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

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

Location of interview: Nairobi, Kenya; in his second floor office.

Date of interview: October 7, 2002

Interviewee: Bethuel Abdu Kiplagat

Former Permanent Secretary, Ministry of Foreign Affairs and International Cooperation (1983-1991) under President Daniel arap Moi; helped negotiate peace in several countries, including Sudan; helped with conflict resolution efforts to stop the post-election violence in 2007-2008.

Interview was conducted, recorded and transcribed by Robert Press. Q = Robert Press; BK = Bethuel Kiplagat. Researcher's notes, underscoring for emphasis and reference, plus some tape counter numbers are shown.

(He greets his visitor on the ground floor then bounds up the stairs, two at a time, to his office, closes the door, blocks his calls, then settles in for a candid insider view of the Moi regime, where he served as Ambassador to France, High Commissioner to the United Kingdom, and from 1983 to 1991, years of high levels of abuse of human rights, Permanent Secretary in the Ministry of Foreign Affairs and International Co-operation. After leaving government, he continued to devote much of his time and energy to his passionate concern for peace and ending conflict in the region, including Sudan and Ethiopia. The interview, he said, is on the record.)

Q. What pressures led President Moi or the Moi government to adopt multi-party in 1992, announced in 1991? Was it activism, donor pressure [cut off of new funds November 1991], was it the *Kamakunji* aborted rally [November 1991]? From the inside, what was the kinds of – how were those things seen at that time?

[After '82 coup attempt, Moi assumed more powers and focused on security]

BK I think it was a combination...

...and we need to go back a little bit; not too far back, but a little back and that is...I think we need to go back, slightly back, to the attempted coup of '82. That's really where things started. [Kiplagat was part of the Moi Administration at the time, having begun the first of his two envoy postings in 1978; at the time of the coup he was the Ambassador to the UK]. From that moment on, the President and the government were looking at security issues, [were] really concerned about security, that people might begin to do, to create chaos in the country. And the government now started being very tough in one way and tightening the control on security. Certain laws were passed. You remember immediately after there was elections of, snap elections to clean up the situation. I think it happened in '83. An election took place; it was not supposed to have taken place early.

But '83 sought out a new government. And with that new government you begin to see the Executive taking more power into its hand.

[Moi takes control of the Party – and thus Parliament in the one-party state]

The way this was done was, first of all, to control the Party [KANU]. So the Executive launched now a campaign to streamline the Party, strengthen the Party and control the Party. How did they control, how did he, the idea that came up for the control of the Party was to set up a disciplinary committee that for anyone who speaks out against the government policies or is critical or seen not to be towing the line would be brought to the disciplinary committee. And it was chaired by, what was his name... a Luo member of Parliament. And they did. And a number of people were expelled. Being a one Party state, by that time it was de jure [by law], being a one party state, anyone who was kicked out of the party was really disenfranchised; you are out completely in the cold. The man was called Amayo[spelling??], but you can find his other name, his first name. But he was a Member of Parliament think he became a Minister or an Assistant Minister. And he chaired that meeting. So that was one – to control the Party. And with the control of the Party, you control Parliament. So still Parliament was under the President anyway. It was not so independent. But occasionally in the past, Parliament, particularly the back benchers, were beginning to assert their own power and responsibility. [George Anyona and the 'seven' something spoke out in those days before 1982, though they, too ran into strong criticism and condemnation from the government.]

[Moi takes control of judiciary and other key posts]

So that's... a very important turning point. But '82 was the main turning point. And then, now you see the various steps. But first was the Party. After the Party the President started now to look at the judiciary and that is when he passed – Parliament was requested to pass or amend [unclear], in a very, very short time. Amend the constitution of the country to remove the tenure of service of the judiciary, the attorney general, the head of the civil service, and also the comptroller general [in 1988?? Verify]. Then you can see that the Executive was really trying to take everything, controlling everything.

[Opposition grows: Mwakenya?]

During that period there were people who were not very comfortable – from university. There may, or may not have set up this organization called Mwakenya.

