other Kenyans, including Maina and Mumbi, have argued that national culture should not be a mere museum piece. Instead, it must encompass the living experience of the people, and serve to enlighten and enhance their awareness of the circumstances in which they live. They have discovered that the most effective vehicle for the nurture of living culture in a society in which large numbers are still illiterate is drama.

Much of what is today stigmatised in Kenya as 'radical' or even 'subversive' revolves around the emergence of African theatre, and the person of East Africa's best known writer, Ngugi wa Thiong'o. Ngugi was one of the first Kenyans to deplore the fact that, as late as 1975, foreigners had an effective monopoly of theatre in the country. The so-called National Theatre staged British or other European plays, with a strong emphasis on bedroom comedy. There was no room for African theatre in Nairobi.

The continental African cultural festival known as Festac, originally scheduled to be held in Nigeria in 1975, provided a catalyst for change. Kenneth Watene had written a play for the festival called *Dedan Kimathi*, in which he presented a colonial stereotype of the Mau Mau leader. Watene's Kimathi was a prototype of Idi Amin: the type of African leader who conformed to European expectations – a bloodthirsty tyrant with enormous sexual appetites. Ngugi felt that Watene's portrayal was a distortion of Kenya's past and totally inappropriate for Festac. He and his university colleague Micere Mugo conducted

research into the historical background of the Emergency, discussed Kimathi with those who knew and fought alongside him, and emerged with the portrait of a revolutionary hero. While they were writing *The Trial of Dedan Kimathi*, Festac was re-scheduled for 1977. Their play replaced Watene's, and was sent to represent Kenyan drama at the festival.

Their play was also performed to capacity audiences at Nairobi's National Theatre, where it marked the beginning of a cultural movement which, over the period of five years, was to result in the detention of Ngugi, the physical destruction of the Kamiriithu Community Educational and Cultural Centre with which he was associated, and the censorship of school drama festivals which were showing signs of Kamiriithu's influence.

A veteran theatre actress and director, from 1977 Mumbi wa Maina was involved along with Ngugi in the evolution of African theatre in Kenya. She performed in the Festac *Trial of Dedan Kimathi*, and, during the same year, helped found a drama group called the Tamaduni Players, which was intended as a workshop to train youth in techniques of theatre performance and production. The group included high school and university students, workers and the unemployed. Part of its task, as Mumbi saw it, was to gather material through research for national plays with some meaning for Kenyan audiences. With this aim the group created *Portraits of Survival*, a study of the lives of the urban poor. It presented its plays at the university theatre, which before 1977 was almost entirely cut off from the wider community, and at the nearby Kenya Cultural Centre, a small theatre rented from the British Council, which usually (despite its name) served as the venue for British plays. School and community groups from various parts of Nairobi and the rural areas regularly attended the Tamaduni performances.

Tamaduni's greatest triumph – which attracted huge enthusiastic crowds from all over Kenya – was their 1980 production of Ngugi and Micere's play in KiSwahili translation: *Mzalendo Kimathi*. Progressive drama performed in one of Kenya's national languages has an electrifying effect on both actors and audiences, as Ngugi discovered at Kamiriithu, where the performance by the villagers of a Kikuyu play, *Ngaahika Ndeenda* (I will marry when I want), was the immediate reason for his detention in 1977. In its production of *Mzalendo Kimathi*, Tamaduni performers sang and danced Mau Mau freedom songs, while holding the actual rifles made in the forest. They also performed anti-colonial songs from other peoples of Kenya. Night after night the audience filled the seats, aisles, and even the sides of the stage. Bus-loads of men and women came from the rural areas and wept at the vivid re-creation of what they had themselves lived through.

The authorities feared plays like *Ngaahika Ndeenda* and *Mzalendo Kimathi* because they were being used to pose too many embarrassing questions concerning the parallels between colonial and independent Kenya. Such drama was conducted in languages which the people could easily understand. It encouraged critical thought; it educated and informed, and gave the people a voice. To counter these dangerous tendencies, the government insisted that all plays performed outside the University or the church be properly licensed by the Provincial Commissioner, who must in advance be given a copy of the script. Tamaduni faced the problem of how to obtain a licence, when it proposed taking *Mzalendo Kimathi* to Dedan Kimathi's home area, Nyeri. It finally succeeded, thanks largely to the influence of the one ex-freedom fighter and Mau Mau detainee remaining in parliament, Waruru Kanja, who had attended the opening night and been deeply moved by the production. When *Mzalendo* was performed the following year at the National Theatre, a licence was only obtained because the play was sponsored by a church group which succeeded at the last moment in getting the necessary clearance. Once again, bus-loads came to the production from as far away as Kisumu in Nyanza Province, confounding those who claimed that the play would only attract Kikuyu 'tribalists'.

By early 1982 the government had decided that it could no longer tolerate a theatre movement which encouraged popular self-expression, and used the past to criticise the present. It therefore sent security forces to raze the Kamiriithu centre, and banned a play about colonial Kenya by Ngugi, *Maitu Njugira* (Mother sing to me), which was to be performed in Zimbabwe at independence anniversary celebrations. The government has also announced its intention to vet all school plays, since many of those written and performed by school children in national drama festivals have shown signs of social relevance. In future, the government will provide the themes for the school festivals. Mumbi wa Maina believes that authorities will from now on also use existing licensing procedures to suppress all plays with a social message. Tamaduni is currently working on such a play: the story of Monica Njeri, a Kenyan prostitute murdered in 1981 by an American sailor in Mombasa, who was subsequently fined shs.500/- and freed by a white judge. The material for the play is politically as well as racially sensitive, given the alarm felt by many Kenyans at the presence of an American base on their soil. Another play which will probably be banned in the future is *Kilio cha Haki* (Cry for justice), written by the university lecturer Al-Amin Mazrui. Like many of Ngugi's works, the play concerns*c olonial* Kenya, but the authorities still find it unacceptable. Shortly after its publication and initial performance, Mazrui was detained without trial.

Drama, then, has during the past five years played a major role in

re-awakening 'radical' nationalist aspirations in Kenya. Plays performed in schools, churches, villages, at the University and the National Theatre have highlighted the divergence between the Kenya of today and the Kenya which the Mau Mau fought for. Drama has been a vehicle for questioning the background and intentions of the Kenyan ruling class. Has this elite acted in the interests of the people who fought for independence? Has it discarded colonial attitudes, forms of rule and economic practices? Has it re-distributed land to the people?

* * *

Following the banning of the Kenya People's Union (KPU) in 1969 and the assassination in 1975 of the popular MP J.M. Kariuki, there has been no overtly *political* movement which has questioned the status quo to the same degree. The government has always been quick to accuse its critics of being agents of 'foreign ideology', irrespective of their political beliefs. Just as the authorities like their African culture in separate, easily isolated compartments – here a Luo drinking song, there a Kamba circumcision dance – so they like their politics in parochial containers, devoid of general issues or Kenya-wide connections. Politics is a matter of a road here, a new coffee factory there, with no questions asked about their suitability. Kenya, according to ruling-class dogma, is a democratic country envied throughout Africa and the world for its stability and rate of development. To challenge that proposition is to court detention, or even death.

One measure of the extreme weakness of the current regime has been the nature of its reaction to the recent hesitant attempts of 'radicals' to re-group politically on a national basis. The impetus behind this development was the imprisonment on trumped up currency charges of Waruru Kanja, the MP from Nyeri who was so impressed by *Mzalendo Kimathi*. Early in 1982 a group of Nyeri politicians battled for his parliamentary seat. With one exception, the contenders could all be identified with the old loyalist element in Nyeri politics. The exception was a young, little known journalist, Wang'ondu Kariuki, who obtained Kanja's personal blessing, and in return pledged to stand down for him on his release from prison. More significantly from the government's point of view, Wang'ondu also had the public support of various 'radical' politicians and university figures.

The campaign which ensued could not be called dynamic, since the authorities strictly controlled the number of meetings a candidate could address and the number of minutes he could speak. But the mere *suggestion* of nation-wide support for one candidate terrified the government, which promptly denounced outsiders for meddling in Nyeri politics. The regime feared that such support for Wang'ondu

was a step towards the creation of political unanimity around certain fundamental ideological issues, cutting across regional boundaries. A few months later some of the same individuals who had backed Wang'ondu went one step further and discussed the possibility, at the time constitutional, of forming a second political party. Such a party threatened to raise the same type of embarrassing questions which the opponents of Mau Mau had taken pains to suppress in the early 1960s. In addition, the two men prominently associated with the idea of the second party – Oginga Odinga and George Anyona – denounced as a sell-out the government's provision of American naval and military 'facilities' in Kenya.

The government had the opportunity to block the formation of a new party by refusing it registration. Instead, it passed legislation making Kenya a de jure one-party state. It then harrassed Odinga and took away his passport, and detained Anyona. For good measure, it also arrested and then detained their lawyer, John Khaminwa. Mukaru N'gang'a, who announced *before* the constitutional change that any Kenyan had a right to form a second party, was also detained. The government dealt with Wang'ondu by imprisoning him for four and a half years for possessing a 'seditious publication' called *Pambana* (Struggle), which questioned the direction in which the country was heading, and gave information about various scandals in which government officials and local politicians were involved. The government reaction to an underground newspaper only a few pages long has, to say the least, been extravagant. Clearly, the regime has been seriously frightened by the attempt of the underground publishers and writers of *Pambana* to stimulate a national, democratic initiative, and by their use of both English and KiSwahili to cut across 'tribal' bounds so convenient for practitioners of divide and rule. In its crack-down on those found with or believed sympathetic to the newspaper (an organ of the December 12th Movement), the government even arrested and held for six weeks without bail two *illiterate* old men, both ex-Mau Mau fighters.

A regime which is certain of its popular support has no need to suppress a play like *Maitu Njugira*; nor would it regard a newspaper like *Pambana* as the very stuff of which revolutions are made. President Moi admitted that his position was precarious when he announced at the 1 June national day celebration that 'my back is to the wall'. He then promised to do everything in his power to keep power. At first, he found the University a convenient whipping-boy, an obvious ploy for a government which fears exposure and criticism. The arrest and subsequent detentions of an historian, a linguist, a lawyer, a psychologist and the leading Kenyan expert on indigenous trees – all lecturers at the University – were made without a word of explanation and little attention to legal norms. Later it was suggested in the press that the lecturers

were somehow connected with *Pambana*. But, if the security forces *did* have evidence to this effect, it seems curious that the government did not bring them to trial, but chose instead to attract unwelcome international attention by using the widely-detested device of detention without trial against those with no national standing or reputation outside academic circles.

Most of the national and university figures who supported Wang'ondu in Nyeri or demonstrated an interest in the notion of a second political party are either now without their passports or in prison. Unfortunately for the government in its campaign against 'dissidents', the 'cancer' which it claims to be eliminating is not confined to one particular 'disaffected' region, but is apparently spread throughout the body politic. Those now in detention represent the various regions of Kenya, from extreme west to extreme east. Since the coup attempt of 1 August, there has been no indication that the government is interested in understanding the basic causes behind Kenya's worst crisis in thirty years, or in national reconciliation. Instead, the government has intensified colonial-style repression in its haste to sort out the loyalists and the non-loyalists. Under these circumstances, it is hardly surprising that the parents of Maina Wa Kinyatti see their son's imprisonment as a bitter re-run of their own experiences during the Emergency.

References

1 Maina wa Kinyatti (ed.), *Thunder from the Mountains, Mau Mau Patriotic Songs* (London, Zed Press, 1980), p.82.
2 Vol. 5, no. 2, 1977.

Looters, bankrupts and the begging bowl: our plundered economy*

Origins of the petite-bourgeoisie

To understand the nature of capitalist exploitation in Kenya, and the origins of our post-colonial ruling class, it is necessary to look back at the colonial period. Among some of our peoples, socio-economic (i.e. class) differentiation was occurring *before* the direct colonial take-over. Colonialism, which brought Kenyans into production for the world capitalist market, reinforced and accelerated this differentiation. Under British rule pre-capitalist modes of production were gradually subordinated to the capitalist mode. This process had, it must be admitted, many desirable and economically progressive features. It introduced Kenyans to new resources and instruments of production, and in general raised the productivity of their labour power. Kenyans were soon producing a surplus, most of which was appropriated by the colonialists. Most, but not all. From a very early stage some Kenyans emerged as petty capitalists, although racist barriers prevented them from becoming a competitive threat. Thus, by 1915 there were African-owned and run businesses in Kiambu.

By the 1920s, when half the able-bodied male Luo and Kikuyu were

* This is a shortened version of a chapter from *Cheche Kenya*, a discussion document written prior to the events of 1982 by Kenyan activists with a view to 'clarifying our situation as simply and directly as possible, in a way which will stimulate Kenyans to think for themselves and mobilise their own strength and capacity for action'. It was originally circulated as an underground document within Kenya, but is shortly to be published in the USA by Africa Research and Publications Group (New Jersey) and in Britain by Zed Press (London).

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forced into some kind of 'wage employment', we see signs of an emerging African petite-bourgeoisie of shopkeepers, skilled workers, government clerks and teachers, a group with access to higher incomes than most of their countrymen. In some cases, these Africans were in a position to accumulate a little surplus because of the way *pre*-colonial socio-economic differentiation had whetted their appetite for gain. At the colonial take-over they were on the look-out for opportunities to continue the process of self-enrichment, and were willing to collaborate with the colonialists as chiefs and headmen and, in some instances, get substantial rewards for doing so. Other members of the embryonic petite-bourgeoisie were educated missionary converts, who received relatively large incomes for their work as clerks and teachers – incomes which they could then put to work on the land or in small businesses. Those with substantial land-holdings could grow cash crops like wattle or tobacco. They were not allowed to compete with settler farmers by growing the really lucrative crops like coffee. African businessmen were severely restricted in their enterprises by the licensing system, which favoured Europeans and Asians, and by their failure to secure credit. Nevertheless, using the local native councils as a source of loans, capital and paid employment, they continued to accumulate and invest throughout the colonial period, demonstrating considerable resourcefulness and a determination to take advantage of whatever the system had to offer. They displayed a commendable initiative, and a refusal to embrace racist propaganda concerning African capacities and their 'proper place' – perpetual servitude.

During the changing international climate of the 1950s the Kenyan petite-bourgeoisie were split in their strategy of how best to advance their interests. Some embraced militant nationalism, seeing the Mau Mau movement as a way of ending the domination of the settlers and opening further avenues to African accumulation. Not all Mau Mau leaders and supporters were acting purely out of self-interest, of course. Some leaders were determined to shed their petit-bourgeois outlook, and work for the welfare of all Kenyans, and the creation of a truly independent nation. These freedom fighters were regarded as traitors, as renegades by the large group which saw immediate personal benefit in collaborating with the colonial government to put down the revolt. These loyalists saw eye to eye with the colonialists on many matters, and fully accepted the idea that progress was only possible for Africans *within* the existing economic framework. They became the apprentice-proteges of colonial and international capitalists anxious to groom a future ruling class to whom power could safely be entrusted.

In the case of the Kenyan petite-bourgeoisie, there was, not surprisingly, little evidence of group unity as the country moved towards nominal independence. But within petit-bourgeois ranks, the loyalists were coming into their own. Trusted by the colonial rulers, loyalists were well-placed to take advantage of the opportunities which came

their way when international capital deserted the settlers because they were not efficient enough at exploiting the resources of the country. Under the Swynnerton Plan [of 1955], these 'safe' Kenyans were pushed forward by the colonialists to produce cash crops for the capitalist market, using the profits to consolidate their business interests. African businesses had long been starved of credit, since the Credit to Natives Ordinance of 1926 had restricted the amount which a non-African could lend an African to shs. 200/-. This Act was not abolished until 1960. However, in the mid and late 1950s exemptions were given by the government to those Africans whom it wished to groom for leadership. Various loan schemes with colonial and American backing were floated to provide grants to favoured traders. By the end of the 1950s, although African businessmen were still subordinate to European and Asian trading companies, they had carved out a profitable role for themselves as middlemen within the 'reserves'. Furthermore, they were proving themselves to be good future ruling-class material. They were eager to embrace the colonial outlook and style of life, and be embraced in turn as political partners in ruling Kenya.

The lack of unity among the ranks of the petite-bourgeoisie showed itself clearly in the years after 'independence'. Some petit-bourgeois politicians were strongly convinced that Kenya's new rulers had bartered away real independence – these were to follow Odinga into the Kenya Peoples Union (KPU). Others, eager to take advantage of the new potential for accumulation offered by control of the state, were determined to bury old differences, saying that in fact *everyone* had fought for independence. They were anxious to get ahead in any way they could. Of course, for the majority there were no great rewards – they remained on the outside as small-time shopkeepers, *matatu*-owners or distributors. Some individuals within the petit-bourgeois ranks did achieve swift upward mobility, thanks to the political alliances which they were able to form. These political and business 'bosses' utilised the state machine and relationships with foreign capitalists to consolidate their uncertain economic base, and emerge as a 'dependent' national bourgeoisie.

