Chapter 4

I

On the 8th April 1953, in dusty and distant Kapenguria, the tip of the butterfly of the White Highland's left wing, Ransley Thacker, a former Kenyan High Court Judge and Attorney-General of Fiji, now living privately in the colony and brought out of retirement, at great (but unacknowledged) public expense, to perform the task, passed sentence on Jomo Kenyatta and the other members of the 'Kapenguria Six', the men charged with organising Mau Mau.[1] Kenyatta, he concluded, on the basis of evidence that could generously be described as flimsy, was the 'master mind' behind the revolt, the man who had 'taken fullest advantage of the power and influence which' he held over his people, the product of his education and long immersion in British society, 'and also the primitive instincts which you know lie deep down in their characters.' While, under colonial tutelage, Thacker went on, the Kikuyu people had 'made so much progress towards an enlightened civilisation', following his return from England in 1946, Kenyatta's insidious influence had 'successfully plunged many of them back to a state which shows little of humanity', persuading 'them in secret to murder, to burn and to commit evil atrocities which it will take many years to forget'. Kenyatta had, he intoned, 'let loose upon this land a flood of misery and unhappiness affecting the daily lives of all the races in it, including those of your own people', often in circumstances which, he proclaimed, in

[1] See Lonsdale, 'Kenyatta's Trials', pp.196-239. Anderson, *Histories*, pp.65-8. On imaginations of Mau Mau more generally, see J. Lonsdale, 'Mau Mau's of the Mind: Making Mau Mau and Remaking Kenya', *Journal of African History*, Vol.31, No.3, (1990), pp.393-421.

titillating terms widely used in the white media, 'are revolting and better left undescribed.' Convinced of his guilt, he sentenced Kenyatta to seven years' hard labour.[2]

Historians have generally, and with very good reason, been unimpressed by Thacker's judgement, by his portrayal of Kenyatta's role in the events which led to the declaration of the Emergency in October 1952, and by his understanding of the rebellion and its motivations.[3] Mau Mau has, nonetheless, remained the focus of scholarly interest in 1950s Kenya.[4] If we are to come to terms fully with this period, however, if we are to understand how people in Kenya came to think about community, then we need to look beyond the drama of the rebellion, to put Mau Mau into perspective, to see, as we have already done in Tanganyika, both what was going on in other parts of the colony, and to put this decade into the context of its longer history.[5] The following chapter, then, seeks to show how thinkers in Kenya came to imagine community, faced by both well-established visions of men and women and their relationship with community and new questions raised by novel imperatives. At the heart of this story lies the imaginative recasting of colonial rule.

[2] Judgement of the Crown vs. Jomo Kenyatta *et al*, [1952], Court of the Resident Magistrate at Kapenguria, 8th April 1953, pp.97-8.
[3] See e.g. Anderson, *Histories*, pp.66-7. Lonsdale, 'Moral Economy'.
[4] See Nottingham and Rosberg, *Myth*. Spencer, *KAU*. Throup, *Origins*.
[5] For a recent effort to look beyond Central Province, see Lynch, *I Say to You*, Ch.2.

II

In Kenya, as in Tanganyika, the recasting of colonial rule owed a great deal to colonial intrusions into African agriculture. In the last years of the Second World War, fears of swarms of environmental refugees flooding white land led (as we saw in Chapter One) colonial development planners to focus their attention on the areas adjacent to the colony's white heart. In areas more distant from white settlement, development planning picked up in the second half of the 1940s, but progress with planning (let alone implementation) was painfully slow.[6] The clear lines of the vision that would prevent the people perishing proved to be extremely difficult to draw. The Emergency, however, acted as a shot in the arm for development initiatives across the territory. Colonial concern, in the face of Kikuyu resistance, to engineer a class of loyal cultivators led to the development of the two-parted Swynnerton Plan in 1954, the first half focussed on Kikuyu lands in the circumstances of the Emergency, and the second on increasing the 'agricultural productivity' of the rest of the territory.[7] Underpinning the plan was the understanding that 'Sound agricultural development' required a 'system of land tenure which will make available to the African farmer a unit of land and a system of farming whose production will support his family at a level… comparable with other occupations', and, above all, secure title. This in turn, Swynnerton made clear, demanded an end to the fragmentation of land holdings, a concerted effort to consolidate land.[8]

To this end, Luo and Luyia farmers in Nyanza province were encouraged by the Government to trade small parcels of dispersed land to create larger contiguous farms. Male household heads played a central role in this, forming the committees tasked with overseeing the process, and using their position to ensure their privileged access to land, disregarding the claims of women and junior

[6] For an indication of this limited progress see BNA CO 533/557/5, (African Land Settlement Schemes: Soil Erosion), BNA CO 533/566/9, (African Land Settlement), BNA CO 533/569/10, (Teita Hills Scheme).
[7] R. Swynnerton, *Colony and Protectorate of Kenya: A Plan to Intensify the Development of African Agriculture in Kenya*, (Nairobi, 1954), p.i. Maxon, *Conflict and Accommodation*, pp.132-3. B.A. Ogot, 'The Decisive Years, 1956-63', in B.A. Ogot and W. Ochieng, (eds.), *Decolonisation and Independence in Kenya, 1940-1993* (London, 1995), pp.48-9.
[8] Swynnerton, *Development of African Agriculture*, p.9.

men. As Swynnerton intended, consolidation was closely linked to class formation. In turn, this process quickly aroused the suspicions of the significant Luo and Luyia diasporas in both Nairobi and Mombasa.[9] As concrete plans emerged in 1956, intelligence officers in the latter observed that Luo in the town were 'deeply suspicious of the scheme', believing that 'something to their detriment is being hatched and enforced by [the] Government in their homelands', and seeming likely to result in their being (unable to represent their interests in their absence) cheated of their rights in land, of their means of subsistence and of their access to an honourable adulthood. The scheme, it was held, was 'an evil one designed by the Government with the aid of tribal quislings to impoverish' absent migrants.[10] Afraid for their futures, Luo and Luyia migrants led riots in Nairobi and Mombasa in May 1956, while local courts became increasingly clogged by land cases, as the dispossesed turned to the law to defend their precarious claims.[11] In Nyanza, then, the invigorated colonialism of the 1950s was understood to threaten livelihoods and lives.

The same was true elsewhere. Swynnerton was especially scathing about the situation in 'pastoral and semi-pastoral' areas, and particularly the apparently dangerous impact on the land of 'overstocking'. 'It must be clearly recognised', he wrote gravely, 'that the failure to control stock numbers in the pastoral areas and to preserve the land against degradation, represents the greatest failure that has occurred in the field of agriculture since the advent of British administration'.[12] This fear of overstocking was hardly new: it had long animated administrators and technical officers in, for example, Baringo district, close to the heart of white settlement in the Rift Valley, where investigation had been made of the problem in the 1930s, and where in the late 1940s, official concern led to significant efforts to cull stock, engendering some resistance.[13] Swynnerton's plan,

[9] Peterson, *Ethnic Patriotism*, pp.136-7. J. MacArthur, *Cartography and the Political Imagination: Mapping Community in Colonial Kenya* (Athens, 2016), pp.195-6.
[10] BNA, FCO 141/5855, (Kenya: Coast Provincial Intelligence Summaries), Coast Provincial Intelligence Summary for the Month of May 1956, p.3, Coast Provincial Intelligence Summary for the Month of June 1956, p.3, Coast Provincial Intelligence Summary for the Month of July 1956, p.4.
[11] MacArthur, *Cartography*, p.196.
[12] Swynnerton, *Development of African Agriculture*, pp.31-3.
[13] Anderson, *Eroding the Commons*, pp.191-4.

however, gave further impetus to these efforts and, in turn, from the mid-1950s this resistance intensified.

In that district, in the half decade prior to the publication of the plan, 'progressive' farmers, often with the tacit backing of local administrators, had been 'spontaneously' enclosing land, much to the chagrin of 'conservative' herders who wished to maintain access to the commons. From the mid-1950s, however, under Swynnerton's influence, concern with the ecological impact of local land practices, as well as the economic viability of such holdings, led local administrators to turn away from encouraging these moves, and to instead focus their efforts on developing a number of 'ranching schemes', open to a limited number of herders, and on which stock numbers were carefully controlled and grazing practices carefully regulated, with the central hope that these schemes would teach their charges the fundamental principles of good land management. Colonial paternalism reigned supreme.

The hopes of local administrators quickly proved to be forlorn, however. The schemes rapidly generated significant opposition, from a coalition of both 'progressive' local farmers, who wanted the continued right to establish enclosed smallholdings, not to be forced into government-managed schemes, and from those 'conservative' herders who were excluded from using this land. All agreed that the actions of the colonial state undermined the ability of household heads to provide for their dependents, a danger to life. Resistance was fierce. At Kisanana, one such a scheme was met, in late 1954, by a 'massive and co-ordinated trespass', while in nearby Mugurin, activists, keen to subvert colonial plans, sought, with sabotage in mind, both election to the local committees which co-ordinated the project and the funds to mount a legal case against the scheme, an echo of the actions of Tanganyika's Meru. By 1958, resistance was such that the (armed) General Service Unit was mobilised to deal with what had become a 'mass civil disobedience campaign'.[14] Colonial agricultural policies, then, passengers of the Emergency, quickly turned local opinion against the colonial state.

[14] *Ibid*, Ch.7.

This intensification of colonial development initiatives took place at the same time as efforts to reform Kenya's constitution, part of a regional effort to rethink existing arrangements in light of both developments in West Africa and settler manoeuvres at home, and which, as in Tanganyika, appeared to entrench obstacles to African recognition and foreign privilege.[15] African thinkers in Kenya, like their counterparts on the other side of the border, had long expressed their hope that constitutional reform would give Africans their rightful place in government, recognising their common humanity and their peculiar interest in the fate of the continent, enacting African paramountcy. The KAU, for example, had, in a lengthy memorandum of 1946, damned the 'KENYA GOVERNMENT'S longstanding policy of denying the African community adequate representation in the Legislative Council', asserting that Africans were 'still in subjection to an African minority opinion in the Government while the emigrant races enjoy their majority opinion'. It was clear to the petition's authors that 'Government in Kenya seems to be rather resolved to safeguard the interests of minorities and sacrifice the legitimate interests of the majority'. While they were clear that 'The time is not yet ripe for any form of self-government to be awarded to Kenya' (and certainly not to *white* Kenya) they insisted that African representation be increased to reflect African predominance, the full realisation of the Devonshire declaration, explicitly rejecting any idea of equal representation for Kenya's (unequal) races.[16] Along similar lines, Taita arap Towett wrote in his 1953 petition to the East African Royal Commission (as a new constitution was being designed) of the 'suspicion' Africans had of Europeans and their motives. He noted the general impact of racial discrimination, asserting that Africans saw a 'huge gap between him and the European as far as social matters go', and in particular pointed out that Africans knew that they were 'not allowed to participate fully in the government of his country', that 'he [the African] can hardly be relied upon to direct his own things'. He noted that only eight out of a total of fifty two official and unofficial members of the Legislative Council were Africans, a state of affairs which led those with black skin, he argued, to suspect that 'the underlying reason for this sort of unequal representation' was 'to make him outvoted in

[15] Maxon, *Britain and Kenya's Constitutions*, pp.30-1. See also Ch.3.
[16] BNA, CO 533/537/21, Memorandum by the Kenya African Union, 1946, pp.39-40, p.48. Original emphasis.

Council', to ensure that the sectional interests of minority communities prevailed over those of the African majority.[17] By implication, the on-going process of constitutional reform needed to redress these imbalances.

As in Tanganyika, the constitution which emerged from a lengthy process of consideration (elongated by the Emergency) seemed merely to confirm the inferior status of Africans, and so demonstrate the unreformable nature of colonialism, its barren patronage.[18] The underlying premise of the 1954 Lyttleton Constitution was 'multi-racialism', built not on the need for full democracy (nothing more than an exercise in 'counting noses', sniffed the settler authors of the 1949 Kenya Plan[19]), but for a 'balanced' constitution which recognised the interests of the different races that inhabited Kenya, as the guiding principle of the territory's constitutional development – precisely the principle rejected by the KAU eight years earlier.[20] Specifically, the reform sought to reorganise the Executive Council, in part as the first step in a campaign to develop a sense of mutual trust between the different races in the colony (the hope being, in the words of the Governor, Sir Evelyn Baring, that ministers of different races would, in these circumstances, 'be compelled to work together, to hack out decisions together, and to resist criticism together. In this way', he hoped, 'improvement [in race relations] may come'), and most immediately, to maintain European support for the Government's prosecution of the anti-Mau Mau counter-insurgency. To this end, European elected members were given three ministerial portfolios and Asians two, while Africans received only one (and very junior) portfolio in the proposed cabinet of sixteen. Reform, indeed, offered even less in Kenya than in Tanganyika: whereas in latter the number of seats allocated to Africans, Europeans and Asians in the Legislative Council was equal, in Kenya, Europeans continued to hold many more seats than the African majority (fourteen compared to eight).[21] In the minds of African thinkers, these moves served merely to confirm Towett's fears about the nature and dangers of colonialism.

[17] BNA, CO 892/5/4, Memorandum of Taita arap Towett to the *East African Royal Commission*, 14th April 1953, p.3.
[18] See Lonsdale, 'Ornamental Constitutionalism'.
[19] Maxon, *Britain and Kenya's Constitutions*, pp.30-1.
[20] Ogot, 'Decisive Years', p.51.
[21] Maxon, *Britain and Kenya's Constitutions*, Ch.3, quote p.64.

The implications of the new constitution, wrote Masinde Muliro, a member of the Legislative Council, and later, along with Towett, KADU's most articulate member, was nothing less than 'the victory of the Europeans which has actually been hailed by themselves', proof that they, along with their patrons in Nairobi and London, were 'seeking a will to racial domination'.[22]

Under pressure in the localities and compromised at the centre, the image of a benevolent colonialism crumbled in Kenya as it had in Tanganyika. In the first African elections, held in March 1957, all but one of the sitting African members of the Legislative Council (the future President Moi, who had only recently taken his place), lost their seats, the two most prominent members, Eliud Mathu and B.A. Ohanga (respectively, the first African member, and the first African to hold a ministerial portfolio under the Lyttleton Constitution) heavily beaten. While local issues played their part in these elections, what united the new members, and differentiated them from their nominated predecessors, was their rejection of the principle of multi-racialism and their insistence that Kenya must proceed towards a rapid independence on the basis of majority rule.[23] As the newly elected Oginga Odinga wrote in a letter to *Jicho*, celebrating the election results and giving voice to this new ambition, 'Let us join together and form a team fully given to fight for the cause of Freedom, which I know we all desire'.[24]

By the late 1950s, even under Emergency conditions, this cry was being increasingly widely heard. It was central to the message of the political parties which were set up in Nairobi after 1955. C.M.G Argwings Kodhek, the leader of the Nairobi District African Congress, and along with Oginga Odinga and Tom Mboya the most visible politician of the 1950s, for example, told an audience in the same month that 'all the Africans should ready themselves to rule Kenya themselves.'[25] Giving expression to the same hope, the revealingly named newspaper *Uhuru*, the mouthpiece of Mboya's

[22] *East African Standard*, Letter M. Muliro, 17th January 1958.
[23] Lynch, *I Say to You*, pp.60-1. Maxon, *Britain and Kenya's Constitutions*, pp.118-21. Branch, *Defeating Mau Mau*, pp.155-8. Ogot, 'Decisive Years', pp.57-8.
[24] *Jicho*, Letter Oginga Odinga, 3rd April 1957, p.3.
[25] *Jicho*, 20th March 1957, p.1.

