

Repression and Torture in Kenyan History: Some Theoretical Trajectories

Patrick Ogeto B.K Chacha^{1*}, Kenneth O. Nyangena²

¹Senior Lecturer, PAES Department, Laikipia University Kenya

²Lecturer in Sociology and Social Studies, Laikipia University, Kenya

DOI: [10.36347/sjahss.2022.v10i02.001](https://doi.org/10.36347/sjahss.2022.v10i02.001)

| Received: 18.12.2021 | Accepted: 30.01.2022 | Published: 04.02.2022

*Corresponding author: Patrick Ogeto B.K Chacha

Senior Lecturer, PAES Department, Laikipia University Kenya

Abstract

Review Article

The question of political repression and use of torture in contemporary punishment, in the most general sense of the terms, have increasingly become complex as criminologists, sociologists, psychologists, psychoanalysts, doctors, lawyers, and historians who have studied this subject extensively have often expressed very different and even contradictory opinions. However, torture was mostly used to either extract or force victims into confessing a crime - regardless of whether they were actually guilty or innocent. The Kenyan political past has been characterized with series of crackdowns and repression characterized by use of violence on political oppositionists. This however saw various political changes in the country leading to multi-party politics. The starting point for this paper involves a theoretical approach that links torture to institutional violence. This facilitates an understanding of its historicity and modernity which helps us grasp the historical construction of torture before it was defined and categorized as a crime. Before it became a tool for agitation and denunciation, a discourse capable of influencing the institutional agenda and off course what that gave it cultural and political significance.

Keywords: Repression, Torture, Theoretical, Trajectories.

Copyright © 2022 The Author(s): This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC BY-NC 4.0) which permits unrestricted use, distribution, and reproduction in any medium for non-commercial use provided the original author and source are credited.

INTRODUCTION

Throughout much of history, political suppression has been carried out or sanctioned by governments on political oppositionists. Reasons for repression can include punishment, revenge, political re-education, deterrence, interrogation or coercion of the victim or a third party, or simply the sadistic gratification of those carrying out or observing the torture [1]. In Kenya, under the colonial government, from 1890 to until after Kenya's independence to the end of cold war, there were series of political repression and torture.

Kenya has a history of unresolved cases of torture and murders of prominent politicians dating back to the 1960s. Among those killed was Foreign Affairs Minister Robert Ouko in 1990. In addition, thousands are still homeless after they were chased out of their homes in what were believed to be state-

sponsored ethnic clashes during the 1990s. Today, many Kenyans, like Mungai Mbuthi of the activist group Release Political Prisoners, feel that it is time for the country's independence heroes to finally get the recognition they deserve [2].

This study too examines the manner in which the autocratic patronage systems established from the colonial period to postcolonial Kenya has undermined the rule of law and respect for human rights in Kenya. Autocratic leadership experienced during Kenyatta and Moi presidencies are an authoritarian system in which the president delegates no responsibilities and becomes personally involved in almost everything in the country, particularly issues concerning the rights of individual citizens to speak their minds, assemble without hindrance, write and publish without being molested. All these grouped as acts of repression. This study also investigates to the colonial backgrounds of repression in Kenya, origins of resistance in the post-colonial Kenya,

¹James Jaranson, "The Science and Politics of Rehabilitating Torture Survivors," in *Caring for Victims of Torture*, edited by Michael K. Popkin, Amer Psychiatric Pub Inc.1998 and also The International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

² See also Amnesty International, Kenya, Torture, Political Detention and Unfair Trials. AI Index AFR 32/17/87, 1987 and Amnesty International, Kenya: Torture Compounded by the Denial of Medical Care. AI Index AFR 32/18/96, 1995.

the nature and methods of political repression as well as the impacts of resistance and repression in Kenya's political history.

The Problem

Since independence, there have been several documented and undocumented acts of severe political repressions in Kenya. Various successive regimes have seen various forms of political repression for various reasons. Such acts of repression have also been carried out by use of various methods and designs. The said repressions have targeted human rights defenders, opposition leaders and even political elites. Despite the fact that new laws that regulate the police; intelligence services; and the army all have provisions that criminalise torture and use of force, torture continued to be sustained in the post independent Kenya. On the other hand, there has been inadequate effort to document the role played by Kibaki government in addressing the quest for justice and compensation of victims of torture in past regimes in the system of transitional justice. This study therefore documents a history of political repression, forms and methods of repression as well as the impact of torture in the post independent Kenya in a historical perspective.

