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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](mailto:bob.press@usm.edu); [press.bob@gmail.com](mailto:press.bob@gmail.com))**

**Interviewee: Macharia Munene, Kenyan historian.**

**Location of interview: Nairobi, Kenya**

**Date of interviews: September 9, 2002**

Transcriber: local. I= Interviewer (Robert Press); R= Respondent (Munene). Multiple ??? indicate transcriber could not make out a word or words. Interviewer has made minor editing changes to make it easier to read the transcription.

I Dr Munene, how would you characterize the periods between 88 and 91 and 91/92 the kind of a transitional era. And 92/97, could you just give me a rough description of what you'd call that, each one of those periods, in terms of perhaps state impression of human rights, whether its high, moderate or low?

R Okay the period between 88 and 91, I think was the turning point. It was the real turning point in Kenyan politics of the humans rights issues. Because this is the time that it became normal to question the government and almost get away with it. Hmmm, before that before 88 everybody spoke in hushed tones what really did it was the attempt by the government to impose itself in such a way that it became ridiculous this was by imposing the mlolongo election, before the mlolongo, rigging took place but you could always say well we don't know whether that's how the votes were. But with the mlolongo everybody saw.

I How do you spell mlolongo

R M-L-O-

I M-L-O

R L-O-N-G-O

I Where's that?

R That's oh that's the Kiswahili word for a queue, a line

I Oh, that's, that's the queuing?

R Yes

I Okay

R So the queue , election

I Okay, the queuing election, in general

R Yeah, so we just call it mlolongo

I Okay

R It was a turning point

I Okay

R Because you had a lot of people say, wait a minute, we saw it a line was very short was declared to be the winner, not in one place, but in many places

I Okay

R In one instance, a person who had not been a candidate was declared a winner, and she came over and said, no, I was not a candidate, so I could not have won. So, (laughs) the whole was .. and then in my view, that undid everything that the government had been trying to do. It was meant to be a celebration of the ten great years of Nyayo rule, and instead, it became the year in which it started fragmenting , because now, more people gathered courage to say no.

I Yeah, Yeah

R It is also the year that one notes that Kenneth Matiba, officially resigned from the government for the 1<sup>st</sup> time, you had a cabinet Minister being announced as having resigned from the government

I In 88

R In 88. And that was because he was complaining about some rigging in the elections for the Kanu offices. So the very act....

I That was what his, his reason was..... over rigging in the elections?

R Yeah the Kanu elections

I Okay

R Because, , what happened after the, the, first general election, there followed, the, the, now the party elections. I mean the party elections, he complained he was rigged. So, as a reaction, he complained about it and there were some exchanges of words with other ministers. So he said, it is a matter of principle, so he resigned. And the interesting thing about the resignation was that, he it was done

before, I mean he did not want to be fired. He simply called the press and said, I am resigning. Because of the following

I Did that have any impact on the Kenyan public would you say?

R Oh yes, very big because Matiba became a hero overnight. That he can dare do that, and having been a very prominent minister, in the government, a very wealthy man who was in close touch with the president and all the other big – wheelers. So for him to come out in that public display, he was not one of the small disgruntled people.

I Okay, let me just....

R So why I say the elections, the mlolongo elections, was a major turning point and after that we can see a systematic build-up of more and more people becoming courageous, to question what was going on. You know that the other, there had been no questioning before. There were quite a lot of doubts as to what was going on

I A systematic build up of individuals, then really, not organizations at that stage?

R Individuals coming up. Systematically. But then it turns out that some of those individuals tended to be associated with something, aah with whether it's a bishop like Muge. It's something that Muge has a record of always speaking his mind. Whether it's somebody like Bishop Gitari. Always speaking his mind whether its Rev Njoya.

I Yeah

R Always speaking his mind

I Okullu

R And Okullu. Aah so you have this individuals who start now becoming vocal, more and more, in making statements that captured the public imaginations. it is Okulu who in December 1989, was saying you know the one party state

I 89

R 89 the one party states are collapsing and, essentially we should be thinking about.....and....but, there is Njoya who had a bigger impact, e

I He spoke the next day

R He spoke on the new years, new years day, January 1990 and that captured really, because he put it in such blunt language.

- I It so of the two statements, which are..are.. important here, as you saying ah it was really, Njoya's? It was Njoya's statement that really caught the public imagination. He didn't mince the, his words
- R No it was just blunt that communism is collapsing, communism was imported.... I mean, one party states were imported into Africa by Nyerere and Nkrumah, so the they are dying elsewhere, so they should go with those people. Ahm the immediate reaction was for all the ministers to condemn him, aah to demand that he is jailed, (coughs) excuse me, which was not ??? but there was , he appeared like you know here is a very courageous man although he had the record for doing that. Aah within we had, you know, built up , then we had that fiasco, the Ouko fiasco,
- I Yes, the assassination
- R The assassination and breakfast meeting in Washington and then , the subsequent death
- I One thing I have never stored, it's a historical anecdote, at this point, a footnote but I was never clear whether Ouko actually met with either the president or with some senior official separately from Moi. Do you know whether that happened?
- R I do not know whether that was the case but there have been rumours that he did, aah
- I Yeah, it's treasonable, Its treasonable
- R And it is possible given that he was a minister of foreign affairs, and he could have met with senior state government officials
- I Do you happen to know what it is was that split the two president eh Moi, I mean and Ouko after that period aah during you are talking about?
- R No the impression we get is that , , somehow he may, he might have got some favourable coverage. And reception in the 1<sup>st</sup> breakfast show I mean meeting had been not very well advised
- I Yeah
- R And to think, and if it had not been well advised maybe, such things may have been discussed with the minister, why did you people have to come, , knowing that it would not .... But I have ???? 065??whatever might have happened
- I Yeah, Yeah its interesting question

R There have been, there have been those allegations that he did actually meet with president Bush.

I Yeah

R That he met senior officials of Government, in Private

I Just never confirmed?

R Not confirmed. I have no evidence of the that.  
And if he met with them without, the president did not meet with the president in that capacity, then there could have been some ill-feeling Ah, what we know is that when they come back, he was given some time off and then he died, , in very mysterious circumstances. And smith Hempstone in his book gives the impression that it was actually the government that did it.

I Yeah, Yeah, and that was the allegation that was supposed that was reported about the Troon commission when it was when there were stories written about it.

R Yes, yeah

I Was, was, the Troon commission ever leaked in London?

R Most likely they may have some (?007?) about it, then I think the, the , Troon commission ....every every investigation was leading towards one direction

I Yeah

R Eh, that immediately the announcement was made that Ouko was missing you had students on the streets of Nairobi demonstration, claiming the certain people had done it, that,, it turns out that the investigations tended to point the same names.

R Yeah, whether they actually did it or not is something else

I I also remember the students were throwing branches on, on the doorstep of Biwott's wife

R Yes

I Aah, commercial Enterprise....?80?

R So they...

I So they had their opinion

R They had their opinion, so but, what appears to have been the.... Whatever the students knew or thought they knew, seemed to have been confirmed by the Troon, by the Gicheru commission, that they were all leading that way

I What was the impact of that? In terms of human rights, the new consciousness that you were talking about of people beginning to speak out, things like that?

R So the eh you know, you had more people now speaking up and saying waiting a minute, this is I think we had , mmh the minister, one of the minister Waruru Kanja – who came out very forcefully in Parliament and he got fired after that, aah say I would like to describe him as the son of Wairimu, aah saying, you know you can't have prominent leaders just dying. Being killed and so he was very forceful in his statements, implying actually the government had something to do with it.

I What was his name?

R Waruru Kanja

I Would you spell that for me?

R WARURU;.....waruru....kanja K-A-N-J-A

I He was a minister?

R He was a minister

I Cabinet minister?

R Yeah, Yeah, so he got fired.

I And he was fired shortly after that?

R Yeah, he was fired shortly after that.

R So does that mean that's the, that's the, the imagine what they kind of thing , the mood that captured people.

I Ouko's assassination was in 1990,

R 1990 yeah

I 1990, okay

R soon after the breakfast meeting he was shot

I     yeah, Yeah

R     so, you have that kind of build-up

I     yeah

R     and reading [U.S. Ambassador to Kenya] Smith Hempstone's explanations of his behavior....It's at that time that he started decided to speak in public what he had been saying in private. Hempstone.

I     And that's interesting, I have the book but I haven't read it.

R     That's what you say because up to that point he had been talking to government officials about the sense of congress, aah, as to how it is going to be giving money in the future ????

I     yeah.

R     His idea, claims , even when he was appointed to come and help the president, to whether congress to see how they can help the ..... to whether these people.

I     so, he switched after that?

R     Ah when he came he realized he was not making since, essentially it means that he was a very naïve man when he was coming

I     interesting

R     he didn't know what he was dealing ...ah. Its only after the Ouko death that he says now he realized what he was dealing with. So he started now, decided to speak in public, to say in public what he had been saying in private

I     well and , you referred me back to that. I'll check that out.

R     yeah, and even his other writings, he has got some other warnings articles, where he made the same claim. But the coincidence of Smith Hempstone now speaking in public, and Kenneth Matiba and his friends Charles Rubia, issuing a statement together saying they want to call a public meeting in Kamukunji

I     Right! That was in I think May of '91 when they announced that,

R     yeah sure.....

I     planning to do it for July Saba Saba [Saba is seven in Swahili; thus July, the seventh month, on the seventh]?

R they were applying for a permit to meet in Kamukunji, to explain to the country, why things were wrong. Why everything had gone wrong. They were not given the permit

I Right

R Instead they were detained. But I, I happened, on that day, they, they, they were detained July the 4<sup>th</sup>, was an interesting thing, they were there because aah Charles Rubia was in Smiths Hempstone's residence for the July 4<sup>th</sup> celebrations. And so was John Keen. And they were having some exchanges. John Keen was then very strong on the government side.

I yeah

R and I think they were arguing about who is doing the right thing – which way are you going?

I yeah

R discussing the other ???? Gatabaki has captured some of that in his finance magazine.

I okay

R But I also happened there, so I looked them and saw what was going on. And

I where are the back issues of that .....Gatabaki's finance magazine?

R it's a 90, I think the 1990 publications , I think either September.....

I but where are they located, the back issues?

R oh, It will have to be in, you need to go to the library. I don't know whether we have them at U.S.I.U or may be you'll find from Gatabaki himself

I okay well I'm gonna talk to him

R he is in , he is on, on your list.

I yeah, Yeah

R So, you M.... he would have some back issues when the you meet. But back.....