[Torture]

And people were arrested during that time. They were taken to court and tortured; some of them were tortured. And they made confession. Whether they were involved or not involved is something we have to [question]. And many were, quite a number, I think it would be helpful to your thesis, to actually get numbers; they were locked up for five years, six years.

[Detention]

The law, the detention law, was still there. So this was used, also. And quite a number of people were locked up. At the peak I think there were 14 or 15 when I was there. Fourteen detainees. Never misused (emphasis), but it was misused in the sense that these

were people at very high level, politically, considered to be [unclear] the opposition or [unclear].

[Rigged election of 88 exposed by resistance to government: voting their minds]

Then the next step was the election of 1988, and that election, as you know, was done through the queuing system. And I would say the accumulation of all of these things came to a peak in '88 where the elections – when there was rigging it was so obvious. Many people knew, because people were standing in a person in a longer queue lost the election; a person in a shorter queue won. But what made things even more difficult is, there was a law passed, I don't know if it was in the government itself, but a law passed that if you have any complaints, you must report the complaints to the Chairman of the Party, the President of the Party. And the matter should be dealt with within 48 hours. But you can check again the time; it was very short. If you do not bring that matter out within that time, then there would be no case you can go forward.

BP And that was go to President Moi himself?

['88 queuing election rigging led to first wide demands for change]

BK Yeah, yeah: directly. You must get in touch with the President, directly; I think it was directly, but you can look at the law; it was in the papers: the Nation, Standard, in the papers. So that was – 1988 elections. So if you look at those elections, there were very few cases...and I think in many ways this blocked, acting as a blockage to grievances that existed and hence the beginning, if you like, of people clamoring for opening up of the system.

87 [U.S. human rights groups played “significant role”]

So the pressure did not come only from foreign...donors [which], to a certain extent were raising questions; human rights organizations from the United States - the U.S. human rights played a very significant role...in that pressure.

[But domestic pressure was also key]

But there was an internal pressure: churches coming up. And in the end, after 1988, the pressure was so much the President decided to establish a Commission, called the Saitoti Commission [headed by Vice President George Saitoti] to look at – consult with the country to find out whether they would endorse the queue voting system or go for secret ballot. And when they went around the country, what they heard was not just only 'we don't want queue voting,' but 'we would prefer an open system, a multi-party system.'

[Cold war ends: West shifts agenda to democracy]

Now all of this coincided also with the collapse of the Communist system in Eastern Europe; the Berlin Wall 1989. That accelerated [pressure on authoritarian regimes] because the Western world now no longer was putting pressure in Eastern Europe to become democratic. This became The (emphasis) agenda. Not security. You see during the Cold War period, the West had full security/development at the top of the agenda. After '89, this shifted. And now it was democracy/good governance/privatization of the economy. So that was the agenda. Before that, nobody was talking of privatization and

they were not putting too much emphasis on democracy, multi-party democracy, on the part of the donors. I was never under pressure in Foreign Affairs [where he was Permanent Secretary] to say, you know, you open up the system. They [donors] accepted the system [of authoritarian rule prior to the collapse of Communism]. It was accepted. So...later they came up on the question of human rights, of detention.

[Pressure from abroad was piecemeal, ineffective: didn't call for law changes]

But they were not putting pressure on us to look at the policies and the structures of the state. All they were saying is don't misuse the laws that you have. So don't detain people. But they did not put pressure on us to change the law.

***[Kiplagat asks Amnesty to put pressure on Kenya to abolish (or modify) detention law]**

And in fact I raised this point when I was in London with Amnesty International when I was Ambassador there, High Commissioner. I received letters [from Amnesty] asking that people must be released [from detention]. So one day I organized a meeting; I went to see them in their office, the Secretary General of Amnesty. So we had a very good discussion. And then I told him, you know, really you are not helping us. He was a bit surprised. I said, I'm not interested in these detainees. That's not my priority. He was a bit shocked. I said, no. What you should be doing to me is to give me an alternative act, a security act, which is not for detention. But you should not only look at Kenya; you should look at the whole continent of Africa. You want to know how many countries have this detention act. Because that is what the government is using. The government is not acting illegally. They are acting legally, but it can be misused. So, what you need is to really work hard, find out which countries [have detention laws], hold a pan-African conference [and call for those countries] to modify, or abolish. They did not. It was a pity because I really, I wanted them to put pressure on us so that we can remove or modify the Act itself.

[This (above) was a kind of "activism" from within the Administration regarding human rights. Amos Wako, briefly, made a push for more human rights in releasing political prisoners – though this undoubtedly had the blessing of the President and came only after considerable domestic and international pressure, especially the very public and image-damaging strike by mothers of political prisoners.]

140 BP So the international pressure that was on Kenya was more of a piece by piece, person by person pressure.

BK Yeah. It was at that moment, you know, why are you, why is so and so in jail; please release [him]. They never raised the question about the Act. Whether it is Zambia, or Tanzania, or Nigeria, Ghana, where people are being detained, they never raised that question. So I said: raise that question; that's what I'm interested in. I'm not interested in [John] Khaminwa; there was somebody named Khaminwa. I said that's not helpful because tomorrow Khaminwa is out, somebody else, John – will go in, because the government will use the Act.

BP So when you analyze pressures, individual pressures or categories of pressures led to that multi-party decision, what would...

[Pressure from politicians who had been “locked out”]

BK The thing is, people who had been politicians, who had been marginalized, who had been locked out of the system, began to put pressure [on the system]. People like [Raila] Odinga, Odinga’s father [Oginga Odinga]...people like [Kenneth] Matiba, who were not comfortable, who were not happy, they began now to agitate. And quickly (emphasis) the thing began to get momentum because of all of this development.

BP The international and domestic –

[Individual activism from individual Bishops, not the church as an organization.]

BK The domestic (emphasis). The churches were very vocal. [Bishop] Henry Okullu was at the forefront of this. Bishop [Alexander] Muge in Eldoret was at the forefront. Bishop [David] Gitari did a marvelous, excellent job. I would say those three.

BP [Rev. Timothy] Njoya

BK Njoya, yes, also. But the weight (emphasis), really, were those [three]. The Catholic [church] also came out with pastoral letters, collectively, but not at the forefront like these three.

BP These were individuals who spoke out as representatives of their churches.

BK They spoke out of their churches. We don’t know if they spoke out as representing – **they were not really representing, they were representing their own dioceses. Because the Anglican church never sat together and came out with a statement. These were Bishops.**

BP From the point of view of State House, for example, how were these various pressures ranked: activism, donors, international pressures or whatever. Which ones sort of made the most difference?

[Activism plus donors needed for change; but domestic activism must come first to be effective]

BK (quietly) Ah, it would be difficult to tell. I think when the international community began to put pressure – no, I think also internally. I find it very difficult to see which one was [more significant]. Because without the internal, you see, when people like Matiba, and Odinga and Gitari and all of these people begin to agitate, people are also running through the streets; there were demonstrations. The Western world found a handle to use. And its much easier to use that handle than if it were empty. You see if there is no internal pressure, it is very difficult for the West now to put too much pressure. So the idea of having civil society, groups of people, a freer press, developing in a country is very helpful for changes. If you don’t have that, its very hard for foreigners to come in and start saying, you change; you must do this. They will in the end, but it takes longer.

[In Malawi the donors pushed first, ahead of activists, according to the Brown dissertation]

[President reacted, did not plan response to criticism]

BP Was there any kind of strategy, strategizing going on at State House where the President and his associates were responding to individual activism pressure, speaking domestically now, trying to counter it.

BK Not really strategizing as such. They were counteracting all the time by just coming out with statements in public. Usually it's the President himself, or a Minister will attack a church leader or criticize a diplomat who had said something, or criticize the international NGOs, they will attack the NGOs. And you know there was always reaction, not pro – You see all (emphasis) the time there was no strategizing. And I'm afraid this [unclear] has remained up till now [October 2002]. And when Saitoti Commission was established, I went to the Commission and I spoke at the Commission. And I suggested to the Commissioners that A. Any diplomatic – I don't know if they taped my statement; I'm sure it was written – but I was, I gave them a brief of what's happening in the world. And then I said, well queuing is out. We can not go on with queuing, No. 1. And No. 2, changes are inevitable, namely multi-party is inevitable. [This was in either 89 or 90; verify].

BP Did you receive any in-house [government] rebuke because of that statement.

[Govt official gives a minority acceptance of change as “inevitable.”]

BK (very quietly) No, I didn't. But I think from then on people were not happy with what I said (very, very quietly), because I said multi-party is inevitable. I didn't use the word multi-party. At the end of my statement I simply said, there are changes that will happen, as it has happened in Romania [this was a somewhat frightening scenario from the official Kenyan point of view because in Romania the people had overthrown the government and killed its Communist leader], Czechoslovakia [where a people revolt had brought in a new government], Eastern Germany, and the violence, as it were, is jumping over and coming to Africa. **So, I recommended to that Commission for the government that we should – that change is inevitable. It would be better for us to manage us than to let the change manage us.** That was my statement at the end.

BP In fact that's not the advice that the government took, though, is it.

BK No. Up to now we are reacting instead of strategizing. I don't know if there is even a group that is strategizing, but there wasn't. We used to meet and discuss: now what do we do here, what do we do here. You take an advertisement in the newspaper [??]. It didn't help.

[Public relations firms hired by government]t

You know we had a – one of the ways in which we reacted was to hire public relations companies in the U.S. and also in Britain to help us with contacts with the press and

publicity and all of that. But I don't think it helps. You have to change. It's all right but its not sufficient.

BK No, no. Because if you to [a] major [plan on dealing with change] you strategize in actually saying what are the changes that are going to come: multi-party is going to come; what do we do, between now? And those places are going – what are the things that might come? And how do we plan in order for us to be the one [acting, not reacting?]. For example, we were sitting down...with some people in government; not so official, but discussing. And I said: look, multi-party is going to come. (very very quietly) If it's going to come, we now go to the country. The President comes out with a clear statement taken it to Parliament and says: We accept multi-parry; however, we would like three years. So we organize it instead of having it in 1992, we shall have it in 1994. And these are the things we shall do: we'll look at the constitution, we would look at this, we would look at that, before we have those multi-party elections. This will be the strategizing of registration of parties, this is what we will do. We need too many parties or do we reduce the number of parties. Is there a limit. Do we have independent candidates or we don't have independent candidates?

[At this point the tape, temporarily, records nothing; the following is from my hand-written notes taken during the interview: these are paraphrased remarks except inside quotation marks.]

President Moi had a choice regarding his “legacy – acceptance of human rights and multi-party as a basis for managing the country” or not. As he prepared to leave the scene he had the option of leaving as a “father figure,” embracing change, or in a drawn-out struggle to resist change. [Moi chose the later.] Why didn't he accept change? Because of his love of “power” and desire to remain in power.

There was no substance that he knows of to reported rumors that Moi, facing his first competitive election, was considering turning power over to the military and being protected by them.

Torture stopped in Kenya because of the Berlin Wall/fall of Communism, with the West beginning to pay more attention to human rights issues. The press played a key role in this new awareness of abuses. Moi was mad at Kerry Kennedy, who criticized the regime's human rights record [when she and her mother came to Kenya to award Gibson Kamau Kuria there award after he had been denied a passport with which to go to the U.S. to receive it.]

Donor and human rights “pressure was on. We said we can't hold all this [back].”

290 (tape resumes)

BK There was a change in Africa as well, globally, and this was also happening in Africa. And then the southern Africa scene. Also I think it came a little bit latter, the release of Mandela, discussion of multi-party. All of that has something to do with it.

BP Before we go to IPPG, **what particular tactics on the part of the activists do you think might have had some noticeable effect on the State House?** They tried law suits, marches, rallies, complaining to U.S. Congress; they tried a variety of –

Tactic most effective: “combination” of internal and external” pressure.

*BK. I think it’s a combination. I believe it’s a combination of all of these things. **Let me repeat again: mainly (emphasis) the internal pressure and the external pressure, combining (emphasis).** And this could be a tactic: if you want to bring about changes in any of these countries. That combination is important; without it – If its only external, its not enough; if its only internal and the government is really, really strong, they [the incumbent regime] will not change. It’s very important that you have those two. Look at Sudan today. [??]

BP That’s a very key analysis.

[In other words:

civil society	international pressure	Govt reaction
weak or strong protest	none	no change
none	weak or strong protest	no change

*weak protest	weak protest	no change
*strong protest	strong protest	change

*(my addition to Kiplagat’s analysis above)

BP What led the President to endorse an IPPG [Inter-Party Parliamentary Group ??] approach after there had been a sort of citizens’ constitutional meeting?

[Authoritarian President sees no role for civil society, ngos in democracy]

BK Because the President was being faithful to what he believed. A: he did not like civil society and NGOs for what they had done all these years. They have been critical. When you say NGOs...not NGOs but mainly the churches had been coming out very well organized. So he saw their hands in all that – and he didn’t want to – **he never really accepted fully that the civil society and NGOs can play a role.**

The fact also that donors were supporting the civil society, NGOs made him very angry because they were withholding money towards the government. Also some of these NGOs were around in the rural areas working in some of the constituencies where they may have given the impression of supporting certain politicians and not others.

[Donor Tactic/strategy: shift from development to governance, policy]

Then also the NGOs, you see, moved from development to the area of policy/politics: into election monitoring, to governance, to law, legal; donors were not doing that – then suddenly they shifted completely from...I’d say ’90 was now when they fully began and they pulled in a lot of money. And in fact if you bring in a project on agriculture, that was not a priority. The priority now was on governance, on peace, on governance, security. Security came later...I would say by 1995 beginning. Now they are in it. And I remember one time in talking to a British Ambassador, or diplomat.

[Donors slow to support judicial overhaul; and political party structures as Kiplagat sought.]

It must have been '88. And I was telling him really what we need is an overhaul of the judiciary. And...if I would ask a donor to focus on the judiciary, the judicial system, because if that works, we can be assured of a democratic system, they would say, no, we are not sure we can do that...But in the end they came round. Then I raised another point among donors, and I was asking them: please invest in the political parties. They said we can't do that. I said how then will you have a democratic, multi-party system if the parties are not democratic, if the parties are not well-run. You can't (emphasis) if the parties don't have finance. How are you going to make it democratic? So it will be the person who has a lot of money who is going to use that money, he will make it [the party] his own instrument for his own election.

BP I never thought of you quite this way, but would you consider yourself a **human rights activist within government** during that period?

BK (very quietly) Oh yeah, I suppose. (normal) I believe in some of this thing. In fact, as I'm telling you, I went to Saitoti Commission and I made those statements. And I was the only, I believe I was the only Permanent Secretary who addressed that Commission. And I say, look we need to change.

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BP The clashes. What was President Moi's role in the clashes?

BP Does mass action [protests] in '97 have any effect in terms of the President.

BK (very quietly) Yes.

BP Is that something [that is] an effective technique...

BK In fact what people come up with is: the President only changes under pressure. You see again and again, even for the constitution to have come up...it was the pressure.

BP First domestic, then internal [I meant international].

BK [unclear] more with external pressure [??]

BP Did you or anyone else have conversations with Moi before he decided to go multi-party which indicated this is why we are doing it.

BK Yeah, we did.

BP What did he say?

BK Oh, he listened, but he was against multi-party. Then a number of us went to him that morning [the day he announced Kenya was going multi-party, at a conference of KANU] and told him: Mzee, it's better you do it [accept multi-party].

BP So he really hadn't made up his mind before that morning.

BK Oh, yes he had.

BP He had?

BK Yes.

BP Do you know when?

BK I don't know when...the night before or even – you know he thinks over it but he always leaves himself room, just in case he sees the trend he might change. So he's not the kind of person who would make it [a major political decision] on principle, as it were. The only principle he had was: multi-party was not best for us. That (emphasis) he has a deep conviction [unclear]. So he wasn't even sure of opening up. He's hoping maybe certain events will take place to prove him right. Therefore he will not need to make that difficult decision. But, the pressure was on, internal, external. As I said, we went and we talked to him and said it would be better [to accept multi-party].

[If Moi had made up his mind to go multi-party, he might still have been unconvinced that he had to do so immediately. It is possible that the conversation between Moi and his aides that morning before his decision-announcing speech, convinced him that now was the time to act.]

BP I've heard that the President has a tendency to make decisions based on the last person he sees him. He tends to move both ways, then go with the last piece of advice. Was yours the last piece of advice [to Moi before he announced, later that morning, that Kenya would become a multi-party state?]

BK You could say it was, but I mean he was also seeing the public there; it's possible, but not entirely.

BP Is that kind of a characteristic, would you say, of the President, making a decision based – that the last person who talks to him seriously would have a greater impression.

BK If he agrees with him; if he doesn't, he doesn't. If it's something he does – and if it's convincing, then he would go along. There is some truth in that. [Moi is] not [the] sort of a person who would make up his mind: he's sure; yes, I know I'm right. But if he begins to see the country is changing, like this situation now with Uhuru. He's seen the pressure. He's seen the people [opposing his choice for President, Uhuru Kenyatta], and he's uncomfortable. So his mind is working: how do I, what is the best [decision]. Or you wait till the last minute.

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BP Does he have as a motivation, a key motivation, which a lot of politicians do, and that is, retaining power?

BK [unclear]

BP I don't mean 2002 but the early 90s.

BK Oh yeah, that was clear [he wanted to retain power].

BP In other words there are principled decisions based on human rights. Did you ever hear human rights discussed as something that should be upheld?

BK In an angry way.

BP How did he view those so-called human rights.

[Moi "doesn't like" NGOs]

BK He did not like them. He felt that there was too much interference by the West. So (A), even if they're right, they're coming in – his reaction always is: they're trying to control us, dominate us again. And that has remained with him up to now. As a matter of basic principle, he doesn't like them [NGO's]

And he's not the only one in this country...

BP Yet at times he seemed to yield to donor pressure?

BK (very quietly) Well what do you do? What do you do?

BP Because he needed it?

BK (quietly) ...we need it...Unless you are very strong economically, that is the tragic [??] of the West, too. Yes a **commitment to principle** [in this context he refers to human rights ??] , **but when it comes to application, their own security and interest comes first.**

BP Western?

BK Yeah, America, British, the whole-

[Moi disliked U.S. Ambassador Hempstone]

BP Hempstone. What was his [Moi's] reaction to Hempstone?

BK He didn't like him.

BP Why

BK Because he was speaking publically...criticizing. And I'm not even sure if the diplomats, American diplomats, were 100 percent [behind him]...

BP Some were not

BK I don't think they were happy with him. Because he didn't behave like a diplomat. I mean he went out, he associated openly, he spoke openly. Maybe it was the right time to have him, but of course he irritated (emphasis) so much, the system.

[American confrontation on Kenyan human rights might have slowed change]

BP Do you think he had any effect on the change of the system?

BK [Yes] America is strong. But (emphasis) it may have taken longer; [he] may have slowed it because of that [his open style]. You know, you every morning you wake up, here is Hempstone; he said this...criticizing. (pause)

[How do you change authoritarian systems?]

But that's something which one needs to look at over the long haul: how do you influence African [regimes]. How does one bring about change?

BP That's the question I'm looking at. If you had to answer that question in a seminar where Kenya was the topic: how was Moi influenced, how would you respond?

[TACTIC for change? Quiet diplomacy]

BK [whole section spoken very quietly in low tones; this is vintage Kiplagat the Ambassador, the professional, smooth speaker, the international negotiator in conflict speaking, calmly, gently]

You know what I, in fact I did tell them [who?]: you need someone to No. 1 know the culture of the [people]; the psychology of the leader, where they have come from in a political [sense]; what 'baggages' are they carrying? Two, once you have known that, bring in somebody who will make friends with Moi, with Meles [Zanawi of Ethiopia] with [Yoweri] Museveni [President of Uganda], with [Nelson] Mandela [President of South Africa – check country title??] Not Mandela so much, they [the South African leaders] are more open. All of these things. Close confidant...

BP An Ambassador

[TACTIC: use outside, quiet, confident of an authoritarian leader.]