Understanding Repression and Torture: Literature Review

There are few studies that have been undertaken to study wholly a history of resistance, party politics and repression in Kenya. However, a few studies have documented the subject in passing and therefore can form a basis upon which we can be able to review them and reconstruct the story of this very phenomenon.

David Shiman [3], for instance, asserts that in Europe, the Americas, and Africa, regional documents for the protection and promotion of human rights extend the International Bill of Human Rights. For example, African states have created their own *Charter of Human and People's Rights (1981)*, and Muslim states have created the *Cairo Declaration on Human Rights in Islam (1990)*. The dramatic changes in Eastern Europe, Africa, and Latin America since 1989 have powerfully demonstrated a surge in demand for respect of human rights. Popular movements in China, Korea, and other Asian nations reveal a similar commitment to these principles.

According to Gibson [4], political repression has been practiced since ancient times but the interest in knowing more about torturers and the training of torturers is very recent. Manuals on interrogation techniques and curriculum of training schools for

intelligence officers have been kept as secret and classified documents. Information or studies on torturers are scarce several studies of Nazi perpetrators and torturers during WWII indicate that most of them were normal people. Kelly interviewed and did Rorschach tests on 8 Nazi criminals and 8 American control subjects. There were no differences in the results between these two groups.

Robert Lifton [5] studied Nazi doctors involved in human experimentation and killings via extensive interviews with them and their victims. The physicians involved were normal professionals who were transformed from healers to killers through a process of medical justification for the killings. The physicians involved were also able, through a dissociative process, to "double". They were able to form a second and relatively autonomous self that enabled them to remain sane in a mad world.

Mika Haritos-Fatouros [6] has provided a most significant contribution to the subject of psychology and training of torturers. She had the opportunity to interview several torturers and victims of torture after the military dictatorship that lasted from 1967 to 1974 in Greece. The first trials of torturers took place in August and September of 1975 when 14 officers and 18 soldiers were brought before Athens Permanent Court Martial on charges of torture during detention and interrogation.

Haritos-Fatouros [7] described the steps followed by the armed forces in Greece to train the interrogators and torturers. The training of torturers in Greece followed a systematic method. The entire training was a type of brainwashing, which completely breaks down the recruit and his personal identity [8].

Richard A. Posner [9], in: "*Torture, Terrorism, and Interrogation*," argues that "A major project of modernity is to make people squeamish in order to discourage recourse to violence, especially political

⁵ *The Nazi Doctors: Medical Killing and the Psychology of Genocide*, Basic Books, August 2000 (first edition 1986).

⁶ See Amnesty International Report, 1977

⁷ See also Gibson, 1986; Haritos-Fatouros, 1988; Gibson, 1990; Gibson, 1991; Haritos-Fatouros, 1995.

⁸ Wagner G, Rasmussen OV. Torturers. Danish medical group of Amnesty International, 1983

⁹ See Sanford Levinson (ed.), *Torture: A Collection* (New York: Oxford University Press, 2004), p. 292. Seth Kreimer, "Too Close to the Rack and the Screw: Constitutional Constraints on Torture in the War on Terror," *University of Pennsylvania Journal of Constitutional Law* 6 (2003), makes bodily integrity essential to American constitutional law (pp. 295-9), using the Thirteenth Amendment's ban on slavery as the definitive wedge: "A constitutional prohibition on slavery brings with it a presumption that the bodies of citizens are subject to neither the "uncontrolled authority" of the state nor that of any private party" (p. 296).

³ See David Shiman, *Teaching Human Rights*, (Denver: Center for Teaching International Relations Publications, U of Denver, 1993): 6-7.

⁴ See Gibson, (1990)

violence, the most dangerous kind – is, in other words, to turn the beast of prey that is natural man into a tame domestic animal, as Nietzsche put it. *The inviolability of the body is a symbol of that project*, and the best practical argument for barring the use of violence to defend property rights, for prohibiting flogging as a form of punishment, and for abolishing capital punishment or at least making it painless – and for affixing the “torture” label certainly to the affliction of pain, and probably to any offensive touching, when aimed at extracting information.”

Ali Mazrui [10] in his work *Thoughts on Assassination in Africa* though without mention of the role of the state discloses that whereas researching or writing on the subject of political assassinations and extra-judicial killings is the most seductive intellectual pleasures which can befall a historian in Kenya, it has ironically in many years constituted one of the most challenging and even frustrating enigmatic riddles in recent scholarship.

