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THE POLITICAL ECONOMY OF KENYA

Edited by
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people at all income levels" (Kenya 1986, p. 1). This could be a case of succumbing to what Stewart (1981, p. 83) has called "the temptation to treat the informal sector not only as a response but also as a solution" to economic problems. On the other hand, it is quite possible to view Kenya's development strategy as evidence both of the policymakers' recognition of just what resources are at the country's disposal in the 1980s and of their realism in charting a direction that is genuinely developmental. But to be developmental, a policy of supporting very small enterprises must result not only in use of available resources but also in sustained improvement in the quality of people's lives. Whether engaging in small-scale production of the type observed in the Eastlands of Nairobi can bring about such an improvement in the quality of life remains an open question. Analysis of the formality variable and examination of its relationship to the viability of these small enterprises will begin to provide some answers.

NOTES

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1. In what follows I have continued to use the designation "informal sector" when referring to works (including Kenyan government documents) that use the term. In other contexts, I favor expressions such as very small businesses, small urban production, or artisan-businesses because they better convey the nature of the enterprises included in my study.

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DEMOCRACY AND THE IDEOLOGY OF ORDER IN KENYA

E. S. ATIENO-ODHIAMBO

> Power emanates from the people. It must be used to protect the people, and not to crush them.
>
> President Moi, March 1984

> Really the government is the President. If I have any fears, it is that there is a silent growth of governmental and extragovernmental bureaucracy. This bureaucracy is slowly creeping into every corner of the Republic. It is unnecessary.
>
> Dr. B. E. Kipkorir, December 1971

This chapter explores how the state, as a process, has evolved and attained its hegemonic function, while simultaneously eroding the processes of democracy, and therefore of freedom, in Kenyan society. It is at once a literature critique and a narrative of events. It opens up to a mix of trend and event, narrative and analytic history, fact and feeling. It sits uneasily with traditionalism in academic disciplines, while maintaining its focus on political power and power relations in society. The pursuit of power as an end in itself has retained its Machiavellian charm in Kenya. But the actors and the rules of the game have changed from time to time. The arena where the business of power is transacted has also been mobile, being variously located in Parliament, in State House,

at Gatundu or at Kabarak, the country seats of Kenya's two potentates. The physical processes of power have also ranged from reason and legalism—"the due processes of law"—to social unreason and legal lawlessness. The unfolding mosaic of this chapter is thus unfaithful to regular social sciences, which hide exclusively behind class, economy, or ethnicity as explanations of politics in Kenya. The chapter reaches out for a method and scope that accommodate both constitutionalism by Parliament, personal rule by presidencies, authoritarian routine of the leading civil servants, and the cost of courage of the lone barefoot desperate heckler who at dire risk to his life shouted "It is all lies" (*Ni maeeni maaku!*) to the imperious Kenyatta at a public rally in 1972.

The decolonization process in Kenya was an ambiguous adventure, "a glorious struggle for an outcome that was far from certain" (Coulson 1982, p. 108) and whose outcome continues to be uncertain. The decolonization process left Kenya with two legacies that have sat and continue to sit uneasily with each other. On the one hand there is the legacy of freedom, while on the other there is state power. Their conceptions were shrouded in ambiguity from the very beginning. The decolonization process was variously referred to as the struggle for independence, the fight for freedom, or the transfer of power, depending on the vantage point of the observer. The very meaning of the word *Uhuru* was a point of disagreement or at least of ambiguity. For Tom Mboya, Uhuru meant all things to all men (Mboya 1963) while Kenyatta in the recent Granada TV series "The End of Empire," thought that what the Mau Mau wanted and had fought for was simply an African government. At the onset of Uhuru, what we had were many voices raised in praise of this newly found but little understood gazing crystal-ball-Uhuru. Simultaneously, there was the enthusiasm for the little understood instrument: "our government"—*serikali yetu*. At the onset of independence, there were many voices in society.

The running theme of this chapter is multivocality within the Kenyan social formation. This multivocality arises out of the existence of classes and factions within classes. Political vocality has reflected these vertical and horizontal divisions. Political societies are characterized by the practice of political competition. In open societies, this competition takes place expressly, with the state providing the political arena. Overt articulation gives society its multivocal character. In moments of contact, the discourse assumes the shape of dialogue, or alternatively of conflict, with groups, classes, and factions talking past one another. Contradictions manifest themselves in language, and organization and praxis give direction to different goals. Societies are dynamic when they engage in the constant reformulations of economy, society, polity, or ideology as a result of the workings of the historical processes on the ground. Praxis, the exercising of social knowledge, will, and authority within a specific social formation, involves the evaluation of multivocality, the ranking of the *vox*, and the determination of which voices ought to be given concrete form. Praxis is politics, a construct that embraces the authoritative allocation of values, the allocation and operationalization of political power, the overt competition for power by classes and factions of classes, and even the abstention of the same from the political arena.

Multivocality has its basis in social processes. It introduces the voices of those who speak, on behalf of communities, classes, and interests. But it also has its basis in the moods of the inarticulate, "of those who have not spoken" (Ranger 1968), either out of inability, procrastination, restraint, discretion, or sheer personal endurance in the face of adversity. In transitional societies, there is not a voice, but voices. They often speak to each other, but most of the time they talk past each other.

This chapter presents a simple argument that runs as follows: The colonial and postcolonial regimes in Kenya have sought to control the direction and content of politics in Kenya, using state power as the instrument of control. The state has created a justifying ideology, the Ideology of Order, to legitimize these efforts at control. The goal of the ruling regimes has been to assert political hegemony over the rest of society. While they have been successful in controlling the formal institutions by shrinking the political arena (Kasfir 1976) the masses have continually struggled to create their own democratic political space, to find ways and means by which they continue to participate, withdraw, watch as spectators, run commentaries, and draw their own conclusions about political events and trends. Their struggles have created the multivocality that is the bane of all who would wish to rule over mute societies.

DECOLONIZATION'S TWO LEGACIES

"Colonialism was a social process that decolonization continued" (Lonsdale 1986c, p. 135). This apt rendition captures the essence of the decolonization process in the Kenyan state, for the transition to independence did not spell a rupture, but rather a restructuring of economy, society, polity, and ideology. The literature on the political economy of Kenya attests to those reworkings (Leys 1974; Kitching 1980; Swainson 1980; Fransman 1982, pp. 142–233). In the spheres of society and polity, these reformulations have taken place at the level of the state, and at the level of politics. Let us first consider the state.

Crawford Young (1982, pp. 72–73) draws attention to the two levels at which the state exists, first as a concrete "matrix of institutions through which rule is exercised, with its branches of governance—legislative, executive, judicial—and its instrumentalities such as public

administration, public enterprises, local government" on the one hand; and the state as a theoretical abstraction, as an ideological expression on the other. As an ideology, the notion of the state reflects a public doctrine of rule and authority that finds expression in constitutions and law. These structures are in turn underlaid with philosophical assumptions through which the legitimacy of the state is asserted. Young (1982, p. 73) identifies normative doctrines—sovereignty, territoriality, nationality—as being attributes of the modern state. In its workings, the state is autonomous from society, exercising rule over it; but it simultaneously "also reflects and embodies class structure and ethnic (or religious) configurations."