Nairobi People's Convention Party, published the following re-working of the Lord's Prayer in April 1958:

> *O, Imperialism which art in Kenya*
> *Cursed be thy mention*
> *They kingdom go*
> *They will be done in America as imposed here*
> *Give us this day our 'Uhuru'*
> *For we don't forgive your oppression*
> *As we don't approve of your suppression*
> *And lead us not into complacency*
> *[But] Deliver us from the exploitation*
> *For thine is the sorrow and the torture forever*
> *Amen.*[26]

The same demand was, likewise, beginning to be heard elsewhere, and by the time the Emergency ended in January 1960 was commonplace in Kenya's public discourse. Writing in *Baraza* in April 1960, for example, Lesingo Ole Keiuna - while he worried about the form independence would take and where the Masai would fit into it (a theme which underscored differences between KANU and KADU, and which will be taken up in detail below) - was adamant that 'we [the Masai] understand completely on *uhuru* and *we very much want it*', even if 'not by the way these people search for it.'[27] Indicating something about the wider mood in the colony, a correspondent in *Baraza* in April 1960, echoing the editors of *Kiongozi*, wrote in English about 'this well known [sic] word "*Uhuru*"', which he claimed, was being 'shouted aimlessly everywhere in the Colony nowadays', despite being merely 'an abstract noun', which 'cannot be seen, touched or smelled [sic].'[28] And the two political parties which emerged in these months, for all their differences, were united in their belief that colonialism posed the biggest single obstacle to a good collective life, and that independence must be granted quickly – a remarkable shift from the policy of the KAU. According to 'KADU's Plan for National Unity', published in 1961, therefore, the party aimed 'To obtain immediately and to maintain true

[26] BNA, FCO 141/6636 (Nairobi People's Convention Party, 1957-60), Certain Illegal or Objectionable Aspects of the Nairobi People's Convention Party, p.22.
[27] *Baraza*, Letter Lesingo Ole Keiuna, 15th April 1960, p.4. My emphasis.
[28] *Baraza*, Letter Kipkeboi, 23rd April 1960, p.4.

independence of the country', while 'The very first aim' of their rivals in KANU was 'to fight relentlessly to achieve and maintain independence for the people of Kenya'.[29]

Underpinning these demands was a new understanding of colonialism, closely matching that developed in Tanganyika, as a relationship with the potential only for destruction. While in the 1940s, thinkers had critiqued colonial rule by the self-declared standards of the civilising mission, by the late 1950s foreign rule itself, and not merely particular policies enacted by colonial governments, had come to be understood as an institutionalised form of non-recognition. Colonialism, according to an early draft of KANU's 1960 manifesto, amounted to a failure to acknowledge the 'full human stature' of the colonised people.[30] 'No country', they made clear, 'has any right to dominate, rule or exploit another. Men many not be equal in many ways', they continued, 'but in dignity, under God, they are.'[31] Colonialism amounted to nothing less than the denial of this. Tom Mboya similarly argued (in a paper written by him but, in his unexpected absence, presented on his behalf at a conference in Oxford in 1961) that while 'For more than 70 years' under colonial rule 'the material lot of our people has improved slightly', the colonised people had 'lost our dignity and our status among the people of the world went down to rock bottom'. He saw anti-colonialism as a rejection of this implied inferiority. 'The present revolt in Africa is a reaction against the colonial system', he argued, which could 'never succeed in meeting the psychological and material demands of the African people.' [32] 'Freedom', said Jomo Kenyatta, summing up this sense, 'is a right and without it the dignity of man is violated.'[33]

Others were less sure of the material benefits brought by colonialism than Mboya appeared to be. Indeed, in KANU's 1960 manifesto, the emphasis on the lack of respect inherent in colonial rule was but an adjunct to an argument which focussed on the exploitativeness of colonialism, a

[29] BNA, CO 894/14, (Kenya Coastal Strip: Robertson Commission, Written Evidence Volume 4), KADU's Plan for National Unity, p.1. BNA, FCO 141/7100, (Kenya African National Union, 1960), Kenya African National Union: Manifesto for Independence and Freedom, p.1.
[30] *Ibid*, p.1.
[31] *Ibid*, p.5.
[32] *Daily Nation*, 30th August 1961, p.6.
[33] J. Kenyatta, *Suffering without Bitterness: The Founding of the Kenyan Nation* (Nairobi, 1968), p.213.

relationship marked by 'Injustices in the form of land expropriation, racialism, [and the] economic exploitation of African workers and peasant farmers'. Kenya under colonial rule, it argued, had 'never enjoyed a status of a social and political order based on justice.' It had instead been reduced to the status of a 'backyard of Britain'.[34] An earlier version of the same manifesto, attributed by the intelligence services to Oginga Odinga, had more to say on this theme. Echoing the economic critique offered in *Mwafrika*, it held that 'colonialism is a concomitant of capitalism', and had been motivated by the search for markets and for raw materials for the industrial powers. This was a zero-sum game: 'As the exploited country gets poorer and poorer the imperialist country gets richer and richer.' Indeed, it was 'in the interest of the imperialist power that the exploited country must never advance'. Most immediately, the indigenous people had their interests subordinated to the 'Convicts, bad characters, religious non-conformists, and fortune hunters who go out [from the metropole] to start [a] new life elsewhere', and for whose benefit local people, to the great detriment of the social fabric of their own societies, were pushed into lives of 'forced and migrant labour.'[35] 'Colonial advancement and imperialism' were, therefore, quite simply, 'contradictories [sic]'.

Others similarly condemned the exploitativeness of colonialism. Rejecting, in 1962, the argument that African actions were damaging the economic chances of Kenya, Bildad Kaggia, once a 'militant' trade unionist in Nairobi, and a member of the 'Kapenguria six', argued that colonial policies in Kenya had aimed at 'dominating the political scene… relegating the Native Land Units to the position of reservoirs of labour for the White Highlands… restricting the economic growth of Africans either by not allowing them to grow cash crops such as coffee and sisal, or confining them to the lowest post in the Civil Service and in commerce… impeding African political growth by every means in their power [and]… treating African labourers in the White Highlands and squatters (who, incidentally, once owned much of the land on which they were supposed to be squatting) as little

[34] BNA, FCO 141/7100, Kenya African National Union: Manifesto for Independence and Freedom, p.3, p.7.
[35] BNA, CO822/2110, Draft 1960 KANU Manifesto, pp.5-6.

better than serfs with no security and the lowest wages'.[36] As on the other side of the border, thinkers were no longer critiquing colonialism against the standards of the civilising mission, but highlighting its inherently exploitative character.

Colonial innovations, then, at both the territorial centre and the periphery, led people across Kenya, as they had in Tanganyika, to recast colonial rule in the second half of the 1950s as a grave threat to their collective reputation and prosperity. 'Nothing short of independence', it followed, 'can save the people of Kenya from the situation in which they are today.'[37] As in Tanganyika, however, this new imperative did not enter a vacuum. Rather, it intruded into a context in which community and what ailed community had been the central object of a vigorous public argument for two decades. Indeed, the sense of disruption and the social change which underpinned these arguments, continued to be a notable feature of this period. Towns like Nairobi continued their post-war population boom, African commercial production continued to grow, albeit at a slower rate than in the preceding half decade, while the intrusions of the second colonial occupation, as we saw in western Kenya, only added to this sense of disorder. Even, then, as colonial rule was decisively recast, people continued to concern themselves with the impact of 'disorder', and the presumed moral failing which underpinned it, with the prospect of civil, reputable and prosperous communities – defined in both ethnic and racial terms - continuities which hardly lend weight to the idea that community in Kenya was decisively shaped by the Emergency. As in Tanganyika, independence was understood in Kenya to be a necessary, but not a sufficient condition of a good collective life. 'Freedom', as Kenyatta told his rapt an audience on independence day, 12th December 1963, was 'by itself… not enough'.[38]

The old gendered (and urban) icons of moral decay, *wahuni* and, especially, *malaya*, continued to hold a central place in the imagination of people across the region. As P.T. Kamau Karanja complained: men 'who work away from our home reserve fear greatly the circumstances of

[36] *East African Standard*, Letter B.M. Kaggia, 9th March 1962, p.1.
[37] BNA, CO822/2110, Draft 1960 KANU Manifesto, pp.6-7.
[38] Kenyatta, *Suffering*, p.213.

women who work in Nairobi', lamenting that they did not even receive answers to the letters they sent.[39] Tom Charles Odari similarly complained that 'We old men and women of Kenya suffer greatly from lack of children in our homes' as they were sucked into towns, where their daughters were 'housed… as prostitutes without our allowance.' 'It is as if we did not produce sons and daughters' he lamented, concluding with the demand that 'all the husbandless women… quit the towns and go back to their reserves.[40]

Such women, it continued to be widely argued, threatened the reputation, and indeed very existence, of their communities. In time honoured fashion, Victor L. Omolo made clear that women's actions in cosmopolitan towns shamed their ethnic groups, damaging their collective reputation: what did it say about a group which 'allows women to be ruined in this manner', he asked?[41] Likewise, Kassan A. Amiri, focussing on a racially-defined *taifa*, argued that women 'who run away from their husbands and reserves and come here into the city towards drunkenness, are just idlers', selfishly pursuing an easy life at the expense of the disciplined labour which was the foundation of strong and decent communities. She compared the actions of African women in towns unfavourably with those of their white and Asian counterparts: seeing African women chase white men, she argued, caused their fellow Africans 'shame', 'embarrassing the people of their nation'. [42] And writing in the *East African Standard* in 1962, D.N. Ndethiu complained miserably that 'day-to-day affairs have got worse'. '[B]oth young and old women, with no money or experience', he continued, 'flock into large towns to try their hand at this lucrative trade' of prostitution. 'Does not any woman, or group of women, see the ruin this practice is doing to the country they want to help', he asked in despair? If parents were incapable of combatting this evil, he went on, echoing an assertion common in the arguments of the 1940s, local and central government must step in to kill the practice before anarchy overran disciplined community. 'What is required', he concluded, 'is the

[39] *Jicho*, Letter P.T. Kamau Karanja, 25th September 1957, p.6.
[40] *Baraza*, Letter Tom Charles Odari, 27th April 1960, p.4.
[41] *Jicho*, Letter Victor L. Omolo, November 1957, p.3.
[42] *Jicho*, Letter Kassan A. Amiri, 25th September 1957, p.6.

realisation by everyone in Kenya that things have gone too far and must be stopped, otherwise disease and confusion will ensue and progress in the country will be seriously hampered.'[43]

As in the previous decade, *wahuni* and *malaya* continued to be popularly understood to be merely the end point of the wider rise of a damaging selfish individualism, an attitude or disregard characteristic of the age. Complaints continued to be made along these lines about the attitude of the educated, while the education of women acquired an increasing centrality. A letter written by W.E.A. Adiedo-Kagwa hinted at the shape of the wider argument. It was, he argued, the 'height of selfishness' for which there was 'no valid argument' to deny women access to education. Echoing the argument articulated most clearly by Daniel M. Wako in the 1940s, he criticised opponents of African female education who, he suggested, argued that education distracted women from their proper role in society as wives and mothers, insisting, rather, that female education allowed for women to be a proper 'companion' for educated men, and to raise children whose 'whole future to a large extent depends on the teaching received in early childhood'. By implication, female education would secure both harmonious households, the basis of civilisation, and produce the children who would be capable of furthering its development in the world of the twentieth century. Selfish men should not stand in the way of this much needed development.[44]

And as the territory moved towards independence, politicians across the political spectrum drew on themes central to the arguments of the 1940s, making clear that independence alone would not, could not, bring *maendeleo*. The unit they aimed to develop, however, was now unflinchingly Kenya. They held, as did their counterparts on the other side of Kilimanjaro, that a reputable prosperity required that two conditions were met. In the first place, they continued to assert that order was a condition of progress, an emphasis sharpened in the Kenyan context by the ghost of Mau Mau. On this theme, KADU's 1963 manifesto explained that 'If the fruits of Kenya's independence are to be won, stability in the country is the first essential before planned economic expansion can take place. In order to achieve this, KADU is determined that the maintenance of law

[43] *East African Standard*, Letter D.N. Ndethiu, 21st September 1962, p.12.
[44] *East African Standard*, W.E.A. Adiedo-Kagwa, 26th April 1957, p.3.

and order will be given close attention'. There was no place, they were clear, for 'subversive' organisations, a reference to Mau Mau (and KANU as, they claimed, the party of Mau Mau's supporters).[45] Tom Mboya similarly insisted that 'Our aim is to achieve [a] peaceful and prosperous independence for peace-loving and law-abiding citizens.'[46] And, soon after his release from detention in August 1961, Jomo Kenyatta emphasised that 'We are not going to be a gangster Government. We are going to be an orderly and responsible Government.'[47]

And in the second place, thinkers continued to hold that prosperity depended above all on self-help. While KANU and KADU both acknowledged the responsibility of the independent government in key areas, they shared an emphasis on the necessity of hard work. '[T]he people of Kenya must be led into the modern world through their sweat and toil' KANU made clear from their foundation.[48] 'Whether Kenya succeeds in establishing a sovereign Independent State with a viable economy, or not', wrote the authors of KADU's 1963 election manifesto, would 'depend on the efforts of Kenya's people themselves.'[49] The government could only help those who helped themselves, as Masinde Muliro suggested when he argued that it was 'only by creating wealth from the country's assets that the country can then afford to provide the social services that the people need and which are so greatly in demand in Africa.'[50] '[I]f we want to spend more on social services', echoed his colleague Ronald Ngala, 'we must first of all get more money to spend', which could 'only be done by expanding our general economy, so that with greater prosperity, the workers can earn more and therefore afford to pay more either through fees or taxation'.[51]

This hard work was, as ever, held to be the basis of a reputable prosperity. Kenyatta, drawing on an analogy that was, as we have seen, first used in 1940s Tanganyika, was scornful of the idea that 'now there is *Uhuru*, now I can see the sun of Freedom shining, richness will pore down like

[45] BNA, CO 822/3068 (Kenya African Democratic Union), KADU Election Policy 1963: *Uhuru na Majimbo Sasa*!, p.10. Anderson, 'Yours in the Struggle', p.549.
[46] *Daily Nation*, 23rd May 1963, p.4.
[47] *Daily Nation*, 26th August 1961, pp.1-2.
[48] BNA, CO822/2110, Draft 1960 KANU Manifesto, p.17.
[49] BNA, CO 822/3068, KADU's Election Policy 1963, p.1.
[50] *Daily Nation*, 11th May 1963, p.6.
[51] *Daily Nation*, 17th May 1963, p.6.

manna from Heaven.' God had decreed that this would never happen again. Prosperity, therefore, could only result from hard work. 'We must all work hard, with our hands, to save ourselves from poverty, ignorance and disease', he explained. This work, he made clear, was the basis not only of prosperity but of a reputable and strong community. 'Many people in the world despise us', he told his audience, believing that 'the people in your country are very lazy'. It was up to them to change the image of Africa in the eyes of the world. 'From today onwards', he concluded, 'I want our *Uhuru* to mean: *Uhuru na Kazi*', freedom and work.[52] Working in this way, would earn the respect of the rest of the world, as well (marking a contrast with Nyerere's thinking) as 'attract[ing] [the] overseas investors' that would help push the community forward.[53]

But, what was Kenya? How was it related to other visions of community? And what held it together? Indeed, how did 'Kenya' come to be the focus of argument?[54] As the Emergency was brought to end, formally in January 1960, and as subsequently pressure was brought to bear on the colonial government by KANU and KADU, leading the colonial government to fast track Kenya's independence, thinkers across Kenya began to address these questions as the energies which had been caged under Emergency conditions were released. Their visions and arguments are the focus of the remaining sections of this chapter.

[52] Kenyatta, *Suffering*, pp.215-6. See also Lonsdale, 'Jomo Kenyatta', pp.47-8.
[53] Kenyatta, *Suffering*, p.183.
[54] See also MacArthur, *Cartography*, p.194 on the need to break the nationalist teleology, the importance of coming to terms with the 'doubt' that characterised this period, and the necessity of allowing room for alternative imaginations of community.

III

In the 1940s, African intellectuals spent a great deal of intellectual effort defining a racial community tied to the continent of Africa, calling for self-recognition manifest in a unity stretching either across the continent or, more usually, a sub-unit of the continent, sometimes Kenya, sometimes East Africa. As independence loomed, however, this image came under pressure as thinkers were forced to consider the place of non-Africans in the postcolonial nation, both in the context of the citizenship question, and more immediately by a vociferous coastal nationalism which denied the simple equation of continent and race.

The East African Coast, in both what became Kenya and Tanganyika, had a long relationship with the wider world of the Indian Ocean, stretching back two millennia, a relationship shaped, in the first place, by trade. Islam, which arrived on the coast around the eighth century, became the basis of the trust that oiled these far-flung trade networks, and, in turn, became a longstanding source of social prestige on the coast itself, a prestige that was strengthened in the nineteenth century by the establishment of the Omani sultanate on Zanzibar, and which was reflected most clearly in the longstanding claims made by families along the coast to origins in the Middle East. In the context of their shared devotion to Islam, residents of the 'chain of towns' that stretched along the coast, in pre-colonial times had spoken recognisable dialects of Swahili, and had, as had others elsewhere (as we saw in Chapter Two), valorised their peculiarly urban culture, the basis of their moral economy, which they contrasted with the non-Islamic, rural hinterland, even as they maintained links of various kinds with those same rural areas, links that were 'negotiated through more fluid relations of clientage and intermarriage'. This shared attachment to Islam, however, while it was thought by its adherents to make the people of the coast closer to their trading partners across the Indian Ocean than to the people of the hinterland, was not, before the colonial period, the basis of an 'ethnic' identity. Rather, people identified themselves first and foremost with clan, village or 'the ruler of the city-state to which they owed allegiance', commercial hubs which had

developed in the context of the 'complex web of interlocking trade networks that linked the whole arc of the northern Indian Ocean littoral'.[55] As in other parts of East Africa, pre-colonial felt identity was in the first instance, deeply local, if not parochial.

In the early years of colonial rule, European incomers in Kenya and Tanganyika dealt with their coasts in fatefully different ways. In the German territory, the administration fully incorporated the coast into the wider colony, purchasing the Sultan of Zanzibar's presumed interest outright at the cost of £200,000, while in Kenya, by contrast, although in practice the coast came to be significantly integrated into the territory's racially defined administrative system, and, for example, 'Arab' members for the coast sat in the Legislative Council in Nairobi, technically the coastal strip, the Kenya Protectorate as it was known, was distinct, a possession of the Sultan of Zanzibar, leased to the British government, under the terms of an agreement made in 1895, at an annual cost of £17,000 in rent and interest, a sovereignty represented by the flying of the Sultan's red flag alongside the Union Jack.[56] This contingency was to have important effects.

From the late 1940s, in a comparative context in which community across East Africa was being vigorously debated, and increasingly influenced by ideas and currents travelling across the water from Zanzibar, thinkers in the Kenyan Protectorate drew on a by now widely circulating idea of a world consisting of bonded and bounded nations, with a shared historical destiny, moving through historical time, a concept that in the process of comparison was unmoored from its biblical origin, took hold of this colonial administrative structure and invigorated it, imagining the Kenyan coastal strip as a distinct, and indeed ancient, nation.[57] This nation was not, however, founded upon descent, its spokesmen argued, as was the case elsewhere, but, drawing on a longstanding coastal discourse of 'civilisation', associated with coastal Islam, and 'barbarism' associated with the non-

[55] Glassman, *War of Words*, pp.23-6. J. Willis, *Mombasa, the Swahili and the Making of the Mijikenda* (Oxford, 1993), Chs.2&3. J.R. Brennan, 'Lowering the Sultan's Flag: Sovereignty and Decolonisation in Coastal Kenya', *Comparative Studies in Society and History*, Vol.50, No.4, (2008), p.840. Lonsdale, 'Gender, Authority and Violence', p.50.
[56] Brennan, 'Lowering', p.838, pp.841-5. Willis, *Mombasa*, p.118.
[57] Brennan, 'Lowering', p.847.

Islamic hinterland, on a shared culture.[58] While 'racially the inhabitants' of *Mwambao* were of 'Shirazi, Segeju, Digo and Arab', which is to say diverse, 'origin', their 'lands', wrote the authors of a memorandum sent to the Robertson Commission (the body tasked by the British government in 1961 with determining the fate of the Strip, the question of whether it should be integrated into Kenya or become an autonomous unit) 'on behalf of [the] Wasini, Shirazi, Funzi, Vanga, Bodo, Shimoni, Alevi, Masorani and Jimbo', giving expression to this idea, **'**form part of an old civilisation on the shores of the Indian Ocean'.[59] '[W]e possess Customs and traditions that have grown over centuries, long before Britain itself existed as a nation', wrote the authors of a memorandum submitted 'on behalf of *Mwambao* citizens' in a similar fashion.[60] 'It is a well known [sic] historical fact', wrote Omar Ahmed, cutting to the heart of the matter, 'that the people of *Mwambao* - Africans, Arabs, Afro-Arabs - have inhabited this land for over 2,000 years as a people with cultural traditions, language and all that goes on to make a nation'.[61] All this, it was widely asserted made *Mwambao* a 'true nation'.[62]

This civilisation, this true nationhood, it was repeatedly made clear, stood in stark contrast to the barbarism of the African interior, a barbarism that was nowhere more evident than in the attachment of the Africans of the interior to the disreputable concept of race.[63] The Central Bajuni Association, for example, told Robertson of the 'superior culture and nationhood' of the Coast compared to the interior. While 'The other portion of Kenya Colony has advanced rapidly in the last

[58] Glassman, *War of Words*, pp.25-6. Brennan, *Taifa*, p.122.
[59] BNA, CO 894/12, (Kenyan Coastal Strip: Robertson Commission: Correspondence and Papers. Written Evidence Volume B), Memorandum from the Wasini, Shirazi, Funzi, Vanga, Bodo, Shimoni, Alevi, Masorani and Jimbo to the Robertson Commission, 16th October 1961, p.1. On Robertson, see Brennan, 'Lowering', pp.848-50. J. Prestholdt, 'Politics of the Soil: Separatism, Autochthony, and Decolonisation at the Kenyan Coast', *Journal of African History*, Vol.55, No.2, (2014), p.262. A.I. Salim, *The Swahili-Speaking Peoples of Kenya's Coast, 1895-1965* (Nairobi, 1973), Ch.6.
[60] BNA, CO 894/ 13, (Kenyan Coastal Strip: Robertson Commission: Correspondence and Papers. Written Evidence Volume C), Memorandum from *Mwambao* Citizens to the Robertson Commission, 19th October 1961, p.2.
[61] BNA, CO 894/13, Memorandum from Omar Ahmed to the Robertson Commission, 16th October 1961, p.1.
[62] BNA, CO 894/11, (Kenyan Coastal Strip: Robertson Commission: Correspondence and Papers. Written Evidence Volume), Joint Memorandum on Coast Protectorate to the Robertson Commission, 6th October 1961, pp.2-3.
[63] See e.g. BNA, CO 894/11, Letter Sheik Abdilahi Nassir to His Highness the Sultan of Zanzibar, 23rd October 1961, p.1.

decade or two with the effect that a small percentage of literacy has been possible', they argued, on the Coast, 'In our own script, using Swahili as the medium[,] literary works abound, a few of which are known to the outside world and to universities conducting research in Swahili.'[64] 'For centuries', wrote the authors of another memorandum, in the same vein, the coast 'had come into contact with civilisation, while the up-country civilisation is not even a century old. Harmony, hospitality, respect for law and order, individuals and property are in the blood of the coastal people', he continued, 'while up-country people hardly know such things. The rule of witchcraft and intimidation is still lurking everywhere, even at present under the strict rule of the British'.[65]

By the 1950s, calls to recognise the autonomy of the coast had begun to be heard.[66] As the 'strict rule of the British' came to an end, as independence approached, (a 'turning point in history' as one delegation described it[67]), however, the issue became significantly more pressing. The defenders of *Mwambao* feared above all that the absorption of the Strip into an independent Kenya would lead to the overwhelming of their bookish Islamic civilisation, its ultimate destruction, by barbarism's inexorable tide. The people of *Mwambao*, it was argued, 'feel very strongly that, in view of the attitude of the African nationalists, if Britain throws off the reins of government in the Protectorate, their identity, religion, customs and way of life will be destroyed'.[68] 'We cherish these traditions and customs too much to allow them to be submerged, supressed or possibly eradicated by a people completely alien to… [and] out of sympathy with them', wrote the authors of another petition.[69] They demanded therefore, that the autonomy of the Strip was recognised, in accordance with the 1895 Treaty. 'The true, natural and logical aspiration of the Protectorate people', wrote

[64] BNA, CO 894/12, Memorandum from the Central Bajuni Association to the Robertson Commission, n.d., p.2.
[65] BNA, CO 894/14, (Kenyan Coastal Strip: Robertson Commission: Correspondence and Papers. Written Evidence Volume D), Hasham A.S. Damji *et al* to the Robertson Commission, 23rd October 1961, pp.1-2.
[66] Brennan, 'Lowering', pp.846-7. Salim, *Swahili-Speaking Peoples*, p.226.
[67] BNA, CO 894/11, Joint Memorandum on Coast Province from *Mwambao* supporters to the Robertson Commission, 6th October 1961, p.2.
[68] BNA, CO 894/12, Memorandum from the Muscat and Oman Arabs to the Robertson Commission, 6th October 1961, p.2.
[69] BNA, CO 894/ 13, Memorandum from *Mwambao* Citizens to the Robertson Commission, 19th October 1961, p.2.

Omar Salim Basaddiq, an 'Arab' member of the Legislative Council, in summary, 'is the attainment of autonomy for the Protectorate, nationhood and sovereignty'.[70]

Proponents of *mwambao*, then, were absolutely clear on both the right of the people of the coast to define their own future, and on the necessity of their separation from the rest of Kenya. To do otherwise would be to destroy the future of their honourable community. Nonetheless, many did not see this separation as an end point. Rather, they argued that the conditions of the modern world demanded large units, a recurring theme, as we shall see, in public argument across Kenya in the years leading up to independence. In turn, they suggested that the autonomous Strip, with its destiny in its own hands, should in future become part of a wider, and by definition non-racial, East African Federation. After securing their independent status, argued Basaddiq, 'the question of entering a wider East African Federation might be entertained voluntarily.'[71] 'The immediate achievement of Coast autonomy within the context of an East African Federation', wrote the authors of another memorandum, 'is our major preoccupation'.[72] Such a step, in the post-war world of superpowers, would allow, claimed the Central Bajuni Association, 'the common problems of the territories as a whole' to be 'met without interfering unduly with our internal development as an autonomous unit.' 'It is certainly better', they noted, 'to build up large units controlled by a strong Central Government'. 'We are however, concerned', they continued, 'with such units as would truly be homogenous and not embodying discordant elements.'[73]

In making these claims, these thinkers directly challenged the idea of Africa as a continent defined by race. Opponents of *Mwambao*, in contrast, built their opposition to coastal autonomy precisely upon a longstanding vision of a racialized world, a world in which black men and women had been tied to the continent of African. 'After reading the positions of the world nation [sic] at

[70] BNA, CO 894/12, Memorandum from the Hon. Omar Salim Basaddiq MLC to the Robertson Commission, 13th October 1961, p.2.
[71] BNA, CO 894/12, Memorandum from the Hon. Omar Salim Basaddiq MLC to the Robertson Commission, 13th October 1961, p.2.
[72] BNA, CO 894/11, Joint Memorandum on Coast Province from *Mwambao* supporters to the Robertson Commission, 6th October 1961, p.1.
[73] BNA, CO 894/12, Memorandum from the Central Bajuni Association to the Robertson Commission, n.d., pp.2-3.

school and the history of Kenya as it looks today', wrote Masluti Simeon, giving voice to this assumption, 'I came to understand that [the] Coast is part of Kenya and [the] property of Africans but not a land of any white folks'.[74] The 'Coastal Strip is the land of the NINE TRIBES (Miji Kenda) who are the Africans of Kenya', wrote the authors of the KADU's memorandum.[75] 'Arabs' had arrived on the coast, it was commonly held, only 'as traders and friends' and, therefore, had no claim to ownership of the coast, which was, rather, the product of descent.[76] The so-called 'Swahili' were, therefore, not, as they claimed, the owners of the strip, but 'halfcastes' with no rights.[77] While 'Their mothers were African' their fathers were 'Arabs, some Indians, Pakistanis and others Chinese etc.', wrote Masumbuko Zani. 'Could a young "coloured" in South Africa for instance', he continued with obvious incredulity, 'who does not even know his father[,] claim more birthright than a Zulu[,] or an Anglo-Indian in India more than a typical Hindu?'[78] The autonomists were, on this racialized argument, nothing more than 'Arabs' who had in the past dominated the Africans of the coast, and who sought now to make Africans 'slaves again'.[79]

The findings of the Robertson Commission upheld the integrity of Kenya, as the anti-autonomists hoped.[80] Their underlying vision of a racialized world, however, faced a further, and more significant, challenge in the light of questions that arose as independence loomed about the place of non-Africans in the postcolonial nation, and therefore the basis of belonging, questions familiar from Tanganyika, and which underlay the debate surrounding Kenya's Citizenship Bill.

Modelled on Tanganyika's version, this Bill, again, offered an automatic right of citizenship to British citizens and British Protected Persons born in Kenya with at least one parent born there, or who were born outside Kenya but whose father was born in the colony. In addition, it offered the

[74] BNA, CO 894/12, Memorandum from Masluti Simeon to the Robertson Commission, n.d., p.1.
[75] BNA, CO 894/12, Memorandum of KADU, Coast Region to the Robertson Commission, 10th October 1961, p.1. Original emphasis.
[76] BNA, CO 894/12, Memorandum of CAPU, p.2.
[77] BNA, CO 894/12, Memorandum of Mr R. Mbwana to the Robertson Commission, 4th October 1961, p.1
[78] BNA, CO 894/11, Memorandum from Masumbuko Zani to the Robertson Commission, n.d., p.1.
[79] BNA, CO 894/2, (Kenya Coastal Strip: Robertson Commission: Correspondence and Papers. Newspaper Cuttings), *Mombasa Times*, 9th October 1961.
[80] Brennan, 'Lowering', pp.849-50.

possibility of citizenship by registration to people resident in Kenya, provided that they renounced any other citizenship they might hold, could satisfy the Minister of Home Affairs of their good conduct, and they took up the option within two years of independence. Building on Tanganyika's experience, the Bill also offered the possibility of Kenyan citizenship to citizens of other independent African nations, on a reciprocal basis.[81] As in Tanganyika, the prospect of an automatic right to citizenship for non-Africans held out by this Bill proved extremely controversial.

Both KANU and KADU's leaderships supported the Bill. While in the 1940s, Jomo Kenyatta had repeatedly emphasised race as a moral community, faced by new questions about the place of non-Africans in postcolonial Kenya, a question given added vigour in Kenya by their widely assumed economic importance, in the 1960s he cast the bond that linked black people across the continent as utilitarian, enshrining not the working out of God's racial plan, but the moral principle of non-discrimination. Kenya's independence was 'meaningless', he told an audience on Independence Day in December 1963, echoing Nyerere, 'if, in our Africa, some of our brothers' in other parts of the continent 'are still under the yoke of colonialism… It is our duty to fight, by all means available to us', he continued, 'so that our brothers can achieve their Independence'. Calling for African 'unity', the solidarity of black men, was not, he insisted, about creating a new 'colour-bar', but a means of pursuing the recognition of the equal humanity of all people, an equality that continued colonial rule in various parts of the continent denied to all black people, and a principle that Kenyatta's government would honour in their provisions for citizenship.[82]

Developing the connection, Masinde Muliro told the National Assembly that 'We have said in this House, we have said in this country, that the policy of dictatorship in South Africa must be abolished. We are trying to isolate South Africa throughout the world', he continued, 'because of its racialistic policy.' Those 'hon. Members in this House' who today argued for a racial basis for citizenship he therefore concluded, completing the circle of the argument, were merely 'the victims

[81] Government of Kenya, The National Assembly House of Representatives Official Report (*Hansard*), First Session, 1963, i, 2357-9. See also Ch.3.
[82] Kenyatta, *Suffering*, pp.214-5.

of the very same idea which they say they want to abolish', being in a sense colonised in their minds.[83] In Kenya, Tom Mboya explained, 'We want to teach the European and the Asian not only that he was wrong' to build colonial society on a racial basis, to deny the equal humanity of all men, 'but that the African can order his society, can govern this country *better* in the interests of all its people', irrespective of colour. 'There must be room for a *new relationship* and that relationship we intend to create here in Kenya', he went on. The basis of citizenship in independent Kenya, as in Tanganyika, would be not descent, he argued, but 'loyalty', an attitude of mind demonstrated by the willingness of all to give up their rights to citizenship in any other country.[84] The sins of the past were to be washed away by the sweat of common endeavour, the baptismal waters of a new Kenyan nation.

By the time Kenya's National Assembly came to debate the Bill in October 1963, there was little room for the complete rejection of this view seen in some quarters in Tanganyika. The wider East African context, the examples of Tanganyika and Uganda and the precedents they set, ruled that out, a point Odinga was keen to emphasise when he introduced the Bill in the National Assembly. Kenya's version did not, he made clear, 'diverge from any other citizen bill [sic] which had been introduced in East Africa'.[85] The moral example of their neighbours limited space for Kenyan dissent. In Kenya, as in Tanganyika, moreover, the moral imperative of non-discrimination articulated by the leaderships of both KANU and KADU proved extremely influential, and, implicitly, at least, was widely acknowledged. Again, however, the assumption that citizenship should be granted *automatically* to non-Africans was met with a great deal of popular scepticism, which turned on ideas intimately connected to the longstanding image of community made by descent, and specifically, the likely consequences of unthinkingly handing citizenship to non-Africans, and the fear that non-Africans would continue to both exploit and deny the dignity of the majority African population. How could the loyalty of non-Africans simply be assumed?

[83] *Hansard*, 1st Session, 1963, i,.2460.
[84] *Hansard*, 1st Session, 1963, i, 2472, 2475-6. My emphasis.
[85] *Hansard,* 1st Session, 1963, i, 2359.

Non-Africans, many feared, might take citizenship, as was their right under the proposed Bill, but 'still maintain the mentality of another country' and 'act accordingly'. Such people, argued Mr Ngala-Abok, 'cannot help it'. They had, he suggested, employing a metaphor familiar from Tanganyika, 'two legs, one in Kenya and one somewhere else', a situation (apparently) in no way alleviated by the formal renunciation of other citizenships, leaving open the possibility, he argued, of a 'conspiracy', moves 'to overthrow the government by the wrong sort of citizens', the threat of a return to colonial slavery for the African majority. 'If you enact a law that someone can become a citizen automatically, and his skin is not black', he asserted, 'he should be able to tell us whether or not he still has thoughts of his original country'.[86] He worried that obligations assumed for so long to be bred by descent would be hard to shake, that too easy an assumption of loyalty to Kenya threatened the African majority with a continuation of the servitude independence was supposed to end. Others worked from the same premise. 'I do not say that we are against all the Europeans or against all the Asians', Mr Oduya told the House, acknowledging the legitimacy of the principle of non-discrimination, 'but some of these people are very bad and this Government will not tolerate their activities'. While, therefore, 'Kenya has got room for another 50 million people, so we are not against anybody', it was, he argued, essential that the 'only person… qualifying to become an automatic citizen is an African. The black man. People black like me', he emphasised, leaving little room for uncertainty about his meaning. Strenuous steps, he insisted, had to be taken to 'check' the 'character' of any non-Africans who might apply for citizenship.[87] The loyalty of such people to Kenya, their willingness to serve Kenya, had to tested more rigorously than the provisions of the Bill allowed. While to this end, critics of the citizenship bill in Tanganyika tended to stress the need to watch the conduct of non-Africans over a period of time after independence, in Kenya, critics tended to demand that evidence of past conduct should be sought as a guide to future actions. As in Tanganyika, the question of who was or could be a Kenyan remained, in the popular mind at least, open to question.

[86] *Hansard*, 1st Session, 1963, i, 2361.
[87] *Hansard*, 1st Session, 1963, i, 2367-8.

By October 1963, when the Citizenship Bill was introduced, Kenya was well established as the unit that would gain its independence. This had not, however, at least in the imaginations of people across the territory, always been the case.[88] In the 1940s, thinkers like Henry Muoria had been as likely to invoke a wider East African political unit as a Kenyan one. In the 1960s, indeed, the image of an East African Federation continued to feature prominently in public argument in Kenya. There were suggestions in late 1961, for example, as concrete ideas on *majimbo* began to emerge, that this plan could form the basis of a happy East African Federation.[89] Luyia patriots in western Kenya, meanwhile, told the Regional Boundaries Commission in 1962 of their hopes of being reunited with their (ethnic) 'brothers' on the other side of the Ugandan border in the context of 'federation with Uganda'.[90] And KANU figures criticised KADU's constitutional plans precisely on the grounds that they threatened the prospect of federation across East Africa.[91] Whatever the early hopes of some of the thinkers who concocted the *majimbo* scheme,[92] however, by the time of the Regional Boundaries Commission it was widely accepted that Kenya must achieve national independence before any kind of wider federation could be realised. This outcome was the product of two factors. Firstly, state structures in Kenya, and the possibility of meaningful political gain, directed attention (as they did elsewhere), towards the territorial level, sucking political parties and political thinkers into battles shaped by the boundaries of the existing state.[93] In the six years between March 1957 and May 1963, four sets of territory-wide elections were fought in Kenya, while three constitutional conferences, in 1960, 1962 and 1963, focussed minds and attentions on *Kenya's* future. This territorial tendency was reinforced, secondly, by a regional factor: the uneven pace of constitutional change across East Africa, a problem laid bare by the response of TANU's National Executive Committee to Nyerere's suggestion of the possibility of delaying Tanganyika's

[88] On the practicalities of federation see C.G. Rosberg and A. Segal, *An East African Federation* (New York, 1963).
[89] *Daily Nation*, 16th October 1961, p.6.
[90] BNA, CO 897/5, Memorandum Submitted to the Regional Boundaries Commission by the Abaluhya, n.d., p.1. See also MacArthur, *Cartography*, p.216.
[91] *Hansard*, 1st Session, 1963, i, 1371-2.
[92] On tensions within KADU see Rosberg and Segal, *Federation*, p.65.
[93] For Tanganyika, see Ch.3. More generally, see Cooper, 'Possibility and Constraint', p.174.

independence to allow other East African territories to catch up and the region to achieve independence as a single unit.[94] As the social scientist Carl Rosberg, assessing the possibilities for federation in 1963, noted, 'formal constitutional talks [on the proposed structure of a federation] can hardly take place prior to the independence of Kenya'.[95] While political thinkers in Kenya, therefore, continued to entertain the prospect of a future federation, they came to accept that Kenya must achieve its independence before that happened, and the question of what a federation might consist, and how it might be put together, remained barely explored. Reflecting this recognition, Luyia thinkers typically implied in their submissions to the Regional Boundaries Commission, that any international border adjustment was a matter for the future, not something to be resolved before independence,[96] while KADU, crucially, came to argue that it intended 'To organise and preserve national unity', and only subsequently to work for federation in East Africa. Necessity, in turn, was transformed into principle. It would, Masinde Muliro argued in 1963, be illogical to negotiate closer ties within a wider East African Federation before a common purpose amongst the peoples of Kenya had been created.[97] The question that stalked public argument in Kenya after 1960, however, was how exactly to bring this sense of national unity, a question, as we have seen, that did not take this form, nor have this urgency, in neighbouring Tanganyika.

[94] See Ch.3.
[95] Rosberg and Segal, *Federation*, p.64.
[96] E.g. BNA, CO 897/5, Memorandum of the Buluyia Political Union 27th August 1962, p.2 BNA, CO 897/5, Memorandum Submitted to the Regional Boundaries Commission by the Abaluhya, n.d., p.1.
[97] BNA, CO 822/2242, KADU's Plan for National Unity, November 1961, p.1. *Daily Nation*, 7th May 1963, p.6.

IV

For Masinde Muliro, questions about the place of non-Africans in Kenya's future were merely one aspect of the wider and greater task facing the people of Kenya, race one aspect of the diversity which marked the territory. Addressing the House on the question of the Citizenship Bill, he explained that 'we want to build an integrated Kenya nation, not a disintegrated one. Someone who has a philosophy of hate, if he is a racialist will become a tribalist, because once the racialists whom he has hated are no longer there, he will turn his eyes, his spirt and all his energies to the various black people and say "If he is of such-and-such a tribe I will work with him; if he's not, I won't.'[98] As Muliro's assertion suggests, the recasting of colonial rule confronted thinkers in Kenya, as much as in Tanganyika, with an urgent task: how to build the sense of common purpose and unity needed to throw out the colonialists and maintain a stable independence free from external subversion. As in Tanganyika, this question was not asked in a vacuum, but in a context in which community had been the central object of argument for two decades, a context noticeably different to that which developed to the south. While in Tanganyika this new imperative led thinkers and politicians to emphasise the well-embedded image of a foundational community of *Watanganyika* and insist that loyalty to this community was promoted over all others, imaginations in Kenya had been schooled very differently. There in the 1940s, thinkers had established tribe as man's basic community, the necessary building block of any wider community, and imagined any wider community to be built as an ethnic federation. Working from this starting point, in the 1960s, thinkers and politicians in Kenya were both united, marking a distinctively Kenyan nationalism, and divided, in the details of their answer, by a question barely asked on the other side of Kilimanjaro: how to bring together these diverse groups, to overcome their particularity, to create a sustainable unity in the face of

[98] *Hansard*, 1st Session, 1963, i, 2466.

significant, and legitimate, diversity, to 'contrive', as Kenyatta later put it, 'nationhood and family….out of our many tribes and cultures'.[99]

This was the task that animated, and divided, KANU and KADU, political parties which emerged in the wake of the Emergency's end at the first Lancaster House Conference at the beginning of 1960, after which colony-wide political parties were allowed to form for the first time since the KAU was shut down in 1953. The African Elected Members in the Legislative Council took the lead in their formation, and in mid-May one group formed themselves into KANU. Others of their members refused to join and, bringing together a number of ethnic associations, set up to defend 'tribal' interests in the wake of the Constitutional conference, they formed themselves into KADU in July.[100] Initially, KADU's members were united simply by their fears that KANU was an undemocratic party, reflected, it was felt, in their dislike of opposition parties. It was not before August 1961, more than a year after the formation of the party, and after they had spent a number of months as a minority government, that they unveiled their concrete plans for the future, which they called *majimbo*, and which became the central issue in Kenya's political debate.