Thwarting the Asian bourgeoisie

Before discussing the national bourgeoisie in more detail, a few words should be said about the Asian business community, which certainly had the potential to become a substantial national bourgeoisie, but failed for obvious political reasons to do so. During the colonial period Asians were not allowed to buy land in the so-called 'White Highlands'. They could – and did – take over land in some outlying areas, including western Kenya, where they set up large sugar plantations. But, in general, they were blocked from the most productive land, and also from the lucrative import-export business which

remained in European hands. Before the Second World War the retail trade was the primary outlet for Asian capital. Relying on the closely knit family firm, Asian businessmen were able to spread their trading operations into all the towns of Kenya.

After the War they began increasingly to move into *productive* industry. A few large-scale industrial firms began to emerge, belonging to families like the Chandarias, the Khimasias and the Madhvanis. These firms produced steel, aluminium, textiles, glass, flour and molasses. They took over many local companies operating in industry and investment. But in spite of their obvious efficiency and business acumen, the large Asian businessmen have never felt politically secure, and instead of using their profits to consolidate their economic base in 'independent' Kenya, have instead looked for ways to get their capital out of the country. Some have managed to buy a reasonable degree of security and a spectacular degree of wealth by adapting themselves to the new situation and forming partnerships with influential members of the African bourgeoisie, or by acting behind African 'fronts'. The small Asian businessmen have had more reason to feel insecure. From the late 1960s their trading enterprises have been at risk, as the government sought to assure itself of African petit-bourgeois support by moving against the Asian business community. In 1967 the Trades Licensing Act excluded non-citizens from trading in rural and outlying urban areas. In the same year the Kenya National Trading Corporation began to use its licensing powers to force Asians out of the wholesale and retail trade. From 1972 to 1975 many non-citizen *and* citizen Asian businesses were issued with quit notices, and forced to sell to certain well-connected Africans. Again in late 1980 the Ministry of Commerce attempted in a muddled fashion to enable well-placed Africans to accumulate at the expense of Asians by decreeing that only Africans could operate in combined wholesale and retail spheres, a decision which it was later forced to withdraw. But, meanwhile, Asian traders found themselves excluded from trading in some parts of the country and in some commodities. The uncertainty of their position seems to have little to do with their citizenship status.

Nyang'au (hyena) at the door

The post-colonial state predictably threw its weight against the emergence of the Asian business and industrial community as an indigenous national bourgeoisie. It preferred to foster gradually the interests of a group of African capitalists who were able to use a wide variety of means – legal and illegal – to consolidate their economic base. In many studies of class formation in Africa, post-colonial rulers are characterised as belonging to a petit-bourgeois stratum because they rarely produce *value,* but accumulate instead by acting as

middlemen in trade and creaming off profits as goods circulate, or by using their positions in government. Although this has in general been true of the Kenyan ruling class, we choose the term 'dependent' national bourgeoisie for several reasons. For one thing, some of its members have, since the mid 1970s, shown an interest in supplementing the quick speculative return to be obtained in property, business, finance and so forth with a tentative move into production – the Tiger Shoe Company and Madhupaper being two recent examples. But at this stage, too much significance can be given to African industrial or productive activity, the success of which is limited by lack of experience, and by extreme dependence on foreign technology and skill and the inclination of the state to suppress foreign competition.

It is important, therefore, not to overrate the *productive* nature of the type of bourgeois stratum emerging in Kenya. Its members remain for the most part speculators or parasites, not producers. But they qualify as a kind of bourgeoisie because their activities have brought them the ownership of a considerable part of the means of production – in particular, property and land. Like the settlers before them, great tracts of land in their hands are underused, or left idle. Productivity has declined sharply. They prefer to focus their attention on other enterprises with a quick effortless return. Thus, they accumulate through property speculation, through their control of parastatal bodies and marketing boards, through their political roles and positions within the civil service and administration, through the 'sleeping' partnerships they form with Asian businessmen, and – most importantly – through their involvement with foreign capitalists. Multinational corporations give influential Kenyans the opportunity to draw high salaries, sit idly but profitably on boards of directors, own shares and take part in lucrative subcontracting ventures. In return, Kenyan directors and allies ensure that multinationals will be able to operate without undue government interference, and will enjoy a certain privileged, near monopoly status in their undertakings. But this stratum cannot be merely termed comprador. The relationship which these influential Kenyans enter into with foreign capital is not completely one-sided, nor does it represent the sum of their activities. Building on a comprador role, they often start and manage their own firms. Holding in some cases twenty or thirty directorships because of the political influence which they are able to command, individuals within this ruling class can accumulate from a wide variety of sources on a scale never dreamed of by their petit-bourgeois fathers. But they are hardly more secure, since their extravagant income generally depends on political alignments. Thus, a man like Udi Gecaga, son-in-law of the former President, in the mid 1970s was chairman of the massive Lonrho company in Kenya, a position which he lost in February 1981 under the new regime. He also had a total of thirty-eight

directorships before his fall from political favour. He personally owned seven of these firms, including investment companies, an import company, a transport business and some trading companies. He has invested extensively in land, both in Kenya and abroad. More of an entrepreneur in his own right than a comprador, Gecaga cannot easily be included in the same class category as the struggling businessman in the rural areas, whose shop might sell five or six commodities, or as the rural schoolmaster who has invested part of his salary in a *matatu*.

The Kenyan ruling class and agents of international capital therefore derive certain benefits from their association with each other. But it should not be thought that the relationship between them is always happy and conflict-free. Local capitalists might frequently find that their interests directly compete with those of foreign firms, forcing the state to mediate between them through its licensing procedures and tariff system. But prolonged conflict is unlikely, since neither the government nor the Kenyan bourgeoisie could afford to face the consequences of alienating foreign capital. The government openly states that foreign firms cannot be controlled by the state, and that they drain away huge profits at our expense – but still they are 'vital for development'. Kenya's indigenous firms have to be prepared to play second fiddle, or be taken over by outsiders. Usually a compromise between foreign and national capital is reached, giving foreign firms the dominant market position, while local capital operates on the periphery. Since the rivalry between the capitals is hardly one of equals, local capitalists have been in no position to complain too loudly. For instance, in the case of African-owned Tiger Shoes, set up in 1972 by the GEMA chief Njenga Karume and five African ex-managers of the foreign multinational monopoly, the Bata Shoe Company, the annual output of 260,000 a year is scarcely a threat to the Bata Shoe Company, which in the middle of the 1970s produced over 8m shoes a year. Tiger Shoes can also hardly challenge the Czechoslovakian company in its marketing or its advertising. It poses no real threat to Bata command of the Kenyan market, and its existence can therefore be tolerated.

The Kenyan Industrial Estates represent the government's attempt to promote simultaneously foreign and local enterprise. In this scheme, it is obvious that small-scale African undertakings have been pushed to the periphery, where they are generally doomed to failure by a combination of high import content, low level of skills, loan defaulting, the production of shoddy merchandise and the inability to capture markets. For example, such companies as Haraka Hosiery typically complain that smuggled foreign imports have ruined the demand for their products. In no way, then, does this style of low-level technology enterprise challenge foreign dominance. Neither does it provide much in the way of employment. Slightly more than 1,000 people were

working in the Kenya Industrial Estates in Nairobi in 1980 – far fewer in outlying towns.

As competition among different groups of the bourgeoisie – national and foreign – for increasingly scarce national resources becomes more fierce, it is possible that resentment over the largely auxiliary role played by the national bourgeoisie may grow stronger and ultimately pose a threat to the security of foreign capital in Kenya. But there is little sign of that happening as yet, perhaps because there are still opportunities for accumulation through the manipulation of government agencies, such as marketing and licensing boards, cooperatives, land companies, welfare associations and city councils, and through such activities as smuggling and extortion.

The foreign connection

Productive enterprise in the modern economic sector – industry and manufacturing – remains firmly in foreign hands. The pattern of industrial development in Kenya was laid down by the late 1950s; there again, as in land policy, the new African rulers elected to stress continuity, not change. By the late 1950s Kenya had become the leading industrial centre for the East African market, with a comparatively sophisticated infrastructure of roads, ports, banks and offices being built to superintend the outflow of profits and capital. In 1959 the colonial government showed its determination to attract foreign and British capital by erecting a high tariff which would offer protection to 'infant' industries, including those offspring of multinational corporations. Kenya has never had much in the way of natural resources or minerals to attract foreign interest. What it did, and still does offer is a favourable government policy towards protection and the repatriation of wealth.

Kenya's is a monopoly economy, dominated by more than 125 American conglomerates, as well as large British, West German, Japanese and Scandinavian companies. Large foreign companies have in many areas – including steel, paint, oil and metal containers – come to agreements among themselves to fix prices and divide up the market. In other cases, Firestone Tyre Company being an outstanding example, a foreign company has long enjoyed an actual monopoly, with competition being legally barred.

Once established behind the wall of government protection, foreign companies have opened a door in that wall for the continual outflow of large surplusses. They have, with very little government restriction, repatriated their dividends and profits (created in some cases from *domestic* borrowing, to take advantage of favourable interest rates offered by local banks), and they have used various other techniques to understate the amount of capital being exported. They are the masters

of the legal tax dodge, employing shoals of accountants to help protect their returns from the government taxman. Their accountants are well versed in such tactics as transfer-pricing, over-invoicing and double-ledgering to disguise the repatriation of capital. The Nairobi Hilton Hotel, for example, can very well equip the interior of its rooms with locally-purchased fittings. But instead it orders all internal fittings and equipment – its bedlinen, curtains, cooking equipment, and so on – from the Hilton chain at high prices, enabling it to transfer out profits in the form of a payment to the parent company abroad.

The folly of import substitution

Such 'development' has produced a lopsided economic structure, which does little to meet the needs of the people, either their employment needs or needs as consumers. Of course, the intention in unrealistic government development plans has been stated in quite different terms. According to planners in the 1960s, Kenya needed foreign-owned import-substitution industry to enable its people to get access to certain manufactured necessities and luxuries. Such industry, it was maintained, would provide large numbers of Kenyans with employment, and stimulate indigenous industrial take-off.

Foreign companies were therefore invited in, to produce commodities which had previously been imported, or to put the 'finishing touch' to commodities imported in an unfinished state. As people, including the planners, are now beginning to realise, import-substitution industry in Kenya has been something of an expensive folly. Industries, as we have seen, have been able to take advantage of government licensing and tariff restrictions to set up virtual monopolies. They control the prices. They import all their machinery and raw materials as well as management and end up producing a product which is *more* costly than the same product would be if imported from abroad. Thus, Kenya presently has three vehicle assembly plants, even though it is uneconomic to produce cars and trucks on such a limited scale. Prices for these vehicles are very high to compensate for the limited market. It would be far cheaper to buy abroad and ship cars to Kenya. Furthermore, import-substitution firms are generally low on quality, and therefore have little export potential. They are notorious for their inefficiency and their shoddy output, since they are allowed to operate virtually free of competition – their dry cells leak; their engine oil-filters ruin engines; their screws and nails can neither be screwed in nor pounded; their tyres wear out early and rupture at high speeds.

The textile industry provides many illustrations of the syndrome of high prices and low quality which afflicts the entire manufacturing sector. The Rivatex factory at Eldoret has received generous government protection through a high customs duty on imported material and

clothes. However, in 1977 the Ministry of Health admitted to importing shs. 3m worth of nurses' uniform material because the Rivatex material almost immediately lost its shape, faded and was easily torn. Besides, the better imported cloth was one-third the price of its Rivatex equivalent. While European countries in the nineteenth century made the textile industry the basis of their industrial revolutions, since textiles were a necessity and could find a large internal market, the Kenyan government seems unaware that textiles can help generate internal economic growth. With a steady need to clothe its institutions and armed forces – one which can be the foundation of a national industry supplying a predictable demand – the government protects Rivatex, allows it to turn out substandard cloth and continues to import uniforms from abroad. At a very great cost to the whole economy, manufacturing at present produces only about 13 per cent of the national product in the monetary sector. Few of its commodities can be said to be of essential use and benefit to our people as a whole. Import-substitution industry in general panders to the consumerist tastes of a small section of our people.

Other attempts by the government to use foreign industry to stimulate local investment and participation have generally done little more than play into the hands of foreign investors. Government finance has usually resulted in the further squandering of our national resources. Through such agencies as the Industrial and Commercial Development Corporation (ICDC) and the Development Finance Company of Kenya (DFCK), the government has provided giant multinationals like Unilever, Brooke Bond, and Union Carbide with local resources, and has, predictably, got little in the way of active control over decision-making in return. It might well be asked what business the government has investing in multinationals, or in certain expensive prestige projects which will do little to stimulate our economic growth. The new Kenya Chemical and Food Corporation in Kisumu, 51 per cent government-owned, is a good example of insanely high investment for dubious returns. Here the government has involved itself with the Madhvani and Mehta companies in one of the most ill-conceived and expensive agro-industrial projects in Africa. During the building phase the project has more than doubled its cost, to a staggering shs. 1,000m – ten times the original estimate! At the time of writing, shs. 200m of additional revenue has to be found if the project is to be completed, and there is a distinct possibility that the entire undertaking will be abandoned. If this plant ever opens, it will convert molasses into power alcohol at an estimated cost of three times the current world price of petrol, and it will also provide Kenyans with much needed yeast and vinegar. This enormous white elephant will provide only about 600 jobs.

What about the issue of employment? Does foreign-dominated

manufacturing – while producing shoddy and expensive goods for a tiny percentage of the Kenyan people – at least supply our people with jobs? According to the statistics, industry in Kenya does not do much in the way of absorbing excess labour. In 1970 employment in the manufacturing sector was a mere 8 per cent higher than it was in 1955, thanks to new capital-intensive technology. In December 1980 manufacturing produced only 14 per cent of the jobs in the modern sector, and this represented a mere 3 per cent of the total number of jobs. In fact, the average annual growth rate of industrial employment may not be more than 1 per cent since 1960. Such employment does not necessarily provide many people with skills, since many of them find jobs in industry only as poorly-paid casual labour.

The landed and the landless

Over 90 per cent of our people still live on the land. Many of them face arid, inhospitable conditions, and periodically watch their crops and livestock die for lack of sufficient rainfall. Every few years large numbers of our people face famine, and the usual government response is to deny that famine exists in Kenya.

Only 7 per cent of the land in Kenya has been described as being of high cash-crop potential, with favourable rainfall, soil and topographical conditions. During the colonial period most of that land was in the hands of 4,000 settlers, who had more than 3m hectares of land with reliable rainfall. Today, much of that high potential land is in the hands of large farmers who have purchased with the land the settler vision of the 'good life'. Large farms confer status: status is far more important to these 'telephone farmers' than productivity. In many cases they live in Nairobi, and are too busy looting in other ways to worry about whether their land is being cultivated efficiently or not. The result is – as in the case of settler farming – that half the land belonging to large mixed farms is lying idle. Still, these farmers have all the economic advantages – access to credit and various in-puts needed to raise productivity given proper attention. But the attention is rarely there.

An even more disastrous misuse of land in high potential areas occurs on the large holdings owned by land companies and cooperatives. These are notorious for the way they provide a steady source of loot for their officers and directors, rarely giving anything resembling a decent living to their members. After waiting for years – perhaps even a decade – to be given plots on company-purchased farms, members all too often find that their savings and deposits have disappeared. Many land companies are totally bogus, simply collecting money to buy a farm which might not even be up for sale. Millions of shillings are confiscated from peasants in this way. They are left with

nothing, while the swindlers, thriving in an atmosphere of lack of public accountability, continue their activities unchecked. Stealing from peasants seems to be almost an honourable vocation in Kenya, judging from the social esteem which these thieves can command, and the way the law and police protect them.

Finally, a considerable portion of high potential land is foreign-owned. Foreign companies still control thousands of acres of tea, coffee, sugar, sisal, fruit plantations and ranches. The government appears more than willing to continue putting the agricultural resources of Kenya at the service of foreign capital. For instance, it obligingly killed small-holder production of pineapples around Thika in order that the American Delmonte Company could have a monopoly. Later, it negotiated a new deal with Delmonte, promising to exempt the company from whatever change might occur in foreign investment policy during a twenty-five year period. Commodities produced by foreign capital are intended only for limited internal consumption – land which could be used to feed our people produces strawberries for resident expatriates, members of the Kenyan bourgeoisie with western tastes, and export. Such delicacies are produced by agricultural workers for whom a cup of tea with sugar is a luxury. In May 1980 wages for such workers were pegged at the derisory sum of shs. 215/- a *month,* the price of five kilos of coffee in the Nairobi shops.