The colonial state was a revolutionary construct, coming into existence where there was none before, and imposing itself physically and ideologically on the people with impunity. The Nigerian historian J.F.A. Ajayi (1983, p. 193) has written:

> Perhaps the most fundamental change brought about by colonialism was to drain the people of all sovereignty and to transfer this from the rulers and the myriads of institutional networks to a single State. Even when the colonial State was militarily weak and shaky, it was, in theory, a Leviathan as the single source of power. All those wishing to share in that power had to be on the side and in the favour of the colonialists.... In particular, it created a concept of government as a machinery for gaining access to power and *not* for sharing responsibility for the welfare of the people.

The colonial state was a conquest state (Lonsdale 1986a). Like its contemporaries in other parts of the Third World,

> they were alien entities, instrumentalities whose raison d'etre was domination. Their institutional forms were marked by the imperative of hegemony over subject populations: the essentially military character of the early colonial state, the network of district strongholds through which overrule was extended through the territorial domain, the uniforms that the state agents frequently wore. The colonial state sought to equip itself with a mythology of irresistible *power and force*...in order to impose its *hegemony* and simultaneously find means to pay for conquest and for its own institutionalization (Young 1982, p. 75, author's emphasis).

The instrumentalities of the state manifest themselves variously as force, authority, bureaucracy, or power. From the vantage point of the ruled, the state's capacity to coerce obedience, exact labor, and extract surpluses has been its most familiar interface. The Kiswahili word *Serikali* captures this essence: the state is simultaneously force, coercing reluctant kinsmen into the colonial framework; authority, promulgating and self-fulfilling its laws; and power, rewarding the obedient with offices and beneficence while punishing the errant and recalcitrant.

Schatzberg (1986) calls attention to the organizational aspects of the state when he provides the definition of it as "a congeries of organized repositories of administrative, coercive and ideological power subject to, and engaged in, an ongoing process of power accumulation characterized by uneven ascension and uneven decline." Power itself is a complex notion. Lonsdale (1986b, pp. 13–14) collates this complex as follows:

> State power is a paradox. It is at once domination and liberation. It cannot survive unless it is external to society, above it; it cannot work unless it is internal to society, within it. It is built, but it also forms. Domination over society is built by political will. By the same means it can also be destroyed.
> ...In order to survive therefore state power has also to form within society, through a process as much as by conscious decision. It must become the indispensable instrument not only of fear but also of hope....
> Durable state power is statish, that is, it must to some extent abstract into impersonal institutions above society.

Above all, power is wielded by the rulers, and felt by the ruled. Power is "a concept indicating the effect of the ensemble of structures on the relations of the practices of the various classes in conflict" (Poulantzas 1975, p. 101). It has one primary function, to rule. "The state has the particular function of constituting the factor of social cohesion between the levels of a social formation" (Poulantzas 1975, p. 44).

The state as Lonsdale (1981) observes is a process. The Kenyan state must be seen as an apparatus transforming society, but also being transformed by society. In its transforming capacity, it created the colonial economy (Sorrenson 1967; Brett 1973) and a colonial society (Munro 1975; Tignor 1976).

Simultaneously, the state has also been transforming itself. When initially launched by an early multinational corporation, the Imperial British East Africa Corporation in 1888, the state was essentially a tribute-gathering apparatus, collecting "the goods of nature" (in the words of Karl Kautsky) such as ivory and ostrich feathers. The failure of The Company saw this apparatus transform itself into a conquest state (Lonsdale 1977, 1986b) between 1902 and 1920, "pacifying" such diverse groups as the Kikuyu and the Turkana. It was also a mediating state, claiming wardship over Africans, under the code name of Trusteeship (Atieno-Odhiambo 1981, pp. 1–24; Lonsdale 1986a, p. 101) as against the more blatant settler demands for coerced labor.

During the interwar years this state transformed itself yet again into a settler-dominated social formation, engaged in organizing production and marketing for capital, while at the same time mediating between the European, Asian, and African races. In its post-World War II guise, this state initiated the "second colonial occupation" (Low and Lonsdale

1976), and engaged in introducing rapid agrarian change in the African reserves through the twin processes of soil conservation and cash crop development. This phase of the state ushered in agrarian reforms, significantly the Swynnerton Plan. Its reformist activities were punctuated in the mid–1950s by the military operations during the Mau Mau war but otherwise continuing to the present. At the end of this phase, from 1964 to 1986, this interventionism has functioned under a presidential system and the state has governed through an executive presidency. The process has involved both "regime-building" (Tamarkin 1978) and presidency-building (Ghai and McAuslan 1968). By the mid–1980s, the state is the presidency, the bureaucracy, and the security apparatuses.

The second legacy of decolonization was freedom, or the quest for democracy. Like colonialism, democracy is also an experimental process (Sklar 1983, p. 12) in a new generation of countries. The quest for freedom was ushered in by the fact of conquest and loss of sovereignty. It found its continuing locus in the contradictions that emerged in colonial society. It took a familiar form, politics.

The Kiswahili word *Siasa* is a better rendition of this activity, embracing as it does activism, agitation, opposition, complaint, withdrawal, organization, as well as spontaneity. Kenyan colonial society was a continually politicizing society, although the levels of concern, intensity of passion, and the focus of the political vent varied over the years and with the changing issues (Atieno-Odhiambo 1985a, p. 649). European settler politics had been organized around local producer associations and the Convention of Associations from 1902. Formal Asian politics was also launched in 1902 and throughout the colonial period was organized around Congress-type issues: citizenship, and the color bar, or "the Indian Question" as tautology would label it. African politics had been organized, from 1919, around associations, although the Local Native Councils provided the real arenas for articulation between 1924 and 1957 (Munro 1975; Butterman 1981). The political movements between 1957 and 1969 brought forward into the national arena much of the rural radicalism that had confronted the colonial district commissioners for decades. The national-political party as the aggregator and coordinator of diverse rural movements characterized this period. The Kenya African National Union, Kenya African Democratic Union, and the later Kenya Peoples' Union all sought to mobilize leaders of the various district movements into working political alliances. The parties were in one sense arrangements of the leaders, not natural associations, but "historical blocs" in Gramsci's words (Lears 1985), built for the purpose of capturing and retaining state power. In this lay their strengths, but also their weaknesses. Their strength was that they sought to structure a territory-wide base as far as was possible. Their weakness lay in that, as fragile alliances, their ideological positions tended to be static: the reasons for their being forged together became the rationales for their continuation. Political work within the party, aimed at refinement of ideology, became a destabilizing factor within both KANU (Odinga 1967) and the KPU (Ogula 1977). The fragile nature and the loose structure of the "historical bloc" explain the ease with which individuals, interest groups, and even whole parties shifted their affiliations from one party to another between 1957 and 1969 (Odinga 1967; Ogula 1977).