While KANU argued for a centralised, unitary state under a strong central government, their opponents argued for the creation of a federal constitution, dispersing power across the territory. By investing authority in a number of 'regions', units of government which would 'entrench personal liberty, regional harmony, domestic tranquillity and peace for our generation and for posterity', KADU hoped to avoid what they considered to be the intolerable centralisation of authority. Drawing inspiration from both Switzerland and the United States of America, but at the same time claiming to develop plans which were 'founded firmly on our age old African traditions of government by consensus of opinion', the party hoped a federal constitution would 'make sure that [the] excessive political ambitions of men shall not drag our young country down into the dungeon of tyranny.'[101] On their plan, Kenya would be divided into six regions plus Nairobi, a significant reworking of the

[99] Kenyatta, *Suffering*, p.ix.
[100] Anderson, 'Yours in the Struggle', pp.549-52. Odinga, *Not Yet Uhuru*, pp.193-96.
[101] BNA, CO 822/2242, Proposals for Regional Government and a Federal Constitution for Kenya, pp.1-2.

colonial map, each with its own president, legislature, police force and civil servants, and each in control of a number of key services, including health and education, central elements of a generally sought after 'progress'. Control over land, moreover, would be invested in individual tribes, and then in the regions. At the centre, the government would consist of two houses, with equal power of legislation, the lower of which would be directly elected, and the upper of which would be made up of seven representatives chosen from the regional assemblies. Each region, finally, would be guaranteed a minimal representation in a Council of Ministers, to ensure an evenly distributed regional presence at every level of government.[102]

The question of the shape of Kenya's constitution formed the central topic of discussion at the second Lancaster House Conference. Opening on Valentine's Day 1962, the conference proved both lengthy and frustrating, the differences which divided KANU and KADU on the question of the structure of government extremely difficult to bridge. By mid-March, indeed, with agreement seemingly as far away as ever, the Colonial Office contemplated the break-down of the conference and its likely consequences. A Colonial Office proposal, aimed at striking a balance between the objectives of the two parties, however, proved successful in breaking the deadlock, bringing the conference to its long-delayed conclusion. The proposal created a framework which, it was hoped, would provide for both a strong central government and a degree of regionalism, an outcome which allowed both KANU and KADU to claim victory, as was reflected in the headline that marked the end of the conference in the *Daily Nation*, which ran: 'Ngala: it's *majimbo* – Jomo: No it's not'.[103] The visions that underlay these positions are the subject of the following two sections.

What, then, did KANU imagine Kenya to be? The party was not the proponent of a generic 'African nationalism', a northern TANU. Neither its leaders nor its followers ever presented Kenya or Kenyans as a single people or invoked a vision of a uniform nation. While, therefore, Tanganyikan thinkers consistently offered a vision of a foundational community of Tanganyika, often understood

[102] Anderson, 'Yours in the Struggle', p.556.
[103] *Daily Nation*, 9th April 1962, p.1. For an exhaustive account of the conference see R.M. Maxon, *Kenya's Independence Constitution: Constitution Making and the End of Empire* (New Jersey, 2011), Ch.4. See also Kyle, *Politics of Independence*, Ch.7.

to be divinely created, there was no Kenyan equivalent. Kenya was, as Kenyatta wrote, a country of 'various peoples'.[104] KANU's task, as they understood it, rather, was to bring these diverse peoples together.

In the 1940s, thinkers in Kenya had made calls, as we saw in Chapter Two, that the African people of the territory reap the benefits of co-operation, establishing a unity beyond tribe. In light of the new imperative to independence, the emphasis on the necessity of pan-ethnic unity grew, in the first place as a necessary condition to get rid of colonial rule. G.M. Mustiso, a KANU member of the National Assembly, for example, told Parliament in 1963 that 'I do not think at this particular moment there is any tribe which can eliminate the colonialism [sic] in this country. Because of that very fact', he went on, 'we have been working as one African group', and 'we must not allow any room for those who want to divide our people.'[105] It was, as a correspondent put it in the *East African Standard*, 'unity' which had 'convinced the Kenya Government to declare an end to the Emergency, made the British Government convinced in Kenya's constitutional conference in Lancaster House [sic] and so placed Kenya en route to independence.' '[U]nity is strength', he concluded, the key to removing colonialism, the most significant barrier to a good life.[106]

National 'unity' was also understood to be, in Tom Mboya's words, the necessary 'basis of development' in the post-colonial period.[107] As on the Kenyan coast, size and bulk were routinely held to be a condition of a prosperous future: it would be the basis of both material prosperity and the related good of an independence free from undue external influence, ensuring post-colonial flourishing in the competitive modern world of nation states. For some, such as Makero Ndubi, the formation of ever larger political units was a simple matter of the forward march of history: 'From way back', he argued, 'the tendency has been for people to come together and not to disintegrate.'[108] Whether or not the move towards larger political units was natural, it was clear to

[104] *Daily Nation*, 17th May 1963, p.6.
[105] *Hansard,* 1st Session, 1963, i, 1372.
[106] *East African Standard*, Letter F.F. Sisiah O'Koth, 17th June 1960, p.3.
[107] Mboya*, Freedom and After*, p.87.
[108] BNA, CO 897/4, Memorandum of Makero Ndubi to Regional Boundaries Commission, 2nd August 1962, p.1.

Mboya, echoing an argument made by Kenyatta in the 1940s, that 'the age of the small pocket state is passed'. East Africa, he argued, was now 'dealing with international Pan-Africanism and national issues that require a united country, a strong nation, if it is going to make an impact.'[109] Kenyatta himself, indeed, continued to make this argument. KANU would 'create one nation in Kenya', he argued, 'so that there are not many small kingdoms within Kenya, which is too small for that purpose.'[110] And, getting to the heart of the matter, a letter writer in the *East African Standard* told his audience that they 'should remember that, today, we are living in a world of Power politics', and that, therefore, 'the larger the nation the better for the well-being of her citizens.'[111]

Summing these ideas up in an English-language article in *Jicho*, the Luo politician J.B.A. Ohanga argued that 'as a result of tribal minded [sic] Kenya African M.L.C.s one can expect only a [post-independence] state with weak Government in Kenya having no strong foundation for [sic] economy and politics.' He pointed to examples elsewhere in the world where division compromised material flourishing and true independence, drawing attention to 'the division between Pakistan and Kashmir' which had 'the result that [the] uneconomic life-belt of Pakistan is no longer independent of Western Nations.' He argued that in Kenya 'Today tribal feelings and personality threatens the centralization of Government and [the] economy' and warned of the danger of the 'sabotage' of the nation and its prospects, as had occurred in the 'Congo and Somali republics', as a consequence of division.[112]

If this unity was to deliver prosperity to the people of Kenya, and indeed, if it was to be stable and sustainable, it had to be built, KANU's spokesmen argued, upon an *openness*, a condition, they repeatedly insisted, that KADU's plan for *majimbo* worked against. In the first place, they argued that bringing m*aendeleo*, overcoming the deficits of colonialism, including its very unevenness, required that Kenya's limited and concentrated human capital, an accident of colonial

[109] *Daily Nation*, 28th November 1961, p.6.
[110] BNA, CO 897/7 (Kenya Regional Boundaries Commission Papers. Record of Oral Representations Part 1), A meeting with a delegation from the Kenya African National Union, 14th August 1962, p.65. 'Kenyatta is Our Reconciler', p.327.
[111] *East African Standard*, Letter James J.W. Machio, 3rd November 1961, p.3.
[112] *Jicho*, 27th July 1960, p.3.

geography, was dispersed across the territory for the good of all. Amongst the Kalenjin, Christopher Kiprotich told the Regional Boundaries Commission, pointing to this unevenness, there was only 'one engineer and one lawyer, who was recently disqualified because of something he did wrongly from the legal point of view'. 'Most of the people' in this area, he argued, were 'illiterates', lacking the skills necessary to bring material progress. *Majimbo*, by confining skilled personnel, who 'in those Kalenjin areas are Kikuyus and Luos', to their region of origin, threatened, he argued, to condemn these people to eternal backwardness.[113] '[T]he granting of powers over social services to the Regions', Kenyatta argued, 'will lead to vast differences in standards' across the country, perpetuating colonialism's inequalities. 'Rich areas like Nairobi and Central Region', he continued, 'will benefit while the citizens of poorer Regions such as Western, Coast and North Eastern will be poorly served.' 'No child', Kenyatta insisted, 'should be given inferior schooling[,] no sick person should be denied adequate treatment merely because they come from a poorer region.'[114] Ensuring that this aspiration was met, as E. Omolo Agar put it to the Regional Boundaries Commission, meant allowing 'Men of ability and merits… to serve the country anywhere without being barred by tribal jealousies.'[115] The alternative, indeed, would not only perpetuate colonial inequalities, but, worse, according to Joseph Murumbi, would place many 'temptations in [the] path' of the 'virtually illiterate' members of Regional Assemblies. 'Big money', he remarked, 'easily goes to the heads of little men'. Under KADU's proposed *majimbo* constitution, he concluded, it was 'easy to visualise Regions competing with each other to provide their Ministers with the biggest limousines'. *Majimbo* was, therefore, nothing more than 'a ghastly charter for inefficiency, corruption and, ultimately, poverty and [the] suppression of our national aspirations'.[116]

Not only did *majimbo* threaten the perpetuation of colonial inequalities, argued KANU, it threatened to undermine any possibility of a durable unity among Kenya's diverse groups. Regionalism, it was held, would result only in 'tribalism', what Mboya described as living 'completely

[113] BNA, CO 897/7, A meeting with a delegation from the Kenya African National Union, 14th August 1962, p.60.
[114] *Daily Nation*, 17th May 1963, p.6.
[115] BNA, CO 897/3, Memorandum from E. Omolo Agar to Regional Boundaries Commission, n.d., p.2.
[116] *Daily Nation*, 6th May 1963, p.6.

within the confines of [the] tribe' to the extent of 'discriminating against other tribes'.[117] 'Muliro-Ngalaism', a reference to the ideology of KADU, wrote John Oyengo in a letter to the *East African Standard*, 'is stirring tribal discord and strangling hopes and progress'.[118] As Mwai Kibaki, recent graduate in economics from Makerere University, KANU's rising star, and future President of Kenya, put it to the Regional Boundaries Commission: 'if you want to divide tribes now on ethnic lines', the consequence, he alleged, of following through on KADU's plan to organise Kenya's regions on the basis of pulling together groups who wanted to live together, 'you are in fact making it far more difficult in the future to unite them.'[119] His party, it was repeatedly made clear, was 'appalled' by the prospect of *majimbo* precisely 'because they are sure it will destroy the chances of national unity, with too many powers devolved from Central government to the Regional Assemblies.'[120]

If Kenya was 'to be able to make a success of our independence', Kenyatta insisted, it could only be 'by creating a sense of national unity', and this, KANU insisted required a degree of *interactivity*, a shared public space where members of different groups could meet, an engagement they claimed *majimbo* prevented.[121] By acting as a barrier to inter-ethnic interaction, regionalism, it was argued, threatened to perpetuate a sense of tribal difference and descent into civil war, a disorder that was the very antithesis of orderly development. John Keen, giving expression to this fear, worried that 'if we were to divide Kenya into six regions and encourage a higher degree of tribalism – as it appears is going to develop if we allow the people who wish to live together to do so because they want to extend tribalism – we are going to have a breakdown similar to that in the Congo' – a nightmare image they shared with both their rivals in KADU and neighbours in Tanganyika.[122] A correspondent in *Jicho* similarly made clear that he did 'not want tribal wars to begin immediately the Whites give us *uhuru*', and feared that the plans for regionalism would bring

[117] Mboya, *Freedom and After*, p.70.
[118] *East African Standard*, Letter John Oyengo, 29th July 1960, p.3.
[119] BNA, CO 897/7, A meeting with a delegation from the Kenya African National Union, 14th August 1962, p.62.
[120] Mboya, *Freedom and After*, p.85.
[121] *Daily Nation*, 28th May 1963, p.16.
[122] Mboya, *Freedom and After*, pp.58-9.

nothing 'except blood.'[123] And the Kiambu African District Council told the Regional Boundaries Commission that *majimbo* 'may result in tribal conflicts and bloodshed', and 'Consequently, the present pace of social[,] economic and political progress will be retarded and the clock of progress will be put back for many years.'[124] Order remained the basis of progress.

For a few KANU supporters, the dangers of tribalism could only be avoided in the long run by the disappearance of tribe. On these grounds, James Mwashori celebrated what he saw as the 'fast dying' of 'tribal consciousness'.[125] For the majority, however, the dangers posed by a crushing uniformity, the denial of difference and specificity, unthinkingly imposed in the quest for national unity, were as sharp as the dangers of disunity. Tribe was, as we saw in Chapter Two, typically imagined in Kenya to be the primary community to which people were attached and obliged to serve by an involuntary obligation born of descent. This obligation, as thinkers had consistently made clear, could not simply be shed, but men and women must fight to make these communities civil, reputable and prosperous. KANU's leaders and supporters, therefore, insisted that tribes and their honourable histories had a *right* to exist. They could not simply be airbrushed out of existence by the strengthened imperative to pan-ethnic unity bred by the imaginative recasting of the potential of colonial rule. On these grounds, in their submission to the Regional Boundaries Commission, the 'Meru People', for example, a group claiming to represent all shades of opinion in the district, but leaning heavily towards KANU, were forthright in expressing their belief that 'tribal integrity' must be upheld 'under the present and any future government'.[126] Likewise, J.B.A. Ohanga, in his submission to the same body, compared local politics, and by extension territorial politics in Kenya, to the United Kingdom. There, he argued, the political unity of the Union's parts had not eradicated the separate and distinct identities of its four constituent nations. In Kenya, similarly, he made clear,

[123] *Jicho*, Letter *Pole Ashara*, 25th May 1960, p.3.
[124] BNA, CO 897/3, Memorandum of the Kiambu African District Council to the Regional Boundaries Commission, 16th August 1962, p.1.
[125] BNA, CO 897/3, Memorandum of James Mwashori to the Regional Boundaries Commission, 3rd August 1962, p.1.
[126] BNA, CO 897/6, Memorandum of the Meru People, 22nd August 1962, p.1.

ethnic groups had a 'right of existence'.[127] And on the same grounds D.M. Mwanyumba, a KANU member of the National Assembly, baldly insisted that the people he represented had a right to 'remain as Taita/Taveta for ever [sic]'.[128] *Uhuru* and development had to be brought, unity had to be generated, without destroying honourable ethnicity.

While KANU worried about the dangers that were posed to the territorial unity required by the modern world, and the dangers of entrenching tribal differences, they, nonetheless, accepted that provisions had to be made to safeguard ethnic groups, marking a significant difference from Tanganyika. As the 'Meru People' made clear, Kenya's peoples 'must be safeguarded in regards to land, individual freedom, tribal traditions and culture'.[129] To this end, the party's leadership, drawing on a model of the world in which ethnic groups were associated with particular homelands, was committed to putting control over land – outside of the former White Highlands, which they insisted must be treated as a national resource - in the hands of the tribes which were historically attached to them.[130] '[A]ll tribal land' Kenyatta explained on his return from the final constitutional conference in October 1963, 'is entrenched in the tribal authority, and no one can take away land belonging to another tribe', ensuring ethnic control over the territory's most fundamental resource.[131] To the same end, the party committed to maintaining, so long as it did not interfere with 'modern democratic practice', the position of 'traditional authorities'.[132] Openness rested on a degree of security.

