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“Peace and order are in the interest of every citizen”: elections, violence and state legitimacy in Kenya, 1957-74

“I would like to appeal again to all the people of Kenya – of whatever tribe or area – to maintain the peace during the next few days and to ensure that this period passes by without violence or disorder”

Sir Eric Griffiths-Jones, Acting Governor of Kenya, May 1963¹

“The Government will not tolerate any form of intimidation, political thuggery or any form of violence against any person or persons during the elections”

President Jomo Kenyatta, November 1969²

“Appealing for peace during next month’s parliamentary elections, [President Kenyatta] said that elections were proof to the world that Kenya was an outstanding example of democracy”³

The calls for peace, which routinely accompanied elections in late colonial and early independent Kenya asserted a fundamental contrast: the ballot should be the antithesis of violence. That contrast – between violent disruption and the peaceful order of the election – was echoed in the bouts of self-congratulation following each of the six national (or near-national) elections held in Kenya between 1957 and 1974. A 1974 post-election editorial, phrased with an interesting concern for external opinion, noted approvingly that

The people have decided. And in the process of indicating their decision, the people of Kenya maintained their good image. They voted wisely and calmly, showing remarkable political maturity, respect for the law and for democracy.⁴

Both pre- and post-election comments treated peace and order as synonyms, as well as evidence of electoral success. But neither the contrast between violence and elections, nor the association of peace and order, were entirely straightforward. As this essay will argue, violence was by no means entirely absent from any of these elections, and often appeared in the guise of order. Low-level violence was common, even endemic: the tearing of posters,

¹ “Final phase of election starts today”, *East African Standard* (Nairobi), 25 May 1963

² “Poll thuggery will not be tolerated”, *Daily Nation* (Nairobi), 5 Nov. 1969

³ “Mzee thanks voters for their loyalty”, *Daily Nation*, 30 Sep. 1974

⁴ “Peaceful election”, *Daily Nation*, 16 Oct. 1974.

intimidatory stone throwing or window breaking, shouted threats, the beating of candidates or their agents. And violence featured in a more subtle way, too: in multiple ways, some more striking than others, elections were dramatic performances of discipline and regulation, which constrained some kinds of political choices and political behaviour while allowing others. These performances were linked – sometimes very apparently, sometimes in a more subtle way – to notions of legitimate violence.

“Today, the relationship between the state and violence is an especially intimate one”, observed Max Weber, prefacing his argument that the distinguishing feature of “the state” is its “(successful) claim to a monopoly of the legitimate use of physical force.”⁵ His words suggest a certain wry weariness suitable to the Europe of 1919, but might also seem apposite for the late-colonial and post-colonial state in Africa. The assertion of a singular regime of violence was, after all, central to the idea of the rule of law that, as Richard Roberts and Kristin Mann have argued, “powerfully legitimized colonial rule” in Africa.⁶ But as Gregory Mann has shown for French West Africa, the idea of an “empire of law” co-existed uneasily with a “regime of exceptions”, in which violence could be commonplace and effectively extra-legal.⁷ In Kenya, the ideal of a state monopoly of violence regulated by law came up against the extra-legal use of violence (whether by white settlers, chiefs’ retainers, or labour recruiters) with uncomfortable frequency. Bruce Berman and John Lonsdale have suggested that officials in Kenya engaged in a lengthy struggle to replace “private oppression with state sanctions,” in order to maintain the legitimacy of colonial authority.⁸ The challenge to colonial power (and to other kinds of power as well) posed by the Mau Mau insurgency of the 1950s tipped the balance in this struggle. The violence of the insurgents led directly to a massive increase in the resourcing of state violence – more police, more soldiers, more hangings, more prisons. And it led also to a particularly bloody period of extra-legal violence. Much of this was sub-contracted to the more or less informal auxiliaries of a vicious anti-

⁵ Max Weber, “Politics as a vocation”, 78, in Hans Heinrich Gerth and C. Wright Mills, *From Max Weber: Essays in Sociology* (London: Chatto & Windus, 1948)

⁶ Richard Roberts and Kristin Mann, “Law in colonial Africa”, 3, in Kristin Mann and Richard Roberts (eds.), *Law in Colonial Africa* (Portsmouth, NH and London: Heinemann, 1991), 3-58; see also 38.

⁷ Gregory Mann, “What was the *indigenat*? The ‘empire of law’ in French West Africa”, *Journal of African History* 50, ii (2009), 331-53.

⁸ Bruce Berman and John Lonsdale, “Crises of accumulation, coercion and the colonial state: the development of the labour control system, 1919-29”, 122, in Bruce Berman and John Lonsdale, *Unhappy Valley: Conflict in Kenya and Africa*, volume I (London and Nairobi: James Currey, 1992), 101-26; David M. Anderson, “Master and servant in colonial Kenya”, *Journal of African History* 41, iii (2000), 459-85.

insurgency campaign; some was the work of administrators and police themselves.⁹ Some 25,000 people died as a direct result of this spasm of violence, which profoundly marked independent Kenya, inflecting all relationships between people and government, asserting yet at the same time threatening the very notion of legitimate violence.¹⁰ Elsewhere in eastern Africa, multiple conflicts arose after independence. In Kenya, by contrast, the post-independence period saw a determined and largely consistent campaign to contain and manage violent conflict through the colonial administrative structures - provincial commissioner, district commissioners, district officers. These had been given unusual robustness and status by the policy of 'closer administration' developed in response to insurgency; soon after independence, Presidential Circular Number 1 of 1965 had reaffirmed that status, effectively giving administrative officers authority over all other branches of government.

That Kenya's new rulers maintained many of the institutional structures and attitudes established by their colonial predecessors is well attested. For a new cohort of Kenyan administrators, the assertion that only they could authorise legitimate violence was just as important as it had been to their British predecessors. But they too struggled both to make real that monopoly, and to stay within the bounds of the law. The campaign against the *Shifita* separatists of northern Kenya involved so much extra-legal violence that an extraordinary law was passed indemnifying police, soldiers and administrators against responsibility for their actions – in direct imitation of the 1955 double amnesty which had offered similar protection to those involved in the campaign against Mau Mau.¹¹ The decade after independence was punctuated by a series of assassinations; the murders of Pio Gama Pinto in 1965, Tom Mboya in 1969 and J. M. Kariuki in 1975, have never been fully explained, but it was widely assumed that all were linked to senior figures in the government.¹² The use of extra-legal violence, and the derogation of violence to others, was very much feature of Kenya in the 1960s and 1970s. But politicians and administrators were uneasily aware of the dangers of this. The toleration, or encouragement, of extra-legal violence undermined the central claim

⁹ David M. Anderson, *Histories of the Hanged. Britain's Dirty War in Kenya and the End of Empire* (London: Wiedenfeld & Nicholson, 2005), particularly 289-327.