Jackson and Rosberg (1984) describe KANU as "a confederation of arenas" where bosses of rural factions "collide" and "collude" in their "perennial struggle for power." This confederation reflects the fact that the political heritage at independence was an admixture of two traditions. One of the more pressing was the tradition of political struggles, with its own milestones of sweat and blood, organizational tactics, and a pantheon of heroes and heroines. The theme of struggle embraced the heroic resistances of the Nandi, Gusii, and the Embu during the first two decades of colonialism, the Giryama resistances of 1913–16, the Harry Thuku riots of 1922, the Kamba cattle resistances of 1937–38, the Mombasa general strike of 1947, and the Mau Mau war of 1952–56. It was also a tradition that embraced the political organizations like the Kikuyu Central Association of the 1920s, the Kenya African Union of the 1940s, and the African political organizations of 1957–63, organizations whose rallying cry had been *Uhuru na Kenyatta*. The struggles threw up leaders, including Kenyatta, from the 1920s, Oginga Odinga from the 1940s, and Tom Mboya from the 1950s.

The second tradition was one of leadership. Throughout the colonial period there had been building up two types of leadership among Africans. The one, of the insiders, those that scholarship has hitherto referred to as collaborators, stressed loyalty to government as a value in society (Atieno-Odhiambo 1974). This leadership derived its legitimacy primarily from its institutional origins and processual reproduction within the colonial system. Under the shadow of the colonial state dwelt, albeit insecurely, two or three generations of African elites (Kipkorir 1969), later dubbed the petite bourgeoisie (Kitching 1980). The first generation entered into alliances with the British in the volatile period between the 1890s and 1920 (Waller 1976; Clough 1977). This first generation of "collaborators" engaged in accumulation of wealth—of land, wives, new kinship networks, clients, and chiefly power. The African notables in early colonial Kenya (Mumia, Kinyanjui wa Gathirimu, Karuri, Ogola Ayieke, Kioi) took advantage of economic opportunities to establish their patrimony. By the 1920s their sons, cousins, plus some unwitting clients, introduced by missionaries to Western education, replaced them as chiefs, headmen, clerks, interpreters. This was the age-group of the patriarch Mwendwa, Josiah Njonjo, Joel Omino

(Munro 1975; Kipkorir 1974). They further consolidated and refined the patrimony, while simultaneously educating their sons in the upper primary schools, at Alliance High School, Kabaa-Mangu, and at Government African Schools like Kakamega, Kagumo, and Kisii, which were built during the interwar period. A few of the grandsons of the pioneers received some higher education in Makerere and overseas. They joined the civil service and the professions between 1946 and 1962. They became the real heirs of the colonial state at independence. Their names stood out: Charles Njonjo, Simeon Nyachae, Peter Shiyukah, Kyale Mwendwa, Joel Michuki. Kipkorir (1974) argues that the grandfathers had "seen far," educated the sons, whose sons in turn inherited the state. From within these ranks had been nominated the first African members of the Legislative Council: Eliud "half a loaf is better than none" Mathu in 1944, B. A. Ohanga in 1946, and D. T. arap Moi, the most enduring of them, in 1955. At a lower level, some of them too had served as officials of the African District Councils; men like Stanley Godia graduated into Parliament from this opportunity structure.

Counterpoised against the leadership of the loyalists, indeed contradicting it all the while, was the leadership of the politicians, those who had their political base among the masses, among those who could not speak, or who had not yet spoken. These were the leaders who had operated outside the official elite circles. Each of the politicians arriving on the national stage had behind him groups of followers, entities that had either been pieced together quickly, as in West Pokot where the first member of the House of Representatives claimed leadership on the basis of the leadership of the tiny district branch of the Kenya National Union of Teachers (Patterson 1977); or leadership that had been nurtured, like Oginga Odinga's, among the emergent petite bourgeoisie in rural Nyanza since 1945 (Atieno-Odhiambo 1975). The trade union movement likewise threw up urban leadership (Mboya 1963; Lubembe 1968).

The petite bourgeoisie reproduced itself at the gates of the House of Representatives and the Senate: English-speaking, eager, alert to the opportunities of the new vistas that independence would open up. Each of these individuals was a leader in his own right, with obligations and duties to his own mentors. Each came to the threshold of state power with a specific objective. The bottom line for all of them was that they had to "deliver the goods," to use the familiar parlance of those days. To maintain and reproduce their bases of power, they had to recruit, sustain, and reward their followers from time to time. Indeed the logic of patron-client relationships, so familiar to the social science literature of the 1960s (Sandbrook 1972), has in Kenya always been turned upside down: the peasants are patrons, the politicians are clients. The peasants have the latitude, at elections, to shift their patronage. The fascination with the fact that the Kenyan member of Parliament is vulnerable at election time should acknowledge the fact of peasant choice as well as the peasants' success at insisting on accountability by the parliamentary representative to his constituents. Put more directly, the masses put the leaders on the run to the gates of Parliament. "They invaded the state with society at their heels rather than imposed it on the people. They were accountable to an elected democracy" (Lonsdale 1986b, p. 27). This stampeding society spoke the language of freedom, Uhuru!

THE QUEST FOR DEMOCRACY

A legacy of decolonization was the language and feeling of freedom. The rallying cry of Uhuru was uttered by the leaders and the masses to the accompaniment of democracy. The ideas about democracy were there, even if analysis was not always present. Democracy variously implied freedom, one man one vote, the right to assembly without a permit, free trade unionism, independence, or an African government. Though the package varied from time to time, the constants of this cry for democracy included the right to participate freely in politics within the party of one's choice. From 1956, such district parties as the Nairobi District Congress of C.M.G. Argwings Kodhek were formed. In 1957 electoral politics were introduced when the first eight Africans were directly elected. From 1960 onward, the masses could choose between KANU and KADU. The politics of participation were very much in evidence, under the umbrella of the quest for democracy.

The tenets of this democracy were not at first described, but it was assumed, initially, that the Westminster pattern would be its model. The intelligentsia were familiar with this particular version. One of them, Tom Mbotela, had translated Tom Paine's *Rights of Man* into Kiswahili as early as 1947, and the members of Tom Mboya's Nairobi Peoples Convention Party talked of undiluted democracy. A summary of this model serves as a reminder of the level of discourse that was mutually understood by the decolonizing power, the presumptive African leadership, and their supporters in the West, including Western intellectuals. This recapitulation is also necessary because it has continued as the yardstick by which many Westerners judge African politics.

Western democratic theory has traditionally been concerned with processes by which ordinary citizens exert a relatively high degree of control over their leaders. The classical theory of democracy is anchored in the supportive concepts of the people, will, and consent. Democratic government is government in which the will of the people is sovereign. One of the expected characteristics of a democracy in modern times is that there will be open competition for leadership.

This competition assumes a high premium will be placed on the value of plurality and debate. This form of democracy also presupposes a consensus about both the means and ends of society, which are the preservation of order for the enjoyment of liberty, particularly by "a strong middle class with a sufficient stake in the system to have vested interest in the preservation of order" (Gellner 1974, p. 26). Thus it has been argued that the basic precondition for the attainment of this Western-type liberal democracy is "a cultural climate that is relatively open and tolerant" (Frankel 1962, p. 46). Toleration itself is a predicate of two ideational forces, on the one hand liberty, and on the other democracy. The correlation between toleration and liberty is attitudinal. Its correlation with democracy is institutional. Those who love liberty will sponsor attitudes of tolerance. And those who cherish democracy will require that public institutions exercise restraint—that is, tolerance—particularly in their reception of and reaction to discordant ideas. Toleration is a species of liberty (P. T. King 1976, p. 17), a species that obtains within the parameters of the conjoint rights to assemble, debate, and vote, within a wider framework of competitive politics. The essential point about the discourse on tolerance is that it accommodates an asymmetrical relationship between the rulers and the ruled. It is the appeal of the powerless to the powerful to accept democracy as the norm; and to accept that the powerless have a legitimate right to exercise their liberty in articulating their views. In this sense toleration is a means to a political end (P. T. King 1976, p. 124), which from the *Republic* of Plato down to our times has been the pursuit of justice. Toleration is thus an instrumental right. Evidently, its praxis assumes a consensual political arena, whose baseline is grounded in popular sovereignty.

A modern argument puts it that democracy thrives best in those societies with a "democratic civilization" (Lipson 1964), and within a political culture which asserts that "no government is legitimate which does not derive its powers and functions from the consent of the governed" (Hallowell 1960, p. 49). These tautologies have continued to haunt our language of discourse. Political culture, Hallowell (1960, p. 49) continues, must underwrite civil liberties, for

> there can be no real consent where there is no freedom of speech, of press, and of assembly. Individuals must be protected from arbitrary arrest and imprisonment.... Individuals must be free to present petitions to the government and to enumerate publicly their grievances. Individuals must feel secure in their persons, homes, papers and effects against unreasonable and arbitrary searches and seizures.... There must be an impartial system to settle disputes in terms of the rule of law.

Furthermore, these civil liberties must be enhanced by electoral politics and parliamentary government, which must at the same time be constitutional government, he adds. Above all, there is a moral foundation of democracy, namely moral law, which in Hallowell's terms is derived from the Judeo-Christian heritage, but in our terms must embrace all nations and cultures.

Historically, according to a leading intellectual, Western liberal democracy has had its material basis in capitalism. Seymour Martin Lipset (1959) has argued that the conditions that have made it possible for the attainment of democracy in Western Europe and North America include an open class system, economic wealth, an egalitarian value system, a capitalist economy, literacy, and high participation in voluntary organizations.

This culture-bound formulation of democracy has continued to fascinate Western political scientists even as Africa's experience has taken different trajectories. The literature of the 1950s looked forward to "the prospects of democracy" in Africa, while the 1960s saw "the erosion of democracy" as the sequel (D. Cruise O'Brien 1972). Kwame Nkrumah's revolt from the Westminster model to authoritarianism and personal rule signaled this transition. By the early 1970s it became evident even to intellectual enthusiasts of democracy, that "New States are born Free, yet they are everywhere in chains" (Gellner 1974, p. 20). But Western scholarship continued to sustain hope for some form of democracy in Africa. This hope was invested in the argument that Africa was, after all, not a Western civilization, and so the concept of democracy was reworked to explain the possibility of the emergence of the African variant. The African experience was treated as deviancy, because Africa was in transition. In transitional societies, it was now argued, the word "democracy" could be applied in three senses (Gellner 1974, p. 35). The first sense was to look at democracy as a process of popular consultation. Democracy was to be observed in the processes of mass mobilization aimed at deciding where society was to go. Second, democracy could be seen as a process aimed at creating democratic institutions. Here democracy was to be realized in popular participation by the citizens in the choice of leaders. The third sense saw the workings of democracy as being manifested in the presence of pluralistic institutions during the transitional period. These formulations provided the political analyst with options from which to choose when discussing African politics.

The actual political experience on the ground was one step ahead of the academics' reformulations. Africa had become a continent of dictatorships of various types. Mind was now limping after reality, for the neo-Owenian platitudes and rationalizations of the early Nyerere—that is, "Democracy and the Party System" and "One-Party Democracy"—

had long since given way to the facts dictatorship and tyranny. Most Africans by the mid–1980s are yearning for democracy, but its availability is everywhere in doubt. A spirited attempt at recategorization of the African polity by Richard Sklar (1983) encapsulates the fact of African despair and, it might be added, the despair of some Western observers as well at the possibility of a democratic system in Africa. Contradictorily, Sklar's essay is tormenting because it is ahistorical with regard to the past 25 years, and it is forensically furturistic. It is also ahistorical in that he pays scant attention to precolonial forms of governance in Africa. More to the point, Sklar provides four current models for democracy in Africa. First, he observes the liberal model, wherein the powers of government are limited by law, and citizens enjoy freedom of association to compete for office in free elections at regular intervals. There is the guided form of democracy, a government by the guardians of the public weal who insist on political uniformity. Sklar regards this as a form of developmental dictatorship, and ranks Kenya among the countries enjoying this form of democracy. His third category identifies social democracy in situations where democracy implies the effective pursuit of an egalitarian social order, in addition to a government that is accountable to the people. The author finally identifies participatory democracy, which affirms the existence of a relationship between democratic political institutions and participative social institutions.

Germane to the following discussion is the second category, for Sklar labels Kenya as a guided democracy, a situation in which the ruling regime presumably knows what is in the best interests of the citizenry. It is this dimension of developmental dictatorship that introduces the discussion of order.

THE IDEOLOGY OF ORDER

The simultaneous legacies of decolonization—the state, politics—have stood in an uneasy relationship with one another since independence. The state and political society have developed from two kinds of springboards: on the one hand authoritarianism, on the other freedom. As Ali Mazrui (1983, p. 127) observes: "After independence some of the most acute tensions in Africa were those between the legacies of egalitarianism and the legacies of hierarchy." These tensions arise from the fact that the state, from the beginnings of colonialism, has been charged with the duty of establishing and maintaining "law, order and good government" (Allot 1976). Euphemisms aside, the state has provided imperialism with a direct and unmediated instrument for control in the interests of capitalist accumulation on a world scale

within the Kenyan social formation. The state has also provided the ruling regimes—derived from the petite bourgeoisie—with the means to accumulate wealth, consolidate power, and redistribute power between and within political classes, for the state in Kenya operates within a society divided into classes (Nyong'o 1983c, p. 193). From its colonial origins the state has been authoritarian; its repressive instrumentalities were refined during the Mau Mau war and have in the postindependence era been specialized through advanced training. The attendant physical, institutional, and legal frameworks thus have become "overdeveloped" (Leys 1976).

In addition, the political process, having been participatory in the era of decolonization, has found itself depoliticized and canalized into mainline one-partyism and into personal loyalty to the presidency. This regimentation has involved increased control by the state of the political processes, legally, administratively, or extralegally. In sum, there is regime control of the rights to free speech and assembly, the agenda of Parliament, voluntary associations, and party politics. These impositions have had to contend with the struggles of institutions and individuals, who have fallen back on the received notions of democracy and the traditions of dissent to contest their legitimacy. The political arena has been a contested terrain, even if the same arena has been shrinking. The instrumentality for depoliticization has been the state, while its justifying ideology has been order.