Mazrui [11] narrates that it is incumbent upon historians to understand and explain this events as well as those that surround it. That to date, however, a deafening silence and fear has reigned on these matters, as historians have preferred to keep off the “hot” subject rather than cultivate the theme within their own areas of expertise. There, therefore, exists yawning gaps in the historiography of the state on human rights violations in Kenya which in this perspective provided a new window of academic concern in contemporary Kenya. But given the unique nature of these events, and their profound impact on Kenya this study ultimately, however, faced the issues honestly and responsibly.

Aseka [12] in his works, *Interrogating the Crisis of Nationhood in post-colonial Kenya*, gives a particular account on crisis legitimacy, citizenship, morality and academic freedom that would lead to sustainable development whose history must have had to be constituted as a significant part of the national political development strategy.

Wanyiri Kihoro [13] a former member of parliament and a former detainee during Moi era in his book, *Never Say Die*, laments that the political oppressors hate being challenged and their main objective of torturing their victims is to silence them through exposing them to punitive and harsh environments to an extent of killing them.

¹⁰ A. Mazrui, *Thoughts and Assassinations in Africa* in Political Science Quarterly, Vol. 83. No.1. 1968.

¹¹ Mazrui, Ibid.

¹² Ake, C. (1981) *A Political Economy of Africa* London: Longman.

¹³ See Kihoro Wanyiri. *Never Say Die: The Chronicle of a Political Prisoner*. Nairobi: East Africa Education Publishers, 1998.

Caroline Elkins [14] in her book, *Britain's Gulag: The Brutal End of Empire in Kenya*, discusses how Britain brutalized Mau Mau fighters. She writes that Britain fought in the Second World War to save the world from fascism. But just a few years after the defeat of Hitler came the Mau Mau uprising in Kenya - a massive armed rebellion by the Kikuyu people, demanding the return of their land and freedom. The draconian response of Britain's colonial government was to detain nearly the entire Kikuyu population of one-and-a half-million - to hold them in camps or confine them in villages ringed with barbed wire - to treat and portray them as sub-human savages. From 1952 until the end of the war in 1960 tens of thousands of detainees - and possibly hundreds of thousands - died from the combined effects of exhaustion, disease, starvation and systemic physical brutality.

David Anderson [15] in his works, *British abuse and torture in Kenya's counter-insurgency, 1952-1960* writes that Britain executed hundreds of Mau Mau fighters and even attempted to migrate archives which contained ‘sensitive data’. He argues that the typical British response was to issue official denials, and when prosecutions did arise the perpetrators were characterised as pathological, their behaviour presented as isolated and exceptional. New evidence found in the British colonial ‘Migrated Archive’ for Kenya now confirms that the practice of torture and abuse was widespread, amounting to a systematic pattern of state policy.

The above review above has attempted to examine, in part, the broad subject of repression. However, they have not adequately linked the art of resistance to party politics and repression. Furthermore, most studies are exotic in nature-meaning that they examine matters related to other discipline such as medicine and not history as much. The studies are also Eurocentric and therefore lacks local flavor as they are not able to adequately document acts of Kenya’s political repression. This work therefore fills the abandoned historical academic gap by incorporating resistance, party politics and repression.

Theoretical Reflections

This study privileges from neopatrimonialism theory as used by Clude Ake [16] and the concepts of crisis, control and dialects of domination by Bruce

¹⁴ Caroline Elkins, *Imperial Reckoning: The Untold Story of Britain's Gulag in Kenya* (New York:

Henry Holt and Company, LLC, 2005), 101, 154-191.

¹⁵David Anderson (23 January 2013). *Histories of the Hanged: The Dirty War in Kenya and the End of Empire*. W. W. Norton. pp. 150–154.

¹⁶Claude Ake, 'The Congruence of Political Economies and Ideologies in Africa' in Gutkind and Wallerstein, eds., *The Political Economy of Contemporary Africa* (Beverly Hills: Sage Publications, 1976), p. 206.

Burman [17]. Both theories will be applied and used interchangeably. Neopatrimonialism theory suggests that a state is a system of social hierarchy where patrons use state resources in order to secure loyalty of clients in the general population. It is an informal patron-client relationship that can reach from very high in a state structure down to individuals in say, small villages [18].