¹⁰ Daniel Branch, *Defeating Mau Mau, Creating Kenya: Counter-insurgency, Civil War and Decolonization* (Cambridge; Cambridge University Press, 2009), 5-10; John Blacker, "The demography of Mau Mau: fertility and mortality in Kenya in the 1950s: a demographer's viewpoint", *African Affairs* 106, 423 (2007), 205-227.

¹¹ Hannah A. Whittaker, "The socioeconomic dynamics of the Shifita conflict in Kenya, c. 1963-68", *Journal of African History* 53, ii (2012), 391-408; for the 1955 amnesty see Huw Bennett, *Fighting the Mau Mau. The British Army and Counter-insurgency in the Kenya Emergency* (Cambridge: Cambridge University Press, 2013), 89.

¹² Branch, *Defeating Mau Mau*, 205.

to legitimacy which was embedded in what one historian has called “the ideology of order”.¹³ While David Anderson and Oystein Rolandsen have argued that “violence was used as a principal instrument in the creation and consolidation of the authority of the state in eastern Africa”, it is important to remember that authority required also the management and containment of that violence.¹⁴ In these circumstances, elections provided a means by which to both assert and debate the linkage between peace, order and legitimate authority.

Scholarly emphasis on the performative nature of stateness is now almost banal; the exercise of power often relies on ritual display. This may be understood simply as an exercise by “the state” to overawe the populace, or more subtly as a ‘state effect’ – part of a framing process through which the “uncertain yet powerful distinction between state and society is produced”: an element in creation of the illusion of a binary order which is basic to the modern political order.¹⁵ Violence, or rather the manifestation of the possibility of violence, has played a prominent part in such performance. Guns, uniforms and flags tend to be prominent elements in ritual, and the conscription of a wider populace as an audience to military parades and displays – passive consumers of the performance of euphemized violence – has been commonplace as a technique for authorizing power.¹⁶

This article will argue that the relationship between violence and performance can take less obvious form, and may be complex. Those rituals which are most effective in constructing stateness are those which demand – or even better, elicit – the direct involvement of the populace as performers rather than simply as audience; in doing so, of course, they open up space for popular involvement in shaping these performances.¹⁷ Elections by secret ballot - which offer a moment of political choice in return for participation – are perhaps the most striking of such inclusive rituals, disciplining people into citizenship.¹⁸ “Polling-booth fetishism”, as some have called it, is the corollary of this: politicians, governments, international organizations and journalists all set enormous store by

¹³ E. S. Atieno Odhiambo, “Democracy and the ideology of order in Kenya”, in Michael G. Schatzberg (ed.), *The Political Economy of Kenya* (New York and Westport, Ct: Praeger, 1987), 177-201.

¹⁴ David Anderson and Oystein Rolandsen, ‘Violence as politics in eastern Africa, 1940-1990: legacy, agency, contingency’, *Journal of Eastern African Studies*, 8, iv (2014), 539-557, at 540.

¹⁵ Timothy Mitchell, “The limits of the state: beyond statist approaches and their critics”, *American Political Science Review* 85, i (1991), 77-96, at 78.

¹⁶ Bernard Cohn, “Representing authority in Victorian India”, in E. Hobsbawm and T. Ranger (eds.), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983).

¹⁷ Andrew Apter, “On imperial spectacle: the dialectics of seeing in colonial Nigeria”, *Comparative Studies in Society and History*, 14 (2002).

¹⁸ Richard Banegas, “Commodification of the vote and political subjectivity in Africa: reflections based on the case of Benin”, in R. Bertrand, J-L. Briquet and P. Pels (eds.), *Cultures of Voting. The Hidden History of the Secret Ballot* (London: Hurst, 2007), 180-96.

the performative processes of elections, and the absence of large-scale violence during these processes is treated as a sign of democratic success.¹⁹

Analyses of the political stability of Kenya in the 1960s and 1970s have argued that this was a bureaucratic-executive system, combining coercion with patronage and reliant on the continuity provided by an administrative class; but they have also emphasised the importance of participation.²⁰ This article draws on these insights to suggest that elections helped to routinize ideas about legitimate and illegitimate violence, and particularly about the legitimacy of ordering, systemic violence. These ideas underwrote the political dispensation, but they also cleared space for debate about the relationship between violence and legitimacy. As Cherry Gertzel argued at the time, this was a period in which the civil service (and in particular the system of provincial administration), whose dominance had been briefly challenged by the politics of independence, reasserted its dominance in Kenya's political system.²¹ Yet, there was a degree of uncertainty and contest over the exact terms of that dominance, which were revealed partly through these debates over elections and violence. While Kenya's elections may be seen as events of "elite consolidation", as Goran Hyden and Colin Leys put it, they were by no means entirely scripted or uncontested.²²

The first triumph of the system?

Daniel Branch's seminal article on Kenya's 1957 election suggests that violence lay at the heart of this ostensibly peaceful process.²³ Conceived by the colonial authorities as a way to manage African expectations, and to provide political space for African leaders who were willing to work with the state, the election was founded on the processes of systematic incarceration, exclusion and execution, through which the Mau Mau insurgency had been suppressed. Property and "loyalty" qualifications ensured a franchise which was narrow in

¹⁹ Roman Bertrand, "The engineers of democracy: election monitoring agencies and political change in post-Suharto Indonesia", in Bertrand *et al.*, *Cultures of Voting*, 114-41, at 123.

²⁰ Daniel Branch and Nic Cheeseman, "The politics of control in Kenya: understanding the bureaucratic executive state, 1952-78", *Review of African Political Economy* 33, 107 (2006), 11-31; Dirk Berg-Schlosser, "Modes and meanings of political participation in Kenya", *Comparative Politics* 14, iv (1982), 397-415; Henry Bienen, *Kenya. The Politics of Participation and Control* (Princeton NJ: Yale University Press, 1974)

²¹ Cherry Gertzel, *The Politics of Independent Kenya, 1963-68* (Evanston, IL: Northwestern University Press, 1970), 144-68; see also Richard Stren, "Factional politics and central control in Mombasa, 1960-1969", *Canadian Journal of African Studies* 4, i (1970), 34.