The question of the balance to be drawn between security and openness, however, divided KANU's leadership and many of the party's supporters. Outlining their ideas on the future of the provinces that it was agreed at the second Lancaster House Conference would play an important part of Kenya's constitutional structure, senior KANU figures insisted that existing provincial and

[127] BNA, CO 897/4, Memorandum of the North Nyanza Luo Association to the Secretary of State for the Colonies, 24th November 1961, p.2. Original emphasis.
[128] BNA, CO 897/1, Memorandum of D.M. Mwanyumba, MLC Taita Taveta, p.4.
[129] BNA, CO 897/6, Memorandum of the Meru People, 22nd August 1962, p.1.
[130] *Daily Nation*, 1st February 1962, p.9.
[131] Kenyatta, *Suffering*, p.211.
[132] BNA, CO 822/3065, 'What a KANU Government Offers You', p.14.

district boundaries would not be changed, fearing that changes here would unleash a barrage of competitive claim making which threatened to divide the nation. Their supporters, however, often insisted on the need to redraw boundaries to ensure tribal control of all land which they claimed had historically belonged to the group, including that which (they supposed) had been lost to them under colonial rule.[133] A delegation of Gusii, for example, concluded that they 'trust[ed] that all component districts and tribes will see the good sense in leaving our province as intact and uncarved out in any manner whilst at the same time allowing considerable adjustment in respect of the district or tribal boundaries so as to avoid future land conflicting claims and disputes.'[134] Mwanyumba, likewise demanded that boundary adjustments were made to put under ethnic control the lands taken by the colonial government from his group.[135] And the authors of the memorandum of 'Central Nyanza District', demanded that certain areas of 'historically' Luo land should be returned to Central Nyanza.[136]

Others, indeed, went further. Fearing that in the colonial response to Mau Mau they had been too often equated with radical Kikuyus, Meru and Embu sought to salvage their separate identities and ethnic reputations. While the Embu, according to the KANU Embu MLC J.J. Nyagah, a notable 'loyalist' during the Emergency, therefore, wished to 'see tribes and races develop into a strong united Kenya nation', he asserted that they would 'bear never again the responsibility for the blame and the punishment for the sins and deeds of others as was the case in the last 8 years of the Emergency'.[137] Ethnic groups had to be clearly separated: the actions of another people could not be allowed to impact upon the reputation of the group. The 'Embu Students', similarly insisted that within a future Central Region consisting of the Embu, Meru and Kikuyu, 'certain reservations for the

[133]E.g. BNA, CO 897/7, A meeting with a delegation from the Kenya African National Union, 14th August 1962, p.58 & p.59.
[134] BNA, CO 897/5, Petition of Kisii Delegates to the Regional Boundaries Commission, 7th September 1962, pp.1-2.
[135] BNA, CO 897/1, Memorandum of D.M. Mwanyumba, MLC Taita Taveta, pp.1-4.
[136] BNA, CO 897/4, Memorandum of Central Nyanza District to the Regional Boundaries Commission, undated, pp.1-3.
[137] BNA, CO 897/3, Memorandum of Hon, J.J.M. Nyagah M.L.C. to the Regional Boundaries Commission, 24th August 1962, p.3. Branch, *Defeating Mau Mau*, pp.1-2.

Embu people in the civil service', had to be made because 'Embu is behind the rest of the proposed Central Region'. While asserting that 'the future Embu should be a District whereby [sic] the standards of living of our people, their intellectual capacities, moral standards and spiritual aspirations shall be steadily alleviated [sic] for the common good', through the 'optimal utilization' of 'our national resources, wealth, manpower and institutions', they nonetheless felt that ensuring 'an honourable status to all the member tribes of the [future] Central Region' meant taking steps to see that all groups were represented on local bodies, prioritising identity over skill. Respect for all, the watchwords of KANU's policy, demanded that no group should be allowed to appear inferior.[138]

These thinkers never, moreover, understood tribe to be merely the state's competitor in the battle for the loyalty of the people, a threat to law and order and *maendeleo*. Rather, drawing on a set of ideas outlined in the debates of the 1940s, they understood tribe to be a source of creative energy, moral agency and order.[139] Ethnic difference, on this view, was neither inconsequential nor merely contingent, but bore an ethical significance.[140] In the first place, ethnic groups were understood to be the guardians of the order that was widely held to underpin prosperity and a prosperous nation. As KANU's president explained in a newspaper article in 1964, in the past, and by implication in the present, tribe had 'regulated the conduct of life of the people.'[141] It was rootedness in a storied ethnic community which both made man a moral agent, capable of interacting constructively with the world, and which, therefore, made community beyond the tribe possible and man active and vigorous, capable of engaging in the disciplined labour that would build the nation. An insidious liberalism, wrenching man from his ethnic community, continued to be understood to be a threat to ordered society, ethnic and national. Rootedness was understood to be a necessary condition of interaction. The 'All-African Peoples' Conference in 1958', Tom Mboya wrote along these lines, had 'concluded that, if governments tried to destroy tribal cultures and

[138] BNA, CO 897/3, Memorandum of the Embu Students to the Regional Boundaries Commission, 20th August 1962, p.1. Original emphasis.
[139] See Ch.2 and Lonsdale, 'Jomo Kenyatta', pp.50-2 and Lonsdale 'Moral and Political Argument', pp.89-90.
[140] A.T. Baumeister, *Liberalism and the Politics of Difference* (Edinburgh, 2000), p.6.
[141] BNA, FCO 31/209, (Kenya: Internal Political Situation), J. Kenyatta, 'Towards a One-Party System', *Pan-African Supplement*.

customs, languages and ethnical [sic] groupings', an interesting slip, 'they would create such a vacuum that the African might find he had nothing to stand upon and [would, therefore,] become a most bewildered person in this modern world', a language intimately familiar from the 1940s. Provided that 'negative tribalism' was avoided, he argued, 'the structure of interdependence within the [ethnic] community, where each man knows he has certain responsibilities and duties and where there are certain sanctions against those who do not fulfil expectations' would provide 'the discipline, self-reliance and stability needed in new nations.'[142]

While in Tanganyika, with its well-established vision of a community of *Watanganyika*, the state was assumed to be a moral arena, in Kenya, this was not the case. Thinkers therefore hoped that (to borrow from a recent archbishop of Canterbury) the sense of 'mutual investment and mutually created wellbeing' that existed within ethnic communities could be 'carried across into the wider political realm'.[143] As Kenyatta argued, in the task of 'bring[ing] all the communities of Kenya together, [of] build[ing] a unified nation' the people of Kenya must precisely 'make use of those attitudes of self-help, good neighbourliness and communal assistance, which are such an important feature of traditional societies'.[144] The wise use of scarce skills was essential to Kenya's future prosperity. But, education had to be rooted in deep cultures if the new nation was to flourish. Detriabalisation continued, then, to be regarded as much a threat to the future, and the future nation, as tribalism. As Daniel Gachurkia, a Kikuyu correspondent in the *East African Standard* argued from his French university: 'A well-led Kenya means first a well-led tribe'.[145]

In KANU's imagination, then, Kenya was not a foundational nation of the kind imagined in Tanganyika, but a 'community of communities'[146], tribe the essential building block of wider – national - community. Nobody expressed this idea more clearly than Jomo Kenyatta.[147] 'In all my years in the nationalist movement, he told an audience in 1963, I have always believed in a non-

[142] Mboya, *Freedom and After*, pp.67-70.
[143] R. Williams, *Faith in the Public Square* (London, 2012), p.128.
[144] Kenyatta, *Harambee!*, p.8.
[145] *East African Standard*, Letter Daniel Gachurkia, 9th November 1962, p.19.
[146] See Williams, *Faith in the Public Square*, Chapter 10.
[147] On the political imagination of Kenyatta, see Lonsdale, 'Jomo Kenyatta', pp.50-2.

tribal, non-racial approach', an approach, he claimed, shared by his party. He was adamant, however, that this nationalism 'does not mean that we wish to suppress or oppress any particular tribe or race. Indeed, he went on, 'the presence of different groups in our nation gives us the opportunity to build a rich culture from diverse elements.'[148] Kenya was, or would be, he argued elsewhere, a 'United Nations in miniature'.[149] The new nation would not seek to impose a homogenising uniformity, nor would one tribe seek to impose itself upon the others. Rather, Kenyatta's government would, stressing the theme of interactivity, 'encourage the coming together of the various peoples who make up our nation, to bring about a wider exchange and understanding between their cultures and habits.'[150] From ethnic specificity, they would build something both new and truly robust.

Kenya's diverse people would come to the nation, then, not as deracinated individuals, but as bearers of particular traditions, granted the space to engage and interact, who over time would develop a shared national loyalty. In the first place, however, these people of diverse origin would be brought together by a deep sense of mutual need, mutual dependence even. Kenya's most powerful ethnic groups, Kenyatta's 'small kingdoms', needed their neighbours as much as their neighbours needed them. In the immediate term, enlightened self-interest would, thus, be the basis of a community of common endeavour. Ethnic particularity, like racial particularity, could be transcended, a 'sense of togetherness, of national familyhood' could be engendered, by a collective act of will.[151] Kenya would be built, Kenyatta argued, upon the 'assumption of faith and good intentions on the part of all groups and communities within Kenya, rather than of hostility and conflict of interests', a commitment on the part of all people to move beyond a sense that one owed obligations only to one's ethnic group, and the acceptance of a wider set of obligations.[152] This required, as the 'People of Western Division of Elgon Nyanza District' put it, 'to develop in each

[148] Kenyatta, *Suffering*, p.201. Compare with Rugambua and Maranta, *Unity and Freedom*. For Kenyatta's similar 1940s attitude, see Ch.2.
[149] BNA, FCO 31/209, Kenyatta, 'Towards a One-Party System'.
[150] *Daily Nation*, 17th May 1963, p.6.
[151] Kenyatta, *Haramee!*, p.8.
[152] *Ibid*, p.13.

person… *an attitude of mind* which would have respect for any neighbour regardless of tribe, race or colour.'[153] '[T]he people of Kenya' had to 'work as one and to work for the sake of Kenya, for the benefit and progress of all people and not one small section.'[154] 'That we are born of different tribes we cannot change', wrote Tom Mboya, summing up this sense, 'but I refuse to believe that, because our tribes have different backgrounds and culture [sic] and customs, we cannot create an African community or a nation.'[155]

On the back of the same bargain, Kenya's leadership would commit to being 'national', to acting in the interests of all, transcending the ethnic origins of any particular leader. Understanding their mutual dependence, they would commit to maintaining a 'neutral state'. A KANU government, Kenyatta told the National Assembly in 1963, would 'look after the people, it does not matter to what tribe they belong, nor to what part of Kenya: they are Kenyans and as such they have to be looked after if there is to be development of any kind.'[156] His party, he wrote in the *East African Standard*, 'will not accept any privilege for any tribe or race, and will fight against any individual discrimination based on tribe, race or religion.' '[T]he Government knows only citizens', he claimed.[157] 'People who think they can only lead their tribes', wrote a correspondent in the *East African Standard* on the same lines, 'will have to disappear into the political wilderness after the General Election.'[158] Kenya would be, wrote James Mwashori, summing the argument up, 'a free, united [and] prosperous nation where tribe, race and religion will never be used for determining the rights of any citizen.'[159]

In the iconography of KANU, Kenyatta came to stand as proof of the possibility that men and women were capable of transcending ethnic particularity. The origins of this idea lay in 1958, during

[153] BNA, CO 897/4, Memorandum of the People of Western Division of Elgon Nyanza District to the Regional Boundaries Commission, 4th August 1962, p.1. My emphasis.
[154] Kenyatta, *Harambee!*, p.8.
[155] Mboya. *Freedom and After*, p.70.
[156] *Hansard*, 1st Session, 1963, i, 1378.
[157] Kenyatta, *Harambee!*, p.8.
[158] *East African Standard*, Letter Opar Mboya, 8th July 1960, p.3.
[159] BNA, CO 897/3, Memorandum of James Mwashori to the Regional Boundaries Commission, 3rd August 1962, p.1.

a debate in the Legislative Council on a motion of enquiry into the Emergency prisons and detention camps. The people detained at Lokitaung, and particularly Kenyatta, Odinga argued, 'before they were arrested were the political leaders of the Africans in the country and Africans respected them as their political leaders, and even at this moment', he continued, 'in the heart of hearts of the Africans they are still the political leaders.'[160] According to Odinga, Kenyatta was 'the father of our nation and the founder of our national movement in Kenya'. On Odinga's account, he owed his position to what was represented as his long history of seeking to act on behalf of all Kenya's oppressed people, and not simply the Kikuyu, 'the struggle which our national leader has put forward for over [sic] the last 20 years', embodying the spirit of co-operation that made national authority legitimate and nationhood possible. His 'leadership', Odinga argued 'has been proved beyond doubt by the African public of this country.'[161] On the same grounds, a 1960 letter to *Jicho* criticised Taita arap Towett, following his founding of the Kalenjin Political Alliance in 1960, for 'not favour[ing] the leadership of *Mzee* Jomo Kenyatta'. The author continued to explain that he did 'not see why an African who claims himself to be a leader would forget the Father of the Nation of Kenya, *Mzee* Kenyatta, who has defended each tribe, and the tribe of Towett also, here in the country of Kenya, even before his [i.e. Towett's] birth.'[162]

KANU's supporters, nonetheless, understood that the assumption that people were willing and capable of transcending their ethnic particularity was a serious risk, an act of faith, as indeed, we have seen the assumption that the obligations of race could easily be transcended was understood to be a risk. Even as KANU's leadership emphasised the importance of the assumption of good intentions on the part of others, then, people within the party worried precisely about the dangers of ethnic particularity. Writing on behalf of the North Nyanza Luo Association, an organisation established to represent the interests of the minority Luo in North Nyanza district, J.B.A. Ohanga expressed these concerns. A stable multi-ethnic state was, he argued, both perfectly

[160] Odinga, *Not Yet Uhuru*, p.156.
[161] *Hansard*, 1st Session, 1961, lxxxvii, 86.
[162] *Jicho*, Letter Kai Ole Kiloit, 25th May 1960, p.3.

possible and desirable. ‘England’, he wrote making a common conflation of England and the wider Union, ‘is a small country and although under one kingdom, the English people who are the ruling tribe and are in the majority have recognised and safeguarded the traditional rights of the smaller tribes like the Irish and the Welsh’ (it seems unlikely the story would be well-received in Dublin). Nonetheless, he feared that within their likely region, the tribalism of ethnic others, their failure to transcend their social background - manifest in ’58 years’ of being treated ‘scornfully’ - threatened the existence of self-identifying Luo. Therefore, in order to protect their honourable ethnic history, he argued, the Luo in the district needed to be allowed to secede with their tribal lands to Central Nyanza, to be, that is, under the local authority of their fellow Luo in a Luo district. For KADU and their supporters these concerns were foremost in their mind, and are the subject of the following section.