For almost five decades since its inception in the 1970s, neopatrimonial theory has dominated the explanation of African politics. As a body of work on Africa, the neopatrimonial approach remains the most complete and influential explanation of the nature of African governance and the perceived failure of its evolution to democracy that embraces good governance and focus on the common good. Mkandawire, one of Africa's leading researchers, appraised neopatrimonialism as a perspective that "has had an enormous impact on how Africa is perceived and constitutes an important element of attitudes

This patrimonialism is therefore a form of political domination described by Max Weber [19] in which authority rests on the personal and bureaucratic power exercised by a royal household, where that power is formally arbitrary and under the direct control of the ruler. This last criterion implies that domination is secured by means of a political apparatus staffed by slaves, mercenaries, conscripts, or some other group (not a traditional land-owning aristocracy) which has no independent power-base.

The neopatrimonial approach to African politics has its origins in theories of modernization which sought to observe how newly independent countries in Africa and Asia developed into modern states, building on the foundations of modern state institutions (parliament, courts, system of government, and bureaucracy) that had been established by departing colonial powers [20]. It is also underpinned by Weber's [21] threefold categorization of types of political

¹⁷Berman argues that the colonial state was shaped by the contradictions between maintaining effective political control with limited coercive force and ensuring the profitable articulation of metropolitan and settler capitalism with African societies. This dialectic of domination resulted in both the uneven transformation of indigenous societies and in the reconstruction of administrative control in the inter-war period.

¹⁸See for example E. N. Shmuel, *Traditional Patrimonialism and Modern Neopatrimonialism*. (SAGE Publications, 1973).

¹⁹ See Max Weber, *Economy and Society*, 1922.

²⁰ Shmuel Eisenstadt, *Traditional Patrimonialism and Modern Neopatrimonialism* (London: Sage, 1973), 1- 25; Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978), 212-240; and Christopher Clapham, *Third World Politics: An Introduction* (London: Routledge, 1985), 39-89

²¹ Weber, *Economy and Society*, 212-240, and Hinnerk Bruhns, "Weber's Patrimonial Domination and Its

authority: patrimonial, as found in traditional societies; rational-legal, as they have evolved in modern European societies; and charismatic.

Neopatrimonial theory concludes that neopatrimonial personal relationships form "the foundation and superstructure of political institutions in Africa and that neo-patrimonial practice are the core feature of politics in Africa" [22]. Moreover, "in the end what all African states share is a generalized system of patrimonialism and an acute degree of apparent disorder [23]". Bayart [24] argued that Africa was different from Asian and Arab countries and also from Latin America because the dynamic of hybridization of African politics unfolds in a particular way, given the absence of a great historical tradition of power.

Chabal and Daloz [25] agree with Bayart, as well as with Bratton and van de Walle, that the patrimonial and other cultural components of Africans straddle and suffuse the modern institutions, resulting in a hybridization that explains African politics. However, Chabal and Daloz differ from them in how much weight they give to culture. They argue that the real cause of this state of affairs in Africa is what they call political "instrumentalization of disorder [26]". By this they mean that Africans have a vested interest, or some kind of economic rationale, in perpetuating the weak institutionalization of political practices and that the state is vacuous and ineffectual in that it has rapidly disintegrated and fallen prey to particularistic and factional struggles, rendering it an empty shell, and reflecting that it has been in the interest of African political elites to keep the state at a low level of institutionalization and incapable of action [27].

According to the neopatrimonial perspective, although rational-legal institutions conform to the "Western template," their workings are derived from patrimonial dynamics [28]. It is observable that, even though rational-legal institutions are "straddled," "suffused," and "instrumentalized," they are important contours and markers along which "big men" interact

Interpretation," in *Neo-patrimonialism in Africa and Beyond*, ed. Daniel Bach and Mamoudou Gazibo (London: Routledge, 2012), 9-24.

²² Michael Bratton and Nicholas van de Walle, *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective* (Cambridge, UK: Cambridge University Press, 1997), 63

²³ Patrick Chabal and Jean-Pascal Daloz, *Africa Works: Disorder as Political Instrument* (Bloomington: Indiana University Press, 1999), xix

²⁴ Jean-François Bayart, *The State in Africa: The Politics of the Belly* (London: Longman, 1993), 35

²⁵ See Chabal and Daloz, *Africa Works*, 4-16.