²² Goran Hyden and Colin Leys, "Elections and politics in single-party systems: the case of Kenya and Tanzania", *British Journal of Political Science* 2, iv (1972), 405.

²³ Daniel Branch, "Loyalists, Mau Mau and elections in Kenya: the first triumph of the system, 1957-8", *Africa Today* 53, ii (2006), 27-50.

most of Kenya, and vanishingly small in the central highlands; campaigning was so circumscribed as to be meaningless in much of the country; there were no parties, and the words and actions of every candidate were closely monitored.²⁴ Candidates were not even permitted to broadcast on the radio, lest they make “irresponsible and misleading statements”.²⁵ British reports on the ballot itself noted approvingly that “polling has gone well, and no incidents have been reported”: but this election was inextricably linked with violence, and was intended to authorise it.²⁶ As Branch has, ironically, noted, this first election provided “a precedent for the reproduction of state authority through the manipulation of elections” which post-independence governments were to follow.²⁷

In terms of immediate electoral outcomes, however, the result was not quite what the British had hoped for. The elected African representatives denounced both the Lyttleton Constitution, with its strictly communal notion of representation, and the hastily-contrived alternative of the Lennox-Boyd Constitution. Instead, they pressed for adult suffrage. The rapidity with which the British government acceded to that demand, leading to independence only six years after the 1957 poll, owed more than a little to the sense that that elections were a way to “encourage coherence and discipline in African politics . . . [and] break the habit of violence”, as the electoral expert William Mackenzie put it – by which, of course, he meant violence which was not authorised.²⁸ Mackenzie’s call for rapid progress to universal suffrage seemed premature to some when he first made it in 1959; within two years, it had become commonplace.

In the course of this rush to independence, a second election was held in 1961. It was in many ways very different to that of 1957. Now there were national African parties, KANU (Kenya African National Union) and KADU (Kenya African Democratic Union) in direct competition with one another; and there was open campaigning. While the franchise was still nominally a qualified one, the enthusiasm of the administration for the process of registration, and the difficulty of applying the qualifications, meant that it is likely that a majority of the adult population were registered.²⁹ Registration, like voting, was itself a disciplinary process

²⁴ See for example Turnbull’s minute to the Governor, 20 Feb. 1957, CO 822/1531, UK National Archives (hereafter UKNA).

²⁵ Memorandum from Chief Secretary, for Council of Ministers, 5 Nov. 1956, CO 822/934, UKNA.

²⁶ Governor, Kenya to Secretary of State for the Colonies, 12 Mar. 1957, CO 822/1531, UKNA.

²⁷ Branch, “Loyalists, Mau Mau and elections”, 29.

²⁸ W. Mackenzie, “A further note on constitutional issues in Kenya”, 27 Oct. 1959, CO 822/1427, UKNA.

²⁹ George Bennett and Carl Rosberg, *The Kenyatta Election: Kenya 1960-1961* (London, New York, Nairobi: Oxford University Press, 1961), 61-69.

– the largest in scale of the “modern, microphysical methods of order” asserting the distinctiveness of “the state”.³⁰ And while campaigning was freer than it had been in 1957, meetings of more than fifty people still required a licence, with the names of speakers approved in advance and the lyrics of any songs subject to prior vetting.³¹

The intensity of the rivalry between KADU and KANU has been the subject of much study, as too has the general partiality of the colonial administration for KADU.³² It was a rivalry which manifested itself in a number of incidents of petty violence associated with the “youth wingers” recruited by each party. In the face of apparent anxieties over a possible wider breakdown of authority, the government announced that it ‘would not hand over its responsibility for governing the country and for maintaining law and order to any political group or party.’ Violence, and the threat of violence, was swiftly and demonstratively repressed by the security forces.³³ In Nyanza, the Provincial Intelligence Committee reported that although there had been no actual clashes between youth wingers “recent police action ... has resulted in the arrest and conviction of a number of ODINGA youth wingers”; in Nairobi “police action” to repress disorder “resulted in the disappearance from the City of several leading thugs who showed no desire to clash with the Police”; and in Nakuru police raided party offices and seized what they described as “armouries” of home-made weapons.³⁴ For the election itself, the security services bared their teeth a little further, through the deployment of soldiers and paramilitaries, as well as increased police patrols.³⁵ Even KANU’s post-election celebrations were contained by a determined show of force. In Nairobi,

Cheering crowds thronged the streets, but were watched by squads of police and of the paramilitary General Service Unit. Armed with rifles and batons, they were determined to contain Nairobi East. Barring the approach roads to the centre of Nairobi, they

³⁰ Mitchell, “The limits of the state”, 82.

³¹ Bennett and Rosberg, *The Kenyatta Election*, 147.

³² Clive Sanger and John Nottingham, “The Kenya general election of 1963”, *Journal of Modern African Studies* 2, i (1964), 1-40; David M. Anderson, “‘Yours in Struggle for Majimbo’. Nationalism and the Party Politics of Decolonization in Kenya, 1955-64”, *Journal of Contemporary History* 40, iii (2005), 547-64.

³³ “Ensuring order at the Kenya polls”, *The Times* (London), 7 Dec. 1960; “Kenya concern over African election speeches”, *The Times*, 14 Dec. 1960. Rift Valley Province Intelligence Summary, Jan. 1961; Coast Province Intelligence Summary, Jan. 1961, CO 822/2059, UKNA.

³⁴ Nyanza Province Intelligence Committee summary, Jan. 1961; Nairobi Intelligence Committee summary, Jan. 1961, CO 822/2059, UKNA; “Africans stone police in Kenya”, *The Times*, 17 Jan. 1961.

³⁵ Nyanza Province Intelligence Committee summary, Feb. 1961, CO 822/2059 UKNA.

prevented the spread of the rejoicing, and used tear gas twice during the night to disperse the crowds.³⁶

The polls themselves were again free from violence: as one typical report (from Rift Valley Province) put it “the elections were conducted peacefully, and very few untoward incidents were reported.” From London, the secretary of state wrote approvingly of the “orderly elections”.³⁷

It was not only the colonial administration - and the security forces working under its direction - that used the 1961 election to emphasise the distinction between those kinds of violence that were authorised, and those that were not. African politicians themselves were drawn into this practice, even as they also recruited and paid youth wingers:

Mr James Gichuru, president of the Kenya African National Union, said the world was waiting to see if Kenya Africans were able to conduct their campaigns and cast votes as responsible adult citizens. Their enemies would be very pleased to see Africans “fighting or causing strife either by words or with weapons, stones or fists” so that they could claim that Africans were not ready to go forward on the road to self-government....³⁸

An intelligence report noted approvingly that KANU candidates were “openly and actively condemning any violence.” This was presumably made easier by the “rigorous Police action” to suppress “domineering thugs” from KANU’s youth wing which the same source reported.³⁹ In calling for peaceful elections, and denouncing the violence of others as they sought to delegitimize their opponents, both KANU and KADU effectively acknowledged the monopoly of legitimate violence, and the logic that defined acceptance of the political order as peace. As an observer noted, commenting on the “remarkable” lack of violence in the campaign: “Two factors had restrained the feared violence: a large and efficient police force and the control exercised by party leaders.”⁴⁰

Two years later, Kenya returned to the polls again, with another new constitution, and this time with formal universal adult suffrage, and without communal representation. The 1963 election was the direct preliminary to self-government, and again the principal competition was between KADU – now committed to a policy of regional devolution – and

³⁶ Bennett and Rosberg, *The Kenyatta Election*, 180.

³⁷ Rift Valley Province Intelligence Committee summary, Feb. 1961, CO 822/2059, UKNA; Secretary of State to Governor, Kenya, 2 Apr. 1961, CO 822/2026, UKNA.

³⁸ “Appeal for peaceful Kenya elections”, *The Times*, 4 Feb 1961.

³⁹ Central Province Intelligence Summary, Jan. 1961, CO 822/2059, UKNA.

⁴⁰ George Bennett, ‘Kenya’s frustrated election’, *The World Today* 17, vi (1961), 261

KANU, which advocated strongly centralised government. A third party, the African People's party (APP) was in loose alliance with KADU and actively hostile to KANU. There was widespread concern over the possibility of violence between the parties; there was also a pervasive background anxiety over the future of the political system itself.⁴¹ The survival of the structures created by colonialism, which is apparent in retrospect, was by no means so assured for observers at the time. The elections (there were several, for multiple levels of government) were the final governmental performance of the colonial state, and the police and administration threw themselves into the task with extraordinary energy, using all the resources at their disposal to create a display of order in which uniformed officers played a central role: "the voters have to be organized into queues outside the precincts of the polling station, and I suggest that this duty is best performed by others than the purely election officials, that is to say Chiefs, Sub-chiefs, Police and Tribal Police."⁴² The extravagant language of control, and the display of uniforms, was coupled with a willingness to use force wherever order seemed challenged, as a government spokesman emphasised: "the Government wishes to state its firm intention to maintain law and order and prevent intimidation. Firm action will be taken against private individuals who take the law into their own hands."⁴³

During the campaign, and over the several days of polling, tear gas and baton charges were repeatedly used to prevent "disorder": five such incidents occurred in the town of Nakuru alone during the seven days of the polls.⁴⁴ And the restraining hand of the security services was also ready to contain any manifestation of disorder, as in Nairobi where "[t]hree times the voters broke down the gates of a school set up as a polling station in their eagerness, but they were soon brought into orderly lines by the police standing by with riot trucks and mounted police."⁴⁵

The contending parties were drawn further into the creation of this order. All parties recruited "youth wingers", and at a local level there was an evident and widespread

⁴¹ Sanger and Nottingham, "The Kenya general election of 1963", 30.

⁴² Wilkinson, Supervisor of Elections to all DCs, 22 Apr. 1963, CC 1/35, Kenya National Archives (hereafter KNA).

⁴³ "Firm action to keep peace", *East African Standard*, 16 May 1963.

⁴⁴ "Tear gas used at Eldama meeting", *East African Standard*, 22 Apr. 1963; "Violence flares in Ukambani", *East African Standard*, 22 Apr. 1963; "Crowds flock to the polls", *East African Standard*, 20 May 1963; "Kenya Senate elections today", *The Times*, 22 May 1963; "Elections: all over bar the counting", *East African Standard*, 27 May 1963

⁴⁵ "All-night queues for Kenya poll", *The Times*, 23 May 1963.

willingness to use violence to intimidate candidates or supporters of other parties.⁴⁶ But the leaders of the parties trod a delicate line – because all were, ultimately, committed to upholding the authority of a system that they hoped to inherit. And so they accused their opponents of unauthorised violence, and sought to call down upon them the power of state coercion as the price for controlling their own supporters.⁴⁷ Following an attack on KANU supporters by APP supporters, the two parties traded accusations and demands for government action: “Failing prompt action by the authorities I will not be in a position to restrain my supporters”, one APP politician asserted, his KANU rival responding by accusing the APP’s leader of condoning violence: “I think it is absolutely disgusting for a man like Ngei [of the APP] who calls himself a national leader.”⁴⁸ Kenyatta, leader of KANU, issued a statement to the press asserting the legitimacy of governmental order:

I call upon all voters to remain calm during this period and to refrain from any act of hooliganism.

I remind the people that the officers of the police and of the administration are serving under a Government which is about to come under the control of Kanu. You should therefore give those officers every assistance because when the elections are over they will be working for your own government.⁴⁹

Police and administrators took the opportunity to mark clearly the difference between authorized and unauthorized violence, asserting the primacy of their claims to order: “Eight uniformed Kanu followers were arrested at Nyamira, Kisii, on Saturday when they tried to act as stewards at a polling station.”⁵⁰ In the aftermath of the elections, the Kenya government and press both declared their success in statements which once again conflated peace and order: local administrators reported that “elections on the whole were very peaceful and highly successful,” while the council of ministers congratulated the supervisor of elections for his “magnificently successful achievement in organizing and controlling the elections.”⁵¹

Violence in the “little general election”

⁴⁶ Branch, *Defeating Mau Mau*, 187-88.

⁴⁷ “Kanu leaders to ask for more security measures”, *The Times*, 14 May 1963.

⁴⁸ “Violence flares in Ukambani”, *East African Standard*, 13 May 1963; “Firm action to keep peace”, *East African Standard*, 16 May 1963.

⁴⁹ “Kenyans start to vote today”, *East African Standard*, 18 May 1963.

⁵⁰ “Crowds flock to the polls”, *East African Standard*, 20 May 1963.

⁵¹ Kilifi Monthly Intelligence Report, May 1963, CB 18/21, KNA; extract from Minutes, 28 May 1963, CO 822/3166, UKNA; “Kenya goes to polls with enthusiasm”, *The Times*, 20 May 1963.

KANU won the election of 1963, and formed the government that led Kenya to independence at the end of the year. Less than a year later, KADU was dissolved, its leaders joining KANU – in effect turning Kenya into a one-party state. But in 1966, KANU fractured, with a ‘radical’ group of MPs leaving the party to form the Kenya People’s Union (KPU). A swift change in the law led to their expulsion from parliament and the calling of by-elections in their constituencies. Though this affected only 29 of the 129 elected seats in parliament, this ‘little general election’ was seen as a crucial test for the government.

It is likely that there was outright rigging in the subsequent poll, with ballot boxes stuffed or destroyed.⁵² But a more fundamental factor in the ensuing KANU victory was what Susanne Mueller has termed “statism”. The government possessed a “monopoly of coercive sanctions and resources”, which it used ruthlessly to defeat the KPU challenge.⁵³ KPU supporters lost their jobs, or their cars; KPU branches were refused registration; KPU meetings were refused licences; and KPU politicians were refused permission to campaign in parts of northern Kenya where insurgency had led to travel restrictions. The official radio station played the KANU anthem, “KANU builds the country”; ministers used state resources to campaign, and spoke to audiences marshalled for them by the administration.⁵⁴ The army was not usually deployed to ensure internal order (except in the Shifta conflict): that was always the task of the administration, which directly controlled the administration police (as the former “tribal police” were now known), and had a substantial degree of authority over the regular police. But in 1966 the army was ordered to stage demonstrative parades in Nyanza, the KPU heartland. The language was unambiguously aggressive: as a newspaper headline put it, “It’s war, says Kenyatta”.⁵⁵ The murder of Pio Gama Pinto the previous year, and physical attacks on KPU candidates, made clear that opposition politicians ran a very direct personal risk.⁵⁶ KANU leaders were explicit in their threat to deny state patronage to areas which were so unwise as to elect KPU MPs: “I am sure the voter will remember that he

⁵² David Throup, “Elections and political legitimacy in Kenya”, *Africa* 63, iii (1993), 374.

⁵³ Susanne Mueller, “Government and opposition in Kenya, 1966-69”, *Journal of Modern African Studies* 23, iii (1984), 401, 408; see also Branch, *Defeating Mau Mau*, 200.

⁵⁴ “Loyalty pledged to government”, *Daily Nation*, 17 May 1963; “We reject dissidents, Nakuru tells Kanu”, *Daily Nation*, 23 May 1963; Imray, British High Commission to Posnett, 18 May 1966, DO 213/188, UKNA; Gertzel, *The Politics of Independent Kenya*, 79-82; Stren, “Factional politics and central control”, 37; Daniel Branch, *Kenya. Between Hope and Despair, 1963-2011* (New Haven and London: Yale University Press, 2011), 60.

⁵⁵ *Daily Nation*, 6 June 1966.

⁵⁶ Gabrielle Lynch, *I say to You. Ethnic Politics and the Kalenjin in Kenya* (Chicago and London: Chicago University Press, 2011), 95-96.

is voting for his future, for the future of his children and for the future of the area from which he comes. No one would like to see his area left behind.”⁵⁷

On one level, this reflected an intensification of the practices established by late colonialism – like the 1957 election, this was a display of order to underwrite a particular political dispensation. But in 1966 the display was overtly partisan, and the commitment to peace evidently contingent. KANU youth wingers were repeatedly, and openly, used to intimidate and coerce.⁵⁸ This was often in collusion with the administration, and therefore with the police: KANU youth-wingers would disrupt KPU rallies with stone-throwing and shouting; the police would then obligingly disperse the rally to end the violence.⁵⁹ At other times, politicians and their youth wingers acted directly against KPU, while the police stood by.⁶⁰ In the months following the election, KPU was subject to continued harassment by KANU youth wingers. In the wake of one violent attack on KPU officers, a district officer (DO) complacently reported that

The incident at Ng’ombeni on 12/11/67 when the KANU coup the KPU office [sic] didn’t really cause some threat to security. The KPU knowing they only number from 1-10 didn’t resist the coup. An indication that they haven’t got any strength in the division.⁶¹

The DO went on to note that “I asked nearly all my chiefs to issue an order in respect of unlawful meetings. Any meetings without permission must be dealt with. KANU held their meetings at Ng’ombeni on 12/11/67 and Tiwi on 13/11/67.” Administrative coercion was still important, and it would be apparent again in the near-farcical 1968 local-government elections, where many KPU candidates were simply disqualified on technical grounds.⁶² But violence was also being vulgarized with official connivance, reversing the performative message of previous elections.

“Intimidation will not be permitted”: containing electoral violence

⁵⁷ “Kanu emerges stronger and now has a united outlook”, *Daily Nation*, 9 May 1966.

⁵⁸ Imray, British High Commission to Posnett, 15 June 1966, DO 213/188, UKNA; Kenneth Good, “Kenya and the organization of KANU”, *Canadian Journal of African Studies* 2, ii (1968), 115-36, at 129.

⁵⁹ “Riots at Oneko’s Nakuru meeting”, *Daily Nation*, 30 May 1966; Peck, British High Commission, Nairobi, 1 July 1966, DO 213/188, UKNA.

⁶⁰ “Stick gang in Fort Hall”, *Daily Nation*, 31 May 1966; “Wide-scale beatings up in Central and Rift areas”, *Daily Nation*, 2 June 1966; Good, “Kenya and the organization of KANU”, 130.

⁶¹ Coast division, Kwale District monthly report, Nov 1967, CC 23/9, KNA.

⁶² Branch, *Kenya*, 62-65.

The process of decision-making and debate within Kenya in these years remain opaque – to put it mildly – but the possible dangers of this were evidently recognised by at least some politicians and administrators. When, in 1969, Kenya’s first parliament was finally dissolved, the language and practices of the ensuing election saw a determined effort by the civil servants who ran Kenya’s system of provincial administration to assert a monopoly of legitimate violence, and to display their pre-eminence over the party.

Dissolution had followed a series of dramatic events. The murder of Tom Mboya, a leading KANU politician from western Kenya, followed three months later by the shooting dead of a number of demonstrators – KPU supporters – in western Kenya in the course of a disastrous presidential visit had displayed very publicly the potential for extra-legal violence, authorised by those at the heart of government. The KPU was banned after the shootings, and its leaders taken into preventive detention. The election took place in the shadow of this defining act of coercion: a newspaper front page juxtaposed a list of candidates, a photograph of police removing the furniture from the KPU main office, and a report that government would

guarantee freedom of choice, ensure security at the elections, reaffirm that the Government will deal seriously with anyone intimidating or interfering with election procedure and generally give Kenyans a policy of freedom of election.⁶³

It is unclear how intentional the irony was. But despite the suppression of the KPU, it is evident that a decision was taken that a degree of choice should be allowed in the election, and that the administration and police should try to prevent acts of violence – other than those committed by themselves. Reported statements by Kenyatta suggest a profound concern with international opinion, “‘No violence’ warning by president”, declared one newspaper headline.⁶⁴ Another article noted that

[Kenyatta] urged the nation towards a peaceful election ‘to prove to the world that Kenya is a civilised and peaceful country’ ... ‘If we conduct our elections peacefully we shall form another peaceful Government which will do wonderful things for the people.’⁶⁵

And on the day of the election itself it was announced that

⁶³ *Daily Nation*, 1 Nov. 1969; for further mention of anti-KPU measures, see “Odinga detained in interest of security”, *Daily Nation*, 6 Nov. 1969.

⁶⁴ *Daily Nation*, 24 Nov. 1969.

⁶⁵ “Kenyans to vote on December 6”, *Daily Nation*, 12 Nov. 1969.

President Kenyatta's 'most fervent wish, as the country goes to polls to elect the country's second parliament since independence, is that peace, tranquility and fair play will be unquestionably maintained.'⁶⁶

The same point was made by a KANU spokesman

A great deal now depends – in terms of Kenya's domestic well-being and international prestige – on this election being conducted in a dignified and peaceful manner.⁶⁷

The national press, which self-consciously sought both to display loyalty to the government and to maintain the long-term stability of the political system, repeatedly urged the importance of voting: "As it turns out there is much that each voter can do with his vote, and we need not lose the excitement of a general elections [sic] though there is only one political party in the field."⁶⁸ Another editorial anxiously argued the need for order, as "a few unpalatable incidents are likely to be more noticeable in the outside world and may give Kenya a bad name."⁶⁹

The extent of choice involved in this ordered contest should not be overstated. The president and vice-president faced no contest in their parliamentary seats, and there was never any suggestion of a presidential challenge – Kenyatta was the only candidate nominated and was returned unopposed.⁷⁰ Various candidates were barred from standing, allegedly on technical grounds but quite evidently in some cases for political reasons.⁷¹ But there was competition in the great majority of parliamentary seats.

This was ensured by a curious arrangement in which the election itself involved no voting: votes were cast only in what were formally KANU primary elections, which produced a single candidate for each seat. The primary elections, however, were run not by the party but by the administration – partly because of the organizational weakness of the party but also as a very direct demonstration of the dominance of the administration: this was the final act in the prolonged struggle identified by Gertzl, over "who should control the state: the

⁶⁶ "Kenya goes to the polls today", *Daily Nation*, 6 Dec. 1969.

⁶⁷ "Kanu urges a dignified and peaceful poll", *Daily Nation*, 14 Nov. 1969; "Day of decision, *East African Standard*, 5 Dec. 1969.

⁶⁸ Editorial, "All depends on the voters", *Daily Nation*, 1 Nov. 1969; see also Editorial, 12 Nov. 1969.

⁶⁹ Editorial "Restraint is vital", 1 Dec. 1969.

⁷⁰ "Mzee unopposed", *Daily Nation*, 24 Nov. 1969.

⁷¹ "President of Luo Union ruled out", *Daily Nation*, 27 Nov. 1969

bureaucracy or the party.”⁷² All registered voters were allowed to participate, in return for a spoken assurance that they supported KANU.⁷³ The consequence was that significant numbers of sitting MPs and ministers lost their seats.⁷⁴ Less noted has been the way that the election offered an opportunity to assert that “peace” was defined through a spatial and temporal order approved by the administration.

This assertion was made constantly in speeches and press announcements, and acted out physically in the performances of the election. Repeated calls were made for a “peaceful election”: “The Government will not tolerate any form of intimidation, political thuggery or any form of violence against any person or persons during the elections.”⁷⁵ Kenyatta himself emphasised this in a speech to KANU parliamentarians.⁷⁶ Candidates were required to hold joint campaign meetings superintended by a senior police officer and an administrator. One provincial commissioner (PC) emphasised the “importance of maintaining law and order during elections”, while another announced that “[d]uring the elections the Government will expect orderliness as any act of lawlessness or intimidation will not be permitted.”⁷⁷ There were numerous arrests for campaign-related violence. Pressing for conviction in one such case, a police officer told the court that “the authorities concerned with the maintenance of law and order are particularly cautious at election time to see that no violence or intimidation were used.”⁷⁸ The press announced that “[s]quads of specially trained police officers and specially briefed junior officers” had been deployed “to attend election campaign meetings and see that there is no interference with law and order.”⁷⁹

Youth wingers were a particular concern: one PC “gave a stern warning to youth wingers against allowing themselves to be used to cause trouble. He said that Government would be very firm to ensure that there was peace and that law and order was maintained

⁷² Gertzel. *The Politics of Independent Kenya*, 144.

⁷³ “10,000 poll staff ‘all set to go’”, *Daily Nation*, 6 Nov. 1969.

⁷⁴ Throup, “Elections and political legitimacy”, 374-76.

⁷⁵ “Tough time for trouble-makers”, *Daily Nation*, 14 Nov. 1969; “Poll thuggery will not be tolerated”, *Daily Nation*, 5 Nov. 1969.

⁷⁶ “Poll thuggery will not be tolerated”, *Daily Nation*, 5 Nov. 1969.

⁷⁷ “Joint rally at Makuyu”, *Daily Nation*, 29 Nov. 1969; “Don’t burn vote cards, says PC”, *Daily Nation*, 6 Nov. 1969; “Don’t cause any trouble, warns PC”, *Daily Nation*, 8 Nov. 1969; “Coast PC to address barazas”, *Daily Nation*, 11 Nov. 1969.

⁷⁸ “Two held in fracas at poll rally”, *Daily Nation*, 10 Nov. 1969; “Two fined after fight over vote”, *Daily Nation*, 13 Nov. 1969; “Thuggery condemned”, *Daily Nation*, 19 Nov. 1969; “Poll scuffle at Limuru”, *Daily Nation*, 24 Nov. 1969; “40 held after attack on candidate”, *Daily Nation*, 29 Nov. 1966.

⁷⁹ “Police swing into action today”, *Daily Nation*, 29 Nov. 1969.

throughout the elections.”⁸⁰ The message was repeated by one of KANU’s most prominent young politicians, Mwai Kibaki:

‘Youth wingers must be told that they are supposed to campaign for the candidates of their choice peacefully. They must not resort to personal attacks on their opponents or disfigure the posters of their opponents’⁸¹

Neither these instructions, nor the accompanying police action, were entirely effective: there was disruption and low-level violence.⁸² Some may have been organized by candidates, in defiance of the warnings. But some of the heckling and jeering and tearing of posters was surely also evidence simply of popular opinion: hostility to particular candidates who had failed to meet previous promises, perhaps a rejection of the disciplinary demands of the election. A large meeting in Nairobi had to be dispersed by the police when the district commissioner (DC) was reportedly unable to “calm crowds which went into hysterical singing.” At another Nairobi meeting, candidates sharing a joint platform had to speak from inside a ring of police officers as “as rival groups tried to outsize each other.”⁸³

Yet, by the end of the campaign the KANU election coordinator was claiming that “the election campaign had now reached a state of total calm and orderliness,” while the press editorialised that “[p]erhaps the most remarkable aspect of Kenya’s first general election since independence is the orderliness – the peace and dignity – with which polling was done at the weekend.”⁸⁴ A British diplomat echoed this verdict.⁸⁵ The 1969 election was one in which the notion of a monopoly of legitimate violence was vigorously reasserted: this was “elite consolidation”, but it was consolidation around a particular idea of the state, and it demanded acceptance of specific rules of behaviour.

The last election of the Kenyatta period came in 1974. As in 1969, this was a single-party election, in which all candidates had to be approved by the ruling party. Once again, the provincial administration ran the election, although it was nominally under the control of the supervisor of elections. The calmer tone of the press coverage suggests a more assured sense

⁸⁰ “Youth wing told ‘No trouble’”, *Daily Nation*, 15 Nov. 1969.

⁸¹ “Let’s have it quiet – Kibaki”, *Daily Nation*, 28 Nov. 1969.

⁸² “Petrol bomb explodes in car”, “Meeting breaks up in row”, “Dirty campaign says Khasakhala”, all in *Daily Nation*, 1 Dec. 1969.

⁸³ “Rubia, Kinyanjui refuse to share platform”, *Daily Nation*, 2 Dec. 1969; “Police move in for fear of scuffles”, *Daily Nation*, 5 Dec. 1969.

⁸⁴ “About 40 pc of old MPs will lose – Kibaki”, *Daily Nation*, 4 Dec 1969; Editorial, “Victory for the people”, *Daily Nation*, 8 Dec. 1969.

⁸⁵ Norris, British High Commission, Nairobi to Secretary of State, 5 Jan. 1970, FO 31/595, UKNA.

of the stability of the system. The now-practised techniques of control and exclusion were used again: Kenyatta was the only nominated presidential candidate; former KPU leaders, though now out of detention, were excluded from standing for parliament by carefully-phrased regulations; some candidates were permitted to brazenly use *harambee* (self-help fund-raising events) to campaign, while others were forbidden to do so; and the most outspokenly radical candidate, J. M. Kariuki, was prevented from campaigning, with officials simply refusing to licence his meetings.⁸⁶

This ban attracted only brief mention in the press, though it was the subject of much popular discussion. An emerging intra-elite dispute within KANU also received little press coverage. The growing influence of Daniel arap Moi, who had been vice-president since 1967, was made apparent by his unchallenged passage through the nomination process, and by the very public criticism by the national press of his principal rival in national politics, Njoroge Mungai – who was defeated at the polls, and whose political career never recovered.⁸⁷

Behind these dramas was continuing debate over the nature of legitimate violence. The avoidance of disorder was emphasised again: “President Kenyatta yesterday called for calm during the forthcoming Parliamentary elections.”⁸⁸ The vice-president spelled the message out more fully: “The Government has decided to deploy its forces of law and order to protect the lives of its people and ensure that the elections will be conducted in an atmosphere of peace and stability.” Another senior politician announced that, “[t]he stability and security of the country must be protected at all costs. It is imperative that Kenyans show maturity and dignity at this time of uncertainty.”⁸⁹ Youth wingers were again singled out as a particular problem, and there were arrests of those who disrupted meetings. The enforcement of order was extended to warnings against defacing the posters of other candidates, and one DC even announced that “shouting against candidates will not be permitted.”⁹⁰ Joint

⁸⁶ “Now it’s official: mzee is president”, *Daily Nation*, 20 Sep. 1974; “Great boost for Othaya”, *Daily Nation*, 7 Oct. 1974; “Candidate still waiting for campaign licences”, *Daily Nation*, 26 Sep. 1974; Holmes, British High Commission to Darby, FO, 15 and 20 May 1974, FCO 31/1705, UKNA.

⁸⁷ “The language of elections: truth, politics and nonsense”, *Daily Nation*, 4 Sep. 1974; “Press plot to topple government, claims Mungai”, *Daily Nation*, 30 Sep. 1974.

⁸⁸ “Let’s have peaceful elections, says Mzee”, *Daily Nation*, 13 Sep. 1974.

⁸⁹ “Moi lashes ‘alarmist derogatory pamphlets’”, *Daily Nation*, 14 Oct. 1974; “Kanu: don’t promise people the stars”, *Daily Nation*, 11 Sep. 1974.

⁹⁰ “Youth wingers warned”, *Daily Nation*, 30 Sep. 1974; “Chiefs accused of helping former MPs”, *Daily Nation*, 4 Oct. 1974; “Hecklers try to disrupt election meeting”, *Daily Nation*, 2 Sep. 1974; “Campaign youths are remanded”, *Daily Nation*, 14 Sep. 1974; “Don’t tear down campaign posters, supporters warned”, *Daily Nation*, 10 Sep. 1974; “Incidents mar election meetings”, *Daily Nation*, 16 Sep. 1974; “Police quiz two youths about

campaign meetings were no longer required, though the candidates in Nairobi were summoned to discuss their campaign plans with the PC, and in some places joint meetings were held – as in Kikuyu, where the police actually prevented the audience from leaving until they had heard all the candidates speak.⁹¹ When an encounter between the motorcades of two candidates in Nairobi led to one of the candidates firing warning shots, the administration responded swiftly: meetings were temporarily banned, and the candidate was arrested and convicted – on the relatively minor charge of having allowed his firearm licence to expire, but the warning was clear. As the PC put it: “It is for the good of the country, and its citizens, that campaign meetings or any other gatherings are conducted peacefully.”⁹² The press editorialised in support of this, calling for “peace and order” and announcing that “there is a need for every responsible citizen not only to exercise good conduct on his part but also to enjoin others to follow his example.”⁹³