Donal Cruise O'Brien (1972) has usefully drawn attention to American political science's shift from support for democracy to support for order in the 1960s, and in the process he identified some features of this ideology. The ideology of order spells out: the need for obedience among the governed rather than any profound acceptance of the rulers; the crucial role of the political elite in the sustenance of this ideology; the necessity of lowering newly acquired expectations and levels of activity of the ruled; the entrusting of the management of the state to a bureaucracy; the need for accumulation and concentration of power in the hands of the political elite, and not its dispersion into society; and legal lawlessness by the ruling class. Order, institutions, and elites are the basic components of this construct, while "the danger to democracy is the people" (D. Cruise O'Brien 1972, p. 372).

The people are perceived as a danger to order because they insist that there ought to be accountability in society. Richard Sklar has argued that the vital force of democracy is the accountability of the rulers to their subjects. "Democracy stirs and wakens from the deepest slumber whenever the principle of accountability is asserted by members of a community or conceded by those who rule" (Sklar 1983, p. 11). Accountability is a tacit notion that is also often ambiguous. Its essence lies in the presumption that rulers have responsibilities to their wards,

the governed. As Lonsdale (1986b) writes, "Rulers claim to be responsible to their people; people try to hold them to account.... Political accountability... is part of the moral calculus of power; it concerns the mutual responsibilities of inequality... [it] is the chief end of political freedom."

The ideology of order mediates between the people's freedom and the rulers' irresponsibility. The ideology of order emerged from the womb of Kenyan society. The Kenyatta regime inherited a state, but it also inherited a society characterized by class contradictions. The representatives of various class interests saw in the state a potential instrument for extending the hegemony of their specific class interests on the rest of society. The ideology of order emerged from this scenario. Essentially a Hobbesian conception (P. T. King 1974), the emergent wisdom was that the strong state was a prerequisite for law, order, good government, and nation-building. The thinking of the regime coincided with the scholar's prescription of the period (Zolberg 1966; S. P. Huntington 1968). The argument runs that one of the foremost concerns for any newly independent state is creating political order. The struggle for independence has a way of throwing up a whole host of political opinions, an array of political movements, and a gamut of flamboyant leaders. It is the duty of the incoming governments to create political order in society by either incorporating, excluding, or liquidating all discordant political noises in society. The theory goes that it is impossible for political society to function until there is one clear-cut path of development, designed by the bureaucratic elite, a no-nonsense regime, and a "Party of Order" (Marx 1969) in society. The victorious party at Uhuru must assert its political hegemony before it can hope to rule effectively. The Party of Order must insist at all times that sovereignty, National Unity, and National Security are sacred and inviolate. He rules best, and lasts longest, who can ensure that Law and Order, in other words internal security, is paramount.

Out of this wisdom emerged "regime-building" (Tamarkin 1978) and the quest for hegemony by the state in all spheres of national life. As early as 1971 a perceptive Kenyan (Kipkorir 1971, p. 14) lamented this tendency and his thoughts are presented in the second statement in epigraph. The writer had recognized the concretization of hegemony. The concept as deployed here is derived from Gramsci, via Poulantzas (1975, p. 141):

> The capitalist state and the specific characteristics of the class struggle make it possible for a "power bloc" composed of several politically dominant classes or fractions to function. Amongst these dominant classes and fractions one of them holds a particular dominant role, which can be characterized as a hegemonic role.... the concept of hegemony encompasses the particular domination of one of the dominant classes or fractions vis-a-vis the other dominant classes or fractions in a capitalist social formation.

Implicit in this construct are the struggles that fractions of classes carry out among themselves, what I. William Zartman (1986) has, in another context, referred to as "a struggle for the agenda," a struggle "both for positions of power and for programs on the basis of issues." Hegemony is a quest for "the control of the appearance of issues on agenda for debate as well as the terms of the debates and their outcomes" (Zartman 1986, p. 9). "Agenda control" is part of the business of hegemony. In the words of Bayart (1979), the search for power is "a hegemonic project."

Why the tendency? Goran Hyden argues that in a peasant society such as Kenya, where the economic base is fragmented, "the most common political response to these structural contradictions has been to create a unified, usually coercive political super-structure." The argument runs that the regimes that took over state power at independence were bound, at the beginning at least, to be responsive to the forces generated by the various peasantries that, presumably, were articulated at the level of contradictions with the state system rather than in harmony with it, since peasants are guardians of their autonomy and therefore duty-bound to be wary of the state systems. The state then "had no choice but to create political structures capable of containing the divisive effects of these contradictions" (Hyden 1980, p. 26).

Donal Cruise O'Brien (1972, p. 361) offered an explanation that harks back to the colonial system:

> The tendency to moral anarchy in underdevelopment is now widely seen as a consequence of the fact that the intrusion of the colonial system in traditional societies has proved effective in undermining established normative patterns but has left little basis for the construction of a new moral system.

Hyden also offers an argument in support of this position, deriving its validity from the argument of Ekeh and the fieldwork of Holmquist, that the primordial moral public realm (read ethnic community) commands the prior loyalty of African leadership, as against the civic public realm (read territorial society). The ethnic realm is "a reservoir of moral *obligations* which one works to preserve." The civic realm, however, is a place "from which one seeks to gain, if possible in order to benefit the moral primordial public realm (1980, p. 27). This argument would suggest that "tribalism" (Leys 1974, pp. 198–206) inspires the hegemonic tendency in a situation of economic "underdevelopment."

Anyang' Nyong'o (1983c, pp. 194–195) has argued on the one hand that it is the absence of a civil society that has brought about this necessity: "The repressive apparatus is introduced in order to create

civil societies"; while on the other (contradictorily) arguing that the same instrument is created to negate civil society: "There is no civil society (at Uhuru) to compel representatives to be representatives; that is why there is accumulation without accountability. Political demobilization follows so as to eliminate accountability." Jackson and Rosberg (1984, p. 193) offer an extrainstitutional explanation when they argue that "the working political regimes are not primarily institutional and procedural, they are essentially personal and usually discretionary." But they also point (p. 198) to what lies at the heart of the problem: "The 'Achilles heel' of polyarchy in Africa is mistrust of rivals and fear of competition. The Single Party has the advantage of being able to accommodate some form of participation without incurring a risk of internal discord stemming from organized political competition." In the words of D. Cruise O'Brien (1972, p. 372) again, "the danger to democracy is the people." One result of this fear of the people has been that the tradition of dissent has been emasculated.

A nagging question springs to mind in the midst of all this: did the populace confuse themselves, and the new context of independence, by believing that a strong leader could bring about an open democratic society? Has the citizenry contributed to its own captivity? This is a Gramscian possibility (Lears 1985) wrought with grave implications.

