



THE current clamour by a certain section of the political class across the board to change Kenya's constitution is not anything new; we have been here before. Two years before the death of Kenya's first president, Jomo Kenyatta, in August 1978, and after the hotly contested 1974 general election, this clamour reached its zenith, with its protagonists coming out openly to hold public *barazas* across the country to caution people about the danger of having one Daniel arap Moi succeeding Jomo. This group wanted the constitution changed so that a vice president could not automatically become president upon the death of the president, an amendment that would have made it impossible for Moi to succeed Jomo. Moi was a Kalenjin from Baringo and the so-called "Kiambu Mafia" despised him and could not in their wildest dreams countenance the fact that a non-Kikuyu could ascend to State House.

Nearly forty years later, in February 2018, a little-known and first time MP for Tiaty constituency in Baringo County, received wide media coverage when, out of the blue, he proposed changes to Kenya's 2010 constitution. The 45-year-old MP, William Kamket, through his Constitution Amendment Bill 2018, advocated for the inclusion of a powerful position of prime minister and the scrapping of the position of deputy president. (The current constitution is hardly a decade old, having been promulgated on August 27, 2010.)

Less than a month later, on March 9, President Uhuru Kenyatta and his strident political nemesis, Raila Amolo Odinga, in a surprise manoeuvre, appeared on the steps of Harambee House - the seat of government - to declare a political *détente* by publicly shaking hands and smiling broadly for the cameras. Soon after, Raila, who had successfully petitioned Uhuru's contentious presidential win on August 8, 2017 at the Supreme Court, only to stay away from the fresh presidential election on October 26, 2017, started agitating for constitutional change.

Through the Building Bridges Initiative (BBI) formed immediately after the handshake, Raila has repeatedly said he is advocating for a future "all inclusive" government that will be devoid of cycles of violence that invariably manifest themselves every election year. The former prime minister, who has been tasked with spearheading BBI - a body made up of both President Uhuru and Raila's circle of confidantes - has said that the Initiative will come up with suggestions on areas in the constitution that need to be changed. Since then, there have been additional disparate voices supporting this clamour for change, among them the National Council of Churches of Kenya (NCCCK) and the Kenya Conference of Catholic Bishops (KCCB).

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### **The Kiambu Mafia**

But we have been here before. Barely two years into his imperial presidency, the septuagenarian Jomo Kenyatta surrounded himself with political honchos from Kiambu, who in due course were to infamously acquire the sobriquet Kiambu Mafia. The group consisted of Jomo’s inner kitchen cabinet; among the most powerful were his brother-in-law Mbiyu Koinange, the de facto leader, his nephew Dr. Njoroge Mungai and James Gichuru, who, during Kenyatta’s detention years acted as the president of the KANU party, holding fort until 1960 when he vacated the seat for Kenyatta after the latter’s release from prison. It is this Kiambu Mafia that saw to it that political power was firmly established and consolidated among and within an emerging Kiambu cabal, so much so that the cabal boasted that “*Uthamaki ndugakera Chania.*” (“The political kingdom will never see the light of day beyond Chania.”) Chania is the river that flows through Thika town. It is the river that divides Kiambu County from Murang’a.

With cracks beginning to emerge between Mzee Kenyatta and his first vice president, Jaramogi Oginga Odinga, as early as 1965, the president and the cabal felt confident enough to take on Jaramogi and his band of supporters in the ruling party KANU. First, to show his disaffection and to dissociate from Jaramogi, Kenyatta did away with the Luo cap that Jaramogi had gifted him, which Kenyatta often proudly wore.

It was in the aftermath of this disagreement that the scheming of the Kiambu Mafia, with the full knowledge of the president, came into full view when it called for a KANU conference in Limuru town in 1966. With the sleight of hand of the cabal’s project now exposed, the mandarins, with the help of the brilliant, cosmopolitan and, urbane politician Tom Mboya (who happened to be a Luo), warily crafted the idea of eight vice presidents to tame and humiliate Jaramogi. The eight vice presidential slots were divided among the then eight provinces of the country.

The deliberate picking of Limuru town in Kiambu District as opposed to holding the meeting in Nairobi, the capital city, was very telling. Was Mzee Kenyatta and the Kiambu Mafia



telling all and sundry that the country's Uthamaki now rested in Kiambu District?

### **Mysterious deaths and political assassinations**

However, the ideology of Uthamaki (based on the idea that only people from the Kikuyu ethnic group are entitled to run the country) only gained feverish currency among the Kikuyus after the assassination of the mercurial Minister of Economic Planning and Development, Thomas Joseph Mboya on July 5, 1969, at the tender age of 39. It was around this time that the famous 1969 oath-taking was secretly and hurriedly organised to ostensibly bind the Kikuyu community to defend its Uthamaki from *andu aa ruguru* (communities from Western Kenya).