But the 1974 election was not simply an occasion for the display of the power of the administration. In modest but significant ways, both politicians and other parts of the civil service sought to rein in what they saw as excesses by the provincial administration and the police. There was an interesting spat between a PC and the supervisor of elections, eventually won by the supervisor, over the role of candidates’ agents and over the PC’s suggestion that voters who did not look obviously “African” would be required to bring proof of citizenship, as well as their registration card, in order to be allowed to cast their ballot.⁹⁴ Most striking was the aftermath of an incident at Kaptumo in which an election rally was dispersed by tear-gas and batons. This led to very public criticism of the police and administration by Moi.⁹⁵ The press supported Moi, “with the approaching general elections . . . the whole nation is counting on Kenya’s police force to maintain peace and order,” explained the *Daily Nation*, but peace and order were actually endangered by “hasty decisions” like that to disperse the rally. The newspaper repeated the linkage between electoral order and legitimacy: “[p]eace and order are in the interest of every citizen, be he a policeman, a Government official or an

night of terror”, *Daily Nation*, 16 Sep. 1974; “Shared platforms are out, Limuru candidates agree”, *Daily Nation*, 18 Sep. 1974.

⁹¹ “Candidates for the “Big Eight” meet tomorrow”, *Daily Nation*, 3 Sep. 1974; “Candidates promise progress”, *Daily Nation*, 16 Sep. 1974;

⁹² “Meetings ban after shooting”, *Daily Nation*, 23 Sep. 1974.

⁹³ Editorial, “Displaying civic maturity”, *Daily Nation*, 30 Sep. 1974

⁹⁴ “Ban slammed”, *Daily Nation*, 4 Sep. 1974; “Njonjo issues election guidelines”, *Daily Nation*, 12 Sep. 1974; “All you need is a card”, *Daily Nation*, 5 Oct. 1974; “Ignore poll orders in the press, says Mahihu”, *Daily Nation*, 9 Oct. 1974.

⁹⁵ “Riot leads to ban on campaign meetings”, *Daily Nation*, 2 Sep. 1974; “Police told: don’t harass the public”, *Daily Nation*, 10 Sep. 1974

ordinary citizen ...The part which each person plays in this respect will be a major contribution to the nation's image both here and abroad"; as the campaign progressed, the press continued to report politicians' criticisms of excessive use of force by the police and administration.⁹⁶ How far such criticism moderated the behaviour of police and administrators is not clear, but when the polls were over, the 1974 election was – like its predecessors – judged to be both peaceful, with violence either restricted to its fringes or so embedded in its processes as to be invisible. Once again, Kenyatta thanked the public for 'conducting themselves peacefully', and with some satisfaction a British diplomat observed that 'the Government have had no difficulty in maintaining law and order.'⁹⁷

Conclusion

In their comparative study of Tanzania and Kenya in the first years after independence, Goran Hyden and Colin Leys concluded that elections were "peripheral to the main issues and course of politics" in both countries.⁹⁸ This brisk dismissal suited their intention – a critique of what they called the Nuffield approach to electoral study, which they characterized as based on the assumption that elections offered a way into understanding politics as a whole. But the assertion perhaps obscures their further point – that elections were nonetheless an important part of political process. Citing Saul's work on Tanzania, they suggested that elections granted "a disarming illusion of popular access to the centre of the system" while maintaining the status quo.⁹⁹ That echoes the argument that a degree of choice over parliamentary representation reconciled the public to the overall exclusiveness of power, and so underwrote legitimacy in Kenya in these years: "elections counted in Kenya," in Bienen's words.¹⁰⁰

This article has argued that elections also underwrote legitimacy in a more basic way. The multiple rituals which led up the casting and counting of ballots asserted and performed – and drew people into – an association between peace and order, and a distinction between

⁹⁶ Editorial, "Role of the police", *Daily Nation*, 12 Sep. 1974; "Police must exercise restraint, Omamo urges", *Daily Nation*, 26 Sep. 1974

⁹⁷ "Mzee thanks the electorate", *Daily Nation*, 17 Oct. 1974; Mansfield, British High Commission to Evans, FO, 9 Oct. 1974, FCO 31/1705, UKNA.

⁹⁸ Hyden and Leys, "Elections and politics in single-party systems", 416.

⁹⁹ *Ibid.*, 419.

¹⁰⁰ Bienen, *Kenya. The Politics of Participation and Control*, 103; Throup, "Elections and political legitimacy", 375; Charles Hornsby, "The social structure of the National Assembly in Kenya, 1963-1983", *Journal of Modern African Studies* 27, ii (1989), 277-79.

authorized and unauthorized violence, that exalted the administration and naturalized the “selective use of coercion against disruptive elements” which has been identified as a characteristic of Kenyatta’s Kenya.¹⁰¹ When, as in 1966, violence was vulgarized and police or civil servants were complicit in disorderly violence, this legitimacy could be endangered; but more generally a Kenyan elite of senior civil servants and politicians cooperated to maintain and extend an imaginary division between “state” and “politics” which was acted out through elections. These performances of statehood were potentially risky. Even without parties, or within a single party, elections could be bitterly contested. They could also provide the opportunity for more or less explicit criticisms of local officials, or politicians – even, on occasion, for criticisms of the system itself. Vigorous local contests could lead to local violence, particularly if well-connected incumbents feared that they might lose; criticism of those who held power could provoke direct repression from officials unwilling to tolerate challenges to their own position, or the reputation of their superiors. Violence and direct repression threatened to blur the distinction between state and society: challenging the performed order of the election and disrupting its disciplinary power. But elections also offered a way to manage and obscure what Abrams calls the “actual disunity of political power”, which is concealed by the idea of the state.¹⁰² And so they were ultimately successful in drawing population and civil service into an enactment of the imagined distinction between state and society, which authorized certain forms of coercion and violence while delegitimising others – and maintained the political order. Their success was to shape the nature and practice of power in Kenya into the early twenty-first century.

¹⁰¹ Mordechai Tamarkin, “The roots of political stability in Kenya”, *African Affairs* 77, 308 (1978), 300.

¹⁰² Philip Abrams, “Notes on the difficulty of studying the state”, *Journal of Historical Sociology*, 1, 1 (1988), 79.