I so 1990, it's a good year to ????

R Yeah Yeah, the 1990, the back issues period for Gatabaki Aahm so from the, the residence, the embassy's residence he went to the Golf Club, Muthaiga, and detained there. Never came out

I He came..... shortly after visiting .....

R shortly after the, the Hempstone Luncheon; I mean the, celebration, the with , John Keen representing the Government

I celebration of democracy and Freedom

R And freedom. Actually the exchange between John Keen and Hempstone was interesting, because Hempstone was talking about the need for democracy- the Jeffersonian ideals , and , John keen I think was talking about the need for stability and order and the, the different contrast of the ....

I this is from his book?

R no that.... I was there

I Oh you were there. You heard this

R Yeah Yeah I was there....

I you were a witness to history in this case. I was a witness. I think I even captured that in one of my articles in a book which is just a chapter in the book.

I It was a friendly discussion I suppose

R No, it was the official response

I Yeah, but I mean, the discussio0n there was friendly at the time, Keen tended be fairly ..??? kind of a guy

R He was, He was a ...???

I Is he still around, by the way?

R Yeah he still is around! He is very vocal. He is now on the Saitoti, Raila camp

I Might be good person to talk to?

R Oh yeah!

I do you know where to find him?

R I.....But....I don't know. Gatabaki may know the same of these other people would know

I okay

R the.....the.... but he'd be .... He is somewhere in Kajiado. But he is .....Willy Mutunga might know

I okay

R and , Gibson might know

I Okay

R although..... I.....no.... I don't think Gibson would know he might. He might know how to get in touch with him.

I I don't need to take ..... You were making aaah, the kind of you were making a connection between some of the advances and how their impact build up into what I assume, is what you are saying though we haven't had a chance to discuss it with he others, its kinds of a consciousness-raising phenomena going here, is that correct?

R Yeah that correct

I Aaaah, how does one know that there's been a consciousness raising effect, from some of these advances?

R Well if you notice the Saba Saba

I yeah

R Ah, because we are saying about these people being detained on the 4<sup>th</sup> of July, the Saba Saba was supposed to be on Saturday the 7<sup>th</sup> of July and it had been you know these people had said there would be no rally.

I yes, Okay

R because the government had not authorized it

I in fact they had warned very strongly stay away!

R yeah the government warned, yeah, the government warned them strongly, aah, Matiba and Rubia had issued a statement saying they'd be no rally.

I they also.....

R Oh yes they did because it had not been authorized so they are still operating within the legal framework

I this is before they were picked up

R they are not defying, yeah, before they were picked up, they were not a defiant mood to defy the law as they understood it at the time.

I ooh

R whatever they were doing they were trying to do it within the law.

I okay

R so when they were denied the permit, they said there would be no rally

I okay

R because it had not been licensed

I so you think it's the a dead issue at that point, except.....

R except now they have been arrested, and although they've been arrested there no leaders. And although the government had said it's there would be violence if they do , people still showed up

I and that's the point?

R that's the point

I It's a kind of a crude measurement of something?

R Yeah, they were willing to defy the government openly not individuals, but a mass of people, so for three days there were running battles in Nairobi, and then that captured the imagination of you people, the international press. And it went even to the congress and became a real hot issue. And so the pressure to cut down you know the way were people said cut support for the government in Kenya, it is repressive, it's doing all these things. So the Saba Saba rally had a very big impact and from that time you could see people openly speaking not in harsh tones the way they used to, but saying anything they want and they didn't care who was listening

I there was that defiance?

R oh yes

I even in the matatus [local mini-van taxis]?

R oh yes

I after that...(interruption) change?

R so from seven from Saba Saba oh yeah it was very clear

I people speaking openly?

R Oh yes so that's why in fact we had Saba Saba phenomena and it was an act of public defiance. And ..?? is that the people had been pushed to a point where they lost fear of the government. Before then there was still fear of government, but after Saba Saba there was no fear. Why do you think that event had such an impact? Aahm I think the people they had been pushed to what they may have considered the limit. Aah the very jailing of these people who were saying there should be no rally because it is not permitted, aah, Rubia and Matiba and then, and Raila. And the crack down

I Raila was arrested at the same time?

R yeah he was also detained at the same time.

I he seems to be the surrogate for Jaramogi all the time

R oh yeah

I in terms of the arrest

R no he was

I he wasn't planning Saba Saba

R no he was the one planning it. But he I think was consulted, they were they were involved, they were generally consulted

I but as a pre-caution, the government arrested him?

R They arrested him, and, , so..... you have a lot of people being in the crackdown, which.... But despite this crackdown, people still went out

I And said, "no" support these people. And that's what were, the...the big things , so for three days, there were, these running battles.

I and you wouldn't describe these battles as the president tried to do so by just saying they are basically hooligans and criminals and unemployed and

R well, that's what he tried to do.

I yeah, yeah, that's how he.....

R I mean, that's the line that's..... but it didn't work because you know everyone could see.

I you had did you have any middle class people out there running around too?

R oh yeah, Oh yeah they mean, they it was a just public defiance. It was a public defiance of whatever was happening

I would you say the it...it.... Cut across ethnic and class lives?

R yes it was in Nairobi

I In Nairobi

R well the elite would not be caught most of them would not be caught in those places, they might give their sympathies

I yeah

R but the people were detained are part of the, the , their gang Matiba, Rubia these are extremely wealthy people and so when they are in out there in the forefront the less wealthy people have no choice, can't be left too far behind. What it is that there was that just general realization things have gone so bad.

I ??? was trying to trigger this kind of reaction?

R the economy was one. But it is also the political manipulation that that is why I go back to the mlolongo thing.

I okay, okay you were trying to build up to the end you had the Ouko along the way.

R so all these little things, now say, wait a minute, there's a limit that people can tolerate

I So it was a kind of chain reaction in a since and that was the explosion.

R Yeah, so Saba Saba was an explosion of that.

I Okay

R So the buildup of this pent-up-energy and frustration blew-up with Saba Saba. And after that the government had lost control on what it can tell people to do and what it not. I mean in most cases. So, do have this air of defiance last becomes public

I okay, so, so, that , that's a major block in the history sort of (*interruption*)

R it's a major, it's a major one.

I what's the next sort of major aah, thing that captures people's imagination and becomes something adding to the pressure on the government?

R well we do have the international community becoming the British being the last to tag along. Ahm applying pressure I think there's also concern about whatever their interests are, "are their interests safe in this kind of scenario"

I yeah  
And if they are not safe in this kind of scenario then they have an obligation to put pressure on the government to behave so that they are safe

I who is safe?

R the foreign interests

I Oh okay business interests

R the American .....the business interests the American interests, the British interests the whatever that's why am saying the British were among the last to come along. But if you are going to have this kind of thing happening, whatever you have is not very safe.

I Okay

R So far the protection of interests then you need to talk to the government, say, "hey watch out, do something about it. I think the next thing the along this line, there comes in Jaramogi then decides to create a party- a party of his own. Oh which the election of Paul Muite the L.S.K chairman was very important because Paul Muite than comes out swinging (I right) and says that [the late Vice President] Jaramogi [Oginga Odinga]'s party should be registered

I Yeah

R So they argue that although there's that section 2 that says there shall be only one party in Kenya, there are also some other that can be made that it is not illegal to have another party

I yes that was the ...there was something called Njoya had an Alliance at one point in all I think

R Yeah, they try , yeah. They tried a lot of funny, funny, arrangements

I Odinga was trying with National democratic party was it?

R Yeah he tried to create a National democratic party which was registered

I Right

R That's where Muite comes into the picture and gives, gives it a law of high profile. Now as the Chairman of LSK, that's when he was saying, No, it should be registers, we should be registered, we should get that , that done

I So puts that on a high profile

R He puts it in a very high profile, he got into a little..... So, the law people got to know him in a better light than they used to.

I You say than they used to; how did they used to know him

R Well he is known as a very astute lawyer, who had been on the same side with Charles Njonjo

I he was Njonjo's lawyer?

R he was Njonjo's lawyer

I yeah

R Ah, he is also ..... he was involved in the passage of section 2a

I Oh he helped persist?

R oh Yeah, in 1982 he helped to draft it? He was not in pa..... but he helped with..... he said to have helped in the drafting. So now he is now opposing on the other side of the , the , the amendment that he had helped to draft.

I Okay so he's kind of flipped in other words?

R he's kind of flipped, so he's he had switched positions. Aahm, but the party was not registered that's when these people how come over decided since you cannot have a party officially, there's no reason why you cannot have a lobby group. So that when they tried to form FORD?

I That's when they formed FORD

R As I remember Shikuku going out saying...nine , nine, nine because they were under the limit nine and over, more than you had to register under ....(interruption)

R Yeah, you had to do....so they and they tried to balance it up, get representations of major forces.

I And again going to the issues of public consciousness did these events of the formation of Ford aah they haven't gotten yet to Kamukunji 91, but did those events of the formation of FORD have any impact on the public consciousness?

R yes, so because now.  
(interruption)

R Its an identification with a new pressure group, which formulate for FORD it brought in High profile politicians who were unhappy with the system. See, the other pressure groups had been people, lawyers and some of them not very well known. , people who may be dismissed as non entities, but when you bring together Shikuku, Odinga, Matiba, ?? Was Gachoka, Philip Gachoka

I yes, was he surrogate?

R Surrogate. Muliro. So it is not usual to have these people gargling up and saying now are this. So anyone who was unhappy with government in any form tended to identify with the FORD. So it became a rallying point and since it was not illegal they could pressure, aaah, they called for a few meetings which were declared illegal

I So it became a rallying point for FORD, for public consciousness, sentiments

R yeah for public conscious sentiments as well activities. If that if the FORD calls for something you go, because, if you are unhappy with the government, then follow the FORD. Well FORD was actually announced, no let's see I am not sure whether it was FORD was it formed in November 1991 that late?

I no, no, it was.... I think it was earlier?

R it was early because, about ....soon after the Oginga, Odinga fuel with his party, that's when they came up with a new strategy

I I have to check, was it 91 that was...

R 91, yeah, 91

I okay because 91 November was the Kamukunji which was supposed to be FORD event, right?

R That was licensed

I unlicensed?

R No that was licensed

I was that,...was licensed?

R was that?

I well I don't know? Because police were all over the place

R yeah that was not licensed

I hashing journalists and everyone, nut was that .... That was going to be a FORD event

R it was a FORD event.

I that never was supposed to happen according to the government?  
With that you know there was not supposed to happen according to the Government. But it happened anyway.