"The secretive oathing of 1969 was the zenith of Uthamaki consolidation," Nelson Mwangi Gichohi, the former all-powerful Nakuru District Commissioner, once told me. "Most of the oathing was concentrated in Gatundu division. There was also oathing in Nyandarua District, but I will be lying if I tell you I know the specific locations." (Gichohi died at the age of 96 and was buried on October 5, 2018 at his Nyandarua farm.)

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"With an aging and ailing Jomo, who was prone to stroke attacks, the Kiambu Mafia worried that his death might occur before they had dealt with all the real and imagined opposition," a retired politician from Central Kenya, who was then a young man and who witnessed first-hand the political machinations of the dreaded and ruthless Kiambu Mafia, told me. "Their first hurdle was to clear the opposition within the mainstream KANU party, before moving in to deal with the KADU wing of the ruling party."

KADU, which stood for Kenya African Democratic Union, had been an opposition party in the lead-up to the 1963 general elections. Its chief protagonists, among others, were Ronald Gideon Ngala and Daniel arap Moi. The party propagated a "majimbo" constitution that



would be based on federalism, a system of government that was favoured by the “White Highlands” British settlers who wanted regions to have more autonomy.

On January 29, 1969, five months before Mboya was gunned down on Government Road (today Moi Avenue) at 1.00pm as he stepped out of a chemist’s shop. But five months before, [Clement Michael George] Argwings Kodhek was involved in a fatal accident at the junction of the present-day Wood Avenue and Argwings Kodhek Road. He was 46 years old when he died.

Meticulous and suave, Kodhek, a UK-educated barrister, had been Jomo’s lawyer at his trial in Kapenguria in 1952, alongside Dennis Pritt, a Queen’s Council (QC) and Achhroo Ram Kapila, among others. At the time of his death, Kodhek, whose English names’ initials were turned into a play of words by his Luo people - *Chiedo Mor Gem* (meaning the oil of Gem), was the Minister for Foreign Affairs and the MP for Gem.



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On December 12, 1972, Ronald Ngala, who had been KADU’s president and a founding member before the party was dissolved in 1964 to join KANU, was involved in a mysterious freak accident at Konza, 15km from the Machakos town junction. Thirteen days later, on Christmas Day, the former Minister of Power and Communications died at the Kenyatta National Hospital aged 49. Nobody has ever explained why Ngala, who traditionally celebrated Jamhuri (independence) Day with the president, was travelling to his coastal home on that Jamhuri day.

In March 1975, the Uthamaki “hyenas ate one of their own”, as the politician John Keen put it. The badly mutilated body of Josiah Mwangi Kariuki (popularly known as JM), the 46-year-



old MP for Nyandarua North and an Assistant Minister in the Office of the President, was found in the Ngong Hills Forest. JM's eyes had been gouged out and his lifeless body had been left in a path frequented by hyenas.

"Furious Nyeri Kikuyus immediately accused the Kiambu Mafia of killing JM," recalled Gichohi. Although JM's rural home was in Ol Kalou, where he had a big farm, his ancestral origins were in Nyeri. The Kikuyus from Nyeri vividly recalled what the Kiambu Mafia had said in 1966 - that Uthamaki would never transcend River Chania.

Gichohi narrated how three years before the death of Jomo, the Kiambu Mafia, suffering from "psychological insecurities generated by the founding president's ill health", felt sufficiently threatened by JM's rising popularity countrywide to the extent that they decided to put a stop to his presidential ambitions. On many occasions, said the late Nakuru DC, the Mafia had warned JM to cease his political ambitions but he ignored them.

The formation of a parliamentary select committee to investigate the death of JM was aimed at assuaging the hurt nationalist feelings of a majority of Kenyans who identified with JM. It also sought to exonerate Jomo's government from suspicions that it had ordered the killing of the populist politician. The select committee was chaired by Elijah Mwangale, the then the MP for Bungoma East. To seemingly lend credence to the committee, it included some of JM's friends like Waruru Kanja.

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The committee's final report incriminated Mbiyu Koinange, the then Minister of State in the Office of the President and Jomo's bosom buddy and brother-in-law. Furious that the Mwangale-led committee had dragged Mbiyu's name in the report, Jomo is reported to have said that to have Koinange's name in the report was like having his own name there. The president trashed the report, which also led to the sacking of cabinet ministers John Keen, Masinde Muliro and Peter Kibisu. Keen was the Assistant Minister for Agriculture and the MP for Kajiado North. Masinde was the Minister of Co-operatives and the MP for Kitale East. Kibisu was the Assistant Minister for Labour and the MP for Vihiga. They all were



accused of endorsing and supporting the report.

Within just six years, the Kiambu Mafia had snuffed out the lives and political careers of two political heavy weights – Tom Mboya and JM Kariuki. