

Library of Congress

Kenya Research project by Robert M. Press [see: Press, Robert M. (2006) *Peaceful Resistance: Advancing Human Rights and Civil Liberties*. Aldershot, U. K.: Ashgate.]

Transmitted to LOC February 13, 2011

Interview conducted by Robert M. Press (bob.press@usm.edu; press.bob@gmail.com)

Interviewee: Charles Rubia

Location of interview: Nairobi Club, Nairobi, Kenya.

Date of interviews: October 8, 2002.

Transcription by Robert Press. BP = interviewer (Bob Press); CR = respondent (Charles Rubia). Double ?? = unclear word or detail. Bracketed research notes are included. Some tape counter numbers are also shown. Some key points are in bold or underlined by the interviewer.

(See my notes for additional material at the start that was not tape recorded because he had not gotten to a main point and I wanted him to be at ease before pulling out the machine.)

Setting: It is an old colonial-style club. Inside you step back to pre-independence days, except the faces of the members are black. We look for a quiet corner in the reading room, but it is soon apparent that we are either going to bother the other Kenyans in the room, or I won't get candid answers, or they will be spoken so softly the tape recorder will not pick them up. So I ask for a private room. An employee brings a payment book for Mr. Rubia to sign, and for 1,000 shillings we are shown into the gaming room, empty, where we have a good conversation in normal tones that, on coming out, I realize the reading room readers probably couldn't help hearing anyway.

Bio:

Mr. Rubia, a former mayor of Nairobi (1962-1967), helped plan the first public rally to challenge President Daniel arap Moi in July 7, 1990 (known as the "saba saba" rally: 'saba' is seven in Swahili and it was held the seventh day of the seventh month). He was also a businessman; secondary school graduate only; lived in Nairobi 87-97 (except while in detention for 11 months in prisons in Naivasha and other places; Kikuyu; Anglican; member of the FORD 92 political party, then FORD Asili 92; then Kenya National Congress 92 (the party he ran on for Parliament – and lost); Ford Asili from 92 on; married during that period (wife died 2,000 related to trauma of his detention).

[Call for multi-party in his self-interest (rational choice?) to re-enter politics]

BP Why in 1990 did you decide to try to open up the system by having a public press conference and call for multi-party which was not popular with the government then?

CR First of all let me say that prior to 1990...

(Interrupted for sound check)

BP Was this a way of getting back into politics [his calling for multi-party elections with Kenneth Matiba]

CR Yes, but also it was a way of opening up the political front for everybody. Prior to 1991, when 2A was removed [from the constitution, thus allowing more than one party], there was only one party in this country, for many years [26??]. And the Party was becoming too dictatorial and not allowing any contrary views. And I felt, having been expelled from that party, I couldn't just keep quiet. Not just myself. There were many people who felt the same thing. And I thought perhaps if Kenya assumed a multi-party political situation, then there would be more political parties formed, and I, for one, would perhaps find a 'home.' [Rubia had been expelled from KANU in ??]. Much earlier he had been the Mayor of Nairobi. It's like if somebody kicks you out of his house, you'll come later on...to think of building your own house. That in a nutshell was the main reason I felt, as a duty to myself as a Kenyan, to campaign for a multi-party situation. That was primary [reason] no. 1. There were many other reasons, but that was the main one. The avenue of expressing our views had to be done through a political party which wasn't allowed before then. I had to think of doing something that other people – of the same mind-that we could get our country to a multi-party situation.

BP Once Kenya got to multi-party...did you run for Parliament?

CR Yes, I did in 1992. The intricacies of the elections then, from my point of view, were completely disappointing to me because whether by design, emanating from KANU side or government side, using the government machinery, the Party called FORD, of which I was a member – and in fact I was chairman of its fund-raising committee, had [been] denied registration. And they went on denying it until very late. In the meantime I thought because under the constitution of Kenya one couldn't stand as an independent candidate; one had to have a party to sponsor him. So I thought if this party is not registered in time, FORD, it is advisable to look for a party which had already been registered and try to use it for the campaign. Now that is why I fought the election under a party called Kenya National Congress (KNC).

[TACTIC/STRATEGY: stay legal, seek change; use international and local press]

BP I'm interested in understanding the various tactics, strategies that try to bring change. Did you figure that a press conference was an effective strategy to try to bring about multi-party?

CR Yes, yes, indeed. Officially international press – and we had good support from the press generally – and our first international press conference, which was held May 1990 at the New Stanley Hotel was very well covered with Mr. Matiba, the two of us. We got together, Matiba and I because we tried to get others to come along with us for this crusade. And a lot of people chickened out. Surprising... **We really risked our necks** because it wasn't a joke at that time. **Immediately we were detained**, as you may know. There was a lot of campaign[ing] in the country. Moi and his government were touring the whole country – in fact every Province was visited – and with big rallies organized to castigate us: Matiba and I.

[Matiba and Rubia instigated their call for mp themselves]

BP There are a couple of versions historically. I need to talk to you because you were the one involved. Some people say you and Matiba were the kind of people convinced to go forward and others were convincing you to do that. Is that true?

CR No, no, no. We decided what to do on our own, based on public opinion.

BP There were not other people who tried to convince you to go public and they said, you be the one, you do it.

CR Huh-uh. But I would say those who did not come along with us at that moment were just scared.

CR I would say the press generally and in particular overseas press. I would put it that way because the local press picked it up, but looking over their shoulder [to see how far they could go??], mind you. But the overseas press didn't have to look over their shoulder. And they were represented at that press conference. It was very well reported. In fact, the same day, there was...Voice of America, Deutchevilla [??], BBC and so on.

BP It made an impact.

CR It made an impact (emphasis)

And one day –Ken Matiba and I had been friends all these years, - and we just met one day in our office and said: we must (emphasis) do something about this. So the idea is not as if we sat down and analyzed pro and cons. We said we must do something (emphasis). Everybody is complaining. And off record I can tell you

[Tape shut off]

[Tape resumes...]

[Willing to take a risk]

CR It was said that the country was really lacking leadership of that nature, of being brave and to the point. And we decided to take the risk; put our neck in the noose, as it were.

BP One can say in a general way that perhaps you were trying to make it look like you were more than just Kikuyus but others were not ready at the time.

CR Yes, that is very true [although] people give different kinds of reasons.

BP So you went out on your own; you put your neck in the noose.

CR And we had our first press conference in May...at the New Stanley which was widely covered.

BP It was full of press.

CR Ah, yes.

BP Do you think the international press played any role in helping bring about multi-party to Kenya?

BP Did you get any support from Kenyans once you announced this?

CR Oh, yes. Many people supported our move and we were very, very encouraged by the response of the people.

[Measure of public support: talk; attendance at rallies/riots country-wide]

BP **How do you measure that response:** did people send you letters, talk to you?

CR Well, it's mostly talking; **talking to people.** (pause) Yeah, it's talking to people – having little meetings here and there with people, and they were very encouraging. I cannot say that we had so many letters coming and supporting and so on, but it was very well received. There's no doubt about it.

BP You **held a second press conference not long after that** which was more on the issues. And as you said earlier, using public documents; no personality attacks.

CR No personality attacks...you see, we were determined to challenge government on its own record, and we depended very largely not just on what we were able to be given by some people in government, but also government reports, like the Public Accounts Committee and so on. Public documents.

115

BP I'm trying to understand what made the government change; what made the government go multi-party?

CR I think it was that the pressure was so much. Because **we issued altogether about three press statements and then finally we decided to have a big political rally at Kamakunji here in Nairobi. Saba Saba.**

BP What was your strategy there.

[Strategy: countrywide rallies; all aborted]

CR The strategy was we would have eight public rallies, one in every province. We would start with Nairobi. And Nairobi, being my town, Matiba and I agreed that I would seek the license from the government for the Nairobi meeting. So for the Saba Saba meeting, I actually applied [for the license under my signature...]

BP You were the former Mayor.

CR Yes. From 1962 to 1967.

BP So you went in and applied for the license.

CR I applied for the license under my own signature and the speakers were going to be Matiba and myself for the Kamakunji rally.

BP The purpose of the rally?

CR ...to discuss development (laughs)...development of the country and the economy.

BP I don't think you convinced Moi of that point.

CR But the response was fantastic. People were prepared to come and they did come, although we were locked in [detained on the] 4th of July, 1990. Our rally was going to be on the 7th of July, 1990.

BP Did you call off the rally?

CR Well, because we had not received a permit for it...since we had not received any license to have the rally, we were calling off the rally. Now, that went to the President on a Friday; unfortunately we were locked in on a Thursday.

BP But did you call off the rally before you were detained?

CR Oh, yes. Before we were detained. **We were detained on the 4th, but the whole day we were free. We sent the cancellation order the same day.**

BP Just hours before you were detained?

CR Before we were detained.

[STRATEGY: stay within the law: called off rally; more radical activists were critical of this]

BP **What was your reason for canceling the rally?**

CR The reason was **the permit had not been given**. That was the only reason. We did not do something too radical. **We wanted to work within the law**. We kept on repeating, whatever we do would be within the law. **And I think this is what broke Moi's morale**. He didn't have any reason not to let us do what we wanted.

BP But people showed up anyway [despite the cancellation]...in good numbers.

CR ...we knew later.

BP And you are aware that **there were riots around the country** [in the aftermath of the rally.]

CR We came to know that later. Mind you, while we were in prison we developed some friends among the wardens, and they would whisper something in the ear...

BP **What was your reaction that people did come to the rally? And all around, in various cities, there was massive demonstrations.** What was your reaction?

CR My reaction was satisfaction. Satisfied that we were never wrong in our strategy and that we have the full support. [In a nutshell] it was a very timely move on our part. The public was with us, the whole idea of multi-party. So the population...

BP Could you explain why you [chose] May 1990, that year and not two years earlier?

[TACTIC – “reasonable” protest within the law]

CR **I don't think I can find a reason why we didn't do it earlier, except ...grumbling and doing nothing about it was not the answer.** And yet you don't want to do something which is unreasonable.

So the right thing to do is to ask for the right to have more political parties. Because that was the [focus] of our whole thing. As to why it happened then and not before, I don't think I have an answer for that.

BP What I'm thinking of is the world situation. In '89 the Berlin wall fell down; Communism was over; the West stopped using Africa as a battleground against the Soviets and showed some interest in democracy. And whether that was a factor in your decision.

CR We must, perhaps not consciously, have been influenced by the outside world. There was a lot of talk in many other parts of the world.

BP But it wasn't on top of your mind.

[World events not prime reason for timing; but they were aware.]

CR It wasn't. But for us, multi-party was not a unique things for Kenya; it was happening all over the world, throughout Africa. So I think to that extent **we were influenced by, perhaps unconsciously, what was happening around Africa. Dictatorship was crumbling.**

BP **And you paid a price for that. You were in detention for what, eleven months?**

CR I was in for eleven months.

BP I don't think there was any torture involved in that period?

[Health deteriorated in detention]

CR No, other than...what happened, I got very ill...in prison... I was released for medical reasons...my doctor, together with the two government doctors certified that if I don't go for this operation, I could die. I was having problem breathing and even to sleep was impossible. I would lie down and find myself choked. And I would sit up and breathe

BP Do you link that to the conditions of the prison?

CR Well, frankly, and I have never written this off my mind, there could be a case to sue government for it. Now I think my illness was brought about by the change in life style...first of all I had never been a prisoner before. There I found myself, take off your shoes...then I had to be barefoot...a bit later the doctor recommended I get some sandals.

BP What did you sleep on?

CR **You sleep on the floor...it was cement. And this was in Naivasha; and July [in Kenya's winter] is a very cold month...**I was there for about a month. And **I became very, very sick because of sleeping on the floor.** They gave me about five blankets. One I rolled as my pillow, two on the floor, and I think two I covered myself.

[Rubia less active after detention]

BP When you came out, you get your medical treatment. You ran for Parliament in '92. I don't have a full record from the *Weekly Review*, but I don't see your name as prominently after around 91 or 92. Can you explain that?

CR Yes. There are, I think, two reasons for that. One is I stood on a Party that was not very well known: Kenya National Congress. There was in my view a very deliberate effort on the part of my political opponents, including government, to black out my political activities. I may remind you that there was this YK92 team which was very active for KANU and so on. They were using a lot of their funds. So that is one reason. The other reason is that Matiba was telling me by a bit of luck that his party [got] registered in time, just before the deadline came. [This could be seen as a shrewd move by the President to divide the opposition even further.]