I yeah now what I am asking is, did that have a major impact as well  
Oh yes. I think that one had a major impact not so much within the country as outside the country

R Okay

I Because it is soon after that the world .... The donors told Moi to just.....

R Just a matter of a couple of weeks I think

I Yeah so after that they just told him there no cuts and then he called KANU to change

I yeah

R ....the..... to remove the 2 ... section 2A. So it had a big impact

I why when the pressure from the international community through the world bank Paris consult the meeting in November of 91 when I think, the...the... statements. At least the public statements were about economic reform....maybe going back

to your concern about stability and business. Hmmmm oh the government,.... donors concerned why if the message was clean up your economy, did Moi take that and Say I am not gonna act on the economy right now, basically I am not gonna act on the political front and have multi-party mmmh, well, I think, you know, they, they, told him to clean up ....on... not simply on the economy but on the politics. Everything was a mess.

I do you have any information on That? because I remember talking to somebody by telephone when she was in Paris at the time, and they never used the word Human rights as far as I know.

R no but let me go back a little bit, you remember the world bank report of 1989?  
I no

R well the .. in 1989 the world bank came up with a report on Africa  
I on governance?

R yeah and the first time they linked politics with economics. And said that the mess in Africa economic mess is because of the political mess.

I I am happy you pointed that out, I had forgotten all about  
R International Press was big. Because without you people, the congress would not have reacted and each, the US government, the British government, the whatever, they would not have reacted without the role of the international press in covering these things.

I Okay. They, kind of have a ??? relationship to, to the donor part here then.  
R Yes

I The donor are the ones who really make it happen but they get some of their cues from the International press.  
R From the International Press  
I From the International Press  
R Yes

I then someone along the line you also have this human rights groups.....  
That's why President Moi was very angry always with the International Press.  
R Yeah, he was

I They should not be reporting these things in public  
We were basically at war for about 8 years and last year

R You know these things first-hand, also, he'd like you not to report them.

I Yeah

R I think you remember, I don't know whether you know this. There was that incident in 1987. The President went to Washington, and Blaine Harden had a big story on Gibson Kamau Kuria. And so, the President, the 1<sup>st</sup> thing he goes Washington, and instead of talking about the things he wanted to talk about, he was being asked about Gibson Kamau Kuria, which.....

I he was in jail at the time

R He was in jail..... And it was, he left Washington in a very angry mood, cut down his cut short his eh trip, and came back very angry. . So the you?? Those interconnectedness

I Let me, let me, ask you something.....because there is only one other, sort of, well let me ask you. If my impression so far is coincides, it's with yours, and if it does , we will come to that in a few minutes. Whether or not the next.. if you were to identify sort of the major moments when the level of state repression is a kind of a signal to the level of human rights. When now you would be perhaps 91 when multiparty, when certain rights are allowed there, assembly, and expression to a degree, and then nothing much until '97 when you have some mass action, demonstrations, and have the period you've been talking about.

R Yeah

I I don't really see much, would you agree just temporarily, that, there's not much in between so the next sort of major thing is '97

R I think there's aah, there's some merit to that, cause in '91 you have the return of multi parties

I Yeah, yeah

R If it is not politically convenient, then they play down. The activists also tend to be elitist. They tend to be middle – class, and upper – class. Well –to-do people. Who have connections. With the donor community

I I okay

R And sometimes they appear to be separate. From the people involved. Aah so there's that kind of discrimination.

I There's a distance

R There's a distance in that ....., and so long as there's no political mobilization involved, the government can afford to ignore that

I Okay

R The government pays attention, when the activists attract mass following

I Okay

R And then they attract international concern  
so as long as they are not attracting international concern, they can be ignored.

I so, when when.....there's two points, you are raising. That the, the government does pay attention when the activists tend to be distance..... distant in terms of wealth and education from the average Kenyan. When they, one, begin to attract mass following, and two, when the international community begins to listen aah to them or to the fact that there's a following, I am not sure what they are listening to.

R Well, they will pay attention to the fact that there's a mass following, which then also brings in the International eh, interest, which could lead to, each had experiences in negotiations of, the donor funding or whatever.

I So when the when the activists then begin to attract not only the average, or the pop.... The average Kenyan I guess, of mass following

R Yeah

I and that attraction begins to become noticed by.....

R Press

I International community

R But even, the international community yes

I Which may be , hasn't noticed quite as much when the activists have started talking among themselves

R Yeah

I So, it's that. It's that moment when the numbers begin to grow

R When there's a convergence of public interest and international interest

I Okay

R In is going on, then the government pays attention because it does not look good

I A convergence what ???

R The, . You know, the, the public interest and the international interest

I Okay

R Into the particular violations. Then the government pays attention

I Okay

R But if there's only, if there's international concern without public aroused ..... concern. They can sometimes ignore the international ....and say you foreigners are doomed

I Okay, that's very interesting

R But if there's only the public, the Kenyan public, complaining, raising the issues, and nobody else is paying attention to it, then you can crack down the whip, and so there's that I think the convergence

I So, there really has to be the combination of two things happening there. There has to be an attraction that has in some visible way, because there's no opinion poll

R Yeah

I Or something like that. So this is talking about rallies that are aborted or a lot of people coming out in '97 again. And international community has to comment on it

R Yeah

I Through the government.

R Through the government, so the international community has to come in. aah

I And if it's just the ??? so the government can note two or three factors there – one, if it's just the activists talking

R Yeah, they can ignore them

I They can only ignore , they can sometimes arrest them

R Yeah, but there's I think they have become a little smatter, they don't arrest anyone

I They changed from the bludgeoning tactics to more subtle.. ???

R They just ignore them

I Okay. They mostly ignore them

R Two, even if they begin to attract a following. If the international community is kind of looking the other way, they can still say

I aah what do they now, I'm not quite clear. But they can ignore but how do they ignore a mass of people coming out. They just terrorize them?

R Well, this is where the converge once, the problem comes in. if there's a mass activism and a mass reaction and things real bloody or whatever, there's, no way the international community can be ignored

I Right

R Because, that's the local media cannot ignore these things

I Okay, if you get a lot of people out on the streets

R Yeah, yeah

I Some will get their heads bashed

R Yeah

I You can't ignore

R You cannot ignore it

I Okay

R In, irrespective of what , so there is why I say when these things come together

I Okay

R If something ,an isolated episode somewhere where nobody is noticing we really don't hear much about it until a month later somebody will write a little report somewhere and will be ticked in a shelf somewhere

I Right

R Maybe they if have connections in Washington some congressmen may read about it (I: Right) and then he's not going to raise an issue anyway

I Now, 'cause it just one thing ????

R Just one thing yeah

I To get a lot of ?? going on and things here we can't pay attention. One guy ?? bigger ???

R No, so, is, is, the I mean. It has to capture that, and well, what I think there, the policemen will also behave. They are become aware, is that, they are learning to ignore

I Yeah, But the international community is learning to ignore

R No, I'm saying the police now

I Okay, the police are learning

R They are, they are. They are learning to ignore the activists

I Yes, but you have...if they don't go around pick them up so much

R Go

I Gatabaki's arrest the other day was an exception?

R Yeah, it was.....

I But he was out over the weekend...after the weekend

R Well, they see the arrest of Gatabaki was ill advised in the first place

I Yeah, yeah

R And it got them bad publicly

I Yeah

R The way, the.....the... the way they would not like it to be.

I Yeah

R Given that it were..... it was very clearly, trumped.....not trumped up but very.....

I There was nothing to gain on that

R There was nothing, there was nothing to gain it.

I What interpretation I have heard though, is particularly, just a side track on that issue, is that, perhaps he was trying to say or advisers were saying that, this is the way you can say that you are still in charge. May be I shouldn't get too far out-of-hand and that you can't raise, ???? keep it to a certain level as they are going to the ???

R Well, he's accused of having written things in 1997

(Interruption)

## **PART B**

I Okay

R Yeah

I But still ill advised as said. Because there's not much to be gained from it. There's not much to gained . in fact the government got more bad publicity out of it(coughs) given that Gatabaki is a high profile person. When , when you went to , going back to this very important point earlier, that it's a combination of factors , that the activists gaining a popular following , that popular following , then has to even if they begin to attract a following , if the international community is kind of looking the other way , they can still say. What do they know . I'm not quite clear .They can ignore but how do they ignore a mass of people coming out. They just terrorize them?

R Well, that , that, that this is where they convergence the problem comes in. If there's a mass activism and a mass of reaction and things real bloody or whatever there's no way the international community can be ignored.

I Right!

R Because , that's the local media, although it tries to ignore and the international media cannot ignore these things.

I Okay, if you get a lot of people out on the streets .

R Yeah

I Some will get their heads bashed.

R Yeah

I You can't ignore

R You can't ignore it

I Okay

R Irrespective of what..., so there's why I say when these things come together

I Okay

R If some things are isolated, episode somewhere where nobody is noticing we really don't hear much about it until a month later somebody will write a little report somewhere and will be tucked in a shelf somewhere.

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R Maybe the if have connections in Washington some congressmen may read about it (I:right) and then he's not going to rise van issue anyway

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R no, the....the... poli....am saying the police now.

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R -well, if, the, they see the arrest of Gatabaki was ill advised in the first place.

I yeah, yeah

R and it got then bad publicly

I yeah.

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I yeah

R given that it were... it was very clearly, trumped up but very....there was nothing to gain on that. There was nothing there was nothing to gain it

I what interpretation I have had though, is particularly, just a side-track on that issue, is that, perhaps he was trying to say or advisers were saying that, this is the way you can say that you are still in charge. Maybe I shouldn't get to far out-of-hand and that you can't raise, ???, keep it to certain level as they are going to the ???

R well, he's accused of having written things in 1997.

(interruption)

I Okay keep kind of a media???

R Yeah

I But still ill-advised as you said, because there's not much to be gained from it.

R There was not much to be gained, in fact the government got more bad publicity out of it [ laughs] given that Gatabaki is a high profile person

I When, when you went to, going back to this very important point earlier, that it's a combination of factors, that the activists gaining a popular following, when that popular following, then has to be demonstrated in terms of some kind of public rally, that gets broken up, isn't it? Because if it's a pub.. if it's a peaceful rally,..

R Then the, I mean, you just report it there was a nice rally and nothing else

I Right, so, in other words, the government itself, has a role in bringing pressure on itself.

R It had...sometimes inadvertently does that. Inadvertently aah, I don't think it's by design that they do that,

I No,, I am not.. am sure it isn't

R That's, that's, that's what the, that's what the am saying, they are becoming more sophisticated in these matter. You notice that they are, they are keeping quiet on these rallies now

I Yeah

R They are letting them happen.