BK Not an Ambassador, because an Ambassador is official. You need somebody else, an outsider, who they will be able to work [with] and listen to, just keep on talking, calmly. These are the trends. You may get a bit upset; you go back, you come back again; you go back, you come back again. Because, any of the others would come in and it's a very official meeting; people give official answers. You don't get to the soul of the person.

BP Were there any persons like that in connection with Moi?

BK [On] that I'm not prepared to speak...even now, even at this crucial stage, if that person was there, the door is not yet closed. And he must be honest, he must be firm, diplomatic (emphasis), sympathetic, sympathetic, quietly, [hushed; goes inaudible]...

BP Someone who can listen and share ideas in a non-threatening way – an informed way.

BK A non-threatening way. Not aggression; not 'we will withdraw this'...because once that [diplomat] says 'we are not giving you the money because' –...

BP So dialogue.

[TACTIC: Dialogue with authoritarian leaders, not confrontation. This is opposite the view that he stated earlier, and below, that Moi acts only under pressure.]

BK Dialogue. Show them respect.

BP During the early '90s in Kenya, was there anyone sort of trying to do this in terms of a dialogue from the outside.

BK I was trying to mention to a few, to cultivate. I said you are important, keep in touch. If you need any information – Those kind of people their interests are more important than Kenya. So they didn't want to jeopardize in case it went wrong; they would lose. So they could not [unclear].

BP Did or does the President listen.

BK Oh yes, oh yes.

BP He doesn't get credit for that very often.

[Moi did listen]

BK Yes, oh yes. He would listen; he would listen. In that sense yes; if you have not gone in in an aggressive way; if you are not coming in with a policy. I mean, yeah, he would listen. And he would, likely – and if you keep at it (strong emphasis), the point you are making – And all politicians, if you go away now and disappear for three months, its gone.

BP Because you lose the momentum, the contact, there has to be a close –

BK If they are not long term [unclear]

BP Politicians are that way; they have to be.

BK They are not looking at the future – its now. Things [aren't] going well, they are very pragmatic: how do I survive this. OK, this is a brilliant idea; the other one has washed away, it's at the background; its no longer in front.

BP So do you think perhaps that looking back that some of the activists' confrontational tactics might actually have slowed things down?

BK Confrontations, in all of them [??]

BP They brought change. Some change.

BK But, at a cost.

BP What's the cost?

BK The cost is relationships [between whom??] Later on when they are making statements, they are attacking...the West [gets very upset] so they get upset, they are not forthcoming in development (strong emphasis) and so on, so it's a vicious circle. You get yourself into a tangle.

BP I don't quite follow that. You get the government angry?

[Bad Tactic: Diplomatic threats: slow down reforms.]

BK First, the government gets upset. The relationship is not as free. At least for Moi, for Mugabe, for General Rawlings to some extent. Here he is in a public meeting - cut off. You see, if he has been pressurized - If it has been sort of ...pressure...he would be very upset, and he shows it. Now that upsets the emissary. If suddenly he singles out these diplomats - or why did the British Ambassador say this? Then from then on they are watching him [the Ambassador], even if he meant well. You don't any more see; you put on glasses...and this is what is happening with Mr. [?] There is no music going through [??]

BP There's no dialogue.

BK No dialogue

BP Just competition. Authoritarian states are still plentiful. You've been involved with more than just one. If you were advising human rights activists on which tactics to use, and donors, what would you tell them?

[TACTICS for persuading authoritarian leaders outlined]

BK I would [take a] multi-pronged approach; not one line. One. Two, I would do whatever I can to strengthen the local, the people on the ground. I would go for the press. I would invest in getting good laws to protect the press. I would invest money to train investigative journalists who write in a way that the message came through. It's [an] investment.

End side A, tape one

Start side B, tape one.

0 BK Train. Train. You must never assume that people working in government – that it's a monolithic system. It isn't.

BP Even in an authoritarian system.

BK Even in an authoritarian system. It can not be. There will always be people inside there who would like to see changes. You need to discover who they are. And you will also give them training as to how they are able to get the message to the press, to the diplomatic world, especially to the press, to wherever it is that that messages can get out without them being – being in trouble. One.