Tea-pickers and sisal workers are generally landless, and hence forced to sell their labour to foreign capitalists. But in the 1950s international capitalism had recognised that the creation of such a labour force by the wholesale expropriation of peasants from the land was not necessarily a desirable development. Out-and-out proletarianisation and landlessness could lead to dangerous political consequences. Besides, if a peasant retained access to some land he could produce his own means of subsistence, and thus subsidise the cost of producing for the capitalist market. A peasant tied to his own individual land-holding would also be less likely to organise politically with his fellow peasants against exploitation. Therefore, for a number of reasons, expropriation of peasants in Kenya has been only partially accomplished. Peasants with small-holdings are regarded by the state and international bourgeoisie alike as a source of cheap labour for the production of commodities for western markets. In the mid 1970s about 50 per cent of marketed and exported produce was cultivated by these small-scale farmers who have been forced by the need to find money for school fees and other necessities to grow cash crops instead of food.

In the early 1970s the ILO Report divided Kenya's farming population into three categories. Twenty-two per cent were landless; 44 per cent were small-holders with less than seven acres on which to grow crops for their own use and for sale. Most of these farmers earn the

equivalent of less than £60 a year, and face a hopeless future on tiny plots which are becoming increasingly overcrowded and impossible to sub-divide in an economic way among children with no alternative means of getting a livelihood. These small-holders have little access to extension services or in-puts like fertiliser and improved seed which might enable them to raise productivity. They can do nothing but hope for a good rainfall and watch conditions of the land deteriorate year by year. Still, in comparison with the hundreds of thousands of landless, who subsist by squatting, working for others or begging, they (if not their children) are the more fortunate ones, who have access to *some* land and some security.

The remaining third of the small-holders have relatively more hopeful prospects, in theory anyway. They own seven acres or more, and are in the position to produce commodities for local sale or export which *should* bring them about £100 a year. But, recently at any rate, they have rarely received their due. In many cases they are at the mercy of marketing cooperatives which take their crops (cooperatives in the 1970s marketed more than half of all coffee, 40 per cent of all milk and the entire pyrethrum output) and pay them either a tiny percentage of the final price which the commodity will fetch on the market – or, as is the recent trend, don't pay them at all. Peasant producers are totally subordinated to the vagaries of international commodity quotas and prices, over which they exercise absolutely no control, and inefficient, corrupt marketing structures. The quota system might mean that a considerable portion of a cash crop cannot find its way on to the market, but will have to be stored. Unfortunately, most cooperatives and marketing boards have insufficient storage facilities and refuse to pay for stored produce. The peasants, therefore, often have little incentive to harvest their crops, which often rot on ground that could have been put to better use in esential food production and income generation.

The coffee fiasco

In the case of Kenya's leading export commodity – coffee – the international quota system, lack of local storage and dumping in Kenya of substandard agro-chemicals combine to impoverish and demoralise the peasant farmer. In 1981 farmers will lose millions of shillings because of coffee disease, having been supplied with fake chemicals sold as coffee fungicides. However, even if the crop survives international racketeering in chemicals, it could bring farmers little income. In 1981 the original quota given Kenya coffee of 78,000 tons was reduced to 70,000. The reduction was caused by the fact that year after year the Coffee Board of Kenya failed to meet its allotted export quota. Instead, the Board, apparently with the consent of government officials,

sold premuim quota coffee cheaply to non-quota companies, which would then sell it back in the quota market at a handsome profit for all. Expected production in 1981-2 of 90,000 tons will be little short of disaster, since the Kenya Planters Co-operative Union (KPCU) is in no position to handle and store the glut, and a higher quota will not be forthcoming. Coffee farmers, who have still not been paid for the years 1979-80, would get nothing for a crop which KPCU could not immediately sell. But even if the crop *were* to find its way on to the international market, the farmers might still get nothing. The money which has recently been exchanged for the commodity during its sale in London has largely remained abroad, being deposited by various members of the ruling bourgeoisie in foreign banks and invested in foreign assets. According to the records of the Central Bank, export credit for the 1980 coffee crop to the tune of shs. 300m has never come back to Kenya. Our peasants, with their unending labour, have been under-writing the crippled Kenyan economy since the coffee boom ended in 1978. What they so laboriously produce, others simply appropriate.

Coffee speculation and theft have been the way to wealth for many Kenyans in the 1970s. The coffee boom of 1977, caused by war in Angola and frost in Brazil, brought an enormous short-term windfall for the big growers and those who stole the crop from cooperatives and Uganda and smuggled it out of Kenya. Small-holders with an acre or two of coffee also had a prosperous year, when export prices were pushed 300 per cent higher than they had been in 1975. Some of the benefits of raised international demand for the crop did trickle down to them. However, the semblance of agricultural 'growth' produced by the boom was wholly artificial and accidental, and beyond the control of the government. The boom brought some benefits only to certain farmers in certain regions. It hurt the country as a whole by pushing up all prices dramatically, and further enlarging the appetities of ruling-class predators.

Commandeering the surplus

Thus far, we have only mentioned the inefficiency of cooperatives and marketing agencies, which lack adequate storage facilities and therefore only pay farmers, if they pay at all, for what can immediately be sold. Marketing agencies are not only inefficient; they are also in many cases crooked. Cooperative societies and the various marketing boards inherited from the colonial administration, which were originally set up to promote settler agriculture at the expense of African production, are tools used by the ruling class to plunder the peasants. Annually, millions of shillings which should go to cooperative members are lost through embezzlement or faulty

investment. Members of the Mu'urweini Farmers Co-operative, for example, lost a reported shs. 54m in 1978 alone, which represents more than shs. 3,000/- per member a year! The Meru Central Farmers Co-operative lost shs. 72m in the period 1978-80. Membership in the Mathira Dairy Co-operative has dropped from 11,754 to 2,000 in the last three years. No milk at all was taken to the local Kenya Co-operative Creameries by the Nyeri Co-operatives in 1980 because members simply dropped out, realising they would be paid little or nothing for their produce.

The marketing boards give producers little more in the way of a fair deal. The boards were set up to assure colonial settlers a virtual monopoly at subsidised prices for their produce. Today, too, the boards – like all parastatals – serve the interests of a particular class, the Kenyan bourgeoisie. By inhibiting competition and controlling the movement and marketing of produce, these boards are able to keep prices paid to producers low and the cut taken by middlemen as well as final prices on the market high. The difference between the price paid to the producers and the price paid by the consumers partly funds the extravagant life style maintained by the ruling bourgeoisie, who superintend the activities of the boards. Nearly all are in dire financial straits. The Kenya Co-operative Creameries, the Kenya Meat Commission and the National Cereals and Produce Board all hover on the verge of bankruptcy, and engage in practices which inflict considerable damage on the economy of our country.

Let us take a brief look at the recent activities of the National Cereals and Produce Board, a merger of the former Maize and Wheat Boards. It maintains poor storage facilities, expensive middlemen, and a virtual monopoly over the movement of Kenya's staple food – maize – from producer to market. A surplus beyond the country's internal food requirements is bought cheaply by the Board, and after being processed by middlemen, is sold abroad at a loss. Between February 1978 and July 1979 nearly 200,000 tons of maize were exported at a loss of shs. 165m. The rest of the surplus disappeared, leaving the country to face famine in subsequent years.

The same officials who loot the proceeds of peasant labour work hand in hand with politicians to extort money from the people in other ways. A leading method is that of the *Harambee* meeting, where forced collections are made and seldom accounted for. Here, the 'big shots' who have political influence are able to use the state to plunder the people in the name of 'self-reliance' and 'development'. If our people try to organise in their own interests, or to fight off the predators, they are told that they are engaging in rumour-mongering, *payukaring,* and that all meetings are illegal without a licence from the District Commissioner. From time to time, at considerable risk, our people do rebel, and refuse to perform the role expected of them, that of producing

cheaply commodities wanted by the international market. They refuse to harvest tea in Kisii; they burn sugar plantations in the west; they let coffee rot on the bush in Central Province. Such protests are generally smashed by the General Service Unit. The only further recourse open to the impoverished small-holders, the landless and their children is that of migration or, more properly, drift.

Our land is slowly dying. Our people experience increasing wretchedness and desperation as their only share of the growth which our leaders talk so loudly about. Their holdings get smaller as their families get bigger. They can do little to counteract soil exhaustion and erosion, and remain perennially vulnerable to drought and disease. Kenya has become incapable of feeding her people as millions of hectares of the best land – in the hands of foreign owners and the bourgeoisie – are put to exclusive production for export. Marketing regulations and prices paid to producers discourage the cultivation of basic food crops. Much food which is produced often rots on the ground. For the majority of people in the rural areas, then, the future holds out little hope of a better standard of living. Those with initiative and maybe some education, who want something better for themselves and their children than deteriorating conditions and strangled expectations, are forced to go to the towns to look for work.

Hakuna kazi – no work

In Kenya the reservoir of labour – the *kibarua* – is not only made up of the expropriated and uneducated. Many of our migrants still have ties with the land, but they also have a certain level of education which has bred heightened expectations that cannot be satisfied on the land. Finding nothing but stagnation in the rural areas, in many cases they also find nothing awaiting them in the cities. There are hundreds of thousands of school-leavers like themselves who are hoping to find non-manual employment as the key to upward mobility. They naturally aspire to enter the ranks of the petite-bourgeoisie and bourgeoisie. They emulate the civil servants and government employees who, thanks to the Ndegwa Report of 1971, can hang their coats over their office chairs and go off to tend their private business interests. Even more enviable are the really successful ones who form alliances with politicians, get access to special licensing privileges and council plots and take over non-citizen enterprises. These accumulators have been held up as models for our aspiring youth.

These aspirations cannot be safely ignored by the state, since seeming to satisfy them is the key to political stability. For this reason, the state has enormously expanded the civil service, which has doubled in size in the period 1971-80, with over 170,000 now being employed in the administration and various ministries. If teachers are added in, the

figure increases to over 250,000. There are 50,000 in the high ranks of the bureaucracy. The government has to keep them in their lordly positions, make sure that pay differentials at this level are maintained, and at the same time seek to absorb sixth-formers and university graduates into the overloaded public sector. But such expansion of the public sector, financed by the surplus produced on the land, cannot go on indefinitely. The 1980 statistics were not encouraging. 1,156,900 people were reported as employed or self-employed in the modern and informal sectors, while a further 260,000 job-seekers had in a few days registered themselves with the Ministry of Labour. It is unlikely that the unemployed will be found jobs with the state. Neither will they be able to find jobs in manufacturing. Since the working population will increase by at least 250,000 a year in the 1980s, the government is facing a grave problem, that of massive unemployment.

As we have seen, industry in Kenya provides relatively few jobs, and is unlikely to change its employment pattern in the future. Capitalism is no longer geared to nineteenth-century technology. Capital-intensive technology ensures the largest profits. It will not be abandoned because of an unemployment crisis, regardless of the needs of the state.

International capitalism operating in Kenya has an interest, with the state, in forestalling the emergence of a fully-expropriated proletariat. As long as most workers maintain links with the land, possibly in the form of a home plot tilled by the wife who earns family subsistence, firms can pay their workers low wages. Peasants with individual landholdings, no matter how insufficient, can be more easily divided and controlled than landless labourers. So, both the international and national bourgeoisie have a stake in preventing classes from being fully formed on western lines. 'Straddling' of classical class categories is common in Kenya and other Third World countries. Thus, we have the situation of the wage worker in the town relying on his wife in the 'reserves' to produce the family subsistence. He feels 'temporary' in the town, and aspires to get back to the land someday. His sense of himself as belonging to an urban working class is correspondingly weak.

Both the 'modern sector' and the state get certain advantages from the existence of the so-called urban 'informal sector'. Street-hawkers, shoeshine boys, small-time mechanics and producers of cheap furniture, shoes, *jikos* and so on, all work in the informal sector. These are the most exploited of our workers, having to put in long hours under uncontrolled conditions in order to keep themselves alive. Workers in the modern sector, who cannot afford to purchase the items which they manufacture in import-substitution industry, rely on this 'informal sector' for the necessities of life. Big firms can therefore keep wages lower than they would otherwise be, since they do not have to afford the worker and his family a living at 'modern sector' prices. Furthermore, the informal sector absorbs some excess labour, and in

so doing contributes to political stability. More than 200,000 people now eke out a living in this way, using great ingenuity and a few basic tools to re-cycle the garbage of capitalism. They cling to the edges of the cities, hoping to hang on until formal employment is found. Generally, that day never comes.

All workers in the towns, those in informal and formal employment, have been hard hit during the 1970s by steeply rising prices and rents. The present minimum wage for an unskilled worker in Nairobi – shs.456/- a month – will hardly pay the rent for a room in a shanty. Workers get little assistance from their unions, whose leadership has promised to stick to government wage guidelines. The state-controlled umbrella union, COTU, is totally subordinate to the President and his cabinet who frequently warn its members that strikes are illegal. As far as the expansion of employment is concerned, the future looks grim. A presidential decree that all employers should increase their labour force by 10 per cent is a desperate remedy which further lowers the productivity of labour. But, for the time being, the ominously growing industrial reserve army forces the mass of workers into submissiveness. Workers rarely dare step out of line, fearing that if they lose one job they will never get another. Meanwhile, the population continues to rise. The August 1979 census put the Kenyan population at 40 per cent higher than the census of the previous decade. More than half that population of 15,322,000 are under the age of 15. They will soon be following their parents and elder brothers and sisters and looking for work. Since the rural sector is declining in productivity, the public sector has reached saturation point and the manufacturing sector is contracting with the end of easy import-substitution 'growth', how will they realise their hopes of leading productive lives? The government has no answer, no plan, no advice except 'go to school, work hard and pray to the Lord'.

The IMF kiss of 'life'

The government has tolerated and even connived at a steady seepage of national surplus when Kenya needed all her resources if 'development' was to be more than a hollow word. According to one estimate, nearly £100m left our 'independent' country in one way or another before 1969. After 1969 the outflow has become a flood, and a positive torrent following the assassination of J.M. Kariuki in 1975 and the death of Kenyatta in 1978. Ours has been a frontier-style economy, where anything goes. During the late 1960s, the national bourgeoisie discovered easy pickings to be made through poaching and the export of ivory. In the mid 1970s, they looted our nation's mineral wealth and forests, as gemstones and charcoal were shipped out of the country in great quantities, and the enormous proceeds deposited

abroad. Recently, in the late 1970s, their search for the quick return has been taking a more ominous form. While Kenyans face famine, well-connected individuals sell to neighbouring countries maize and grain purchased at concessionary prices from America and South Africa.

Indeed, since Kenyatta's death, the soaring flight of capital has made the future even more uncertain. Substantial businessmen – African, Asian and European – have been repatriating whatever they can lay their hands on. At a time when foreign exchange reserves have been deteriorating rapidly – the December 1980 deficit of £90m represented a fall of £162m in a single year – the leading members of the government have contributed to driving the country into bankruptcy. Our new rulers, the new order of *nyang'au*, show little sense of self-restraint even for their own survival, and an alarming lack of simple business acumen. With the level of foreign exchange insufficient to cover three months' worth of imports, the President shelled out our money for a new Boeing Jumbo for the virtually bankrupt national airline.

Given the rate at which its most prominent members continue to repatriate our assets and invest money abroad, it is hardly surprising that the government has been unable to stabilise the situation by borrowing abroad. Government policy, projected in budgets and development plans, continues to bear little relation to economic reality. The ruling bourgeoisie goes on with its gross over-indulgence, importing without restriction shs. 600,000/- worth of Mercedes Benz, Volvos and BMWs, while the import of nuts and bolts for productive use is banned on the grounds that it is draining away our foreign exchange. Nairobi supermarkets continue to titillate the tastes of expatriate residents who maintain in our capital city a standard of living considerably higher than they knew at home. While our country sinks into a quagmire of indebtedness, UNEP-type parasites drink their French wines and eat their Russian caviar, giving our own bourgeoisie an 'international' life style to emulate. There seems to be no coordinated effort on the part of government ministries to curb the bourgeois appetite and safeguard our dwindling reserves by restricting imports to productive essentials.

Instead, the government seems almost totally devoid of any policy direction whatever, blundering from one decision to its opposite. There is routine talk at the highest levels about 'hard options' and 'belt tightening' and in the end nothing is done. The country presently imports approximately twice as much as it exports, a situation which cannot go on indefinitely. Parliament, unlike parliaments elsewhere, has no control over purse strings, and no ability to induce a note of caution into the government's reckless course. Under the circumstances, the only remedy which the government seems able to utilise is the begging bowl. It has turned more and more often to external borrowing as a

way of closing the gap between domestic production and domestic consumption. In 1964 our public debt stood at £86m and then began to rise steadily, reaching £160m in 1970 and nearly £312m in 1975. The public debt in 1979 stood at nearly £578m, approximately 10 per cent higher than the debt for 1978. At present, Kenya is one of the world's top borrowers. In order to service its debts, and compensate for the bleeding of foreign exchange, the government is forced to seek additional loans from 'friendly' nations, the IMF and the World Bank. In return, it accepts IMF and World Bank advice about when to devalue the currency and what currency restrictions to place on residents – restrictions which have yet to be enforced. In 1980 the Kenyan government got itself out of a potentially disastrous situation by negotiating $30m food aid from the US, and made additional purchases of wheat, maize, rice and milk in 1981 from the US, South Africa, Australia and elsewhere. In all, the government spent over shs. 1,000m on cereal imports in 1980-81. A government forecast in Sessional Paper no. 4 of 1981 estimates that the import bill for maize alone will be shs. 2,500m for 1981-3.

Why, it might be asked, should the IMF and the World Bank bother to keep us from complete collapse? What do we have that international capital wants? Kenya, after all, lacks the sort of mineral wealth which has led to the ransacking of a country with the vast potential of Zaire, and which buys support for apartheid South Africa. With the disintegration of the East African Community, and closing of the border with Tanzania, our country can offer little in the way of an extensive regional market, and our own internal market is small. The only things we can offer international capital are pliant government policy, an implacably 'anti-communist' official ideology and a strategic location near the Horn of Africa.

Thus far, the government has been only too eager to follow the marching orders issued by the IMF, and in all likelihood will continue to play the obedient waif in the future. At the request of the IMF and the World Bank, it will continue to forbid strikes and agree to low wages for our workers and an open door for imports and profit repatriation. The President at the end of 1980 took pains to reassure foreign investors that no matter how dismal Kenya's economic prospects, investors will in the future be able to repatriate capital *with greater ease* than in the past. The government paid for US maize with bases at Mombasa and elsewhere for the patrol of the Indian Ocean and Persian Gulf, thereby doing its bit to keep the region 'safe for democracy'. In the future, it is likely that we will deepen our crippling dependence on the US and the industrial West. As long as the government can prove that it is 'worthy' of western loans and 'aid' – as long as it continues to put the profit margin of international capital before the welfare of its citizens – Kenya will in all probability find a bed

waiting for it in the intensive care ward for subservient Third World client states. In a neighbouring bed, occupied by prostrate, debt-choked Zaire, it will discover the vision of its own plundered future.

ROSS KIDD

Popular theatre and popular struggle in Kenya: the story of Kamiriithu

Popular theatre in the Third World often claims to be a tool of protest and struggle and a means of social transformation, but rarely does it challenge the status quo in a significant way. Too often it becomes as marginalised as the peasants and workers it represents, with little real impact on the society as a whole.

One significant exception has been the popular theatre work of the Kamiriithu Community Educational and Cultural Centre (KCECC), a peasant and worker-controlled organisation in rural Kenya. Its voicing of protest against injustice and corruption and its championing of workers' rights and popular expression have made it a major target for official repression.

In 1977 the performance of its first drama, a community production in which over 200 villagers participated, was stopped and one of the organisers, Ngugi wa Thiong'o, imprisoned. Early in 1982 its second drama was stopped, its licence as a community organisation withdrawn, and the community-built 2,000-seat theatre smashed to the ground.

Why would peasant-produced dramas call down the wrath of the Kenyan government? Why has a programme which has significantly reduced illiteracy and alcoholism, increased employment opportunities, fostered a people's culture, and raised the awareness and participation of villagers been suppressed? Why has Kamiriithu made such

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Race & Class, XXIV, 3(1983).

a powerful effect on Kenyan society, whereas popular theatre in other parts of Africa has remained ephemeral and insignificant? In order to understand this we must take a look at its history.

Domination and resistance

KCECC was formed in 1976, but it is an outgrowth of the continuing resistance by peasants and workers against foreign domination which has gone on for the last five centuries. It is an extension of their struggle against invasion, slavery, forced labour, alienation of their land, heavy taxation with only token representation, exploitative working conditions and cultural genocide.

This struggle started back in the 1500s with the invasions of Arab slave traders and later Portuguese colonisers. Each of these invasions was beaten back, and it took four centuries of fighting before colonialism – under the British – prevailed. One of the last hold-outs were the Kalenjin, who under Koitalel put up a fierce struggle from 1895 to 1905 before going down to defeat.

Once the military conquest was complete, the colonial authorities seized 8½m acres of the most fertile land in the Central Highlands of Kenya, turned it over to white settlers, and herded the displaced Africans on to reserves. Then, through forced labour (initially), taxation and a ban on African production of certain cash crops, they forced the Africans to work (and squat) on the European estates. They also introduced a labour control system requiring every African to carry a pass.

Coralled in the reserves, deprived of their land, forced into working for the settlers and humiliated through racial discrimination, the Africans fought back. They formed nationalist organisations to pressure for reforms through petitions, marches, demonstrations, etc. Each of these challenges was suppressed, often brutally. (For example, the 1922 demonstration protesting the arrest of nationalist leader Harry Thuku was put down through gunfire, killing over 150 demonstrators.) The organisations were banned and the leaders detained, but new movements arose to take their place. In the 1930s and 1940s much of the nationalist energy went into supporting direct lobbying by Jomo Kenyatta in Britain. Resistance also took a cultural form. As a defence against the colonial conditioning and cultural repression of the mission schools, Kenyans developed out of their own resources a whole movement of independent schools in which their own history and cultural heritage was taught. (In the 1950s the school population numbered as many as 62,000 students.) As a vehicle of protest and a means of organising, songs, dances, drama and poetry were developed on nationalist themes.[1] While the Europeans created an escapist, enclave culture in the segregated theatre-houses of Nairobi, the young

Dedan Kimathi, later to become the leader of the liberation struggle, started the open-air Gichamu theatre movement as a means of rallying support for the nationalist cause.

In the late 1940s and early 1950s it became increasingly clear that the reformist option was closed. For a while, educational work and strikes replaced petitions and appeals, but even these challenges were suppressed and the leaders imprisoned. A militant group of workers and peasants – the Forty Group, which later came to be known as Mau Mau – took over the nationalist initiative. Eschewing the reformist or constitutional approach of the middle-class nationalists, they developed a broad-based mass organisation and launched an armed struggle with revolutionary aims. Through an oath of commitment and dedication they bound each freedom fighter to the goals of driving the British out of Kenya and overturning the system of foreign domination and capitalist exploitation.[2]

The landless labourers, small farmers, squatters and urban workers who made up the ranks of the guerrilla army stood to gain the most from a real revolution – one which gave them back not only their country, but also their land, basic rights, decent working conditions and a greater say in their country's running. As the war developed, it took on the form of civil war with much of the fighting pitting the uneducated and landless peasants (the forest fighters) against the educated, land-owning classes (the 'home guards' and 'loyalists'), many of whom sided with the colonialists.

This landed class had developed through mission education and the colonial civil service, through the benefits derived by chiefs who collaborated with the colonial regime and through the economic opportunities which opened up in the 1940s and 1950s for a minority of the African population on the reserves. Once the colonial regime recognised the power of the peasants' and workers' movements, they moved quickly to strengthen the position of the landed middle class as a buffer against the radicalism of the popular movements. A major tool for this was a land consolidation and registration programme, carried out in the late 1950s (while the freedom fighters were in detention), which legitimised the occupation and ownership of large blocks of land by the richer African farmers, many of whom were colonial collaborators. As a result, over half of all Kikuyus became landless and more than half of the land was given to less than 2 per cent of the population.[3]

By the end of the 1950s, many of the forest fighters had been arrested and detained and their leaders (for example Kimathi) killed. However, their determined resistance had made an impact: the pressure forced the British to accept 'constitutional' or 'flag' independence. Working with the bourgeois nationalists who, under Kenyatta, returned to lead the constitutional process, the colonial

regime worked out a formula for independence which reassured foreign capital and the European settlers and betrayed the peasants and workers who had fought for revolutionary change.

So, on 12 December 1963, Kenya got its 'constitutional' independence. In spite of a decade of armed struggle and two centuries of militant resistance to colonial invasion and rule, the political settlement left the economy firmly under foreign control. The new ruling class entered into an alliance with foreign capital as the junior partner in a neo-colonial arrangement. Multinational capital moved into Kenya in a big way, taking the dominant economic position formerly occupied by the white settlers. Power and wealth became more and more concentrated in the hands of a small ruling clique of Kenyans. As a member of parliament, J.M. Kariuki, put it – Kenya became a country of ten millionaires and ten million beggars. (Soon after making this statement in March 1975, Kariuki was assassinated in the streets of Nairobi.)

The richer farmers, the only ones with access to credit, reaped the benefits of the schemes to buy back land from the European settlers. This landed middle class also used their newly acquired power to gain control over the agricultural sector, trade and small business.

The peasants and workers, who had done all the fighting in the forests, lost out. They remained on the whole landless, poor, subject to the same exploitative working conditions and without an effective means of political expression and participation. Trade unions lost their right to strike and their independence of state control. The opposition party was harassed and finally banned. Those who spoke out publicly against the ruling clique's unbridled corruption and concentration of wealth were detained or, in a few cases, assassinated. Ethnic loyalties were manipulated to build division among the working class. (The most cynical example of this was the reintroduction of oathing on an ethnic basis). Symbols of traditional culture such as *Harambee* (All pull together) were used to divert peasant energies into ethnic concerns, to diffuse class tensions, and to paper over the destruction of the peasants' and workers' movements.

This is the context in which the KCECC came into being.

Kamiriithu: a place of struggle

The Kamiriithu Community Educational and Cultural Centre was started in a place with a long tradition of struggle. In fact, its existence as a village was a direct result of the liberation struggle.

Kamiriithu lay in the middle of the area of greatest conflict during the liberation war and many people from the area had joined the forest fighters. Because of its strategic location, the British decided to use the site as an 'emergency village' – one of the earliest uses of the 'protected

hamlet strategy' later employed in Vietnam and Rhodesia. The object of this mass incarceration was to instil a 'culture of fear' and to break the freedom fighters' base of support.[4] The villagers' own homes were burnt down and they were driven into Kamiriithu, which was a kind of fortified concentration camp in which all had to do forced labour. Later, in 1957, the village was made into a permanent settlement and while the forest fighters languished in colonial detention camps, land consolidation was carried out, ensuring that the land was mainly deeded to the richer farmers, many of whom were colonial collaborators ('home guards' or 'loyalists'). Kamiriithu became a labour reserve, supplying workers to the tea and coffee plantations in the nearby area (the former White Highlands) and to the industries in Limuru and Nairobi (32 kilometres away). Both plantations and industries are largely owned by multinationals, the most prominent being Brooke Bond (which runs the large tea estates) and Bata (which owns Limuru's largest industry, the shoe factory).

Today, Kamiriithu has a population of over 10,000 people. It is partly a 'dormitory village' with villagers commuting each day to their work-places. Some of the villagers live on the plantations or industrial estates, but once they are no longer productive or have been fired, they are forced to return to Kamiriithu.

Those who are not employed in the plantations or in the Limuru factories eke out a living through self-employment and/or casual labour, working for richer farmers, selling vegetables at the Limuru market, brewing and selling beer and, in some cases, engaging in petty crime or prostitution. There is no security of employment: each worker competes with many others for the few jobs available. Even when they get employment, the wages are kept very low because of the large pool of unemployed workers.

Many of the villagers are squatters who lost their land through white settlement or through the land consolidation of the late 1950s. Some have been forced to sell their small plots because of failure to repay bank loans without an adequate source of income. Those without their own land live in temporary structures built on footpaths and are constantly faced with the threat of eviction.

The village is not only a labour reserve, but also a 'rural slum'. Villagers have to cope on their own without basic services – water, medical facilities, sanitation, street lighting, and so on. In Swahili such rural slums were called '*Shauri Yako*', meaning 'It's up to you'. Thus, the slogan of self-reliance is used to blame the slum-dwellers for their poverty and landlessness, to absolve the state and the foreign corporations (which benefit from this cheap pool of labour) from the responsibility of providing adequate services and jobs, and to promote the ideology of competitive individualism, that 'getting ahead' is a matter of individual effort. Whenever peasants make demands for basic

services, they are told to organise their own self-help effort or *Harambee* – in effect, an exercise in collecting contributions from and praising Kenyan businessmen and rich farmers who have benefited from exploiting the peasants.

The only token service to this community of 10,000 people was a community centre – and even that had been built through community effort. During the liberation war the colonial authorities had set aside a four-acre plot of land for 'social purposes'. When no assistance from the colonial government materialised, the village youth built a shelter and used it to meet and talk and perform traditional dances. After independence in 1963, the centre was converted into a vocational training centre for young people. With the help of the Kiambu Area Council, the villagers built a three-roomed wooden building in which carpentry classes were held. This training programme was abandoned in 1973 when the Area Councils were abolished. Funds available for village-level social services dried up and the centre fell into disuse.

As bureaucratic neglect, unemployment and insecurity deepened, the villagers decided to revive the centre and use it to do something about their worsening situation. The initiative represented a convergence of interests. On one hand, there were the peasants and workers who had seen their hopes go up in smoke as the real meaning of 'Uhuru' became transparent. In spite of independence, their life remained the same – no land to cultivate or on which to build a house; insecurity of employment and exploitation in their workplaces; their own culture denigrated, tokenised and supplanted by the new foreign consumer culture.

On the other hand, there were a number of intellectuals (teachers, university staff and civil servants) who lived in the Kamiriithu area and who shared the feeling of betrayal about the nationalist struggle. Many of them had been involved in protests against foreign control of Kenya's economic, political and cultural life and had begun to recognise the importance of working with the peasants and workers in this struggle.

Foremost among them was novelist and playwright Ngugi wa Thiong'o, the head of the University of Nairobi's literature department. He had played a leading role in popularising Kenya's history of resistance and had organised a number of struggles against the monopoly position held by foreign culture in Kenya, for example, the domination of Broadway musicals and West End plays at the National Theatre and the pre-eminence given to English rather than African languages at the University of Nairobi. In his writings he had made a powerful case for developing a national culture out of the creative energies of peasants and workers.[5] When he took a university theatre group to Kamiriithu in 1976 (such tours of the travelling theatre programme were organised annually), he recognised the possibilities for

putting this into practice. For many of the villagers it was their first exposure to drama, and it sparked great interest.

Another to emerge as a key organiser and supporter of the KCECC was Ngugi wa Mirii, an adult educator and research worker employed by the University of Nairobi. He had become disillusioned with the subservient role played by adult education in the Kenyan social system and had developed a deep interest in the radical teaching methodology of Paulo Freire as a means of transforming Kenyan society.

At the initial community meeting to revive the centre the response was enthusiastic, and after a few more planning meetings a programme was agreed on and an organising structure established. A subcommittee was formed for each activity of the centre (fund-raising, adult education, cultural activity, and so on) and a central committee to which all the subcommittees reported. Ngugi wa Thiong'o was elected chairman of the cultural committee and Ngugi wa Mirii the chairman of the education committee.

The KCECC started with what seemed like conventional aims: to provide a meeting-place for the villagers and a programme of integrated rural development – adult education, study groups, cultural activity, economic production and health. What distinguished it, however, was its structure and process – the peasants and workers were in control (rather than government bureaucrats or the middle class) and it was run in a highly collective fashion. The villagers made the decisions and each decision was taken on the basis of extensive discussions among the membership. As one member put it: 'Nobody can make a decision without consulting the people, because every decision affects the people'.[6] Even academic writing on the Kamiriithu experience (by the two Ngugi's) had to be cleared first with the executive committee. As a result of this commitment to work collectively, agreements represented real commitments and the villagers regarded the centre as their own organisation – they had ultimate control.

The committee work itself represented an educational process: peasants and workers discussed their problems and aspirations and examined ways of working together to solve the problems. Each decision was discussed on the basis of frank criticism and self-criticism and in terms of its overall effect – whether it served the interests of the membership, whether it countered or reinforced negative aspects of Kenyan society. For example, during the rehearsals for the community drama, the issue of beer-drinking came up; after some discussion, a motion was passed demanding that people be sober when coming to the centre. Another issue which surfaced was outsiders taking photographs of the performance; members decided to ban photographs since they felt they had been exploited by camera-clicking tourists in the past.