I Yeah

R And they are big relies people are going there and getting excited which is okay. But will be even more concerned if they were broken up

I Yes, so they are becoming more...what's your word. I think it's a good one

R So what did I say

I Subtle?

R Subtle. They are more subtle about it, aah, let's say, more, suave about it. they, they, they know how to, we don't have to crack bones. Aah, once give people a chance to talk, they will talk and then they go home. And that could be it. Although they will have,... they are having big followings, and then , the government can also look as if it is more civil than it used to be.

I Well, then, if, if to supply the analysis in a little bit, if we were to look at the say, the 2 major points which you have identified as '91, 97,

R Yes

I This has changed. Not a lot between maybe, little ups and downs, but '91, back for a second. The government itself then, was partially responsible for putting itself into the position where it had to respond to reforms because of its own actions

- R Yes, the.. the government was responsible for.. for what it got. In fact a lot of people had been pointing out if the government had only been more careful, the, the pressure would not have been there, aah the
- I Aaah it's a good argument though that you are making because, even in,..in '87, people were being tortured, there were no public rallies,
- R There were no public rallies,
- I There was nothing going?? Somewhere or another they had to crack the ice, and you've outlined a series of events to crack that ice
- R Yea
- I In a sense
- R That's why I was saying Mlolongu, was the, the thing, so people knew the Mwakenya [a subversive organization that surfaced in the mid-1980s and may not have been very big; but President Daniel arap Moi used it as a reason to crack down harshly, with torture, on suspected dissidents] things, they knew about those things.
- I So we go back to the question on why activists failed to win greater concessions. Is ... and not... I don't want to mischaracterize, but you were saying it, but I am trying to summarize it in my own mind. What you are saying, is basically, you didn't get through to it because the government got smarter.
- R Yeah, the government has a bit of outsmarting people. , and they do have good thinkers. , If when they are listened to, then they get away. They, they, get off. It's when the, the national thinkers in government don't have the upper hand that you get the other side that masses up. Aahm, the whole thing. But I think when,, for the mass following to come up, the for this pressure to come up, there has to be a sense in the public mind of delegitimizing the government
- I Okay, that .. am sorry. You know, you are right, absolutely right. I am jumping the gun, the govern.. government's getting smarter, that's one ball that's rolling along. But the other one is that there has to be some way because the activists realize this is happening, they are getting smarter, and they have to??? May be their jobs get a little bit harder. They have to,, but they,,, you are making this point now. I think, they have to organize something to get public attention, to bring that change.
- R To.. to bring that. So they have to create a sense of illegitimacy on the part of the government.
- I Is, and that gets harder

R It gets harder every time the government looks reasonable, that's why if you notice in the last few days there's talk of mass action again

I You know that I've been reading the newspapers, actually didn't see that. But am only reading the 'Nation' and in the 'Standard' perhaps

R Yeah the 'Standard' and the 'People'

I And the 'People'

R Yeah

I Yeah

R There's that talk ah, mainly because of the constitution review commission, what's going on with it.

I Even the handicapped group come out saying, we want to file suit.

R Yeah. So the , we

I That's a ball worth watching.

R Its worth watching but, , if the government I mean if the people don't think, , do they do not delegitimize the government in their minds, they will not come up.

I Yeah, well I, I think it's a potential disaster in myself. I, I want to come back to that, it's like putting things on the board which are definitely gonna come back to you.

R Yeah

I Like a good professional in raising the students interest here, but let me see if I can diagram what you're saying, cause

R Sure

I Cause this is a new concept which you are explaining to me. , you, your level of, lets' say this is the state, okay

R Yes

I And this is activists and, and following.

R Yes

I Okay, the state level of repression, maybe is, is, is up here

R Hmm

I Maybe goes down in time

R Yeah

I Because as you say, they learn to get subtle. They are little more subtle, with some exceptions you have clashes in '97. And '91

R And '91'

I You have lots of crisis. But so, the activists, are knocking against this, and they have . They find it is like in the martial Arts, you go like this and suddenly they are using your pressure

R Yeah, you know, take your force out of your blow. So, Mmmh

I So the activists have to be pretty active here, find it harder to break through here. Because level of pressure is going down, so they have to come up with new tactics.

R Tactics, yes.

I I guess my next question is, is that one of the, there wasn't much happening between '92 and '97' nobody came up with very good tactics, or they couldn't capture the imagination, there was this...

R They just couldn't not capture the imagination.

I You said they were hoping '92

R There was, there was, there was a lot, there was I think the sequence of events.

I Okay

R There was a lot of disillusionment, in 1992, because the opposition lost officially.

I yeah

R So that in itself created a lot of concern for a while.

I Okay

R And I think the first 2 years we saw some, continuing oppression, almost despair

I Yeah, you did see repression

R Yeah

I There were some people who were actually being tortured in '92

R Yeah and there was a lot of despair, before people could regroup

I Okay

R Then , by '94, people were beginning to talk of mobilizing, and that's the first you heard the issue of the constitutional review being addressed in a very serious way

I And I want to go right into that now, because this is one of the areas that you hit directly on, and you think your voices is perhaps a minority voice, this point, but it's one or two???? Cause I don't think you are very convinced that was a well done effort?

R No, it was not.

I Okay,

R It was. It was , the president has this habit of diverting attention, because there was a lot of pressure, what happened is that the reason they lost the election, was because the constitution gives the president power too do anything he wants, and there's nothing they can do about it

I Right, right

R So there was quite a bit of agitation, and so the president diverted that attention by saying okay shall invite experts to come and look at this thing

I , January '95

R January '95. So that had an effect of damping the enthusiasm and people kept quiet about it.

I Okay

R And then there were episodes here and there. Leakey joined Safina, and he gets clo0bbered in Naivasha,

I Along with Kiraitu Murungi.

R I don't know whether Kiraitu was,

I Njeri??

R Yeah, yeah, they were with Njeri Kabeberi

I Kiraitu was there?

R Yeah, he was there

I Not Gibson partner, I hope I am saying the name right. It's not .. could I

R I think you are talking about Mi, mi, mi... You know Kiraitu Murungi is the

I The Lawyer from Nakuru

R Yeah they are talking about Mirugi

I Mirugi

R Yes

I Mirugi, not Kiraitu

R Not, Kiraitu

I Mirugi? And his name is Mirugi Kariuki?

R Yes,

I Kiraitu

R Not Kiraitu

I Kiruki

R Kariuki

I Kariuki, Kariuki. I am sorry, Mirugi Kariuki

R Yes

I Yes

R He was there, so the ??? you know it a big international news item that Leakey got clobbered

I Yeah because he's known

R Yeah he's known and Sharif Nassir, yeah you know says, after all he is just a ,,

I And actually Murugi got clobbered more

R He got clobbered, yeah,

I Interesting, it just occurred..

R Yeah

I Yeah because he's known

R Yeah, he's known

I Murugi

R Mmmh, and Sharif Nassir, yeah, you know, he says, well, after all he'd just a..

I The next time Murugi got clobbered more,

R He got clobbered, yeah.

I Interesting, it just, it just occurred to me, when you talking about when the international community pays attention

R It pays attention then, the.. you know, the whole thing changes a little

I And maybe, ???? little brother, interesting questions as to why the pay more attention to Leakey getting clobbered than Kariuki

R Well they, they are apart from the fact that he is

I Murugi, almost got killed there?

R Yeah, he is, he is well known, is a white man, he is grandson of a missionary

I Yeah

R And all these things , so there's that , there was that element which could not be ignored. In fact, , this man who writes for the East African' Githogo, John Githogo, he had an interesting article, commenting on why, why is it that the international media is paying so much attention to Leakey.

I That's a good point

R Yeah, he had, he had a good article on that

I Murugi got buried in the ,, , buried in the avalanche

R In the avalanche and then he, .... You know, so.. nobody remembered that he was there, okay so apart from the beating... Leakey, beating, then you had a few people complaining about the lack of the level playing ground, given that the constitution review was not taking place anywhere

I Yeah

R And the president himself said very clearly there's no such a thing as a level playing field. This is not football

I I never heard that! Did he.

R He said this is not football [laughs] where you have to have,,, if you have a level playing field in politics, you lose, and he has no desire to lose. So he's made it very clear. What we are saying is that by '96 you have a lot of people who are very unhappy.

I By '96

R '96'. When the public looks at the political parties, with the opposition and KANU, they all appear to be self centered, engaging in ordinary politics and none of them is talking about addressing the constitutional problem

I ????? looking at KANU

R Looking at KANU, opposition, they are all,

I And the opposition

R They all

I That's your point, isn't it?

R Yeah, yeah, they are talking about themselves.

I Okay

R And that's why I see, now the, where the NCC comes in.

I Yeah, okay

R That it was seen to be a legitimate, to be on alternative vehicle through which the

public can vent their anger.

I So there was again this resurrection of hope?

R Yea, through the NCC

I That people can do something?

R Who can do..

I The NCEC, right

R Yeah, NCEC.

I People say NCC but it, it.. you really are saying N.C.E....

R C – yes

I Right, okay

R NCEC

I Okay, okay, I am talking of the same group

R That, that, that's the one.

I What did NCEC.. what,, you are an historian

R Yeah

I And a political scientist

R Yeah, what does NC...How do you place NCEC.

I What was the importance of NCEC in recent History?

R Well, their , their value was in 1997. After that I think they have gone down. They were , they were, a breath of fresh air

I Okay

R Combining all these different forces, the NGOs and the Civil society, all rolled into one. I think Willy Mutunga's group

I Political forces is a term you use in your book I noticed. Okay

R Ya

I Okay, by these , by that you mean elected politicians?

R No, no, not, just elected by... anyone who had something – political concern. Particularly , the politicians were out

I Who, I am not quite clear who you mean by political forces

R well, say you can have the political parties , you can have the followers , you can have the NGOs

I Yeah

R Who are interested in it. You can have the churches...

I Ya

R You can have the government. All these that are trying to address the constitutional concern. You , you have then 2 different versions coming up. Moi is saying that only elected members

I Okay

R Can deal with the ..the ...constitutional question

I And he said that , the months after the NCEC had organized

R Every, he has always , he has always , says that

I Oh right , from the beginning?

R Yeah, he is ,he is ...

I That was his..??? against that?

R Yeah, yes, because that is what he would appeal to the opposition. Say, you are elected , I was elected , why would you allow these people to take on the , leadership?

I So, tell me about the NCEC, from your point of view. That is an important question from me to you

R Yeah, the NCEC was one of those forces that comes up to respond to the moment. It does...

I Do you want a little more tea?

R No, not...No, no, it is ...I am . Okay

I A drink or water?

R It is okay

I One of those forces that comes up to respond to the ...

R To a particular moment and then they get out of the way. I don't think it can rekindle it's power. I t is , they took, because it was a breath of fresh air. Here, you had it's purported leaders, people who did not aspire to political office. So they were... they could not be accused of self aggrandizement, politically.

I In your mind, who were the leaders?

R Well, you had Gibson Kamau Kuria,

I Okay

R A prominent lawyer, good record as a simple human rights lawyer

I Not in any party?

R Not in any party. H e could be identified with the one or the other, but mainly an independent person. And not aspiring to have any political office

I Right

R So you have him

I Yeah

R And people respect him

I Yeah , yeah

R Then you have , , Kivutha Kibwana

I Yes

R Law professor at the University of Nairobi, involved in the civil society , NGO world, but no political aspirations of holding

I Yeah , yeah

- R So very credible, , you have Davinder Lamba, also involved in the NGO world, , somebody of Asian extraction, very vocal and saying these are there. And they.. they are all giving the impression that what they want is a better country- to reform... the .. what is wrong is the constitutional structure. It has to be re – organized , re-formed , so that the country is better. Who gets elected is not the issue. But as all the leaders of political parties were worried about who gets elected , so these people then ...*come* and so no, we are not worried about who gets elected , we are worried about the structure
- I Conditions under which they get elected, and how they serve the power structure
- R Precisely. So they are , they are
- I Would you add Willy Mutunga to that?
- R Willy Mutunga was part of the whole thing, you know, the ..., you find the Weekly Review , , they characterize them , ... I forget what ...???, higher fliers, they say these
- I These guys
- R These guys, because, somewhat they captured the imagination , that , , and what surprised people is they had no elected office of any kind
- I Right
- R They were almost unknown and suddenly they would tell the public to do things and the public would do it
- I What do you think gave them that credibility , that ... some instant sort of ... well .. was it instant for those who knew them in close , I mean lawyers know lawyers , ..???, the national kind of acceptance?
- R It is that , the , the ... that is what the ... tried to push but desperate for an alternative leadership. Somebody who can guide them properly , do better than what the government was doing
- I Okay
- R What the opposition was doing , I think the public was very clear in its mind that it wanted change
- I Okay
- R Then, but change was not coming from the politicians

I So, this was a way around the politicians

R Yes, it was a way around the politicians. What we had, the politicians is jumping into the band wagon, and saying they support you

I They came, they came a little later

R Yes, they say we support you because , as , if these people have a following , we better join them, ( laughs ) , so , you had ...

I They followed the following ?

R They followed the following

I Okay

R And then they tried to hijack the whole thing

\*\*\*\*

I Which sometimes led to some ; conflict, , as to what is going to happen.

I Once aside, they tried going to happen

R They tried to hijack

I, just little passages that I recall from Mutunga's book, in fact they were kind of kicked around inside? They were not respected at all that much, inside

R With the politicians?

I Yeah

R Yeah

I They, they kind of were forced to take a back row and in some cases they were heckled and booed and things like that?

R Then they were told just get out this is not your show

Okay

So that's why ...I mean that's what gave the NCEC legitimacy . that it was not a politician's thing

I well then were these politicians associated with the NCEC?

R oh yes James Orengo was part of it

I Paul Muite were part of it and quite a number of you know they would identify with it because it was popular

I But they weren't necessarily rushing at the door at the beginning and they are not key players key players

R no no

I not there first and not and they didn't stay they weren't the major players

R they were not major players

I the major players were these highfliers

R yes the highfliers  
I okay  
R And they acquired so much power that they become worrisome  
I Power in what sense. How do you measure power?  
R Well if you can get the whole country to do what you want without  
I Okay, you have mentioned that twice now I wasn't here in 97' remember I left in 95'  
R yes  
I so what was it that they asked the people to do that they did  
R they we'd say people go on strike  
I okay  
R and people we'd go on strike. They we'd say let's have a rally in such a place and people we'd flock.  
I okay  
R they we'd say let's do this ,and people we'd do it  
I concrete things  
R yes, so you have .....

I and they didn't 't  
R they did it , and so the question is this people are not elected by anybody, nobody knew where they came from. And yet the country followed them  
That's fascinating.  
So, power has been shifted from constituted authority of the elected officials  
I and has it been shifted from what you we'd call, aah , well, you have just said it, let me see if I can say it in different words. Power shifted from government to civil society?  
R yes  
I is that what you have said  
R yeah  
I okay  
R it shifted to civil society in the name of NCEC  
I from government?  
R from government. So .... The government has been illegitimate?  
I so it is a question of legitimacy of the state ?  
R it's the legitimacy of the state  
I okay. And in fact they are adding to the illegitimacy  
R yeah, by .....

I by giving more legitimacy. You.....  
R yes,  
I legitimacy, I suppose it's only gonna have so much body to it and its sort of shifted  
R yeah. The .....the....legitimacy in....I think is , it's in the public mind  
I legitimacy?  
R yaah. It's in the public mind because , the government may have all the statutes, but if the people don't think its legitimate it is still illegitimate. So, the public bestowed legitimacy to the civil society.  
I its an intangible isn't it?

R its intangible, Yeah  
I and you could see it.....  
R But you can see it  
I in terms of coming to the rally, making history  
R yeah  
I and this guys were not elected?  
R yeah  
I did, am, am kind of jumping here because I don't want to lose the train of thought here, but did the , (????) and I had only have had a chance to just glance at that but I have heard about (??), did in fact that very legitimacy become its undoing?  
R Uhm to the NCEC what there is yes I think in they, they may over..... have overreached themselves a little bit. They became the leaders become a little cocky to the point where they started claiming that they are ..... you see, they started saying they can. NCEC can now negotiate with KANU the government. And the government has to listen to them and nobody else  
I Nobody else would be the other person  
R all the other opposition people now  
I Okay so they were preempting the other opposition in the team of the negotiation  
R yes negotiators so they were saying if somebody has to talk to the government it is us  
I and that has an effect on their (????)  
R and that has an effect on the (????) may have allowed you to spearhead this.....  
But so it was made very interesting because their government, and say we are with the affected people aren't we?  
I that's when Moi's message began to make sense ?  
R in fact , , have you been told about Kiraitu Murungi's book  
I in the mad of politics? I have it  
R okay it was the ....  
I I haven't read all of it, I have got (????)  
R he explains why he got into the ?? .they were scared of a revolution .  
I ooh . really?  
R yeah , that's what he says. Yet he was initially one of the supporters of the NCEC  
I so, he got out?  
R so , the politician then, undermined the NCEC because the, feared so he says , a revolution  
I do you think that there was a prospect for a revolution based on NCEC calling strikes and having meetings and all these?  
R It' s hard to say this was likely to be a continuation of the same call of strikes . the danger is that people may, might have become tired ,in the long run  
I when they became tired what happens?  
R well , they abandoned it  
I alright, leave it alone  
R yeah  
I so there was less a danger of revolution than there was of getting bored ?  
R yeah . the revolution was ..... but ... there was ..... it did appear to be ..... well ..... if it was possible for the NCEC , to say, reconstitute themselves as an

alternative government, as some of them had claimed there was, there was again, a radical , call it that, there was a pro – independence movement strain within the NCEC right?

R Yeah , there was people , kind of saying, as they did in west Africa and a few places, say lets claim our sovereignty we have a representative group of people we can be the government right?

R there was that, there was that they were calling it a parallel government.

I is that what you meant

R yeah

I parallel being kind of a code word for parallel now, but in charge tomorrow?

R no right now

I okay, but parallel means you have got two governments

R yes, so they say that there's government which we don't recognize. We create another one here, which now

I okay ??? have done the same things at times

R the legitimate

I two times, they have done that

R yeah

I the losers have created aah, the losers but they are actual the winners but they have got rigged out - claimed legitimacy and began to create a shadow, and not only a shadow government but actually a parallel government , actually taking over some of the ministries physically occupying them and its strange phenomena hasn't happened

R hasn't happened here, but the top of it was something that was very scary

I scary to who?

R to the government and to the politicians

I okay

R and the politicians very scary to the politicians

I but you are, you are saying that, in practical hardcore terms your historical analysis, is there really wasn't much danger of a revolution

R there wasn't

I you know, ??? have the???

R no

I Or 95% of the people

R no

I matching to (interruption)

R this were mainly urbanites ahm may be some of the , the lower class people in Nairobi, many of them , and , at one point all the other they we'd have come a point of saying now where do we go from here. Where do we go from here again so that, they we'd , at that time there was every danger of disrupting the elections so that was .....

I that was going to be their major .....

I that could have been a danger

R that was.....

I they could have disrupted the elections

R yeah that was a danger. and mo.... The president needed that election to win again.

I To win again. Which he was sure he was going to win. To be declared the winner so you do think, it was that concern for needing an election that aah, prompted Moi to initiate Kanu's participation in IPPG ?

R well , they ...they ... that the disruption of the election also bad publicity . the country was getting every where

I well , yes , parallel to there we had the series of mass actions.

R yes, and each of them was very well covered. And of course, he was not getting any money from the donors for it.

I IMF cut funds off somewhere along the line, there . I think

R yeah

I I am not sure where, I think.

R they did cut, I think in '97 I mean there was there had not been very much international funding coming to Kenya for the last ten years or so. Not very much of it. But he did leave these, with every , publicity of bad events. The government, the tourism industry was collapsing, everything was going wrong. So he needed to legitimize himself. And they appealed to the opposition – please lets' talk”

I who initiated the IPPG then, Kanu?

R Kanu

I was that Moi

R not its Moi

I okay

R because he needed a way out. He was being boxed by these high fliers. And as long as the opposition was giving their tacit support, he was in a mess.

I you mentioned that these were urban elites, one of the criticisms that in Mutunga's book either in the appendix which is interestingly there, the criticisms within the book, is that in fact the, they , ...didn't, and I think Mutunga mentioned this too, they didn't have money ,grassroots contacts, would that be your analysis also

R it's true. Hmmm, but , not that they didn't want . In fact they have tried a lot, but effort to go to the grassroots, has always been met very viciously, by the government.