Two: give them a handle which they can use inside. What is a handle? A diplomat will come to me, in a nice way and say: Mr. Kiplagat, you know, I'm afraid Parliament is going to discuss a case next week. It doesn't look very good because those people are being jailed, detained. And some information has got out that three of them are very sick. How can we help one another. And, please, don't you think it worthwhile – the pressure is on for these people to be released. He's not saying We Are, he's saying there is pressure from the public; here is an article. Maybe the Guardian has written or yourself, the Monitor...and you can see from the inside, yeah, there is a lot of truth in this.

(very, very quietly) You see, I go to a meeting [apparently within his government] and I don't, say, argue for human rights (emphasis). I say Gentlemen, ladies, you know the situation is not [good]; have you people seen this article?...And if you want to look at paragraph two, three, four five, it's the truth. So information is going out. This is not good for us. From my sources – I have got some contacts - ...if we did this, and this, and this, it would send a very good signal [to donors or activists?] They are willing... let's do it that way.

BP A way forward.

BK Yeah (loudly). OK, if they say they are sick [and] they are not sick, OK, but get me an independent doctor who will see them. Then let that doctor write the report. Have they got a family doctor? He says no problem, fine, yeah, this afternoon. I call the Ambassador, the diplomat. I say, here is a report from their own... family doctor. By the way, this [doctor] is totally independent...its done.

So we people work together like that. We begin now to bring changes. Once a good message comes. And then the diplomat comes to see me; and we talk and I say now if we get a letter or you organize your Ambassador to go and see the prisoners – this was very well received; very well received.

And why stay with this thing. And if you yourself take this up and we can help you bring a lawyer to amend these detention act to do this way, this way; to do this it needs such and such. Oh, go ahead. Bring the amendment to Parliament. Go again. Very well received (loudly), even better than the previous one.

BP That's dialogue.

BK So you dialogue, but you are moving a person, you are moving a person into [reform]...I'd have been working on Moi since 1997 if I was insider there [back inside

Moi's circle of Kenyan confidantes, as he apparently had been.] And then talk to Americans and say, why aren't you helping. What is a million dollars to work with him and establish an institution. Call it Peace something; he's keen on it. We begin to work on the implementation. You promise that you will give this money. He [Moi] helps us with the constitution [instead of trying to obstruct its discussion and later adoption]. He's getting out. You hear he's doing that with the Party, you run: say 'don't do that....' But there's no dialogue.

There's nobody, as far as I know, who is [unclear] looking at it with him. [unclear...we are reacting to events rather than going ahead and saying: leave nicely, don't impose Kenyatta. You can check with your intelligence. Things are not going well, Mzee. Put it this way, he would have done it. He would have done it. We'd set up this thing; we'd finance it for five years...

BP It takes somebody with diplomacy and vision. I'd better let you go.

BK But you need this dialogue – and also a way out, an honorable exit.

[Mother's strike was effective pressure]

BP Just one point that you mentioned. If I remember correctly; actually the President did release the detainees that the mothers were asking to be released. Why did he release them?

BK Because of pressure. Pressure. Pressure.

BP From?

BK Well, remember the mothers were in the Cathedral.

BP Was that seen as a kind of pressure?

BK And they took off their clothes, publically [a curse of protest that is traditional in Kenya (among just the Kikuyu?)].

BP So that was an effective technique.

BK They are there, in the [All Saints] Cathedral, in the basement.

BP I saw them.

[TACTIC Key: Local pressure – but at a cost; makes leaders bitter]

BK Again, and again, you can see that pressure, **local pressure** (emphasis). It really had an impact. There's no doubt; I have no doubt that a lot of these politicians – but at a cost (emphasis): people died; people died. They become hardened; they become bitter.

BP The officials in the government.

[Moi “bitter, angry”]

BK The leaders become bitter. Mugabe is a bitter man. He’s very bitter.

Moi is a very bitter man, very angry.

I can see Meles going that [way, becoming a] bitter man; insecure and bitter. Once they are like that they make decisions which are very detrimental to the country and to themselves.

BP Pretty much on their own.

BK They will be on their own. They become lonely. People begin to fear them; they act erratically –

BP So it’s a cycle.

BK - it’s a cycle. They act erratically; they don’t trust anybody.

END