Learning to read the world

The first activity taken up was adult literacy. Many of the peasants felt humiliated by their lack of literacy and regarded learning to read as a priority. Ngugi wa Mirii offered to teach one of the classes and to train others as teachers, using the Freirean literacy approach. Two hundred people came to participate in the classes, but due to the limited resources, it was only possible to accommodate fifty-six – in the first phase – those with no previous education at all. This was no conventional literacy programme! Unlike traditional literacy work, which conditions people to accept the structure of inequality and their compliant role in it, the Kamiriithu programme encouraged people to question what was happening to them, to overcome the rationalisations and myths provided by society, and to begin to understand why they were landless and poor. In Freire's term, they learned 'to read the world'.

Instead of depending on the teachers to plan and run the programme, the illiterates themselves took charge of it. They took all the decisions, including the recruitment of teachers and deciding on the rate of pay. They went out, talked to people in the community and identified a number of people who they felt could do the teaching. Where else in the world do the students recruit the teachers? They also designed their own study programme. The literacy committee, which was made up of peasants and workers, met for four months before the literacy programme started in order to decide on the content for the course. They analysed the situation in Kamiriithu – its problems and underlying causes – and examined the history of changes in Kenya. With this as a context, they looked at the curricula and primers of the development agencies. They found them wanting.

The 'functional literacy' primers provided technical information on such matters as agriculture, health, nutrition and family planning, but failed to address the key issues of the villagers. Knowing how to use modern methods of agriculture seemed pointless when the peasants had no land and could not afford the fertiliser and insecticides. Reading slogans about health and nutrition seemed equally futile when they had no land on which to grow food, nor access to water or sanitation facilities. These texts not only ignored the peasants' own knowledge and experience of surviving in a difficult environment, but blamed the peasants for their poverty, rather than exposing the political-economic structures which produced the inequality, landlessness and impoverishment.

What was needed was a totally new curriculum and materials, and whereas Freire's 'curriculum' approach depended on the skills of a team of professionals – including a linguist, educator and sociologist – to make the analysis and prepare the codifications, the Kamiriithu literacy curriculum was constructed by the peasants and workers themselves. They decided to base their curriculum on the fundamental

problems of the village – landlessness, unemployment, low wages, insecurity of tenure, lack of services, lack of access to firewood and water, high prices for food and transport, and the effects of poverty, such as heavy drinking, prostitution and crime. For each of these problems they prepared a 'code' – a picture, a story, a song, or a short skit which could be used to stimulate discussion on the problem.

The discussions made up the heart of the literacy sessions and provided the content for the reading and writing exercises which followed each discussion. People explored the roots of their problems and discovered the connections between problems. For example, in a discussion on alcoholism, people said that drinking is a source of income for Kenyan businessmen, yet for the squatters it is a way of dealing with the frustrations and insecurity of landlessness and unemployment. The peasants also began to recognise how their history of domination and struggle shaped their present set of circumstances.

The results of the programme were equally unconventional. Unlike most literacy programmes, in which there is a heavy drop-out and minimal growth in literacy skill, the Kamiriithu programme had no drop-outs and by the end of the six-month period the fifty-six participants could all read and write. Many of the students had even started to write their life histories.

With the interest created through the literacy programme, the Centre then debated what to do next. They wanted to continue with an adult education programme – but they wanted a medium which would involve everyone in the village. Drama suited the purpose: the new literates were familiar with it, having used it in the form of role-playing and short skits in the literacy classes and having seen the plays put on by the university travelling theatre group. Drama would keep the new literates involved and the script, which would focus on their lives and history, would be an excellent text for follow-on reading. Drama would also help to spread the analysis and thinking to the whole village and create a forum for community discussion. The process of creating the play would involve the whole community and, it was hoped, might provide a source of employment and a means of raising income for the Centre's programme.

The literacy committee and the cultural committee held several meetings to discuss the content for the play. Then the two Ngugi's were commissioned to write a draft playscript, drawing on the discussions of the two committees and the literacy classes, plus the autobiographies written by the new literates. The script was to 'reflect the people's experiences, concerns, aspirations, grievances, etc., and the problems and contradictions in the village, using the words and expressions of the people'.[7]

Once the draft was produced, it was reviewed and amended by the literacy students and the KCECC executive committee. Then it was

presented and discussed at a number of public readings. In these sessions, which went on for two months, the script was read out, discussed and criticised. Where the analysis was felt to be inadequate, the community suggested changes. In one case, for example, they demanded 'a more rigorous questioning of the acquisitive values which had come with western culture'.[8] In effect, it became the community's play. Everyone felt that he or she had contributed to it:

> This play was not a one-man's act. It was the result of co-operation among many people. For instance, the whole *Gitiiro* opera sequence in the play was written word for word at the dictation of an illiterate peasant woman at Kamiriithu.[9]

The script-finalising process was the means through which the villagers re-appropriated their own culture.

> People saw that the script or content of the play reflected their lives and history, and so they appropriated it – they added to it, altered it, until when they came to perform it, *Ngaahika Ndeenda* was part of their lives.[10]

The play *'Ngaahika Ndeenda'* (I will marry when I want) talks about the people of Kamiriithu – their lives, history, struggles, songs, experiences, hopes and concerns. It exposes through satire the manipulation of religion, the greed and corruption of the ruling classes, the treachery of colonial collaborators ('loyalists' or 'home guards'), and the exploitative practices of the multinationals. The central character of the play (Kigunda) is a poor farm labourer employed by a rich farmer and former colonial collaborator (Kioi). Kigunda is swindled out of his small plot of land by Kioi, aided and abetted by the manipulations of religion. His daughter, impregnated by Kioi's son, is forced to drop out of school and to start working on a coffee plantation. She falls in love with a worker from the Bata Shoe Company and resists the men who come to seduce her, saying, 'I will marry when I want'. At the end of the play the worker organises a strike at the Bata Shoe Factory and the daughter leads a struggle against the multinational owner of the coffee plantation.

One of the play's particular strengths is its songs, resurrected from the Mau Mau struggle. They reinforce the central message: that the only option of the peasants and workers is to work together to transform their country and free it from foreign domination. The songs helped to bridge the generations in the community, providing a chance for the older people to teach the younger about the liberation struggle and the songs created during that struggle. Indeed, the process of collecting these songs was a form of oral history research – not the usual one-to-one encounters of interviewer and informant, but the whole community collectively rediscovering their past, each person

reinforcing or correcting the views of others.

Once the script had been agreed on, a group of actors was selected – again the decision was taken by the community – and the rehearsals started. The interest was very high and everyone pitched up for the rehearsals, which took place in the evenings and weekends. Some times as many as 300 people came to the open clearing which served as the rehearsal space – to take part in the acting and singing, to join in the discussions, to suggest songs to reinforce the message, to direct the dance movements, to watch and enjoy. Working together on this ambitious production provided a powerful experience of 'community', of collective effort.

More and more villagers joined the production as new aspects were added. A women's choir was formed, led by the 50-year-old woman who had composed the opera sequence in the play. A group of young unemployed men and a few workers from the Bata shoe company, who had already shown an interest in instrumental music, were encouraged to form an orchestra to provide songs for the play and music for the interval. Another group took on the job of preparing costumes and props. A further group was formed to make food for the participants. Each of these groups worked separately on their own aspect of the production and reported regularly to the executive committee. Sessions were also held in which the different parts of the performance were integrated. Finally about 200 villagers took part in the production.

The theatre production became the central experience of the community. Outside the rehearsals people took on the identities of their characters in the play and referred to situations in the play in arguments and conversations. They rediscovered 'their collective strength – that they could accomplish anything – even transform the whole village and their lives without a single Harambee of charity'. Their self-confidence grew and there was a significant decline in drinking and crime:

> By the time we came to perform it was generally understood and accepted that drunkenness was not allowed at the centre. For a village which was known for drunken brawls, it was a remarkable achievement of our collective self-discipline that we never had a single incident of fighting or a single drunken disruption for all the six months of public rehearsals and performances.[11]

The whole effort unleashed a wealth of talent and demystified the creative process.

> Before the play was over we received three scripts of plays in the Gikuyu language, two written by a worker, and one by a primary school teacher. One unemployed youth, who had tried to commit suicide four times because he thought his life was useless, now

suddenly discovered that he had a tremendous voice which, when raised in song, kept its listeners on dramatic tenterhooks.[12]

The Harambee of sweat: building the people's theatre

Perhaps the biggest achievement of the community was the construction of a huge open-air theatre. During the initial public readings of the play the idea of a village theatre was raised and the community decided to go ahead with it. Although expensive to build, it was seen as important to the presentation of the play and a way of making money for the KCECC.

The question then was: how to pay for it? This started one of the most important discussions of the KCECC. People spoke vehemently against the idea of holding a 'Harambee' rally in which 'big people' pledged contributions to the project. They felt this was a vulgarisation of the real Harambee – one in which the whole community joined in a collective physical effort. They said that the new Harambee was just a platform for self-praise, a chance for the *wabenzi** to show off their wealth, which had, anyway, been stolen from the peasants and workers. Having been exploited by the 'big people', the peasants and workers did not want to go begging them for funds to support their project. They also rejected the idea of applying for funds from an overseas donor, which they felt might compromise them and introduce another form of dependence.

They proposed instead a 'Harambee of sweat': every villager would contribute ideas and labour and materials to the building of the theatre. The main source of funding came from an advance payment for the playscript – a legitimate form of Harambee in the villagers' view, since they had all participated in the play's making. The weekends were set aside for this community project and a team of young men was selected to take the lead in designing and building the theatre. Working from a model based on matchsticks and using local materials, the community constructed a 2,000-seat theatre on the plot beside the community centre. When it was finished, it was favourably compared with the National Theatre in Nairobi and praised as the true national theatre of Kenya – a theatre built by the people, accessible to the people, dealing with their issues and speaking to them in their language and idiom.**

On 2 October 1977 the play opened. It attracted immediate attention. People came from neighbouring villages and, once the word

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* Literally, the Mercedes Benz tribe: a pejorative term for the Kenyan bourgeoisie.

** The use of Gikuyu rather than English represented a radical shift in Ngugi's writing and commitment from addressing a small, English-speaking audience to working with and being influenced by the peasants and workers.

spread, from all over the country. Peasants and workers sat alongside Nairobi businessmen and civil servants – but, according to one correspondent, it was the peasants and workers who laughed and enjoyed themselves the most. It was their lives, their story being enacted on the stage, the first time in Kenya's history that 'a play of the people [was] being acted for the people by the people'.[13] It ran to audiences of up to 2,000 each Saturday and Sunday. After seven weeks of extremely popular performances, the inevitable happened – it was banned.

The production was too threatening – the ruling class:

> were mortally scared of peasants and workers who showed no fear in their eyes; workers and peasants who showed no submissiveness in their bearing; workers and peasants who proclaimed their history with unashamed pride and who denounced its betrayal with courage.[14]

The District Commissioner in the area announced that he was withdrawing the licence for the play on grounds that it fomented strife between classes. The KCECC fought back, through their supporters in the press and in the Kenyan middle class who turned it into a national issue. People flooded the newspapers with protest letters and widened the debate, bringing out the issue of foreign control of Kenyan cultural institutions. When the government saw that the KCECC and its supporters were not backing down, they struck again. On 31 December 1977, Ngugi wa Thiong'o was detained.

The resulting tension and fear did have an effect. For a number of weeks villagers stopped coming to the centre and waited to see what would happen. But even though their spirits temporarily sagged, they remained convinced of the importance of what they were doing and proud of their achievement. The repression clarified the nature of class forces – i.e., those who supported the villagers' struggle (for survival, political rights and freedom of expression) and those who worked to undermine it – and increased their determination to continue.

The authorities underestimated the villagers' strength; they did not understand the broad-based nature of the villagers' organisation. They thought that by detaining Ngugi they would break the KCECC. But instead of falling apart, the Centre increased its activities, showing that it was not dependent on any single individual. Fresh literacy classes were started with new participants and the enrolment increased to 150 people. The orchestra and choir, which had been created for '*Ngaahika Ndeenda*', continued to meet regularly and produced two records – *Ndinguri na Murimi* (The rich man and the poor peasant) and *Mwiku Mwiku?* (Where are you people?). The women's group became very active, developing ways of working together for purposes of improving family incomes and supporting each other. It formed a production group and took on contract work, distributing the wages among the

members. This collective approach made the women stronger; earlier, when each woman on her own had struggled to find work they had been more easily exploited. Now, as a group, they demanded a fair wage.

The real effect of the repression was external to Kamiriithu. In Kamiriithu the people and the KCECC were strong enough to continue despite the harassment. What the banning and detention did was to stop a groundswell of peasant-initiated cultural activity in other villages which had been inspired by the Kamiriithu experience. As one committee member put it: 'If our efforts had not been clubbed down so suddenly, there is no telling how many other centres of its kind would now be in existence.'[15] These villages had taken an interest in Kamiriithu's work and had just started to organise a cultural programme with advice from Kamiriithu. When the KCECC was repressed, they gave up out of fear.

A year after Ngugi's detention Kenyatta died. The new regime released Ngugi along with other political prisoners. He returned home to Kamiriithu where he received a hero's welcome from the villagers. During his detention he had been fired by the University at the urging of the Kenya government. (Ngugi wa Mirii had been similarly victimised.)

After recovering from his rough treatment in detention, Ngugi started to work with the villagers on a new play '*Maitu Njugira*' (Mother, sing to me). The play this time was historical, rather than contemporary, and it was assumed it would avoid provoking the authorities. The play focuses on the colonial system of control, including brutal suppression and apartheid-type legislation. It also shows the determined resistance by Kenyans against colonial rule and exploitation by the settlers. When the rehearsals started, 400 people auditioned for the fifty parts! Ngugi was thrilled by the turn-out. 'After the problems we had over the first play I thought people might be scared off, but this time they came knowing exactly what the problems might be – very conscious.'[16]

This time the KCECC proposed to perform the play in the National Theatre in Nairobi – partly as a challenge to its neocolonial practices. For while African theatre groups are discouraged from using it by its policies and high rental fees, it continues to serve a small, largely foreign elite, with a repertory including 'Oklahoma', 'The King and I', 'Carmen', 'Boeing Boeing', etc. So, in the autumn of 1981, KCECC wrote to the government asking for permission to perform the play. They never received a reply. The government used 'ping-pong tactics' to avoid responding, passing the letter from department to department. In February 1982, when they showed up at the National Theatre for rehearsals, the doors were locked and they were prevented from entering by armed policemen. They switched their rehearsals to the

University, where they performed for ten nights to a packed theatre of over 1,000 people each night. Then the University closed them down, under pressure from government.

A few days later KCECC's licence was withdrawn and the executive committee sacked. The theatre group was told it could no longer use the Centre and the government announced it was taking it over as an adult education study centre. To reinforce the message a squad of police invaded the Centre and smashed the theatre to the ground.

Assessing the work of Kamiriithu

What is unique about the Kamiriithu experience? To begin with, Kamiriithu theatre is 'theatre *by* the people'. It emerged organically from the masses. The peasants and workers were involved in analysing their reality and acting out their understanding of their situation, rather than responding passively to the thinking and analysis of others. The high level of participation helped to demystify 'theatre', to show that ordinary villagers can do it, can 'rise to heights hitherto unknown and undreamt of in the area of modern performing arts'.[17] It represents a reappropriation of culture by the people, of taking back what the ruling class has denigrated as 'traditional', or converted into a tourist commodity, a means of glorifying the political leadership, or a tool of partisan politics.

But it is more than mere participation. As Williams has shown, participation can be a sham, people can 'participate in their own domestication', i.e., be drawn into a process in which they take part but have no control, in which they are manipulated through their involvement to accept the status quo.[18] But Kamiriithu villagers were not just actors or participants or a cheap source of labour for a community project shaped by others. They started the KCECC, they made all the decisions, they controlled the finances and they determined the direction it should go in. Their meetings were full of frank discussion, criticism and self-criticism. Decisions were made collectively and no individual or group was allowed to dominate or appropriate the decision-making process. Their theatre work reflected a similar process. When a Ngugi got locked up, the work continued. No one is indispensable. As one villager put it: 'We cannot close the centre if the Ngugis are not here. If they stopped writing, we would come together and write something ... These two individuals are not the centre; the centre is the members.'[19] The two Ngugis were simply ordinary members of the KCECC. They chaired two of the committees but with no special status or privileges. They took part in the physical work and were held responsible by the villagers for their actions on behalf of the KCECC.