V

Drawing on a model of the world that gained prominence in the 1940s, KADU's leaders and supporters, like their opponents in KANU, and in contrast to the majority of people in Tanganyika, regarded Kenya not as a single community, or nation, but as novel and artificial unit, a project to be realised, but not yet brought into existence. As Taita arap Towett argued, 'there was no Kenya before the British came to this country', and Kenya remained a territory 'inhabited by varied and virile peoples'.[163] 'Kenya', John ole Konchella, a KADU member of the National Assembly, explained to the Regional Boundaries Commission, expanding on the point, 'is a new name to us.' Before colonialism, he went on, the people who inhabited what came to be known as Kenya had known only ethnic groups, 'Masai, Kalenjin and Kikuyu', each, significantly, with 'different languages and different customs', and all of whom 'had land somewhere.' These groups, he insisted, were not mere 'tribes', as the colonialists disparagingly called them, but 'nations', analogous, he insisted, to those of honourably divided Europe. While under colonial rule, he conceded, 'the British law and the Christianity [sic] brought us [i.e. the peoples of Kenya] together a little', these 'nations', he insisted, nonetheless, remained distinct and separate entities.[164]

Like both the autonomists on the coast and their opponents in KANU, KADU's members assumed, however, that survival in the modern world required large, weighty units, bigger than any existing ethnic group, that pan-ethnic unity was an essential condition of survival and prosperity. As the writer of a letter to the *East African Standard* at the moment of KADU's formation in mid-1960 put it: 'The leaders of the Kalenjin group are very much aware that a tribal group *will not do* and they have consequently invited all those of like mind with them to unite and consider another method [i.e. a method other than that offered by KANU] of making Kenya a free and happy country.'[165] Pan-

[163] BNA, CO 822/2242, KADU's Plan for National Unity, November 1961, p.1. *Hansard*, 1st Session, 1963, i, 1374.
[164] BNA, CO 897/7, (Regional Boundaries Commission, 1962: Record of Oral Representations, Vol.1), Meeting with a Delegation from the Democratic Parliamentary Group held in Parliament Buildings Nairobi, on 10th August 1962 at 3.30pm, p.33.
[165] *East African Standard*, Letter S.K. Kimalel, 1st July 1960, p.3. My emphasis.

ethnic unity, KADU's leaders insisted, on the same grounds as their rivals in KANU, was absolutely necessary to bring, first, freedom from colonial rule, and subsequently to ensure the maintenance of the 'true independence of the country', and, in particular freedom from both external economic and military subversion.[166] 'KADU', as Masinde Muliro explained, 'hopes to get for the *wananchi uhuru* of two kinds', namely the '*uhuru* of self-rule and *uhuru* of the economy'.[167]

While, however, KADU shared their rival's emphasis on the need to create an 'enduring unity' between what they imagined to be discrete and hitherto separate tribes of Kenya, they differed significantly in their ideas on how this could properly be done.[168] Bringing the territory's ethnic groups together was a delicate task, and one, they argued, that KANU's brains had got badly, indeed arrogantly and dangerously, wrong. In particular, KADU's thinkers consistently criticised their rival's plans for being 'undemocratic', in both their formulation and their likely outcome.

Each of Kenya's honourable ethnic groups, they repeatedly insisted (invoking a wildly different concept of democracy from the idea of individual equal dignity that underpinned the term's typical use in Tanganyika) had (like the nations of Europe) a right not only to exist, but to make their own decisions about their future, decisions which could not, and should not, be imposed from the outside.[169] It was, as the controversial Kalenjin member of the National Assembly William Murgor put it, the 'right' of his (ethnically defined) 'people' to 'decide our own future'.[170] Each tribe, KADU's Laikipia branch told the Regional Boundaries Commission, echoing the point, 'should decide who should remain with us and who should quit'.[171] However benevolently it was conceived, therefore, power, key KADU figures argued, could not be imposed from above, a firm challenge to KANU's belief that a strong unitary state was needed to allow the most talented men to develop the country in the interests of all. It had, rather, to respect local rights and local initiative. As the future

[166] BNA, CO 822/2242, KADU's Plan for National Unity, November 1961, p.1.
[167] *Taifa Leo*, 9th January 1961, p.1.
[168] BNA, CO 822/2242, KADU's Plan for National Unity, November 1961, p.2.
[169] BNA, CO 897/4, Memorandum of the Nyanza and Rift Valley Uasin Gishu Union to the Governor of Kenya, 20th July 1962, p.1. See also Lonsdale, 'Moral and Political Argument', p.79, pp.86-7.
[170] *Daily Nation*, 18th January 1962, pp.1-2.
[171] BNA, CO 897/1, Memorandum of KADU Laikipia Branch to the Regional Boundaries Commission, 29th August 1962, p.1.

President Daniel arap Moi, explained in Parliament, 'you can only ask Meru people to help in a development plan and do it with their consent. It is not for us', he concluded, 'to decide what should be done for the Meru people when they can develop their land with the guidance of the Government.'[172]

Many worried not only about the undemocratic formulation of KANU's plans, but about the possibility of undemocratic consequences arising from them. A wrong turn in the construction of pan-ethnic unity might mean, according to Peter Okondo, a prominent figure in the development of *majimbo*, 'a headlong plunge … from the Colonial frying-pan into the hell-fire of dictatorship by an individual or the despotism of a military junta'.[173] He expanded on this worry in a lengthy article published in the *East African Standard* in 1961, in which he drew a contrast between Britain and the territories of her declining empire. In the metropole, he argued, the state was a single moral arena in which power was held to account not so much by formal institutions, as by a deep history which linked leaders and followers. A unitary constitution, with few institutional safeguards, worked there, he argued, because 'the people of Britain hold dearly the principles of tolerance, not striking the fallen, sympathising with the under-dog and all the goes with that sort of sentiment', attitudes which were, he argued, 'ingrained in the mind and traditions of the Briton' and which 'because he applies them strictly in practice and because he is sensitive and jealous of his rights as an individual… thereby provides the necessary safeguard against the growth of totalitarianism.'[174] In Okondo's account, well-worn historical bargains made leaders accountable to followers. Such bargains, he went on, did not exist within the colonial creation that was Kenya. A 'Westminster' style constitution, he therefore concluded, threatened nothing less than tyranny in Kenya. As his more senior colleague Masinde Muliro pithily put it, unitary constitutions had 'been [a] failure through and through in all the undeveloped countries *which have not got traditions behind them*.'[175]

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[172] *Hansard***,** 1st Session, 1962, xc, 1451.
[173] BNA, CO 822/2242, (Proposal by KADU for Regional Government and a Federal Constitution in Kenya), Minutes of a Meeting between Mr P.J.H. Okondo and Lord Perry, October 1961**,** p.2.
[174] *East African Standard*, 11th August 1961, p.18.
[175] *Daily Nation*, 28th November 1961, p.6. My emphasis.

In this context, KADU hinted at two visions of an undemocratic future. In the first, a constitution lacking proper checks and balances threatened, Okondo suggested, an 'all-powerful and authoritarian government', a 'dictatorship' run by, and in the interests of, a 'small clique behind the Premier'.[176] The rapid acquisition of power by Nkrumah in Ghana (by contrast, so often a model for Kenya's neighbour) as well, indeed, as plans to create an 'executive presidency' in Tanganyika in 1962, stood, he argued, as examples of the way in which under a unitary constitution power could quickly be accrued by new African presidents for their own selfish ends.[177]

It was not the case, however, that accountable authority did not exist in Africa. Rather, Okondo argued, accountable authority existed within the deep story-telling groups of tribes. This belief, he suggested, had paradoxical consequences as people strove to create pan-ethnic unity. On the one hand, KADU argued that if power was to be accountable in an independent Kenya it had to build upon tribe, and the 'forces of tribalism', therefore, had to be 'harness[ed]'and used 'to build the nation' in a just and fair manner.[178] To dispense with tribe was, on this argument, to lose any possibility of accountable authority. On the other hand, the party and their supporters feared a disjunction in a unitary state between power and accountability, that power would be exercised over a multi-ethnic community, but would be accountable only to individual ethnic groups, the communities to which men and women were tied and involuntarily obligated by virtue of descent, threatening the emergence of postcolonial ethnocracy.

The always articulate Taita arap Towett, speaking on Kenyatta's motifs of '*umoja* and *ujamaa* familyhood', developed this theme. 'When people talk of *umoja*, African socialism means a society based on familyhood', he told the National Assembly in 1963. It was precisely this talk of 'familyhood', he claimed, which was 'the cause of the fear' that existed in Kenya. 'In my own simple thinking', he continued, '*ujamaa* means just one clan, it does not mean the whole of Africa is one family'. There were 'many families' on the continent, and 'if socialism is going to mean the Hon.

[176] *East African Standard*, 11th August 1961, p.18.
[177] BNA, FCO 141/6896, Record of a meeting of the Parliamentary Group of the Kenya African Democratic Union with the Secretary of State for the Colonies, 7th July 1962, p.1.
[178] *East African Standard*, 11th August 1961, p.18.

Prime Minister's own family life', he argued 'I sympathise with my friends who try to save their own small areas'.[179] On similar lines, J.K. Lelei worried in a letter written to the *East African Standard* that 'The so-called "father of the Kenya nation" seems to restrict himself to the fatherhood of the Kikuyu only'.[180] Both directly contradicted the image KANU and their supporters attempted to establish of Kenyatta as the very embodiment of the possibility of successful pan-ethnic unity. Both situated accountable power within ethnic groups. The underlying point was forcefully articulated by the Meru African District Council (while they professed no particular political commitment), who told the Regional Boundaries Commission that while 'In the past for some [sic] peculiar mistake the Meru people have been grouped with the Kikuyu tribe in the present Central Province', the Kikuyu were, in fact, distinct from the Meru, 'a complete tribe by themselves and', therefore, 'have no *moral obligations* towards Meru people since both tribes differ in as much as heaven and earth are [different].'[181]Ethnicity marked the extent of known and tested obligation. The 'openness' which underpinned KANU's plans for a unitary constitution, the belief that a new loyalty could be created, transcending the particularity of their narrow origins, in the first instance, by a simple act of will, was, therefore, a potentially dangerous chimera. KADU had 'learnt that one man one vote does not necessarily mean freedom.'[182]

This longstanding understanding of the relationship between man and community, and this theory of accountable power, in turn, made the unevenness of the impact of colonial rule extremely troubling for KADU's leadership and followers. While KANU argued that it was precisely the unevenness of the colonial impact that made it essential to spread Kenya's limited and concentrated human capital as far as possible, KADU feared the consequences of those groups who had had most access to education monopolising positions of power. While, therefore, their opponents argued that 'The concept of domination is a repugnant concept to any democratic nationalist', and that the

[179] *Hansard*, 1st Session, 1963, i, 1382.
[180] *East African Standard*, Letter J.K. Lelei, 7th December 1962, p.18.
[181] BNA, CO 897/3, Minutes of a Special Meeting of the Meru African District Council held on 3rd August 1962 to make recommendations to the Regions [sic] Boundaries Commission, p.2. My emphasis.
[182] BNA, CO 822/2242, Proposals for Regional Governments and a Federal Constitution, October 1961, p.2.

correct attitude of mind was all that was required to overcome ethnic differences and create an accountable national authority in the interests of *uhuru* and *maendeleo*, KADU feared that words were cheap and the consequences of failure too great to risk.[183]

The prominence of the Kikuyu, the very background against which Kenyan thinkers had come to emphasise tribe as man's basic community in the 1940s, was the most obvious symbol of the unevenness, and in the 1960s continued to haunt imaginations. Mau Mau only added to this, generating worries about the trustworthiness of the Kikuyu, their suitability to exercise power. Along these lines, many writers in the press presented the uprising as evidence of a specifically Kikuyu lust to impose themselves on the rest of Kenya, while the rebellion and its imagery gave KANU's opponents an evocative language with which to express these worries. The Kalenjin Political Alliance, for example, explained that while both the Kikuyu and the Kalenjin, along with the other 'tribes' found within Kenya's borders 'all belong to Kenya', the Kikuyu took 'illegal oaths' and therefore 'we do not know… what they do at night.'[184] William Murgor was, likewise, adamant that 'Under no circumstance will we [the Kalenjin] be dominated by KANU, with its oath-takers, its uncontrolled Youth Wing, and its ex-Mau Mau leaders in key positions'.[185] Charles K. Mulela, meanwhile, complained in *Taifa Leo* that he was 'completely tired' of what he alleged to be claims made by Kikuyu that it was they who had 'brought *uhuru* into this country', and so they who, consequently, would 'rule this country' as *viongozi*, or leaders, after independence.[186] The Land Freedom Army, KADU feared, was part of an effort to push forward this dream.[187] The Kikuyu, the party worried, getting to the heart of the matter, were 'dreaming of a big Kikuyu *empire* ruled and administered from Gatundu'.[188]

[183] BNA, CO 897/3, Memorandum of KANU, Fort Hall Branch to the Regional Boundaries Commission, 23rd August 1962, p.1.
[184] BNA, CO 897/7, Meeting with a delegation from the Kalenjin Political Alliance, 29th August 1962, p.150.
[185] *Daily Nation*, 18th January 1962, pp.1-2.
[186] *Taifa Leo*, Charles K. Mulela and two others, 27th February 1961, p.3.
[187] BNA, FCO 141/6896, 'KADU Condemns Terrorism', pp.1-2.
[188] *Ibid*, p.2. My emphasis.