²⁶ *Ibid.*, pp231

²⁷ *Ibid.*, pp14.

²⁸ Chabal and Daloz, *Africa Works*, 9.

with their clients [29]. The use of state resources in this way is an important feature of neopatrimonialism [30]. In Africa, particularly, the heterogeneity of ethnicities has been regarded as one of the major components of patrimonial maintenance of power [31]. Ethnic groups have been defined as “interest groups” in African politics—a conduit through which resources are channeled and power is established [32].

Bratton and van de Walle [33] conceptualized African neopatrimonialism as marked by three main features: presidentialism, the most prevalent political system in Africa; clientelism; and ethnic groups having political significance. Their conclusion was that neopatrimonialism works because governments in Africa tend to be centralized, and as power is so disproportionately concentrated in the president, it easily degenerates into personal rule, especially as the president typically faces weak accountability mechanisms and disproportionately controls state resources that can be used to appease and control ethnic groups [34]. From that conclusion, van de Walle elaborated that ruling parties become dominant because this system conspires to make the opposition weak and fragmented [35].

To explain why regime parties in Africa dominate the political competition, hence, producing dominant-party systems, it is argued that the features of neopatrimonialism create “disincentives” for opposition politicians to form coalitions to defeat the ruling party and “incentives” for politicians to become powerful individuals in their own right by mobilizing small and highly personalized parties [36]. As these parties remain small and divided, they fail to defeat the regime party. In addition, ethnic communities seek representatives in arenas where they believe “the national pie is divided,” and as opposition politicians look for narrow sectional votes, they mobilize their respective ethnic groups to vote for them so that they can gain leverage in the winning coalition [37]. As a result, the opposition remains divided and fragmented because each opposition politician wants either to be president or to join the winning party in order to avail himself of public resources under the president and his government.

The centrality of the neopatrimonial argument of Bratton and van de Walle and the prevalence of the van de Walle hypothesis in explaining the dominance of regime parties and the emergence of dominant-party systems in Africa have been echoed in many recent studies on party system development following third-wave democratization in Africa. Tracing the evolution of the party system in Africa, Salih has pointed out that the difference between African political parties and Western parties is that they are “by and large ethnically based” in Africa [38]. He has pointed out further that, in Africa, ethnic interests often are treated as group interests. Like Bratton and van de Walle, Salih observed that the client-patron relationship is an important feature of African politics.

This theory has however been criticized strongly by various scholars. Mustapha began to criticize the research methodology of neopatrimonial approaches, in particular, the use of selective anecdotal evidence from individuals as the key unit of analysis. Using the example of Bayart’s 1993 study, Mustapha [39] argues that, in order to arrive at an account of African politics, Bayart’s deriving anecdotal evidence from extensive interviews with people instead of emphasizing the lives and politics of ordinary people as a group, gave credence to the views of a limited “assortment of individuals.”

Mustapha [40] calls this a problem of “methodological individualism” and claims that, as an approach, it departs from the normal view of politics as a group process in which “both rulers and the ruled participate.” He criticizes this type of research as depicting Africa as “replete with individuals.” The fault is that “the people as collective social reality” are missing and, as a consequence, African people are perceived as nothing more than a passive mass of victims [41].

The second main methodological problem, to which the critics of neopatrimonial research have pointed, is what deGrassi has termed “African essentialism,” and what Mustapha has called “cultural determinism.” This is an issue on which Erdmann and Engel, as well as Pitcher, Moran, and Johnson, have focused in their critique of the neopatrimonial approach.

As deGrassi [42] argues, it is essentialist and erroneous to assume that neopatrimonialism is the essence of African politics, and, furthermore, that the

²⁹ Bayart, *The State in Africa*, 60-86

³⁰ Bratton and van de Walle, *Democratic Experiments in Africa*, 66-67

³¹ Clapham, “Clientelism and the State,” 77-81.

³² Ibid, pp 245

³³ Bratton and van de Walle, *Democratic Experiments in Africa*

³⁴ Ibid, p 254

³⁵ Ibid, 28 Nicholas van de Walle, “Presidentialism and Clientelism in Africa’s Emerging Party Systems,” *Journal of Modern African Studies* 41, no. 2 (2003): 297-321.

³⁶ Ibid., pp 313.