Having observed them in action, I can say that the Ngugis deferred

completely to the collective structure and consulted the committee on every decision. They were members of the community rather than outside animateurs sent in to organise the community – in effect, the 'organic intellectuals' whom Gramsci talked about. They lived in the community, with close long-term contacts with peasants and workers, and a deep commitment to the village and to their fellow villagers. (When Ngugi's daughter was born while he was in prison, the villagers named her 'Wamuingi', meaning 'belonging to the people'.) The relationship was not one-sided, an exercise in paternalism or charity. They learnt a great deal from the peasants – about 'music and dance and drama – and the meaning of sheer selfless dedication to a communal effort'.[20] They were 'insiders' and when things got rough they faced the same victimisation along with the villagers. In fact, they were singled out for rougher treatment, because, as Ngugi ironically puts it, 'detaining a whole village would severely drain a necessary reservoir of cheap labour. Who would now pick the tea leaves and coffee beans – for a pittance?'[21]

Kamiriithu's second distinguishing feature is its organisation. It is the organisation which has been the vehicle for popular control over the organising process. It is the organisation which gives the work continuity. Without it, the work would have stopped at the first sign of repression.

In other popular theatre experiences in Africa the problem has always been: what happens next? An individual performance may spark a lot of discussion, participation and critical insight, but once it is over there is no organisational vehicle to take it further. People's consciousness may have been raised, but without an organisational base for follow-up action all interest and momentum stops at the end of the performance. Kamiriithu has shown that people come to a critical class consciousness, not in an abstract intellectual exercise but in the process of building an organisation and struggling for their rights. The drama is part of a broader community effort, a struggle by the peasants and workers to transform Kamiriithu. In this context drama is not the primary mobilising agent for community action, nor the main source of learning: it is 'drama-within-a-process' – one of a number of interconnected activities which serve a broader aim of building a people's organisation and struggling against oppression.

Of course, this kind of work does not go on without a reaction from the dominant class. They can ignore the one-off, outside-in theatre experiments or the theatre of political rhetoric for the middle class. But a theatre which is rooted in and organised by the peasantry is more threatening. It is not just the play and the exposure of corruption which concerns them, it is the organisation and the organisational capacity which lies behind the play. What they fear most is the peasants' awareness that they can develop their own organisation and that this

kind of organisation and this kind of independent organising can spread to other areas. What if this organisational power begins to challenge the roots of the neocolonial structure?

Another strength of the Kamiriithu theatre is that it advances popular interests. It not only starts with people's experience of poverty, but it shows how they have been made poor and challenges the proverbial, victim-blaming rationalisations. It shows that poverty is created by the political-economic system rather than people's habits, knowledge, attitudes, and so on. Rather than 'banking' people with modernising information and techniques and reinforcing dependence on the outside expert, it encourages the growth of people's own analysis, self-confidence and fighting spirit. It makes people question the political-economic structures which shape their oppression and develop the will to transform these structures.

It is also critical in relation to tradition. While rooting itself in tradition and recognising the vital role tradition has played in the struggle against colonialism and neocolonialism, it does not accept tradition uncritically. It develops tradition in a progressive way, attempting to overcome the contradictions within traditional culture. It identifies and develops those aspects of traditional culture which strengthen their identity and resistance (e.g., the songs of struggle) while rooting out those elements which reinforce submission to domination. The best example is the traditional practice of *Harambee* – whose distortions by the ruling class have been exposed by the peasants and workers of Kamiriithu.

Kamiriithu has provided an alternative vision for developing national culture in Kenya – the notion of popular centres of culture in every village rather than elitist and neocolonial institutions of culture in the capital. The Kamiriithu community theatre has a significance far beyond its own village: it is a concrete example of what a people's national theatre should be – accessible to and controlled by the masses, performed in their languages, adopting their forms of cultural expression and addressing their issues. In this sense, it is a direct attack on and a clear alternative to Kenya's existing institutions of national culture – which are inaccessible to the masses, controlled by foreigners, and reflect foreign interests, themes and languages. It is an assertion of the peasants' and workers' right to 'creative efforts in their own backyards ... to a theatre which correctly reflects their lives, fears, hopes, dreams, and history of struggle'.[22]

And it has proved to them that:

> out of their own internal resources and the passions born of their unique experience of history, they can outshine the best that can be produced by parroting foreigners, and by following submissively the trodden paths of foreign education, foreign theatres, foreign cultures, foreign initiatives, foreign languages.[23]

The struggle by the peasants and workers of Kamiriithu will continue. They may have been silenced, their centre taken over, and their theatre destroyed, but their awareness, commitment and organisation will produce new struggles and new forms of protest. As one commentator put it: 'Kenya remains the land of Dedan Kimathi and the Land and Freedom Army (the Mau Mau). No constitutional engineers can wipe this fact from the consciousness of Kenyan workers and peasants.' Their culture of resistance, though 'repressed, persecuted and betrayed', will live on as Cabral has testified 'in the villages, in the forests and in the spirit of generations of victims of colonialism'.[24]

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Kenya in US geo-politics

With the accession of President Daniel arap Moi to power in late 1978, Kenya's low-key pro-western foreign policy began to undergo a subtle change as the chances of influence-peddling under a weak presidency were eagerly seized upon by competing western powers. For the United States, Kenya now presented the chance to complete its strategy of domination from the Pacific, through the Indian Ocean and the Gulf to the Middle East, which depended upon a string of island or seaboard bases. The arc runs from Japan and Okinawa, through Taiwan, the Philippines, Micronesia, Singapore to Diego Garcia, and the Omani island of Masirah. Mombasa, on the Kenyan coast, was ideally sited between Diego Garcia and Masirah to be the lynchpin of the extension of the established US domination of the Pacific Basin to a similar domination of the Indian Ocean.[1]

In addition, from 1980, the Reagan administration's rapid deployment force strategy for the defence of western interests in the Middle East and the Indian Ocean depended immediately upon Kenyan participation. Kenya and, secondarily, Oman and Somalia were to be the eastern equivalents of Morocco, Egypt and Sudan across north Africa, and, with South Africa and Namibia, would complete the ring of the continent for the US.

Besides these long-term strategic aims, both Britain and the US began to rely increasingly, in a changing Africa where their power and influence were on the wane, on Kenya to be the frontman for their

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African policies. The two western powers chose to cultivate opposing leaders of factions within Moi's government in the early months, and thereby increased the contradictions and weaknesses of that government.

For both Britain and the US the death of Kenyatta was the chance too to solidify Kenya's key position in the western camp within the Organisation of African Unity (OAU) and the non-aligned movement. Kenyatta (unlike, for instance, a similar neo-colonial leader, King Hassan of Morocco) could never be pushed into isolating Kenya within Africa by his western connections. But Moi, because of his political weakness internally and the threat of the deteriorating economy, began very early on to depend on the West so openly that he significantly deepened Kenya's isolation in Africa.

This isolation culminated, paradoxically, with his chairmanship of the OAU in 1981/2, when the Pan-African organisation came close to a complete split between progressives and conservatives. Such a split (strongly encouraged by the West's desire to prevent a strong unified African voice emerging in international forums such as the United Nations) under Kenyan chairmanship is a fitting emblem for the foreign policy record of the state other African ministers refer to as 'the textbook example of the neo-colony'.

The tone of Kenya's foreign policy has been set by its economic and cultural dependence on the West. The key contact within the Kenyan government for the British has been Charles Njonjo, formerly Attorney-General and now Minister for Constitutional Affairs, who, both in his personal style and political leanings, has shown himself to be an invaluable ally of the British Foreign Office – particularly in respect of its attitude to South Africa and the spread of socialism in Africa. For the US Njonjo was not, at first, seen as the best ally to expand its foothold in Kenya. Instead, playing on the political divisions within the ruling elite, it cultivated the Vice-President, Mwai Kibaki, who, as Minister of Finance, already had close US links through the World Bank and the International Monetary Fund.

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The influence of the West has been important in the role Kenya has played in East African regional politics for years. Moi inherited from Kenyatta a relationship of considerable hostility with two of Kenya's neighbours – Tanzania and Somalia. Moi made his first foray into foreign policy with an initiatve to reopen the Tanzanian border, closed in the wake of the break-up of the East African Community (EAC) in early 1977. He flew to Tanzania with almost his entire Cabinet in May 1979. But his apparent assumption that the closure of the border by Tanzania had been a personal affair between Presidents Kenyatta and

Nyerere, rather than part of a basic ideological division, was proved wrong, and in a strained meeting between the new Kenyan president and Nyerere no progress was made on the issue. (The EAC posed an ideological threat to western interests in East Africa as long as Nyerere was the dominant influence on it. Secondly, its failure was a serious economic blow to Tanzania – welcomed by western interests which saw a Tanzania preoccupied with economic problems at home as less likely to be a strong leader of the front-line states through the Zimbabwe independence negotiations.)

The border still remains closed as Tanzania has made the settlement of the EAC community asset debts the key to reopening it. Subsequently, the World Bank appointed a Swiss diplomat, Dr Victor Umbricht, as a mediator. The negotiations on his report drag on to this day, with the main stumbling block Kenya's reluctance, and by now inability, to pay Tanzania for the EAC assets in Kenya.

Tanzania's role in the military overthrow of Ugandan dictator Idi Amin in April 1979 was another barrier to improved relations between Kenya and Tanzania. Kenya, and particularly some important individuals in the Moi government, remained on good terms with Amin to the very end. Although a handful of Amin's best-known aides, including the English-born Major Bob Astles, were swiftly extradited from Kenya to Uganda when they fled ahead of the Tanzanian troops in April 1979, the Moi government remained on cool terms with the first three governments after Amin. Fear that the Uganda National Liberation Front was merely a front for the return of former President Milton Obote and a socialist, pro-Tanzanian regime dominated Kenyan government thinking about Uganda. It is hardly a coincidence that British government analysis of the Uganda situation was identical at the time. The probable return of Milton Obote was particularly worrying to Moi personally as he, as Kenyatta's vice-president and Minister of Home Affairs, had been responsible for Kenya's decision after Amin's coup in 1971 not to allow Obote either to stay in Kenya or try to return to Kampala from Kenya. Again, British foreknowledge of Amin's coup and influence on Kenya's decision concerning their strongest critic in the Commonwealth are keys to how Kenya acted.

The persistent misreading by the Kenyans of the changing political situation in Uganda in 1979 and 1980 was a symptom both of the regime's incompetence in foreign policy, and of its ideological crudity. The first two Ugandan presidents after Amin – Yusuf Lule and Godfrey Binaisa – were staunch conservatives whose interests would have been best served by the establishment of speedy economic and political alliances with Kenya. But the Kenyans, obsessed by Tanzania's role in Uganda, failed to make serious overtures either to Lule or Binaisa until their regimes were on the point of failing and the presidents fleeing into exile.

The unsureness the regime demonstrated in this period with relation to its nearest neighbour was not only a product of the Kenyan habit of looking to the British Foreign Office for a view. The habit of a passive foreign policy had been deeply learned in the Foreign Ministry through Kenyatta's rage at his two public failures at continental diplomacy. The first was in 1964, when western paratroopers were landed at Kisangani, Zaire, to evacuate white hostages and destroy the popular Lumumbist insurgency in what was then the Congo. Kenyatta was at the time attempting a diplomatic solution. This was overtaken by the western move, which he was not, of course, told about. The second was his attempt to reconcile the rival Angolan factions fighting for independence from Portugal in 1974 and 1975. Kenya during that period took a line on Angola which was clearly that of the western powers. Instead of seeing that both Holden Roberto and Jonas Savimbi were South African and western-backed factions, supported entirely with a view to breaking the nationalist MPLA, Kenya attempted to bring the three factions together. The effort was doomed to failure, but also confirmed other African governments in the view that Kenyan diplomacy had more to do with western interests than African interests.

Kenyatta's refusal to go to any OAU summit meetings after 1964 had reinforced this picture of Kenya's relationship with the rest of Africa. Nor did he even make bilateral visits. The only state visit he made during his fifteen years as head of government was to Ethiopia in 1967. At that time, Emperor Haile Selassie was an ideologically sympathetic ally for Kenyatta, but the main reason for the two countries' closeness was their common enmity towards Somalia, then backed by the Soviet Union.

Somalia has a long-standing claim on the section of north-east Kenya inhabited by Kenyan Somalis, and between 1963 and 1967 the two countries fought over the area. Somali claims to the Ogaden region of Ethiopia led to a more serious war on that front and were part of the major geo-political changes of alliance that took place in the Horn of Africa around 1980.

These external factors were important for Kenya's progress from British neocolony to American client-state – a process which speeded up from 1980 with the signing of semi-secret agreements in Washington during Moi's state visit.

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Two changes had taken place internally to produce the climate for these agreements. First, it had become clear to the US that it had made a blunder in backing Kibaki, whose influence over the President had waned since the early days of the new regime. From mid-1979, when it

realised that the most powerful influence upon the President was Njonjo, it began to cultivate him through his long-standing ally, Jeremiah Kiereini, formerly Permanent Secretary in the Ministry of Defence. Ever since 1976, when the US began to compete with Britain for defence sales in Kenya, Kiereini had been helpful to the US in getting contracts. Njonjo's links with South African and Israeli interests (both business and intelligence) were another reason for the US to overlook its mistrust of him and concentrate on his 'effectiveness' instead.

Secondly, Kenya's increasingly difficult internal economic situation had been exacerbated by a barely disguised major scandal in which most of the country's stored grain surplus had been secretly exported. When Moi arrived in Washington, his need for immediate food aid was so grave that he was prepared for long-term concessions of naval, air and military 'facilities'. The full story of exactly what Kenya conceded has not yet been told. (See also 'Kenya: end of an illusion' and Notes and documents, p.317).

By the time the food-for-bases agreement was signed, Kenya was already locked into a military and economic arrangement with the US by $10m-worth of military credits to enable the Kenyans to buy a squadron of F5 jet-fighter aircraft, and a military training programme for Kenyan soldiers in the US. (Over the next three years from 1982 US military credits may be worth as much as $500m.)

Meanwhile, the end of the Ogaden war and the decisive breaking of the army of Kenya's old historical enemy, Somalia, by the Russian-supplied and Cuban-led army of new revolutionary Ethiopia altered Kenyan government attitudes to the likelihood of a potential threat from Somalia – a threat which had been further minimised by Somalia's change of backer.

The US's grand anti-Soviet strategy in the Red Sea and the Indian Ocean was dreamed up in Washington at this time. Turned out of its previous Horn of Africa foothold in imperial Ethiopia, Kenya was the only serious option. There was talk of a base at Berbera in Somalia, where the Russians had had an air-strip, oil-storage facilities and a deep sea port. But the combination of the fragility of the Somali government and the total lack of infrastructure in north-east Somalia made Berbera an unappealing prospect. Mombasa, however, was perfect.

The use of the word 'base' in comment on the new US/Kenya relationship was strictly banned to both the Kenyan domestic press and foreign journalists reporting from Kenya. However, the impact of up to 5,000 young US seamen on weekend leave in muslim Mombasa was socially devastating from the start. The Sundstrom murder case (in which a US sailor convicted of murdering a prostitute was bound over for the sum of shs. 500/- to keep the peace) was to many Kenyans just a symbol of the prostitution to foreign interests which their country had

stooped to.

Only one of Kenya's neighbours was by this time still on really good terms with the Moi government. Sudan, which was also involved in Reagan's rapid deployment force plans, shared other Kenyan attitudes and preoccupations during this period. Notably, the two were openly critical of Tanzania's involvement in Uganda. At several mini-summits in the area, President Nimeiry proposed a joint military peace-keeping force to replace the Tanzanian army. This idea was quietly backed by several western governments and by one of the West's most important opinion-formers in the Third World, Commonwealth Secretary-General Shiridath Ramphal. As an idea it never stood a serious chance of being accepted by Tanzania, or by Dr Milton Obote.

The growing involvement with the US by both Sudan and Kenya was beginning to be strongly criticised by important African states such as Nigeria and Tanzania, and their isolation within Africa was growing in parallel.

But this fact, like so much else about Kenya, has been systematically masked outside Africa by the massive self-censorship practised over the years by the western press in Kenya. Of the eighty or so journalists resident in Nairobi, the vast majority are western. During the Kenyatta years, through a combination of the fear of being thrown out of a place which provided one of the last remaining colonial life-styles, and of being coopted into the system, the western press in Nairobi became a part of the western policy-making process.

Since independence, Kenya has had British soldiers based in the country. Theoretically, they are there on rotation for a few months of training in the tropics. They build roads and bridges. The self-censorship system has worked well to prevent any open discussion of their real role in Kenya in maintaining internal stability, or externally, as a deterrent to Somali irridentism.