I it has always been what?  
R met viciously  
I so they tried?  
R so the government tries to constrain these people in other areas, stay there, don't go to the rural areas  
I so they did try?  
R yea, they have been here: they've tried.  
I aah, through holding some public rallies in rural areas?  
R Oh, usually not public rallies, they usually teach, seminar  
I were they disrupted by the police?  
R Well, they have been some that were disrupted aah but seminars usually would involve only a few people. Usually the elite of the area  
I Yeah, rural elites in a sense?  
R the rural elite  
I Or urban elites who've gone home over the weekend?  
R For the weekend so. They..... mmh  
I So would you say that was a failing of NCEC in one sense, not to establish better grassroots contacts  
R No the I think they wanted better grassroots contacts  
I They wanted it, but did they actually take the effort to do so?  
R That I don't know, for sure, I don't know  
I I don't either  
R But, I even doubt whether they had the ability to do it. You need, I think, you need to talk to Kivutha Kibwana  
I I have early on  
R Okay  
I And I have to go back and see him again because  
I didn't have the questions I want to ask  
Yeah  
R Because he was really the man in..... he is a very smooth operator actually  
I Yeah, yeah  
R and he knows about these grassroots.....  
I Okay, okay, that issue I can explore with him  
R Explore with him the details.....  
I I didn't have the questions when I met him  
R And he is been very active on it  
I Okay  
R And... but again they have these limitations  
I But ...but.... from what you said, the, the, argument that this was just an urban elitist group and couldn't attract a following, really isn't so because they were able to attract enough following to have rallies and aah, strikes. Or were those urban rallies and strikes?  
R Well, they were mainly urban rallies and strikes,  
I Okay  
R And you know it's wrong to say they did not have following. They did have following, , not so much that could be visible in the rural areas

I Okay

R And it's also true that the people in urban areas have very wide contact with the people in the rural areas

I Yeah, ??? people always are going up-country

R They are always and they are always telling them what's going on

I Yeah

R So that is why sometimes when they call something, it would appear to have a nationwide impact

I Pardon

R They when they call for a strike or something. It would appear to have not just in Nairobi, but you also get some reports in other areas. That something similar, almost happened because of these underground contacts.

I It's word of mouth, isn't it?

R It's word of mouth, yeah

I It's not necessarily in the newspapers or the media, is it?

R It's word of mouth, well, the media, the KBC, they would not even talk about that thing, apart from condemning it.

I And KBC is the only national media?

R The only national media,

I Other than newspapers on buses which reach towns

R Yes, and the newspapers , they go to certain areas, the distribution ...??

I It is small? Small

R It is very small

I The upcountry distribution of the Nation is minuscule

R Yeah

I I was surprised

R And it is by, it is deliberate

I The Nation does not print more copies

R No, it prints, but the distribution, I think , there is a government way of ensuring that it doesn't get..

I They steal copies? Or do they just absorb the subscriptions ?

R Some places. For you to go , you need some government escort, or things like that

I Yeah

R Yeah, yeah, so how do you go to such places ?

I Yeah

R And particularly, in the remote areas , the things like the paper, they will get unusually will be the Kenya Times, and if they get the Nation , it is usually two , three days late

I Is 'Kenya Times' Still published ?

R Yes

I Really? I never see them on the streets

R Oh , nobody buys it. But , it is a government subsidized so they can print it everyday

I So what you are saying , is really , very interesting.

R And that is that , yeah, they were primarily urban , primarily elite. But they had a following, you could not always measure it , but you occasionally, gets some indication because of these parallel mini-strikes, *consciousness*

I Yes

R Or at least there was consciousness

I In different places other than Nairobi?

R And other than Nairobi. And that there was always this underground , not so underground in a sinister sense, but just a word of mouth, people moving up and down the country and they were very much aware of what was going on

I They are very much aware of what is going on  
-So the potential there for a national strike perhaps....

R Was big

I Was big

R Yeah , and that is what was scary

I Okay, and for disrupting elections or boycotting, right ?

R And, and disrupting elections. And if you can disrupt Nairobi , you are likely to disrupt Mombasa, Kisumu and a number of other places

I Good point

R And , the rest is very clear

I And they did disrupt Nairobi several times?

R Oh yes

I There were all these mass actions, were they planned by the NCEC?

R Yes

I That was the core ?

R Yes

I Would you say they were effective and brought... had some kind of impact? The mass actions?

R Oh , oh, yes. They.. they forced the government to come up with the IPPG. All the

I Okay

R All the reforms we have... that were agreed on the IPPG, were because of the NCEC

I Okay

R And by agreeing to the IPPG , essentially the politicians undermined the NCEC. Because the politicians were made to look reasonable. Before this , they were appearing not to be reasonable people. But now the public , can see ,no , they are reasonable. They have agreed to move things the Chief's Act has been diluted

I Yeah , yeah

R This, and this and this, so now...

I Yeah. They got four, five major Acts that were passed , repealed , or amended

R Yes

I At some point though, and I think it was only after about two, the sort of harmony , George Anyona was leading some of the , go between efforts at that point. Suddenly it was over. Somebody moves , made a motion or what ? No, wait

a minute, they don't make motions to dismiss to parliament , the president dismisses parliament

R Yeah, yes

I They can do without a win, any moment

R Any time

I And then I guess , that is what brought IPPG to an end- the president said it is over, parliament is dissolved. I s that what .... Or was there a ....???

R No, no, they passed, they passed some basic legislations that they had agreed on

I They did , but what I am wondering is , it was getting close after only a couple of weeks? It just ended!

R No, the .... I think , my reading is that they agreed on basic things

I Yeah, they passed legislations

R And they passed those

I President signed it

R President signed it

I And then....

R So now, now the question is implementing them

I I know, but I will leave that for the moment

R Yeah

I But suddenly, I mean, you are passing a flurry of legislations , lots of debates and all of a sudden. It is over

R It is over, yes

I Who ended it ?

R I think they, they agreed on the , they agreed on the principles so they

I So they said okay

R I t is over

I There was a kind of mutual consensus?

R I t had not..

I It was not Moi to say ..

R Because the idea was to undermine the NCEC

I Okay

R And they succeeded in doing that

I Okay

R Because now the public in not paying attention to the NCEC anymore. S o now they can turn their attention to the politics , to the elections

I Okay

R And both the opposition and the government were happy that the NCEC is no longer an issue

I Okay

R And they agreed that after the elections they would revisit the constitution which now became the reason for whatever is going on . But both sides were in agreement. T hat , once they passed the IPPG , the parliament wax no longer needed

I okay

R It is time to go to campaigns

I Okay, alright, it wasn't now just saying 'wait a minute , you , you ,you are doing too much , stop it '

R No , not necessarily

I Okay

R Because I think they agreed on what they are going to do

I Alright , aah, because they didn't agree to change the 25% rule on ...

R Moi refused that one, he said

I Therefore KANU would not negotiate at that point /

R No

I So , in other words , were the changes that were made , did change at all the power structure in Kenya ?

R No

I They did not ?

R They did not . There were minor reforms here and there , they gave hope that something can be done. And that at least the opposition and the government can work together to achieve some things

I Would you say that the multi party , adoption of multiparty changed power structure of the Kenya government ?

R No, but it made , I think it made possible politics more interesting ( interviewer laughs ). I think it made the government a little more accountable than it used to be

R Okay

I Almost freely, if not quite, , better than they used to , irrespective of what has happened, nobody wants to go back to what it was in 1990.

R Or 1992

I No, ... there obviously were changes in terms of assembly , expression and detention was dropped...

R Even I would not be talking to you if it was in 1990. Not as freely as

I Ya, ya , no, that is true , especially in 87

R Especially in 87, these are major changes

I Ya, ya

R They are , they are very good for the country

I Yeah

R In general

I Yeah. Mmmh, do you , can you point out any points which NCEC as an example of, of well thought out I would say participation of civil and a lot of representation although I don't know how, how deep that went. But the terms of categories is pretty wide. There are some mistakes that they made

R They did make a few mistakes. Think I will point out one of them . They may have over reached themselves. I think the public..?? became very ,very important that they may have lost touch a little bit. Aaah, I think the point I was making , when they went out of their way to say that only they should negotiate with KANU

I Okay, yes you mentioned that , yeah

R That was too much

I Right, that is the over reaching

R The overreaching. And then it also made , them appear as if they are just another political outfit. If you are going to be negotiating with KANU , there is , you came up as some people who were insisting on major reforms overhaul, and you are going to be illegitimate. They are giving you the .. do it

I Yeah , yeah

R Now you are saying that you just wanted to be another negotiating body with KANU

I Okay. Right, right. I remember that point. Now , were there any other mistakes in the organization or in terms of publicity or directions or aims? Or is that the main ..

R I think they were not , they , they were not even very clear themselves what it is that they wanted , apart from an assembly of different organizations coming under the umbrella . You see , like Kivutha Kibwana represented the clarion

I Yeah, yeah

R Willy Mutunga had his four series and so they are just , came together as a convenient umbrella , a body without a clear agenda for the long term

I Can you say they were wider represented in 1992. Am just wondering, you could take a second , and , and help me understand whether in fact when they said they had groups , all kinds of groups represented

R Mmmh

I Were these representations also urban elites or were they in fact some grassroots people?

R Oh, they were , let us say , we can have the , the , when you have something like the NCEC , which has grassroots across the country , then you do have that , wide aspect of the supreme council of Muslims

I Well, I am ,am not clear, I thought earlier that you had mentioned that they really did not have grassroots across the country ?

R No, they , I am saying that , if ... if .. you take not the NCEC, the NCCK , it

I E , okay , okay

R Sorry am saying the NCCK

I Yes

R Being part of now this , because we had all these different

I Okay, so by association ?

R By association then you..

I Okay

R Because the , the NCEC did not get the support of the NCCK

I Aaah

R And the other bodies that had grassroots

I And they were supporting NCEC

R And they .. yes , they were supporting

I Okay

R You know , you know , because , Njoya was one of the high fliers of this ..??

I Yeah

R At a time there would be minor differences between a particular organ and the general body

I Okay

R But all these civil societies tended to support the NCEC at that time

I Okay, so through other organizations they did have the grassroots?

R They did have that

I Wasn't their own grassroots. It was not

R Not, not their own grassroots

I Okay, they were bringing groups together, there was organizing organizations?

R Precisely

I Okay

R So they...

I Not individuals?

R Not individuals

I Okay

R And that was their strength, that they could call on different organizations

I If that is so, is the role of civil society in an authoritarian state, likely to be limited to winning only a few concessions, such as speech, assembly, multi party, that do not challenge the power structure of the incumbent regime, can civil society help to get beyond that?

R I think it is the nature of the civil society to be reform minded rather than a couple of ...??