³⁷ Ibid., 314-315

³⁸ Mohamed Salih, “The Evolution of African Political Parties,” in *African Political Parties: Evolution, Institutionalization and Governance*, ed. Salih Mohamed (London: Pluto Press, 2003), 1-13.

³⁹ Mustapha, “State, Predation and Violence,”

⁴⁰ Ibid, p 209

⁴¹ Ibid, p 210

⁴² See deGrassi, “Neopatrimonialism and Agricultural Development in Africa,” 112-115.

neopatrimonial approach errs in reifying the patrimonial in neopatrimonialism as a primordial African tradition, placing African politics in the “traditional realm as opposed to modern realm.”

Mustapha also has argued against a tendency to see the negative aspects of neopatrimonialism as rooted in African culture, contributing to a view of Africa “as a theatre of the absurd.” Mustapha maintains, while it is true that culture is an important element in the economic and political processes at work in Africa, the reduction of this important variable to “absurd sensationalism and the so-called spirit of criminality” has served only to “demean Africans without contributing in any meaningful way to improving our knowledge of the complex linkages between cultural, economic and political processes [43].”

Others have tried to reach a balance between the claims of neopatrimonial theory and the criticisms leveled at it. Erdmann and Engel [44] have observed that, under patrimonialism, all power relations-political as well as administrative, and between the ruler and the ruled-are personal relations, and that there is no distinction between the private and the public realms. However, under neopatrimonialism, the distinction between the private and the public realms exists, and neopatrimonial rule takes place within the framework of rational-legal bureaucracy, or “modern” stateness.

Erdmann and Engel [45] have pointed out that, in practice, separation of the private and the public spheres is not always observed and that the two spheres permeate each other: the patrimonial penetrates the rational-legal system and twists its logic, functions, and output, but does not take exclusive control over the rational-legal logic. For example, in the neopatrimonial state, clientelism exists not only in the traditional periphery but also in the modern center, “which itself is not modern, but very much tainted by and interwoven with the traditional elements.”

This view does not challenge the definitions of neopatrimonialism found in Clapham, Bratton and van de Walle, and Chabal and Daloz [46] but instead seeks to correct what is believed to be an over-emphasis on patrimonialism to the neglect of rational-legal elements.

Pitcher, Moran, and Johnson [47] advance further critique of the neopatrimonial approach. They

focus on the contemporary use of patrimonialism by neopatrimonial theorists, arguing that, in contrast to current usage, patrimonial authority or legitimacy originally “was not a synonym for corruption, bad governance, violence, tribalism or weak state. It was instead a specific form of authority and source of legitimacy, with specific cultural underpinnings in which compliance to authority was constructed [48]”. They argue that a more accurate definition of patrimonialism would include the reciprocities that Max Weber discussed, as well as the personal dimensions of power, governance, and compliance that are featured in contemporary accounts.

Pitcher, Moran, and Johnson use the example of Botswana to argue that, by building on the Weberian patrimonial authority of traditional reciprocity practices and networks, rather than referencing the kind of neopatrimonialism advanced by the neopatrimonial theorists, the political elites in Botswana have delivered sustained economic growth and a successful elite democracy. They assert that the Botswanan elite did not abandon essential Weberian patrimonialism; rather, they built a democratic state on the foundations of that tradition of highly personalized reciprocities and loyalties. Much earlier research also pointed out that in precolonial African societies there was accountability of leadership, and within the framework of strong participatory democracy in some cases [49].

Colonialism changed the lines of accountability between the African people and their leaders, which made the African leaders unpopular and tainted the prior Weberian patrimonial authority.⁴⁸ The unpopularity of older generations of leaders who colluded with the colonial regimes resulted in a shift of leadership from the traditional chiefs and leaders to new and modern generations of educated African leaders during the struggle for independence of African nation states. The latter assumed political power on the basis of a social contract to restore just rule, democracy, unity, welfare, and prosperity for all.

Building on this research, a direct link has been suggested between the practices of neopatrimonial systems and political competition in the context of the current multiparty democracy in African countries [50].

⁴⁸ Ibid., p 126.

⁴⁹ Edmund Aston, “Democracy and Indirect Rule,” *Journal of the International African Institute* 17, no. 4 (1947): 235-251; Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton, NJ: Princeton University Press, 1996), 1-25; Thomas Burgess, “The History of the Ideal,” in *Democratic Transitions in East Africa*, ed. Paul Kaiser and Wafu Okumu (London: Ashgate, 2000), 25; and Thomas O’Toole, “The Historical Context,” in *Understanding Contemporary Africa*, ed. April Gordon, and Donald Gordon (London: Lynne Rienner, 2007), 25-60.