But this neocolonial dependence behind Kenya's much-vaunted stability is better known in Africa than in the West. Together with the very low profile that for years Moi as Vice-President had presented at OAU summits where he represented Kenyatta, it had prepared other African governments for a poor year under his chairmanship of the OAU. But no one was prepared for the importance of the debacle that ensued, nor for the US role revealed in the attempt to sabotage Africa's only Pan-African organisation. The two most divisive issues facing the OAU in 1981 were the civil war in Chad and the question of the admittance of the Saharan Arab Democratic Republic to the OAU as the fifty-first member state. Neither issue was new. Both had been kept from splitting the OAU into rival ideological camps by extremely careful diplomacy by previous OAU chairmen, and by the time-honoured device of creating committees to remove the conflict from the central arena of the OAU itself. This formula had been successfully

used in the two previous OAU summits in Monrovia and Sierra Leone, leaving the summit itself free to concentrate on the primary issue on which Africa is united in the search for a speedy solution – Namibia.

But Moi and his civil servants (and his weak Foreign Minister Dr Robert Ouko), either through their own inexperience, or through US design, allowed both issues to develop into crises and thus crippled the OAU, perhaps irrevocably.

Last February, in an OAU foreign ministers meeting in Addis Ababa, the Secretary-General of the OAU, Mr Edem Kodjo, with no reference to President Moi or anyone else, seated the Saharan Arab Democratic Republic (RASD), better known as Polisario, as an OAU member. Taken by surprise, the Kenyan foreign minister opened the meeting and then resigned from the chair. Technically, Polisario was then an OAU member. But nineteen other members left the Addis meeting in disgust, led by Morocco which has been fighting Polisario guerrillas in the old Spanish Sahara for nearly seven years. For the past two years, in spite of the fact that twenty-six African nations recognised Polisario's RASD as a state, Morocco has argued, from the OAU charter, that a two-thirds majority of the African heads of state are needed for the admittance of the RASD. Algeria and the progressive states which mostly support Polisario have argued under a different article of the OAU charter that a simple majority is all that is needed.

With Mr Kodjo's February move, the underlying ideological splits in the OAU came into the open. Behind Polisario were ranged Algeria, Angola, Mozambique, Seychelles, Madagascar, Ethiopia, Libya and Guinea Bissau. On the other side was Morocco, supported by conservative francophone states, such as Ivory Coast, Senegal, Tunisia, and conservative anglophone states, like Nigeria, Sudan, Sierra Leone. Kenya, of course, is in the latter group, though as Chairman of the OAU Moi did not specifically commit himself.

The February event was initially seen as a diplomatic set-back for Morocco and a triumph for Polisario, even by such normally sophisticated observers as *Le Monde*. However, the decision may have had more to do with US interests in Africa than with a small guerrilla war in a north-west African desert. For the Addis Ababa event led into a Moroccan diplomatic campaign across Africa to sabotage the OAU summit in Tripoli on the issue of the seating of Polisario. US diplomacy, sometimes boosted by Saudi Arabian funds, followed not very discreetly behind the Moroccans throughout the summer. At one point it seemed as though the Moroccan campaign was being undermined by the growing realisation in African capitals that the US long-time vendetta against Colonel Gaddafy was behind the diplomacy. And with King Hassan's summer visit to Washington, in which agreement was reached for access to Moroccan military facilities, the issue of imperialism being behind the sabotage of the OAU became even

clearer. However, it was not clear enough to rally sufficient governments to get a quorum at Tripoli in August.

Kenya's part in this drama appears to have been only passive. Neither Moi himself, nor the Foreign Minister Robert Ouko, have the close connections with western decision-makers that would have involved them in any strategic planning, as the Moroccans were, for instance. The result has been to keep Moi as Chairman of the OAU and to ensure the organisation's continued impotence.

Kenya's ineptitude was evident, though in less dramatic terms, in the OAU intervention in the civil war in Chad. This was a French diplomatic initiative designed to remove from Chad (in December 1981) the army of the West's favourite enemy, Colonel Gaddafy. But the OAU's inability either to finance such an operation or to agree on the terms of reference were clear from the start and, in the event, the OAU intervention merely provided a way in for the army of Hisene Habre, backed by Sudan and other anti-Libyan forces. The withdrawal of the OAU troops after six months of expensive inaction merely provided ammunition for western interests that like to prove that African solutions to African problems do not work and, therefore, the West must ultimately still be depended upon.

Kenya's smallest and most vulnerable neighbour provides perhaps the clearest picture of the underlying preoccupations, and the reins of power, in Kenya's foreign policy. The Seychelles lie 1,000 miles off the coast of East Africa, a tiny country of 66,000 people. The first regime after independence from Britain was led by Mr James Mancham, who shared with some senior ministers in Kenya the English notions of class and race. Mancham's overthrow in an almost bloodless coup in 1977 brought in a new regime committed to socialism and non-alignment. The present President, Albert Rene, has been the target of several attempted coups and a campaign of destabilisation similar to the South African destabilisation in Zimbabwe and Mozambique and the other countries of the SADEC economic grouping in Southern Africa. The most daring and nearly successful attempt to overthrow the socialist government came in November 1981 with white mercenaries from South Africa. There were claims by President Rene that influential Kenyans were involved in the coup attempt.

The interest of the US and South Africa in the overthrow of a socialist government so strategically situated on the oil route from the Gulf to the Cape, and so committed to the end of super-power involvements in the Indian Ocean, is clear. And although President Moi's public denial that *his government* was involved in the coup attempt is likely to be true, Kenyan foreign policy has, ever since independence, been run less by the government of the day than by the long arm reaching out from Britain or the United States. Hence President Rene's allegations created an enormous impact in Kenya, with

backbench MPs tabling a copy of the transcript of the interview in Parliament. The story, for many Kenyans, confirmed the spoken, though not the written, reality of Kenyan foreign policy.

Reference

1 M. Klare, 'From Yokosuka to Diego Garcia', *Race & Class* (Vol. XVI, no. 4, 1975).

Notes and documents

The social cost of detention

A university lecturer, a busy Nairobi lawyer, a member of parliament are going about their usual tasks, conducting classes, appearing in court, visiting constituencies. And then they have a group of visitors, eight or more men in ordinary clothes who, though lacking any kind of official permit, demand entry to their offices and homes which are methodically searched for several hours. At the end of the search the lecturer or lawyer or MP is taken away to an unknown destination. For days and weeks families are kept ignorant of his fate, but told that matters will go extremely hard for him if they contact a lawyer or obtain a writ of habeas corpus. Hoping for the best, families are silent and wait. At the end of two or three weeks they are informed by local newspapermen that the name of the lecturer, lawyer or MP has appeared in the *Kenya Gazette*. He has been officially detained. As far as officials are concerned, families will find out in their own way, through trial and error, both the news of detention orders and the channels which must be used for further information. Sooner or later they discover the existence of a Public Security Office, with responsibility for detained persons. It is to this office that they take letters which they hope will be forwarded, books which they hope will be allowed in. It is at this office that they apply for the privilege of a brief visit with the detained person – which might be allowed once in six months, or maybe once a year.

Families have no choice but to adjust to the harsh new reality. The father, the husband, often the sole breadwinner, is now officially a 'non-person' – and will remain such for maybe a year, maybe a decade. His salary has been cut off the day detention orders are signed. The house attached to his job must be immediately vacated. Neighbours might be sympathetic, but they fear to express support openly in case they are watched. The family of a detained person can contaminate friends and relatives.

As for the 'non-person', he is sealed off from society in some unknown prison because his participation in ordinary life is deemed a 'security risk'. He is an outcast, who can only publicly be mentioned by the media in connection

with his detention. Enclosed in a tiny stinking box, eating monotonous uncooked food, deprived of any purposeful activity or work, with no end in sight – the most he can hope for now is survival with faculties intact. Nor can he meditate on the reason for his detention, since that is not specified beyond the vague phrase 'threat to national security'. The suffering inflicted by detention on individuals and their families needs little further elaboration. Ngugi wa Thiong'o has, in his book *Detained: a writer's prison diary* (1981), given the world a vivid glimpse of conditions endured by members of the banned Kenya People's Union (KPU), by those who opposed the government's cover-up of J.M. Kariuki's assassination, by those believed working for a 'greater Somalia', by those who revealed corruption in high places, and by those who like himself – were cast into limbo for (in his words) appearing 'a representative of the anti-imperialist peasant-worker consciousness' and hence a threat to the neocolonial status quo.

The personal costs of detention are high and cruel. But the national costs of the system are heavier still, with ominous long-term results. A country like Kenya desperately needs all its trained labour. But it needs more than this. It needs individuals who are not merely trained to imitate certain procedures and successfully go through the motions, but individuals who are gifted and innovative: creative people who can bring something fresh to society and discover new ways of doing things adapted to local and national conditions. As long as detention remains on the books, these are precisely the individuals who are at risk.

The results are the same, whether one person is in detention, or one hundred. The very arbitrary, unpredictable nature of the device is destructive to initiative, and to anything exceptional. No, says the university lecturer, with an eye to personal survival, I won't stand out in any way. I won't join the staff association. I won't sign a petition calling for Professor Ngugi to be re-instated in the Department of Literature. I won't write a paper which might in any way be controversial. I won't give a lecture which might touch on a political topic. I won't encourage discussion in my classes: I won't stick out my neck. Instead, I will swim with the tide. I will spend my time drinking with colleagues and gossiping. I will in all ways appear totally unexceptional. If I pay even a little attention to my work that might lead to trouble. I might inspire jealousy and then who knows. Next thing my name might be forwarded to the CID as an agent of 'foreign ideology'.

The run-of-the-mill lawyer and the cautious MP share this outlook. The former will not touch a case if it seems to go against certain key vested interests; the latter would never dream of voicing opposition to the big power brokers in parliament. Best to lie low, and not attract undue attention. Best not to take any risks. Best to cover up the fact that I was once a friend of x and y, now detained persons. Best not to go visit their families – that can only invite trouble. Best to say what I am expected to say, and to think what I am expected to think.

Those who haven't internalised these fundamental rules of survival have only themselves to blame. Who does Mutunga think he is, giving legal services free to the poor? That simply isn't *done*. And what about this Mazrui, who clearly has so many talents and yet claims to be satisfied with a paltry university salary: he *must* be doing something on the side. What are these people really up to? Why don't they join in our senior common room drinking bouts and then go

with us over to the women's dorms? Why don't they intrigue with the rest of us to get promotions? What else do they do with their time? Obviously they can't be trusted, especially around impressionable youth. The sooner they are removed the better.

And so detention is used as a device to intimidate the population and advance the fortunes of the mediocre. Those whose motivations lie outside the national scramble for wealth and position are simply not understood and are therefore deemed dangerous. With the possible exception of the first person to be detained by President Moi, his business partner and former deputy head of the CID, M.S. Muriithi, those who find themselves in detention in Kenya today made exceptional use of their talents and critical faculties to support democratic procedures and expose whatever policies frustrated that end. They believed that passive submission to whatever was decreed from on high, no matter how short-sighted or misguided, would lead to stagnation and a tragic waste of human and national potential. They were not mere yes men, and have paid the price.

Many of the onlookers are cowed and seek protective camouflage. Who will be the next to go? One step out of line, one moment of calling attention to yourself through some accomplishment or other, one instance of the wrong friend cultivated, or enemy made, and it could be *you*. To stand out in any way is an invitation to self-sacrifice. It is much safer to dull the critical faculties, and simply and unthinkingly play follow the leader. This is the essence of the philosophy of *nyayoism*.

Letter to the Delegation Head, US Armed Services Committee

Dear Mr Richard White

I have learnt with interest that a Congressional Delegation led by you is here to inspect the American military and naval bases in Kenya. Let me therefore take this opportunity to welcome all of you to Kenya.

According to a report in the local press, announcing your visit, it was stated that 'it was essential that first-hand knowledge be obtained through on-site visits to the contingency bases and through discussions with as many of the respective political leaders of the host countries as possible'.

I take it, therefore, that you will be interested to have views of our political leaders of differing shades of opinions. It is on this strength that I take this opportunity to address you on this sensitive issue of your naval and military bases in Kenya.

From the outset, I should like to state that the sentiments I am expressing are not only my individual feelings, they are also the feelings of the majority of Kenyans, including politicians, religious leaders, academicians, trade unionists and others.

You will, no doubt, have read my public statement on 9 February 1982 when I said that much as we would like to continue to enjoy our all time good relationship with major powers such as your country, establishing naval and military bases in our country without full discussions and the consent of our people through their representatives in the legislature is *dangerous* for both parties.

Accordingly, I have found it necessary to give a background to the sentiments expressed hereunder:

1. During the struggle against British colonialism Kenya resolved to sever all military relations with Britain and set up a truly non-aligned African nation. In its pre-independence manifesto, KANU recognised and stated that 'foreign military bases cannot be anything but a threat to Kenya's positive independence and security. KANU therefore rejects the idea of a military base in Kenya and will work towards the removal of any base that might exist when it comes to power.'

2. Indeed, at the attainment of independence in 1963, all British military bases in Kenya were dismantled. Because Kenya did not want to replace the military bases of one colonial power with those of any other, provision was made in the KANU Manifesto that 'in line with our policy of non-alignment with either the East or West military power blocs KANU will not allow any form of foreign military base(s) to be established in Kenya. Kenya must not be a pawn in the struggles of the East and West nor do we want to see Kenya transformed into a battleground in the event of an East/West military conflict.' The KANU Manifesto concludes by saying: 'We are certain that our people would not approve of Kenya being used by NATO forces in any conflicts in any part of Africa, Asia or the Middle East.'

3. As far as the people of Kenya are concerned, the policy enunciated in the KANU Manifesto regarding the establishment of foreign military bases and the presence of foreign troops in Kenya today, it must be made clear that they do not have the approval of Kenyans for their being in this country.

4. Presence of foreign troops who are, or have been, in Kenya is an affront to our declared foreign policy of non-alignment. It is also a direct embarrassment to and demoralisation of the Kenya people and their armed forces. This affront is now compounded by having American military bases again through secret negotiations between the ruling circles. America's military involvements and misadventures in South Korea, Vietnam, Iran, Egypt, Chile, Haiti, Panama, Costa Rica, Nicaragua, El Salvador and the Caribbean are generally well known for the political disasters and chaos which accompanied their presence in the affected countries.

5. The people of Kenya regard the Reagan Administration as a paternalistic and war-mongering regime in world affairs. I am also aware that most countries of Africa and the Third World share the same view. We see the policies now being pursued by the White House as adoring and actively promoting a crude philosophy of economic, political and social imperialism in Africa and the Third World. This is coupled with the fact that statements emanating from the US government tend to advocate armed confrontation between NATO and the Warsaw Pact countries, and to support South Africa in its evil apartheid policies and the illegal occupation of Namibia by Pretoria. We fear that we may be sucked into the resulting instability and destruction.

6. It is because of the foregoing reasons that Kenyans are truly alarmed and worried about the establishment of American military bases in Mombasa, Nairobi and Nanyuki. It is an unfortunate fact that Kenyans first heard about the US bases during the US Congressional Committee hearings.

7. In Nairobi the authorities, knowing that the issue was in breach of the KANU Manifesto and contrary to the *popular will* of the people, remained nervous and tight-lipped about it. Parliament and the country were kept in darkness over an issue of such crucial implications to our national independence and security. Indeed, when the issue was raised in parliament recently, the official response was 'Kenya's security arrangements cannot be a matter of public debate ... and details of security arrangements could not be revealed.'

8. I am pleased to note that in the United States security matters are not only debated in public but they are subject to approval by Congress after a very close scrutiny. In this particular case, we are very impressed that Congress is indeed understood to be exercising its legitimate legislative function. We read with particular interest the announcement in Washington that 'an eight-member delegation from the House of Representatives Armed Services Committee is to visit Kenya to inspect construction of facilities for the rapid deployment force.' You are now here! Why then should the Kenya parliament be denied its legitimate legislative rights as are being enjoyed by its American counterpart?

9. When the matter first surfaced in the local and international press, the official reaction was vague denial of the existence of American military base installations in Kenya. The American Embassy in Nairobi remained silent and non-committal on the matter until the Congressional hearings. More recently, however, the American Secretary of Defence revealed in Riyadh, Saudi Arabia, that America was planning to spend over US $1.5 billion on military base installations in Kenya, Egypt, Oman and Somalia. Kenya was designated as the biggest recipient of this American military programme.

10. The question which Kenyans are asking is: What is the nature and purpose of the American military bases in Kenya? In the absence of any official information, informed speculation has it that facilities are to be provided at Mombasa airport to take the US Air Force's jet Starlifter and C-5A transports. Mombasa's Kilindini port will be enlarged to take the US Navy's biggest warships, the nuclear carriers *Nimitz* and *Constellation*.

11. It is also understood that the Mombasa installations constitute the 'first phase' of the American military bases in Kenya. The next phase will involve similar or equivalent facilities at Jomo Kenyatta International Airport in Nairobi and at Nanyuki Air Force Barracks.