[TACTIC for multi-party: build support for Matiba]

Now, let me explain. FORD was one, then they split; one became FORD Kenya, the other became FORD Asili. They were not registered yet. Government said we will register you but look for other names. That's why they picked these two names. This was a few weeks before the nomination. And then FORD Asili was registered when I already committed myself in the Kenya National Congress. So in a nutshell, I find myself fighting the candidate which was adopted by Matiba's party. And Matiba's euphoria, which I helped to create, I created actually Matiba's euphoria because he was sick in London. I was recuperating here; the fellow was gone. And I created the euphoria; unfortunately at the right time I wasn't in that party.

BP You helped make the wave that washed you over.

CR That's right. That is exactly what happened...

BP '92 – after that you don't hear much of Charles Rubia. Is it retirement time? Were you tired, threatened...what happened?

CR I think after that I played it down myself for several reasons. One: somehow I felt after the general election of 1992, my own friends and colleagues in the battle, or in the fight had blackmailed me, and betrayed (me). For that reason I played [it] low for a little bit. The other reason was that I had a very sick wife. My wife was terribly affected by my detention. So when I came from detention, she was a very sick woman.

BP Had she been sick before you went into detention?

CR No, after, when I went to detention. She was affected by that and she developed all manner of illness, including high blood pressure and so on and so forth, which culminated in her death in January 2000. So I had this problem of my...family, wife's illness...so I couldn't spend much time on politics, in addition to the fact that I felt betrayed, blackmailed by some of my own colleagues.

[Political Culture: backstabbing]

BP Why would the later thing happen? I mean you had stepped out and risked – you weren't necessarily challenging their right to be elected; you opened up the way to be elected. Why does that happen in Kenyan politics; people seem to stab each other in the back rather than helping each other?

[Nationalism defined: beyond self-interest]

CR It's an unfortunate quality or rather character which was very prevalent. And I hope it will not develop into a culture of Kenyan politics in the future. Because it means that people lose the meaning of - what is nationalism. Nationalism is not just about myself; it cannot be. If you want to think about yourself only, then you can't have nationalists. And I regard myself as truly nationalist because I risked my family's welfare... and all I wanted was to see change and a good life. I wasn't sporting for high position. As a matter of fact (with emphasis; he verifies to be sure I am recording) **I had already given my support to Matiba, that he would be my President; I would campaign for him.** That I had already made clear to him and those of us who were together in that Forum (FORD). And I can say, frankly, I did a lot of work to create Matiba's possibilities of becoming the President of this country. He was in Britain, recuperating. I was here very actively, really, working for him, but somewhere on the line, politics in Kenya being what it was, there was a little bit of blackmailing.

BP What was the blackmailing; how could they blackmail you – on what issue? If that's too personal, I'll turn it [the tape recorder] off.

[TACTICS – government: protect Matiba to avoid backlash from the public if he died]

CR There was a blackmailing which may have been introduced to some of our colleagues unconsciously by the enemies of our crusade... Now, let me explain that one. Very recently, there was an article in the local newspapers; it started in the *Nation*. I can't remember the year but I think it was a year ago, where a lot of revelations were made as to how the government of Kenya, KANU planned to the point that they made sure Matiba was protected. And there was a committee headed by Professor Mbithi, who was then the head of the civil service; a committee to see how to defeat this multi-party euphoria. And one of the points they made was that Matiba must be protected, by all means, by the government... That was one.

BP For what reason, so he could divide the vote?

CR Because I think they believed he wasn't well.

BP And if he died, it looks like he's been killed.

CR. Right. So, in a way, I think some of these seemingly crude moves by government were designed to penetrate the Matiba euphoria and destroy it.

BP Like what, you mean allowing the party to run?

CR (long pause)..yeah, I think so. Like...they allowed him to do whatever he wants. And yet they were not giving full right. For example now, here's a party called FORD Asili. It's not registered yet but the government allows it to – to exist. And in fact...they call it unregistered FORD Asili. And it carries on. The government doesn't clamp down...why? The government has a psychological reason: as long as he's there (laughs), they can use his qualities [??]

BP It's tactical cooptation; divide and rule; basic rules of politics. And I mean the President did win...twice.

CR So, I think that's all I can say about that one.

End of interview