⁵⁰ Staffan Lindberg and Jonathan Jones, “Laying a Foundation for Democracy on (sic) Undermining It? Dominant Parties in

⁴³ Ibid, p 211

⁴⁴ Erdmann and Engel, “Neo-patrimonialism Reconsidered,” 18.

⁴⁵ Erdmann and Engel, “Neo-patrimonialism Reconsidered,” 18.

⁴⁶ See Clapham, “Clientelism and the State,” 48; Bratton and van de Walle, *Democratic Experiments in Africa*, 62; and Chabal and Daloz, *Africa Works*, 9-10

⁴⁷ Pitcher, Moran, and Johnson, “Rethinking Patrimonialism and Neopatrimonialism in Africa,” 125-156.

In general, it is argued that neopatrimonialism disadvantages the opposition while favoring the ruling party and the political elites in the ruling class, as it allows not only the use of state resources to command political loyalty, but also the use of state bureaucracy to rig elections and even to orchestrate violence, creating conditions that allow regime parties and elites to retain control of power.

On the other hand, Bruce Burman's political ideas of crisis and control and dialects of domination is applied to inform this study especially in objective one which seeks to examine the colonial backgrounds of repression in Kenya. Bruce Burman argues that the state has become the ultimate unit both of economic reproduction, or accumulation, and of political reproduction, or social control. But these essential roles are mutually contradictory, at two levels.

The state's regulation of competition between individual capitalists invites dispute within the dominant classes, whose cohesion is a condition of their domination. And the legitimation of the class order has entailed the protection of labouring conditions, the provision of welfare services, the enfranchisement of the working classes: all of which may have tempered the self-destructiveness of capital, but all of which nonetheless constitute brakes fitted by the state on to the process of accumulation.

The contradictions of its role have thus become embedded within the state's institutions in the metaphor of political conflict, but in reality as class struggle. The state must therefore be construed as 'relatively autonomous' with regard to the dominant class forces, at least at the level of political practice [51].

Given the contradictory nature of the state, the content of 'relative autonomy' is therefore subject to continual dissension and redefinition in response to crises within the dominant mode of production. The need for the state to sanction an intensification of the work process or to reallocate public resources, in order to rescue the rate of profit from the claims of labour power, may well result in a crisis of state authority. Its relative autonomy may become eroded to the point where it acts, and is seen to act, as the direct instrument of the dominant class or of some of its fractions. The resolution of such a crisis, if it is not to be by violence,

must, then, entail the restoration of relative autonomy within the changed context [52].

As Arendt [53] argued, authority cannot flow from violence. Settler violence emerged from fear and powerlessness. They had somehow to find a way to ensure the success, even the mere survival, of their community. Perpetually on the verge of bankruptcy, unable to rely on unquestioning state support, surrounded by thousands upon thousands of "savages": settlers had to assert power, to claim control of an anarchic situation.

CONCLUSION

Historically, states have often use different forms of political repression to govern domestic dissent, defend established patterns of power or and authority. On several occasions, various successive governments have staged operations prompting serious crackdowns and repression characterized by use of violence on political oppositionists. The Kenyan political past has historically been characterized by political violence and repression. As such, there the country have been witnessed several incidences of political repressions and developments in party politics in Kenya. This paper has attempted to conceptualized history party politics in relations to repression in the context of post independent Kenya and thus informed by Clude Ake's conceptual framework neopatrimonialism and the concepts of crisis, control and dialects of domination as expounded by Bruce Barman.

Africa's Burgeoning Democracy," 2010, paper prepared for chap. 11 of *Dominant Parties and Democracy*, ed. Matthijs Bogaards and Françoise Boucek (London: Routledge, n.d.), 1-19,

http://www.clas.ufl.edu/users/sil/downloads/Lindberg10%20&Jones_Domin%20Parties.pdf (accessed April 7, 2020).

R. Miliband, *The State in Capitalist Society* (London, 1973).

⁵² For the distinction between force and power see E. M. Luttwak, *The Grand Strategy of the Roman Empire* (Baltimore, 1976), 195-200.

⁵³ Hannah Arendt, *On Violence* (New York: Harcourt, Brace, Jovanovich, 1970).