THE STATE VERSUS FREEDOM: A NARRATIVE

The night of December 11–12, 1963, was for most Kenyans a night of sheer joy, triumph, and glee. At midnight the Union Jack went down and the Kenyan flag—or the *Kiraoni ya KANU*—went up. As the flag fluttered in the midnight rainy winds, all of us present were intrinsically aware that we were witnessing history being made. And what a history!

The event of that night was for many a culmination of the struggle for freedom. It had been a long tenacious struggle, with its own milestones of sweat and blood. These included the heroic resistance of various Kenyan peoples, numerous protests against colonial rule culminating in the Mau Mau war during the 1950s, and the political struggle for independence and the release of Kenyatta from 1958 onward. The trail of the struggle was studded with heroes including Mwangeka of the Dawida, Koitalel arap Samoei, Harry Thuku, Jomo Kenyatta, Oginga Odinga, Dedan Kimathi wa Chiuri, Paul Masaku Ngei, Achieng Oneko, Tom Mboya, Elijah Masinde, and Argwings Kodhek among the men; and Mekatelili, Bonairiri, Mary Nyanjiru, Nyina wa Ngai, and Mama Aboge among the women. The tree of freedom had indeed been watered by the blood of the Africans, all the way from Lokitaung to Kaya Giryama. On the dawn of that December 12 morning it was indeed bliss to be alive, and to witness the events personally was the very heavens.

And yet, contrariwise, it was also a night of foreboding to many. These included a majority of the European settlers, lords of the White Highlands for over six decades. Their leaders—Sir Reggie Alexander, Michael Blundell, Bruce MacKenzie—had in the previous five years fought a rearguard action aimed at guaranteeing the right to capitalist property of the remaining whites (Blundell 1964). It was a night of anxiety for the vast majority of the Asian urban property owners, whose leaders had continually predicted the impending disaster in the pages of their newspaper, *African Samachar* (Seidenberg 1983). It was a night of fear for the Homeguards in central Kenya, people who had occasioned mayhem, murder, and rapine on the persons of their fellow Africans, and on the meager properties of their fellow villagers. They quaked in fear of their very lives that night, and slept in bushes at Ndakaini in Murang'a, at Kibichiku, in Kiambu, and at Kagoci in Nyeri.

For all these elements, the question that loomed large was: What kind of political era was Jomo Kenyatta going to usher in? The answer to this question, which preoccupied the minds of all in 1964, took a long time to unfold, and in the process took all sorts of tortuous trajectories.

On the eve of independence, Kenya was a single, bitterly divided social formation (Lonsdale 1986c, p. 136). The political community at independence consisted of an assortment of parties and factions that articulated all sorts of differences rather than points of agreement. There was KANU—republican, unitarist and Pan Africanist. There was KADU—regionalist and federalist. There had been the African People's Party, the Mwambao movement, the Kalenjin Union, the Masai United Front, the Luo United Movement, the Baluyia Peoples Union, the New Kenya Group, the Kenya Indian Congress, the Somali Youth League. There was the very vigorous agitation for the Northern Frontier District to secede, soon enough translating itself into the Shifta war that brought Kenya into conflict with Somalia. There was the whole problem of the Mau Mau freedom fighters, and their hegemonic claim that only they had fought for Uhuru, and therefore that only they should rule. Their thirst for land was particularly urgent, and particularly galling to the new regime. All these forces, speaking all at once, gave the impression that there would be a breakdown in law and order once the British left. The much maligned "prophets of doom" certainly did have a concrete basis for their predictions. This was not, in reality, a very pleasant political community to inherit.

It became almost an obsession of the incoming leaders to prove wrong these "prophets of doom." To prove them wrong it behooved the leadership to demonstrate that it was in charge. The quest for political order became a priority item on the agenda, and it has been a continuing quest to the present.

The first year of independence, 1964, witnessed significant efforts on

the part of the Kenyatta regime aimed at solving the centrifugal political forces in the country. The Shifta war swung into full gear, and the Kenyan army found itself engaged in running battles with these guerrillas for the next three years. The Shifta message was unsettling not only for Kenya but for the whole Eastern African region, as the map of Greater Somalia included most of Kenya, Eastern Uganda, and Northern and Central Tanzania. The political argument of the secessionists was wrought with many implications for the whole of Africa. Were colonial boundaries sacrosanct? Should nationalities be allowed to secede, and if so, in what manner? The Kenyan argument was clear: The boundaries were inviolate. The secessionists were Kenyan nationals. They could, in the words of Njeroge Mungai, the then minister for defense, "pack their camels and go" (Drysdale 1964), but even this was a seditious option. At any rate the heads of state in the Eastern African region saw the need to force the regime in Mogadishu to the negotiation table, and in 1967 Presidents Nyerere and Kaunda witnessed an accord in Arusha signed by Kenya and Somalia that effectively silenced the territorial argument. The Northern Frontier was affirmed as Kenyan territory.

The international boundary question was thus settled, but the internal constitutional arrangement constituted a problem. There was the Federalist Majimbo (regionalism) constitution imposed on KANU leaders as the price for early independence at the constitutional conferences in London between 1960 and 1963 (Odinga 1967). The workings of it left a bad taste in everyone's mouth. There were regional governments with their presidents who resented the overarching control of the central government in Nairobi. The KANU government in turn was dedicated to dismantling this Majimbo constitution. Oginga Odinga was assigned the duty of wooing their Majimboists into joining KANU while "Sungura Mjanja"—(Hare the trickster) Tom Mboya—was charged with the task of manipulating the Constitutional Affairs ministry toward a unitary system. By the end of the year, the Majimboists had been won over, KADU had agree to disband, and the Republican constitution replaced by the Majimbo one. And that was the beginning of political drama.

The years 1965 through 1969 were the best years of political debate in Kenya. Ideas were floated. And discussed. In public. Without fear. And that is as it should be.

The background to these political debates is important. At the time of Uhuru there were a variety of ideological positions at large. On the right was the Majimboist segmentarist position, which was rationalized on the basis of fear, fear of Luo-Kikuyu domination. Its bedrock was continued ethnic nationalism within a capitalist system. Occupying the broad center was the capitalist position. The American variety of it—freewheeling enterprise and the need to fight communism—was often associated with Mboya. The British "liberal" variety of it was subscribed to by Kenyatta, Ngala, and the "Corner Bar" group (Attwood 1967). Standing on his own was C.M.G. Argwings Kodhek, the one Kenyan who avowed publicly in the *Sunday Nation* in 1965 that he was a Fascist. In the subsequent years these right-wing elements were to coalesce around Kenyatta.