I Say that again

R The nature of civil society

I YA

R To be reformists

I Ya

R Rather than revolutionary

I Okay, okay

R And people who engage in civil society are usually people who like to be in the governing circles, sometimes

I Ya

R And they are excluded for one reason or another

I They want in?

R So they want in (laughs). That is the nature of civil society

I Okay

R Some of them maybe don't want in because they are happy outside, criticizing

I Okay

R But they are part and parcel of that group, that they are simply saying you are doing something wrong here and there, but they are not challenging the basic structure of that society

I Okay

R And as long as they are accommodated here and there, they are happy

I Okay

R It is only when they don't accommodate that that they make a lot of noise. And in a repressive regime, that is when they become very vocal and become important. I was pointing out that things that are not being done the way they should be done

I Okay. But they don't necessarily point to a change in the power structure?

R They are .. hardly ever  
 I Right  
 R They , they are really not interested in power , changing power structure. What they may be interested in is changing the people in the power structure  
 I Okay. Sort of the like the candidates for presidency in Kenya?  
 R Yes  
 I Okay  
 R They just want to remove Moi and get into Moi's shoes  
 I Aha  
 R But not the way the government is organized, and the redistribution of everything. Aah , so that is the problem with the civil society as it is . And usually some of the people in the civil society have their brothers and sisters in the same government that they are addressing. They are kind of a merry-go- round  
 I So it is a ...?? Relationship , in essence ?  
 R Yes  
 I Or symbiotic..??  
 R It is symbiotic, it is symbiotic  
 I Okay  
 R And actually, there may be some people in civil society who would like , who do not want change. I should not say this ( laughs )  
 I Well, there may be some  
 R Who don't want change so that they have something to talk about  
 I Well I think that maybe true  
 R Yeah , so if the government reforms , and if , there is nothing to complain about , then they are jobless  
 I Yeah, they are , they are out of jobs. Their job is to critique and if things are going fine , there is no critique

*(interruption)*

R There is no.. so they  
 I And I think that is the most economical , in a sense , right ?  
 I So, the yeah, it is . There are quite a number like that, by the way. So if you remove them out of that , they will be lost  
 I Yeah, now I think that is a fair statement and it is a clear one. That sometimes there is economic interest involved here. They are set themselves up as critiques and if there is nothing really bad going on , there is nothing to critique , they are just saying all the garbage isn't being picked up, it is not quite as an ...??  
 Repression  
 R So , there are those who would not want actually the government to be properly informed. In case they lose their jobs  
 I Yeah, no, and I think the same thing is true , in , in war  
 R Yeah  
 I You often have an .. You know this better than I , but ...?? Groups have profit from war , they don't want peace  
 R Ya , that is true

I But you have raised an issue with my mind. It just occurred to me, you are basically making a dichotomy here, between a revolution and civil society. Ummh, civil society seeking aah, not major power change, and this is, major power change. Am wondering if you ever had any civil society that in a sense crosses the line just far not to seek major power change without a coup – without military – intervention.. instruction

R There was a danger with the NCEC going to that level. And I think that, I think this is why I agree with Kiraitu Murungi. They were scared of a possible revolution, because, you go to people who are saying No, what we need is a major overhaul of everything

I Okay

R I mean, because everything in the system, in this system is rotten

I Ya, maybe that I had talked ...??

R Yeah, so if it rotten, then you need a total overhaul

I Mmmmh

R And if there is a major overhaul, then the question is

I How do you do it?

I How do you do it? and who is going to lead that. Ah, which raises the question, about the ability of the leaders of the time to...

R How possible is it for Willy Mutunga to contain this

I Mmmh. If they want to contain it

R If they want to contain. Or do they want to contain it?

I Do they want to contain it, would be a possible question to ask

R Yeah, ya, you know, the .. we don't know whether they wanted to contain it or whether they did "want. James Orengo is a rubble-rouser and he is a good politician

I Yeah, yeah

R But even then you wonder whether he really wanted to go that far. But it good politics to talk it. Ummmh

I I think there was a voice, there were voices saying the very same thing that you are talking about, that in fact, you can't call for, like some of the .... There were some calls for that ... constituent assembly, which basically...

R Yeah, there was a call for that, yes

I Yeah, and then others and sometimes in political science...??? How naïve! How can you call for a constituent assembly and you have even got the biggest beginnings of the structure could form one. But I didn't quite understand. In other words the question is, if there was a possibility for civil society for asking something in terms of a major power structure change, was there a possibility here?

R Well I think also the problem was with the NCEC, they were met clear what they wanted

I Let me just double check to make sure it is good [*tape recording interrupted*] I'd rather hear you

R Okay I think the forces within the NCEC were not united, that's when you have this debate over constituent assembly a lot and also the misunderstanding of what it is it is not

I Okay

R Aaah, they may have been those people who were thinking of constituent assembly in formalistic terms, that there have to be the following data to get to that level, very formalistic very leftist in my view.

I Ya

R There are those who think of constituent assembly as that of actually grabbing government, and running with it, what you do after that is not the issue but grab it, so think the.

I Which is more of a physical thing?

R Ya, were of a physical thing actually. Actually is the idea and say we have actually done it. We have delegitimized that the government, we are now from now on, this and this

I Well there was some clause saying that basically we've declared ourselves servants we represents people better than they represent as,

R Ya, that's why the division seemed to come, there are those who are saying before you can do that, we need to have a forum of mechanism for doing that,

I Ya, ya

R In which case some of them were being accused of being too slow and maybe being too formalistic, actually there were some of those people, that they were not radical enough

I So we are talking of the radicals and non radicals within NCEC

R Within NCEC. And usually particularly the younger people who are very hot blooded. They are the ones who wanted to, let's go

I Lets go town down

R Lets do it, so the older ones, the so called the high flyers, now sometimes appeared to be very conservative

I The radical became the conservative.

R yes, so that did happen, but the NCEC, once the elections were done, it lost its power

I Why?

R Well the IPPG undermined them completely. That's why I said initially that it's something that comes at a particular moment

I In other words

R That's what it does and then it gets out

I Okay, we want change, we can bring the change, what if somebody else brought it, we are still around but it's like an echo it's a shadow

R Its an echo

I Okay

R If Kivutha Kibwana called today, very few people would respond

I Would describe them as the big six

R You know so he's old hats maybe a new force, therefore fresh action it might capture that, but it would need to be a new force not NCEC.

I One could ask that where does the reform movement then go in terms of what you've confirmed and that is that the power structure still has not changed. If one were to project a head from the past, there was some change in 1991, some change in 1997, aah what's the future in terms of the power structure over changing in Kenya. Aah, you have a very powerful president here in executive range is that even likely to change? And what circumstances

R Well the Ghai commission was expected to come up with some recommendations as to how this is going to be done. It is unlikely that it'll come up with anything radical. It may just add a few things here and there but even then we have a situation where it appears as if the parliament is not going to accept it. aah, if what we saw last two weeks is an indicator, the commission will be disbanded

I You mean a legal suit against them which is, which definitely has government,,,,,

R Definitely, oh yes. I mean that's the tactic of disbanding the commission which means go back to what was started in 1995, a promise which is not kept

I Ya and doesn't that fit a pattern of, am trying to characterize the state behavior now, in terms of human rights which is still the focus here. Aah, hasn't therefore

always been a pattern, I think you as little, promising something and then diverting once you're hadn't. Isn't there a pattern?

R There's a pattern of that

I Historical pattern of the last 10 years

R Ya, there's a pattern in, well when the government is under pressure. Give the impression of conceding, and once people forget about it then they go back

I They give the impression of conceding

R You give the impression of conceding. And then go back to the whole base until you are caught again, then you give the impression, so there's that going on

I Okay

R And but I may also add that there are minor concessions that add up

I Okay

R To a point where they become irreversible

I So that's important

R Ya

I Minor concessions add up to the point where they become irreversible

R Yes, that has clearly happened, so every time the government is pressed, it gives some concessions some of them it cannot attract but it still remains

I You want to give an example?

R Aah, kind of, let's say, like now the freedom of expression, let's say

I Okay

R There's been attempts to stop people from meeting

I From what?

R From meeting, having political rallies they're tried to break them up. The repercussions have not been very nice to the government. Eventually they said lets [laughs]

I Ya

R They cannot go back because the rule now is you want a rally, you just inform the police

I Ya, right

R Nothing else

I Right

R And if the police have a reason why you should not hold it they should tell you

I Okay. And you no longer have detention?

R We no longer have detention

I Ya, you not having torture, but you are having torture at systemic level calling human rights commission, Kenya human rights commission,,,,,,,,,

R There are still there. They still bear those abuses, they are still there

I Okay

R But what we have is that even the police are becoming little more aware. But as the public because aware of their rights, especially because of these activities, then they are a little more circumspect the way they deal with people

I Okay, why would you say then that many states that moved further in democratization and human rights than Kenya, a have the changes elsewhere if you look at them more closely more limited than they see

R Well it's hard to compare because it depends on which country you're talking about. Aaah, I don't know which country in particular

I Well am thinking of, maybe Tanzania

R Aaah, I think Tanzania has had good leadership in general, better, leadership it has been the change the political change has not been as acrimonious as it has been in Kenya

I Ya

R Aaah, for whatever reason, I think, the fact that since Nyerere moved out of office, Mwinyi came in and was shown the door. Now you have Mkapa who's likely to be shown the door. At least there's a pattern that is

I Turning over

R Is turning over to that list that there's a limit to what you can do. The problem with Kenya is that Moi has not been shown the door and he refuses to go, [laughs], if he can he'd like to stick around and that the same old habits are still there and to change but they're been forced

I Ya

R Maybe when Moi leaves, the next president whoever it is, will have less freedom to do what he wants

I The dynamics will have changed the accumulation of games would have been there

R Won't be there

I Legitimacy issues of who comes in next

R Yes so the

I Maybe even the fear factor?

R Well I don't think there's any fear any anymore, oh, it's there but not as much

I Its not much

R Not much

I You can watch [a TV comedy show that poked fun at the President and his aides] and laugh

R Even the way the minister in the Moi government are telling Moi off in public, something totally unexpected before

I Ya

R Moi, Moi has lost control

I Why?

R I think he's effort to impose Uhuru Kenyatta on Kenya

I E

R Yes Uhuru campaign, it has gone very badly with a lot of people

I But it takes places against a historic build up of changes that occurred in the last 10 years

R Yes

I You are a historian, am not, can you just link t5hat to what we have been discussing?