The fear was not, however, limited to the Kikuyu, and thinkers worried not only about the construction of the central state, but about the construction of regions, about the dangerous meeting of unaccountable power and inequality across the wider area of Kenya. This was made clear in the submissions made to the Regional Boundaries Commission, which highlighted the dangers of a disjunction between power and accountability *within* the regions KADU wished to construct, and especially to histories of oppression by ethnic others. The authors of a memorandum submitted on behalf of the 'Sabaot tribe', for example, explained that under colonialism they had 'found ourselves alone in the same administrative division with our more numerous neighbours, the Bukusu', with the consequence that 'Our people have been intimidated and despised by the Bukusu', and had 'been made to flee into Uganda and even Tanganyika from our own mother land [sic].'[189] The Gem Branch of KADU, effectively seeking to represent the minority Luyia in Central Nyanza, claimed that 'We have been oppressed by the Luo who have ever worked for our downfall.'[190] Luyia on the edge of the Rift Valley complained that 'Very many Baluhia [sic] who had [sic] settled in Nandi district have been ill-treated by the Nandi people.' Apparently, 'Their crops [had been] destroyed, houses burnt, land taken, and the Baluhias [sic] compelled to return to North Nyanza District against their wish [sic].' All such actions, they claimed, had 'the support of the Nandi A[frican] D[istrict] C[ouncil].'[191] The same case was made in Parliament by the Luyia politican Dome Budohi, who argued that Luyia outside their borders faced by discrimination.[192] And, linking the local and the national, a representative of the Meru African Coffee Co-operative Union rhetorically asked, given the way in which, they

[189] BNA, CO 897/1, Memorandum Submitted by the Sabaot Tribe, A Splinter of the Kalenjin to the Minister of Local Government, 2nd May 1962, p.2.
[190] BNA, CO 897/4 Memorandum of KADU, Gem Branch to the Regional Boundaries Commission, 22nd June 1962, p.1. On the ambiguous position of the Luyia in the battle between KANU and KADU, see MacArthur, *Cartography*, pp.200-2.
[191] BNA, CO 897/4, Supplementary Reasons of the Objection to the Nandi/Kalenjin Demand of Demanding the Locations of Nyang'ori to get included in the Nandi District of the Rift Valley, n.d, p.1.
[192] MacArthur, *Cartography*, pp.203-4.

claimed, history showed the willingness of the Kikuyu to monopolise employment opportunities in the colonial Central Province, 'What, therefore could they expect from a Kikuyu Head of State?'[193]

Whether at the territorial or regional level, the consequences of 'domination', of the exercise of unaccountable authority, were seen by KADU as being potentially catastrophic, a serious obstacle to both their efforts to meet the obligations bred by descent and maintain civil, reputable and prosperous ethnic communities, and to build a sustainable and novel national unity. To take material fears first. KADU and their supporters were clear that independence was not enough to bring *maendeleo* to all Kenya's various ethnic groups. Unaccountable power threatened, rather, the unfair distribution of the fruits of independence, side-lining the weak in favour of the powerful, those with access to power. Land, principally in the Rift Valley, was a major concern. There, people worried that, should they achieve power, KANU's Kikuyu leadership would grant the claims of their co-ethnics to land, the territory's central economic resource, basis of esteem, and underpinning of material culture, land which Kalenjin and others claimed as their birth right. Independence would prove to be nothing more than a land grab.[194]

Nor was this fear confined to land. Ronald Ngala, for example, accused the Kikuyu of attempting 'to take over all employment everywhere in Kenya; as well as the trade and commerce of the country', squeezing out others from these opportunities, and gathering their benefits for the Kikuyu.[195] Kenya's national leadership was treating, and would treat, he feared, ethnic others as inferior, concentrating access to resources on their own co-ethnics, a concern Sammi Omari hinted at the year after independence, when he complained of the 'step-motherly' attitude, a telling phrase, the new government had shown the people of the coast in the first year of independence. The Kikuyu controlled government, he suggested, had treated ethnic others not as their own progeny, but as the children of others.[196]

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[193] BNA, CO 897/7, A meeting with a delegation from the Meru African Coffee Co-operative Union', 22nd August 1962, p.91.
[194] Anderson, 'Yours in the Struggle', p.552.
[195] *Daily Nation*, 23rd July 1962, p.3.
[196] KNA, KA/6/36, Letter Sammi Omari to President of Kenya, 16th December 1964, p.3.

The same concerns existed at the Regional level. The 'West Kalenjin', for example, worried that being placed in 'the same region with any other Bantu group [sic]' would 'be detrimental to our progress and finish us up.'[197] The 'Gem-Same-Kisumu Abaluhya' complained that in their majority Luo region 'Economically we have been left behind intentionally by being refused our due rights.'[198] And the Nakuru branch of the Abaluhya Association, summing this up, feared that those of their members who remained as minorities in regions away from the body of the Luyia, would face 'Inadequate educational, medical, communicational [sic], social and cultural facilities and other amenities', as their needs were overlooked by ethnic others prioritising their fellow tribesmen.[199] *Maendeleo*, in short, would be aimed at co-ethnics at the expense of people who found themselves under the authority of leaders from other groups.

The exercise of unaccountable power, it was argued, would not only threaten the *maendeleo* of ethnic groups, but deny them the recognition that was their due. The 'West Kalenjin', wished not only 'to regain our lost land', but also their 'independence of mind, our personal freedom and the dignity of our peoples.'[200] Likewise, the 'Bantu' of Gem Location told of how they had set up an association with the aim of establishing that 'they are known as people with a living name on equal [sic] status' with the district's majority Luo group.[201] Becoming a part of the 'colonies or empires' of those ethnic groups capable of post-colonial domination, either within the unified state or badly constructed regions, would condemn these groups to an inferior or servile status.[202] Honour was at stake as much as wealth.

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[197] BNA, CO 897/1, Memorandum of the West Kalenjin Community to the Regional Boundaries Commission, n.d., p.1.
[198] BNA, CO 897/4, Memorandum of The Gem-Same-Kisumu Abaluhya Union to the Governor of Kenya, 5th October 1961, p.2.
[199] BNA, CO 897/1, Memorandum of the Abaluhya Association of Nakuru District to the Regional Boundaries Commission, 31st August 1962, p.1.
[200] BNA, CO 897/1 Memorandum of the West Kalenjin Community to the Regional Boundaries Commission, [undated], p.3.
[201] BNA, CO 897/4, History of the Bantu in Gem *c*.1600 to 1955, p.8.
[202] BNA, CO 897/1, Memorandum of the Abaluhya Association of Nakuru District to the Regional Boundaries Commission, 31st August 1962, p.1.

Worse, badly constructed unity threatened not only the loss of a reputable prosperity, but the very existence of ethnic groups, and their distinctive ways of life. If Kikuyu and Meru were included in the same region after independence, claimed a petition written by Meru Students in the UK, the Kikuyu would dominate the Meru 'because the Kikuyu are educationally and politically much more advanced than the Ameru', and that as a result of such domination, distinctive Meru 'culture, customs and traditions', the very foundation of their existence, 'would automatically disappear.'[203] The 'Bantu of Gem location' similarly claimed that the 'word "Bantu" has been abominable to the Ojwedhi [Luo] in Gem', and that these people had argued that 'everybody in Gem should turn himself LUO!', a move which 'has been naturally impossible'. A future under unchecked Luo control offered more of the same.[204] Members of the Sabaot claimed that 'in language or customs or beliefs the very culture of our people is dying before the infiltration of the Bukusu', and demanded that steps were taken 'to sustain our honourable tribe', principle among them being to ensure that the two groups were put into separate regions under the *majimbo* constitution.[205] And William Murgor, getting to the very heart of the matter, told the *Daily Nation* in early 1962, that he wanted the British to understand 'that the handing over of the Kalenjin to the three tribes [as Murgor saw it, the Kikuyu, Luo and Kamba] of KANU would mean the end of the Kalenjin – *we would be wiped off the face of Kenya*.'[206]

Encapsulating all of these aspects, the submission of the 'West Kalenjin' concluded that

> *Our people are unable to tolerate any more inferiority, discrimination or persecution in [a] free Kenya. Our future sons and daughters should not be born in the menace of another tribe. Our taxpayers and all the citizens in our country do not wish to continue to work for the aggrandisement of a tribe [in this case, the Luyia] which has always despised us.*[207]

[203] BNA, CO 897/3, Memorandum of the Meru Students Union in the United Kingdom, 20th July 1962, p.5.
[204] BNA, CO 897/4, History of the Bantu in Gem *c*.1600 to 1955, p.8. Original emphasis.
[205] BNA, CO 897/1, Memorandum Submitted by the Sabaot Tribe, A Splinter of the Kalenjin to the Minister of Local Government, 2nd May 1962, p.2 & 5.
[206] *Daily Nation*, 18th January 1962, pp.1-2. My emphasis.
[207] BNA, CO 897/1, Memorandum of the West Kalenjin Community to the Regional Boundaries Commission, n.d., p.3.

How unity was constructed, how Kenya was put together, mattered. Mistakes in this threatened KADU's vision of a future Kenya composed of flourishing ethnic groups, proud of their ethnic inheritances. Indeed, as the 'Western Nyanza Association' put it to the Regional Boundaries Commission, the need to promote the conditions in which their ethnic group, the Luyia, could flourish 'overides [the] liberation and freedom of Kenya in importance.'[208]

Ultimately, badly constructed unity threatened, it was repeatedly insisted, the disintegration of any possibility of national unity and the descent into the chaos of ethnic violence. While KANU claimed that the creation of regions threatened the openness on which the creation of a new sense of common purpose depended, their opponents in KADU scoffed at the point. It was not, they claimed, ethnic particularity that would destroy the embryonic national community, but the failure to recognise the reality of life on the ground, of what Kenya was, to work with, rather than against, the grain of local specificity and particularity. The tribes of Kenya, Towett argued, were not enemies, but the suspicions of the ethnic particularity of the government could make them so.[209] It was not, it followed, the entrenching of communal differences which threatened national unity, and descent into the nightmare of ethnic conflict that was seen to characterise the Congo, as KANU claimed, but refusing to structure unity to properly respect diversity and the real fears of many of Kenya's peoples. A unitary constitution would lead to ethnic war, a theme controversially outlined by William Murgor. While relations between Kikuyu and Kalenjin were currently good in his region, he explained, he had serious worries for the independent future. 'We neither resent nor victimise those people who wish to live peacefully among us', he said, 'but we will resist attempts made by KANU that threatens our way of life.'[210] In a double move, 'tribe' would undermine the nation if the nation undermined 'tribe'; if 'domination', at either the central or the regional level, was not avoided the

[208] BNA, CO 894/4, Memorandum of the Western Nyanza Association to the Regional Boundaries Commission, 28th July 1962, p.1.
[209] *Hansard*, 1st Session, 1963, i, 1382.
[210] *Daily Nation*, 18th January 1962, p.2.

future would be engulfed in 'an ocean of blood', in the effort of people across the territory to defend their civil, reputable and prosperous ethnic communities from the depredations of ethnic others.[211]

Taita arap Towett, summed up the mood in KADU when he told Parliament that he was 'for the dismemberment' of Kenya and its colonial form to its constituent ethnic elements, so that 'then we can start again, bringing up the Kenya of the Africans', building upon the communities, the story-telling groups in which, he held, Africans lived their daily lives. *Majimbo* would ensure that the people of Kenya would 'have our own child and not adopt the British child'.[212] In the first place, the plan recognised the right of ethnic groups to make decisions on their own future, and to continue to exercise control over their own destiny in the future. The party's constitutional plan allowed for ethnic groups to choose who they would be associated with in the regions. This was the end aimed at by the Regional Boundary Commission. Regionalism would be based upon 'the willing cooperation of people of different tribes who are prepared to live and work together'[213], and 'recognise[d] that the people of Kenya were varied and had the right to control certain aspects of their own lives without interferences by the central government'.[214]

The plan moreover, would provide ethnic groups with a basic security, which would allow them to feel sure about their material interests and the future of their honourable tribes. While KANU argued that the key to a successful national future was openness and interaction, their rivals disagreed. 'In the end', wrote Peter Okondo, 'the job of nation building would be easier if the tribes had no fear of being swamped or of being dominated'.[215] Strong regions would provide institutional safeguards against this, limiting the reach of central government. Invested with significant amounts of power, they would bridge the gap between power and accountability and in so doing ensure that people felt secure in the control of matters which are vital to them – the futures of their ethnic

[211] BNA, CO 897/4, Memorandum of the Nyanza and Rift Valley Uasin Gishu Union to the Governor of Kenya, 20th July 1962, p.2.
[212] *Hansard*, 1st Session, 1963, i, 1375. See also MacArthur, *Cartography*, p.202 on *majimbo* as an 'argument against the continuation of colonial forms of governance'.
[213] *Daily Nation*, 7th May 1963, p.6.
[214] KNA, GO/1/1/10, Kenya Coastal Strip Conference, p.4
[215] *East African Standard*, 11th August 1961, p.18.

groups and their prospects of achieving *maendeleo*.[216] In doing so, moreover, it would, as Okondo had advised, harness tribe, the basis of accountable power, to the nation, allowing for the possibility of a moral state.

A sense of security would, in turn, allow for a true sense of national identity to emerge. *Majimbo*, its advocates were clear, did not amount to the static entrenching of narrow identities caricatured by their opponents, but, rather, would 'build a loyalty and co-operation larger than the tribal unity, i.e. loyalty to the Region.'[217] It respected the rights of tribes, avoided fears about domination, and began to smooth the way for a viable unity. While the party understood the need 'for moving forward at the quickest possible rate' in the context of the world of the mid-twentieth century, they were adamant that 'it would be most dangerous to the future economic stability and political harmony of this country to ignore the facts and to try and impose a non-existent unity from the top downwards' as they claimed KANU aimed to do. In turn, it would ensure that their interests and rights would not be disregarded by a distant executive, that they would not be turned into the colony of another, 'co-operation between Regions in the national interest' would develop and, according to Muliro 'a national identity is bound to emerge.' Indeed, 'Given good will between Kenya's people', which would come from recognising the rights of tribes and allowing them to make their own decisions on the future, Muliro argued in mid-1963, 'there is no reason why a national identity should not emerge long before the point of Independence.' But the party was clear that the 'common purpose' among the peoples of Kenya that was so necessary in the modern world, could not 'emerge except by the will of the people themselves.'[218] In the end as Towett told the National Assembly, in an echo of Henry Muoria, *majimbo* was essential precisely because it recognised and respected the natural 'progress of human thinking'. Man, he argued, had 'to look after his small area, his village then his location, then his district, then his region, Kenya, East Africa, all the world and then the universe'. He was adamant that 'You cannot start without beginning with the small and

[216] BNA, CO 822/2242, KADU's Plan for National Unity, pp.1-3.
[217] *Daily Nation*, 7th May 1963, p.6.
[218] *Ibid*, p.6.

then you grow'.[219] Like E.P. Thompson's vision of a future European 'federation of socialist states', and in contrast to KANU's emphasis on openness and interactivity, KADU's thinkers held that political unity beyond the tribe must 'develop slowly, tetchily, with jealous regard for individual [national] identities'.[220]

[219] *Hansard*, 1st Session, 1963, i, 1376.
[220] E.P. Thompson, *Writing by Candlelight* (London, 1980), p.88.

VI

Kenya's Emergency did not, as social scientists have long feared, simply divide Kenya's population along ethnic lines. Rather, it gave a shot in the arm to unpopular development planning which, alongside constitutional reform that seemed to entrench white privilege at the expense of the African majority, a developing regional nightmare shared with their neighbours across the border, led thinkers across the territory to recast the fact of foreign rule as itself a threat to reputable and prosperous community, and to raise more urgently than before the imperative to unity as a necessary condition of claiming what was now understood to be a desperately needed *uhuru*. As in Tanganyika, the need for, and prospect of, independence raised questions for the communities that had long been the central object of argument. Like their southern neighbours, the prospect of independence forced thinkers in Kenya to confront questions about the place of non-African immigrants in the future, a challenge to a racially-defined community, given added impetus on the Kenyan coast by the existence, a contingent product of colonial state-building, of a vociferous, and determinedly non-racial, nationalism demanding autonomy for *mwambao*. As in Tanganyika, consensus was difficult to come by. Argument did not stop there in Kenya, however. While in Tanganyika, the imperative to independence led thinkers to insist on the need to prioritise a well-established image of a Tanganyikan community over all others, with notably little agonising, in Kenya no such vision existed. The imperative, instead, entered a context in which the intellectual work of the 1940s had established tribe as the essential building block of any wider community. KANU and KADU shared an understanding of Kenya as a novel unit, populated by distinct ethnic groups, and characterised by uneven colonial development. In this context, both parties attempted to answer the same question, a question scarcely worthy of notice in Tanganyika: how could they bring a sustainable unity, a sense of common purpose, to Kenya's various peoples while respecting legitimate diversity? In their dangerously divided answers, we can see a distinctively Kenyan understanding of 'the nation'.