The Kenyatta grouping consisted, in turn, of two strands. One strand of this faction saw independence as the end, literally, of a long march through struggle. For this group, independence ushered in a period during which the once-valiant would now enjoy "the fruits of Uhuru" (*matunda ya Uhuru*). These fruits, implicitly, were already there, in the womb of the state. Kenyatta, as an individual, was the archetype for the group, and its agenda in the ensuing years was the accumulation of personal wealth or, to borrow a phrase from post-Uhuru Uganda, "falling into things." Kenyatta's oft-quoted rhetorical question to Kaggia in 1966—"What have you done for yourself?"—sufficiently captured the mood of this strand. The meaning of this question was garnished ten years later when, on July 23 and 24, 1975, the *Times* of London calculated the landholdings of Jomo Kenyatta and Ngina Kenyatta at over 1 million acres. Odinga described Kenyatta as a "land-grabber" six years later, in 1981. Howsoever he acquired this estate, Kenyatta was a role model for his cabinet and his court, who also proceeded to acquire vast landed estates in the former White Highlands, on the Coast (Karimi and Ochieng 1980), and in urban property. For this group, as Cabinet Minister Stanley Oloitipitip put it in 1982, "Uhuru is sweet!"

The second strand in the ruling faction was associated with prevailing social science thinking, and thought of independence as a task, as a challenge. Mboya's posthumous collection of essays aptly captured the mood of the times in the title *Challenge of Nationhood*. This strand provided the more stimulating arena for thought, for they engaged in debates about the purpose of independence and the strategies for achieving those goals. In the parlance of the day, they were the champions of modernization within the capitalist framework.

The left of the political spectrum polarized around Oginga Odinga, Kenya's first vice-president. This faction consisted of a host of groups and individuals that called themselves socialists. Some were patriots, men like Bildad Kaggia who asked for genuine decolonization, redistribution of land to the advantage of the landless, and reward and honor to the former Mau Mau fighters. Closely allied with them was a faction that is best labeled African communalist. Odinga was their quintessential model. These elements primarily advocated a conservative political program. They were opposed to the inhumanities and inequalities created by capitalism. They feared that Kenya was adopting an all-out capitalist path of development—Odinga described himself in those days as a "reluctant capitalist"—and condemned Kenyatta's regime for this

development. They complained about "the immorality of class formation" (Lonsdale 1986b, p. 16) in society. They asked for an alternative agenda for development, based on what they considered as the humane African way of living, which they called socialism. They called for a redistribution of resources. They saw in precapitalist Africa the ideal Africa, and called for a return to it. In this they were appealing to the values of the villagers. In the literature of those days they were referred to as African Socialists, which just goes to show how much bandied-around that particular phrase was in the 1960s.

It was this background that culminated in the events of 1965 to 1969. Throughout 1964 these various groups had been making much political noise and competing with one another for mass support. Likewise, within the government, these elements competed for control of the direction of the country's development. By 1965 they had crystallized into fairly distinct and antagonistic factions—the Kenyatta and Odinga camps. Because Mboya was the most articulate spokesperson for the Kenyatta faction, some observers erroneously referred to this as an Odinga-Mboya rivalry. It was not personal, however. It was really a debate about control of the state.

Those in the Kenyatta faction, or better, the Kenyatta-Mboya faction, were clear about one thing, and in this they were ahead of their rivals. They were sure that ultimately what mattered was state power, and they dedicated themselves to keeping it while excluding their rivals. So they did two things. They constituted themselves into the Party of Order within KANU and within the country. They used the state media to assert that they were for progress while the others were antidevelopment. Second, they attempted to impose political hegemony by producing a pamphlet to end all ideological debate. This was Sessional Paper No. 10 of 1965, "African Socialism and Its Application to Planning in Kenya." This little-read document from then on became the ideological cornerstone of the country. It was a blueprint for capitalism, free enterprise, and controlled state participation in the economy. But it pulled the rhetorical rug from under the feet of the left because of its glossy title. Once again, African Socialism was the catch-phrase used to mean something very different from their adversaries' notions.

The Mboya-Kenyatta faction thought they had won the political debate, and the following year they attempted to maneuver their opponents out of KANU leadership. The infamous Limuru Conference of 1966 was summoned to effect this. It saw Tom Mboya at his political best. Mboya summoned the meeting, reassured Kenyatta about its inevitable success, and manipulated the political majority to his side. Odinga's faction replied by forming KPU.

The years 1966 to 1969 must be seen as the crucial crossroads in Kenya's politics. The KPU attracted all sorts of elements who, for one

reason or another, held grievances against aspects of the postcolonial state. Primarily it was a party of populists who derived their political legitimacy from the support of the small man—the shopkeeper, the shamba owner, the urban poor, the landless (Ogula 1977). Populism as used here is derived from Gino Germani's (1978, p. 88) formulation, and refers to a political package whose components include:

> a claim for equality of political rights and universal participation of the Common people, a claim for social justice (usually dubbed socialism), vigorous defense of small property, strong nationalist sentiments, and denunciation of class formation, the affirmation of the rights of the common people as against the privileged and the powerful interest groups, usually considered inimical to the people and the nation.

The KPU was also the political abode of those who continued to disagree with the economic policies pursued by the Kenyatta-Mboya faction. And it was the haven of dissenting students and intelligentsia, nascent "socialists" who in the late 1960s thought of alternative paths to Kenya's developmental orientation, which they dubbed neocolonial. It thus had a variegated base, but its intellectual thrust was coherent. Bildad Kaggia, J. D. Akumu, and Okello-Odongo in debates displayed minds as sophisticated as Tom Mboya's.

The gist of this appraisal is that in those years some of the best brains in the country applied themselves to the debates on political economy. *The East African Journal*, edited then by Odinge Odera, was the repose of their eloquent pens and monthly treated its readership to the arguments of Tom Mboya, Ali Mazrui, Oginga Odinga, Dharam Ghai, Barrack Obama, Ahmed Mohiddin, Oten'g Wuod Okwach, Ojwang' Kombudo, John Okumu, S. N. Gatabaki, plus the occasional Jomo Kenyatta. The substance of the political debate can be summarized as follows. The Kenyatta-Mboya faction was asserting that they had rationally chosen a planned capitalist trajectory, while their opponents' response was that they were wrong all the way. In the course of the three years both sides nearly exhausted their verbal ammunition. As 1967 wore into 1968, the country bubbled with enthusiasm. Elections were due that latter year. The Kenyatta-Mboya faction saw to it, using state fiat, that the elections were not held, and that state intervention qualitatively marked the end of competitive politics. Once the Kenyatta-Mboya faction appealed to the state to intervene in the organization and management of politics, they put paid to any competitive debate. In doing so they managed to create the impression that political debate with their faction was indeed political debate against the state. Clearly the country moved from the era of competitive politics to the era of preventive detentions.

It is significant to note that Preventive Detention Acts all over free Africa, ever since Nkrumah enacted the first one, have been passed primarily to *preempt* political debate. They are of course used to solve other problems as well, but that is not the concern of this chapter. It was thus logical that the shouting matches between 1966 and 1969 would be brought to an end by banning the KPU and the detention of its leaders. This action clearly left the citizens fairly chastened as far as competitive party politics went. But it did not mean the end of politics, for rivalries within KANU continued throughout the 1970s and into the 1980s.

Two consequences stand out in this narrative. In achieving this hegemony, the state tacitly made political expression outside its own chosen agenda a criminal offense rather than a political difference of opinion. Its subsequent responses have all tended to make public political discourse the province of the regime: it lectures the populace, who look on nonchalantly. The second consequence follows from the first: The state initiates the dialogue. Those who from time to time have taken it upon themselves to raise other agendas continually run into obstruction from the state.