R Precisely I mean 10 years ago, if he'd have this is your president, we'd not have questioned, I mean there would have been grumbling but not this kind of thing, or even maybe in 1997, there would have been the opposition from outside the party but probably not from within the party

I Hmmm

R Now we have, during the last few years, and as it became clear that the president is going to go out anyway, so the question is who succeed the president.[phone rings – interruption in reading]

I If in fact it was too dangerous for organizations for see with hardly any exceptions to come and sort of champion human rights, in say of 88, 90, October 1990, why men some individuals able to do that? To come out and really champion human rights?

R I think there's something to be said about individual courage and some people particularly before 88, that is when it was really more courageous, aah in the 19980s some people kept on saying something is wrong, and they'd be determined, tortured, they'd be locked up. Quite a number of them, we have Wily Mutunga was one of them

I Was he tortured?

R I don't know about torture but I know he was detained, aah, the torture I don't know

I Ya

R People like Maina wa Kinyatti, there was that, these were individuals who took position and something is wrong, and they got locked up. And even Gibson Kamau Kuria when he was locked up, he was part of that. His crime was that he was defending detainees and he got detained.

I Aha

- R And that act in itself, it was good. He was detained in an awkward way, because at brought attention and the whole international attention to something that was otherwise not being looked at.
- I And they'd been many detainees before
- R They'd been many detainees, but here was Gibson, a human right lawyer detained for doing his job. And then Washington post playing hard and flashing the whole thing.
- I Ya
- R Coinciding with president Moi's visit to Washington. So there's a coincidence of many things
- I Convergence as if there was the term before
- R Convergence
- I Convergence of, what did you say there was
- R I forgot the facts but there was convergence of forces and factors in 1987 actually coming together. We have Gibson being arrested, president Moi being in Washington, the issue being raised by the newspaper and therefore raised by the Reagan administration, instead of praising president Moi they were questioning him to make a report. Which was awkward to ask a president to be ordered to make a report. So he left Washington, the United States as a whole prematurely back to the country. So there were these people, it had not been covered it had not attracted international attention, so after 87 we have this attraction of people like Gibson. So he left Washington , United States of America as a whole. He came back very angry. T here were these people , they had not been covered before, had not attracted international attention , so when we have this attraction of people like Gibson, we have more people speaking, we have the clergy, they had been speaking all along. Bu t somehow clergy tend to be protected by their profession
- I Ya
- R They are kind of expected to be off bit occasionally but there are occasions they have gotten to very rough waters, so they did that. ( *tape too noisy* )
- I Ya
- R But after 88 as I pointed out, the public in general then joins the individuals and they start demanding , wait a minute, something is wrong because they can no longer be blinded. And if they saw , they have the courage to say we saw. And

there was a case in 89 , in Kiharu, where some people were arrested for saying that the election was rigged

I And, Beyond banned

R And Beyond was banned at that time

I The ACK Chairman pulling back and saying it was him who

R And they had the Financial Review also getting banned, but they talked something about that, that by election

I By election what year?

R 1989 in Kiharu

I How do you spell that ?

R K-I-H-A-R-U, Kiharu

I Where is that ?

R It is in Muranga , Matiba's former seat because Matiba resigned

I Okay

R Because once he resigned from the government , he was kicked out of KANU

I And there was rigging in that one too then ?

R Yes, there was rigging, open rigging. So people saw it very clearly and people openly were saying it was rigged , and they got arrested for saying so. So, because of the insistence, the government then decided to drop the case. But it was interesting because people said, no don't drop the case , we want to continue so that we can prove that it was rigged ( both laugh ). So you can see that it is a totally new attitude, there was

I Who was the lawyer then ?

R Paul Muite, Paul Muite was the lawyer at that time

I These were ordinary citizens saying these things ?

R The people accused of saying it was rigged

I So ordinary people standing up and saying carry it forward, that is a change of sentiments, isn't it ?

R Ya, we want to go on , we want to go on and prove that it was rigged

I I didn't know that

R Because if they terminate the case then they can't prove. So they said no we want to go on and prove that it was rigged

I Do little stones dropped in a palm like that have ripples?

R Ya, they have demonstrative effects, in other areas, they say they are doing, that that is very nice. So somebody else somewhere else get that they can say the same thing , they can express an air of defiance

I But unless that kind of demonstrative effect is carried out in a form which involves visibly objecting to something through a rally or a march , it fizzles right or does it?

R Well, the rally may become the demonstrative part and we may become the climax when they say this is it. We have this build up gradually , it is kind of an underground build up

I Okay , okay

R Which manifests itself in some public demonstrations or some5thing like that. When somebody says let us do this, and although the leaders are not there, there is enough anger

I Okay, that goes back to Saba Saba then?

R Yes, that is what it is all about

I Okay

R So you have enough people who are very angry that all they need is some5hing to bring them up

I So you laid a basis?

R You have laid a basis for it. And you have the whole of 1989 , it was simply that base, the buildup of general anger, frustration and so when Matiba and Rubia called for a rally, they were symbolic now

I Two years later

R One year later, one year later

I One year later

R And Matiba had a starter because he had resigned from the government

I Right, I got you, now it is all coming , your package is now making more sense

R So he calls and people say we shall go,

I You mentioned briefly that you can't under-estimate , what did you say , individual courage?

R Yes, individual courage

I Would you develop that phrase a little bit for me ?

R Aaah

I Leaving aside all the dynamics , the point of view of the individual standing at a very strong step , why ?

R Aaah, I think there comes a time when with people who are very principled, well some of them have courage not because their interests have been messed up. But there are some of them who are just principled people that it is in their interests to be principled, you don't want your name to be mentioned because you did something, thinking that you'd get away with it. There are such people, who get away with it. There are such people , who in their mind they are very clear , that when something is wrong , it is wrong and whether you suffer or not is not the issue, but it is wrong. I think the position is you don't want to do something which you know is wrong yourself and supposedly illegal. There are those people , who observed what was going on and in their minds they knew it was wrong

I E, . T hey are always asked when he was jail, I remember this hanging part of it, by friends, why are you out there ?

R Ya ( laughs)

I (Laughs).

R Ya, why are you out there , when the principled people are in here (laughs ). So there are those kind of people. Aah , and I think some of these people who took up positions , irrespective of what happened to them , were very courageous people, I think they were very principled people. T hey are also, some of them

- may have been ideologues, who had come to believe that the structure of Kenyan government was wrong in itself and should be changed
- I When you say ideologues, does that move out of the category of being courageous and principled, or does it just add an element
- R Just that , not that there are some ideologues who are not principled and who are not courageous. In fact we have a lot of ideologues who are very good at you know, putting the fire, feeding the fire and they are never there in the forefront
- I It's just you have had a lot more experience in describing this, as ideologue in that sense means what to you ? A courageous principled ideologue?
- R Aah, this is a person who has a particular ideology , a way of thought that claims a certain way is good or should be the correct way
- I They have a concept of what is right
- R They have a concept of what is right, irrespective of whether it is right or wrong or not is not the issue
- I Right
- R They believe they should insist on it, whatever it is that they have to do they should do and change, in bringing about what they want
- I So in a sense it is a new art? When they see something here they say , this just isn't right, that is courageous and principled
- R Ya
- I But when they also say, it is not only right but
- R It should be something else
- I Something else, that is the ideological
- R They are really pushing an ideological angle, they are not really questioning, I mean they feel the whole thing is wrong because it doesn't fit their own perception
- I Okay
- R I think I can put in this case , the Marxist argument , the people who said that you should have , it is either this or that. But even those ideologues, some of those ideologues are not very courageous people

- I Ya, what you are talking about is a combination of people who are principled , courageous and
- R Sometimes ideological
- I Sometimes ideological in the sense that they were having the idea on how things should be, standard measure again
- R Yes, they have a standard measure
- I This is interesting
- R They really have thought about it and they can say it and they are willing to suffer for it
- I Aaah, would you say that those individuals , you have answered this question already, by saying the activists closest followers were an important thing but just looking at individual activists now, can I ask you a question which is a little broader in Kenya, but drawn from your way of life
- R Ya
- I But do you think that the individuals who were just principled and sometimes ideological , play an important role in bringing about political change?
- R They do
- I They do
- R They do because they then become the beckon, particularly if they address important issues in society. The society is rotten completely, almost completely and you have , everybody believes that it is rotten, but nobody has the courage to come up and say it is rotten. So those individuals , whether they are ideologues or not, who come up and stand up and say no this is wrong , they bring change because they say a message , people head it. And may be 2 to 3 people will hear it . T he rest will observe and say he is a fool. But 2 to 3 people, they tell you how that incremental build up, more and more people. Let us say today if that person is treated , then tomorrow is another and tomorrow another one. You have everyone run around, what is going on , before the third person because you have to give her this and this. But now it is building up different places, ya, so eventually now, everybody begins to gather courage, mainly because there was an example set when nobody else could wait and this is when Matiba became critical in people's minds
- I He resigned, sat at home , I don't like it

R You don't like it

I I remember the warning to run down

R You see , that kind of thing , who is this and everybody's perception of Matiba was not simply as a super rich man who served in Moi's government but he is a man who stood up and maybe there is something in it

I I have that vast interest in political theory, you studied political science

R A little bit

I And you studied the naturalizations in history, is there sort of a well known term to describe something like that ? You have used words incremental which makes a lot of sense to me. Is there a political science theory that kind of deals with that issue because what I have noticed in my studies and am still new, is that local science tends to look at organizations , measure change by measuring how organizations influence, the argument being nothing happens until it is organized. Individuals will always be there but not all are important, so I haven't found a social movement that is given much attention to individuals , a revolutionary theory, but somehow what am saying is , I really believe this is what inspired me to do this research. Is it true individuals do play an important part in political change ?

R They do though I don't know a particular theory that can pinpoint that, maybe Michael...??157 might know

I I am not sure..??157

R I think there is something . It doesn't count a lot

I Okay

R It embodies the others , particularly

I Let me switch it on an entire historical framework , forget political science, the historians have, there is a theory called The great men theory, is there anything called The small man theory?

R I have not heard of it although there is what people talk about , The people's history, is it Howard Zinn at Boston University who has some people's history in the United States from the bottom up

I Zinn?

R No, Zinn

I Howard Zinn

R Ya

I People's history

R People's history of the United States, , which tend to look at individuals here and there, which may not have fitted very much in small groups and things like that. But I think what you are pointing out is , a small man in terms of the social standing , coming up , not president, not a big anything , say that angle has not been very well explored.

I Can you hold on  
( *tape silent for a short while* )

I I should let you go, I have kept you for so long , am sorry

END