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Review of Political Protest in Contemporary Kenya: Change and Continuities

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***Political Protest in Contemporary Kenya: Change and Continuities.* Jacob Mwathi Mati. New York, NY: Routledge, 2020, paper, 210 pp., ISBN 103223866.**

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What happens when the ruler changes but not the rules?

Kenya is an example for other nations of how hard it is for the people to agree on changing the rules – in this case the constitution - to allow more freedom. But it is also an example of how people at all levels of society can come together when the threat of disunity is massive. Kenyans did finally win electoral approval for a reform constitution with strong human rights guarantees, but only after mass violence following the disputed presidential election of 2007.

In December 1990, then-President Daniel arap Moi bowed to domestic and international pressure, to allow multi-party elections. But the other limits on political freedom in the constitution continued in force. On December 15, 1999, almost a decade after multi-party elections were allowed, reformists gathered in Ufungamano House, a popular conference center located on a tree-lined side street not far from the President's office - where Moi was still in power.

The subsequent debates would extend in various forms for some years. It was an exciting time. But it was not until 2010, after mass ethnic violence following a disputed presidential election in 2007, that a reform constitution was finally adopted with a strong human rights section and a recognition of state governments. Mati explains what happened in between 1999 and 2010. He reveals how the Ufungamano Initiative was a “mess of contractions, competing interests, and multiple vulnerabilities” (p. 127). One of the most challenging elements was the controversial merger with the State-supported constitutional reform initiative led by international constitutional scholar Yash Pal Gai.

But for a time, young as well as veteran activists, politicians, religious leaders, and others were engaged in a national debate over the future of their country, as Kenya moved away from a repressive era of political torture in the late 1980s and early 1990s. This reviewer got a first-hand look at some of the excitement during academic visits to Kenya.

Using mostly western-popularized social movement theories, Mati closely examines how competing players for power and advantage ultimately failed to agree on expanded freedoms until the state had nearly collapsed. “Social movements go through three phases in their evolution and development: incubation, action, and institutionalization [with] interplays of local, national and international forces,” Mati argues (p. 32). Drawing from Sidney Tarrow's concept of cycles of resistance (e.g., 1998), Mati argues: “The civil society-led cycle of contention died due to politicians closing ranks, with the blessings of religious leaders and donors...”

It is this tension between various factions or coalitions over the future shape of Kenyan laws and freedoms that is the central focus of Mati's book. For example, the same day that the Ufungamano conference began, drawing from some 50 religious, secular civil society and opposition political parties, a rival group was launched. It drew primarily from some members of Parliament, the ruling

Kenya National African Union party and the National Democratic Party. The first was essentially a bottom-up reform attempt, while the rival was top-down.

Mati analyzes the motives of the various groups. For example, at times he seems to praise the elites and at other times criticize them: “Whenever they are threatened by a class-based revolution from below, the elites find a way to cooperate to safeguard their priori positions (p. 192).” But when differences among elites helped lead to ethnic violence during the 2007-2008 post-election violence, elites then “played a critical role in delivering the new constitution because the collective threat the elites faced during the 2007-2008 crisis, especially with regard to the loss of property prompted them to negotiate bargains and make concessions among themselves” (p. 198). Mati also notes among the ground-up reformists, “multiple secondary struggles with the main struggle, defined by class, ethnicity, gender, and generational cleavages” (p. 192).

Yet despite these divisions, Ufungamano did for a while bring together a wide range of Kenyans seeking change. Thus, he disagrees with the scholars of African politics who “are quick to point to the improbability of a united movement emerging in a context of multiple identity variable” (p. 194).

Mati is candid in his final assessment of the Ufungamano initiative: “The disintegration of the Ufungamano Initiative after the merger with the state-run review process and the public’s rejection of a new constitution in 2005 help to explain why Kenya descended into chaos in the 2007-2008” (p.197). Mati also writes: “In the end, then, the Ufungamano Initiative became yet another missed opportunity to transform the Kenyan state and the nature of its relations with the country’s citizens” (p. 198). But there may be a longer-term result of the initiative, he notes: it “cultivated a sense of ‘one nation’ and faith in a better Kenya that overrode all its inherent diversity” (p. 194).

References

Tarrow, Sidney (1988). *Power in Movement: Social Movements and Contentious Politics*, second edition. Cambridge: Cambridge University Press.