On this somber note we must turn our attention to political assassination. Political assassination is clinically and surgically a neat means of creating political order. It is ultimate, it is dramatic, it is salutary; those who watch learn "the lesson of the contest of strength" (Zartman 1986). The results are immediate: The rival of yesterday is no more today. So goes the cool ruthless logic of men of power, in Africa as elsewhere. The Kenyan experience has paid dubious dividends in this regard. The first martyr, Pio Gama Pinto, was killed early in 1965, essentially for his brains. According to U.S. Ambassador Attwood's (1967) account, Pio went down because he was a committed leftist theoretician who did all the brainstorming for Oginga Odinga. With Pio's demise, the right wing hoped, Odinga would become rudderless. Well, Pio went, and we have had the same coherence from Odinga all the way from 1945 to date (though understandably muted in recent times for lack of political space). This illustrates the futility of certain analyses including those of Pio's murderers.

The next victim of the assassin's gun was none other than Tom Mboya. Just why he had to go eludes reason. His opponents in the opposition needed him as a sounding board. His opponents within the Party of Order needed him for his strategies, even for his tactics. But his ambition for power was well known and ultimately that is why he had to go (Goldsworthy 1982b). What is intriguing is the assumption by his executioners that his demise would guarantee them political office in the future. The country still has to be told who, for political grandeur, killed Mboya.

The third victim of assassination was J. M. Kariuki, the millionaire rhetorician for the poor. The fantastic thing about this man is that he never had an idea of his own. He said in the 1970s exactly the same thing that Kaggia and Ngei had said in 1962–64; that Kaggia and the KPU had said in 1966–69. So, did this intellectual camp follower go down because he was the conscience nagging those who had thought the political debate had been silenced in 1969? At any rate he is best remembered for cautioning the regime against building a country of "10 millionaires and 10 million poor people."

The 1970s, in contrast to the decade of the 1960s, lacked luster at the level of ideas. Much as the GEMA (Kikuyu, Embu, and Meru Association) ideologues, the Change the Constitution Movement, and the Students Against Imperialism (Cheche Kenya 1982), might try, they had nothing novel to say at the level of new political ideas. Indeed what has passed for political debate in the last decade and a half—encapsulated in Ngugi wa Thiongo's *Petals of Blood* 1978)—has not been debate but monologue. For the regime has not been interested in engaging in debate with any faction of society. The incumbent regimes from the mid–1970s have been beleaguered, fighting down critical opponents and potential political rivals at all levels. More recently, the ideology of order has manifested itself in the politics within KANU. This process began by passing legislation to make KANU Kenya's sole legal party in June 1982. The regime argued in Parliament that this was merely routine legislation to streamline what had been a de facto situation since the banning of KPU in 1969. But the precipitating factor was the rumored intention of Oginga Odinga and George Anyona—the latter a former MP and detainee of the Kenyatta regime—to found another party, to be known as the Kenya Socialist Party (Currie and Ray 1984). The mechanics of control were then deployed, when having passed the legislation, the state then sent the MPs back to their districts to explain to the country why it had been necessary to do so. This writer witnessed the four Siaya District Members—Odongo Omamo (Bondo), Oloo-Aringo (Alego-Usonga), James Orengo (Ugenya), and Otieno Ambala (Gem)—fumbling to explain this move to sullen audiences.

Little anticipated at the time was that this legislation would strengthen KANU's control of its membership. This has manifested itself in the fear of being expelled from KANU. To be expelled from KANU is to be politically unpersoned and therefore a social outcast. The embrace of this weapon has in the last four years reached out both to the high, like former cabinet ministers Charles Njonjo, G. G. Kariuki, and James Kamotho (now rehabilitated); and to the low, like some ten fishermen from a sublocation in South Nyanza expelled for over a year in the 1984–85 period. Expulsion from KANU is a weapon that is available to district political bosses for whipping their political rivals, as

has been evident in the repeated threats of its usage in such KANU branches as Mombasa, South Nyanza, Kakamega, and Trans-Nzoia in the last four years.

THE VIEW FROM BELOW

One of the more glaring lessons of this narrative is that the Party of Order has been embattled against the populace at the level of organized oppositional politics. Its success in curbing this type of structured opposition, including structured institutions that may want to act independently like workers' trade unions and students' organizations, is often seen as alarming by members of the middle classes. This is so because liberal democracy is part of the "received tradition" from the West, and participatory politics is one of its more popularized ingredients. The demise of this tradition often leaves the petite bourgeoisie in despair, or in desperation. It is interesting, by contrast, to note the activities of the lower classes: peasants, workers, and lumpen proletariat. It is immediately evident that the masses have been very actively involved in the search for their own democratic space. Despite the absence of, or the abolition of, oppositional institutions, there exists below the official surface of society vigorous forms of political social consciousness. The masses are continually involved in the production of democratic values that are relevant to themselves, and engage in political activities that enhance this democratic space. There exists, for example, plenty of scope for unrestricted discussions at funerals, which are social occasions that require no licenses. There exists the highly respectable institution of rumor-mongering, against which authorities high and low are continually warning. There exists peoples' republics in the *matatus* (omnibus public transport). "Matatus are the only places left where people can discuss things freely. In a matatu you can speak your thoughts without first looking over our shoulder to see who is listening" says a character in Ngugi's *Devil on the Cross* (1982). There are the many efforts by the hawkers aimed at equity: unauthorized demonstrations protesting against the City of Nairobi by-laws that ban them from the City Center. The spontaneous protests of squatters against the City Council's demolition of their shanties also belong to this genre. Then there are these many religious organizations that one comes to know of only because they have been refused registration. There are the football crowds, with their enthusiastic Caesarean tendencies to declare themselves a republic and run stone-throwing battles against the police for four or five hours after the matches. At the end of the day, they listen to the recorded music of their natural philosophers, such guitarists and muses like Owino Misiani and Joseph Kamaru who instruct and moralize on such diverse topics as political repression and

unemployment. There is the little-studied but effective defense mechanism ordinary people have evolved about power: namely, cynicism with regard to governance and leadership. There obtains a vigorous defense of freedom by some church leaders like Bishop Okullu and Bishop Muge (Okullu 1978, 1985). The courts do provide a glimpse of what ordinary people think, as they are continually prosecuted for "behaving in a manner likely to cause a breach of the peace" by running commentaries on the political events of the times. The bars serve the same function: Indeed the road from the bar to the court is often a short one for the commentators. All this amounts to a quest for democratic space by ordinary people. In spite of the control of the formal institutions, there still exist vigorous forms of political consciousness, made all the more sedulous because independent political consciousness is not condoned by the ideology of order.

What does the discourse portend for the future? In the short run, the practice of politics will continue along its present course. The existing social formation accommodates its own twists and turns so long as the ideology of order remains inviolate. The uneasy tandem between the state and democracy will grind on to its uncertain future. The contest between freedom and authority continues, independently of our wills.

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