12. Although the purpose of these military bases remains obscure in the extreme, Kenya has been described by Ronald Reagan's military and foreign policy advisers as 'Black Africa's cornerstone of the US's new "forward" strategy'. This means that American military bases in Kenya will be deployed for:

(a) interference in Kenya's internal political, economic and social affairs;
(b) interference in Kenya's relations with her neighbours, especially Tanzania, Uganda, Ethiopia and Somalia;
(c) destabilisation of African regimes not in tune with American interests, especially in Angola, Mozambique, Zimbabwe, Seychelles, etc.;

(d) fortification of oppressive regimes in Namibia, South Africa and elsewhere;
(e) negation of the aspirations for a zone of peace in the Indian Ocean, and
(f) establishment of the American rapid deployment force as an overall NATO military strategy against the Soviet Union and her Warsaw Pact allies.

Kenya becomes vulnerable to attacks by deadly weapons in case of a global war.

13. In recent years, America has increased food, economic and military aid to Kenya. Kenyans would have felt grateful for food and economic aid, but without the secret installation of unspecified military bases.

14. In his recent Caribbean tour, President Ronald Reagan is reported to have stated that 'the strings attached to aid make a mockery of national independence'. The tragic irony of this statement is that Reagan seems to be oblivious of its applicability to his own aid policy in Kenya. But, while Reagan and his advisers may be oblivious of this fact, Kenyans are not!

15. It is because our sovereignty, national independence and territorial integrity are at stake that we and all Kenyans protest in the strongest possible terms against the presence of all foreign troops and the establishment of foreign military bases in the country both now and in the future.

16. We regard these troops and bases as obvious manifestations of a state of hostility and cold war against the people of Kenya. The people of Kenya will *never accept or honour* any foreign military agreements, pacts or arrangements made without their unequivocal consent and approval.

We therefore demand the immediate withdrawal of foreign troops from Kenya and a halt in the installation of American military bases in Mombasa. In future, any military aid or agreement with foreign powers *must* be approved by Kenyans and sanctioned by parliament. Kenya is not up for mortgage or sale to foreign interests of exploitation and hegemony. Kenyans will therefore always oppose and resist such tendencies. We believe in and subscribe to the principles and provisions of the Kenya Constitution, the Charter of the Organisation of African Unity, the Charter of the United Nations and the Universal Declaration of Human Rights.

17. Those who subscribe to these sentiments include many Kenyan politicians, prominent personalities and the youth who have in the past repeatedly attacked and denounced the presence of foreign troops and the installation of American military bases in Kenya. This letter is thus a true reflection of the wishes of the Kenyan people.

18. I am of course aware that every country puts before everything else its national interest in bilateral agreement. In this case it is a betrayal of our national pride, for it would appear that your interest has been negotiated and concluded under a role of great secrecy by and through individuals, instead of going through normal open discussion and ratification by our people's representatives. Under the circumstances, I hope you will feel free to convey to the US Congress and your people of America, the sentiments of the silent majority of Kenyans on whose behalf this document has been submitted.

Yours faithfully,

A. OGINGA ODINGA 20 April 1982

The need for a second political party*

In view of the confusion reigning in the country about the formation of a second political party, the people of Kenya are entitled to know the true constitutional position regarding this matter. Kenya is ripe for a second political party, but in the prevailing circumstances, an erroneous impression has been created that the formation of a political party in Kenya today is something which has to be 'granted' or 'refused' at will by the authorities. This is, of course, not the case.

The true position is that formation of a political party in Kenya is a constitutional right. As far as the Constitution of Kenya is concerned, and there is nothing else outside the Constitution, the situation has not changed from what it has always been since Lancaster House in 1960. This means that, according to the Constitution, Kenya is a de jure multi-party state.

Between 1960 and 1964 Kenya had two main political parties, KANU and KADU. In 1964 KADU was dissolved, partly through public pressure and partly due to political cajoling by KANU. The entire KADU leadership 'crossed the floor' and joined KANU and the government. Kenya, therefore, became a de facto one-party state, though the Constitution still remained unchanged.

In time, the forced political marriage of convenience between KANU and KADU failed to withstand the realities and rigours of Kenya's social dynamics. The result of this was the emergence of the Kenya People's Union (KPU) in 1966. The KPU was, of course, not the regional or tribal party that its detractors have made it out to be. In fact, at its inception the KPU enjoyed the support of about 100 MPs who were ready to defect from KANU. That is why a constitutional amendment had to be guillotined through parliament to stem these massive defections from KANU.

In the three tempestuous years of its existence, the KPU was not accorded the rights of a legal political party. The force of the 1968 local authority elections was the clearest manifestation of the harassment the KPU and its leadership received. In 1969 the KPU was finally proscribed under dubious circumstances. With the banning of the only other party in the country, Kenya returned to the de facto one-party situation a second time. Since then, the Constitution has not changed. That is where the country stands today.

The experience of the last twenty years in Kenya has shown that a one-party system, even though probably ideal philosophically and psychologically for the African situation, has not been given a fair chance to work. Therefore, in Kenya, as in most African countries, one-party systems, whether de facto or de jure, have ended up in monstrous dictatorships. In order to avoid slippage into these disastrous one-party tyrannies which are rampant in Africa today, Kenya must return to its constitutional position by the formation of a second political party.

In Kenya today the de facto one-party system has created critical problems in the body politic. Through the illegal system commonly known as clearance, many Kenyans have been denied their constitutional political rights to participate in the democratic process. This denial has led to a crisis of confidence in

* Written before the government passed an amendment to Kenya's Constitution making it de jure a one-party state.

the political system of the country. The people of Kenya have therefore lost faith in single party politics. No amount of propaganda can change this reality.

Since the African experiment in one-party democracy has failed, the only logical alternative for Kenya is to revert to the constitutional position of multi-party politics. This is the true vitality of constitutional innovation and prudence. Through the formation of another political party, the people of Kenya will decide, by free and democratic elections, who their leaders shall be. The present system of clearance is the biggest threat to democracy in Kenya today.

By a strange twist of fate, those who are saying that the formation of another political party will be a threat to 'stability and development' are also the same people who masquerade as opponents of one-party systems elsewhere. They cannot have it both ways. They must therefore be told (if they don't know) or be reminded (in case they have conveniently forgotten) that the systems which they support, believe in and practise multi-party democracy. In any case, there cannot be stability and development in any country without the full participation of the people. This is the ultimate reality of situations which obtain in apartheid and oppressive societies.

To argue against or challenge the formation of another political party in Kenya today is to argue against or challenge the supremacy of the Constitution of Kenya and all the freedoms and rights entrenched in it. The country is back to 1976, when some people supported change of the Constitution and others opposed the move as being unconstitutional. The only difference in this new scenario is that those who in 1976 claimed to defend the Constitution are today the ones who are arguing against and challenging the freedoms and rights of the same Constitution! This is a serious credibility crisis in the country.

Every Kenyan has the right and duty to defend the Constitution at all times, but more so during moments of historical crossroads. I always support the Constitution of Kenya. I do so with regard to the formation of the second political party.

GEORGE M. ANYONA 17 May 1982

Pambana
Organ of the December Twelve Movement

OUR STAND

Kenyans have been massively betrayed. The revolution we launched with blood has been arrested and derailed.

Today, more than twenty-two years after KANU was formed and almost twenty years after a fake independence was *negotiated*, the broad masses of Kenya are materially and politically worse off than ever before. The criminally corrupt ruling clique, sanctioned by KANU, has isolated itself from the concerns of our daily life and has committed a crime, among many others, more brutal than any that British colonialism ever did: they have silenced all

opposition and deprived us, forcibly and otherwise, of the very right to participate in Kenya's national affairs. The sacred rights of expression and association have been cast aside.

KANU and its government have disorganised all spheres of economic production, have scattered all communal efforts at organisation, have sowed unprincipled discord and enmity among our peoples, and have looted unspeakable sums of money and national wealth. They have finally given our entire country over to US imperialism to use as a political and military base. All these crimes have been wrought in the name of 'progress and prosperity' and inane smatterings of 'love, peace and unity'.

This is *not* independence.

This is neocolonialism in its worst form. Kenyans have fought many battles in order precisely to put an end to a similar situation in the past. They did not wage war in order to end up worse off than before. Clearly, serious errors were made in the past – particularly the error not to cleanse thoroughly the people's ranks of pro-colonial elements who later grouped, took over leadership, and derailed the struggle to where it is today. This is a most important point and we intend to dwell on it at length in the future. We must build on past experiences, avoid mistakes, not repeat them. The cost has already been too great.

True independence is a *sacred* thing. It is revolutionary. It means a clean break, a new start with no fetters from the past oppressive machinery. It means a fiercely vigilant nation led by a strong people's organisation which works with the people's initiative in building a new society, with new forms and new modes of thought. True independence releases vast new energy and creativity. Kenya has no independence.

Kenya is more dependent today than it was before 1963. Despite her considerable wealth, she is starving, in debt and bankrupt.

Kenyans, therefore, have no alternative but to begin anew in order to continue the revolution that was diverted. We are once again called upon, more urgently now than ever before, to marshal our forces and prepare for a protracted counter-attack in order to salvage and reconstruct our nation. This is war. Class war. We must have no illusions.

We hail and applaud *Cheche Kenya*, a great pioneering summary, and take up the challenge therein. It is our historic duty to stand up and refuse to simply go along. It is also our natural right to express ourselves, to disseminate ideas and to associate. These rights do not any longer have to be begged from PCs and DCs. We must resolve to retake them, forcibly if necessary. There are many spheres of political work to be carried out.

We, the December Twelve Movement, have chosen to make our contribution by starting the first truly revolutionary people's paper. Hitherto, no paper has presented the wishes and activities of the poor and oppressed Kenyans correctly. Henceforth, we shall. Others must do whatever they can in order that a principled unity can be built based on concrete acts *accomplished* and living experience *gained* and not on dead words said or written.

December Twelve 1963 was the day most Kenyan masses united with the hope of a new national reality, a true independence. Unknown to them, this was not to be. It signifies to us a betrayal and the basis of a new, higher unity and a revolutionary rebirth.

This newspaper is dedicated to gathering, uniting, encouraging and protec-

ting all those who would defiantly stand for our country's and people's true interests and who would sacrifice and fight towards our unity and victory. This is a serious political task and we solemnly dedicate ourselves and our abilities to it. We have no doubt that the overwhelming majority of Kenyans stand by this position.

This newspaper:

1. firmly opposes the robbery of our national resources and wealth by imperialist interests, be they multinational corporations, banks or foreign governments. Kenyan wealth and labour must benefit Kenyans only.

2. condemns in the strongest of terms the criminally corrupt and traitorous band of thieves who govern this country and who have allied themselves with US imperialism to keep us perpetually down.

3. is totally opposed to the presence on Kenyan soil of US and any other military bases.

4. supports all genuine, democratic and liberation movements fighting for people's self-determination in and outside Kenya.

This newspaper supports all genuine Kenyan organisations and individuals, fighting any aspect of local or imperialist reaction and in particular:

1. small farmers and producers against government and 'co-operative' theft and mismanagement,

2. workers against IMF-enforced low wages and anti-strike controls,

3. the millions unemployed in their right to employment,

4. small businessmen against foreign monopolies,

5. indigenous professionals against fake expatriate 'skills',

6. teachers, students and pupils against irrelevant, authoritarian colonial education,

7. committed intellectuals and journalists against official muzzling,

8. the poor and the landless in their demands for land reform,

9. all poor people against ever-increasing rents, prices and declining real incomes,

10. the entire dispossessed population against a corrupt puppet government and its ever-repressive police rule.

More specifically and immediately this newspaper will seek to raise principled debate, to raise political consciousness and awareness, highlight news that the foreign-run newspapers ignore and suppress, expose reactionary and imperialist plots and intrigues, protect and heighten our entire people's struggles and generally work towards a *united* resistance in order to fight and overthrow imperialism and neocolonialism and achieve the long delayed true independence.

EDITORIAL
Cheche: a spark can light a prairie fire

This is a historic moment. Today we celebrate. The challenge and spirit of *Cheche Kenya* lives.

This first issue of *Pambana* marks a major milestone, indeed even a turning-point in our country's history. It is the first truly people's newspaper. It constitutes a step towards creating our people's own voice and our institutions. The

government-controlled, foreign-owned press, as well as the laughable Voice of Kenya, lie to us always. They misrepresent Kenya's reality and praise every crime and evil act the ruling class commits. They apologise for them and continually attack our people's struggles or at best ignore them. These newspapers sow confusion and disunity in their attempts to put 'a lid on trouble' and stop the wheel of history. Our people want change, revolutionary change. The government and its mouthpieces want to keep Kenyans down. Just as these government-controlled, foreign-owned newspapers cannot be free, they cannot be neutral. In many real ways they support our enemies.

Pambana is similarly neither free nor neutral. It will accept no apologies for oppression or thievery and will forcefully represent the truth as seen from the majority poor, dispossessed Kenyans who have hitherto been so fully ignored. *Pambana* will therefore be militantly and proudly partisan. *Pambana* could not have come at a better time. The current regime, like the last one, is fully exposed as unable to solve the political and economic problems facing us.

During colonialism, there were two types of newspapers representing two fundamentally opposed interests. There were those, like the *East African Standard,* the *Daily Nation* and *Kenya Weekly* which represented foreign and settler interests. Then there were others, like *Muigwithania, Mumenyereri, Ramogi* and *Mwalimu,* which represented the Kenyan people's aspirations for freedom. The people's press was harassed and finally banned by the colonial regime.

The story did not change after 1963. The two main newspapers are still foreign owned: the *Daily Nation* by the Aga Khan syndicate and the *Standard* by Lonrho. A true people's press has been suppressed. KANU regimes have only allowed newspapers that defend foreign interests. Even modest attempts by Kenyans to found a liberal press have been suppressed or discouraged. Thus, the people's press has been pushed *underground.*

As in other similar situations elsewhere, the *underground press* has been the only truly free press in both colonial and neocolonial Kenya. Its existence does not depend on the goodwill of the foreign-controlled KANU regime. It does not depend on the goodwill of advertisers.

Indeed, in all modern societies which have made revolution newspapers have always played a vital part in awakening, mobilising and unifying them. We quote Lenin, who founded *Iskra* in Old Russia and declared prophetically: '*A spark can light a prairie fire*'.

Long live *Pambana*!! May 1982

The coup broadcast

I announce to you today the overthrow of the corrupt regime of Daniel Toroitich arap Moi by the patriotic forces of our country. As I speak to you now, our country is fully and firmly under the control of our armed forces. Every care has been taken to make the revolution as bloodless as possible.

Fellow Kenyans, over the past few years this country has been heading from an open to a closed inhuman and dictatorial society. The fundamental principles for which many of our people sacrificed their lives during the heroic struggle for independence have been compromised in the interests of a few greedy and irresponsible bandits. Over the past six months we have witnessed with disgust the imposition of a de jure one-party system without the people's consent, arbitrary arrest and the detention of innocent citizens, censorship of the press, intimidation of individuals, and general violation of fundamental human rights. This ruthless oppression and repression is reminiscent of the past colonial days which Kenyans thought were buried at independence. A gang of local tyrants has emerged whose only function is to terrorise and intimidate with senseless warnings. Rampant corruption, tribalism, nepotism have made life almost intolerable in our society. The economy of this country is in shambles due to corruption and mismanagement. The cost of living in Kenya today is among the highest in the world. *Wananchi* [citizens] can no longer afford to meet the basic requirements of life, due to exorbitant prices of basic necessities such as food, housing, housing rent, transport. Above that, Kenyans are among the highest taxed people in the world today.

Wananchi, under these circumstances our armed forces have heeded the people's call to liberate our country once again from the forces of oppression and exploitation in order to restore liberty, dignity and social justice to the people. In doing this, we have proved to the rest of the world that no individual or group of people can permanently subjugate or take away the freedom which our fathers and grandfathers so gallantly fought to bring to this country. Like the British imperialists, the same fate will befall whoever attempts to stamp out our freedom.

Countrymen, it is not the intention of the military to stay in power indefinitely. As soon as the situation allows, elections will be held and *wananchi* will be given the opportunity to choose their leaders. Our immaculate task is to stamp out corruption, and set out a concise programme of development for Kenya. We will continue with the original policies which this country set at independence, and which have been eroded over the years, thus giving rise to the current sad state of affairs. A number of administrative and security measures will be announced in due course.

This revolution is entirely an internal affair and our friends have nothing to fear. We will strengthen relations with our neighbouring countries and will continue to champion the policies of non-alignment and non-interference in the internal affairs of other countries.

As for now, the Constitution has been suspended and a national liberation council has been set up to preside over the affairs of the government and state. All the detainees and political prisoners are released forthwith, with immediate effect.

Long live Kenya. Long live the People's Redemption Council!

1 August 1982

Institute of Race Relations
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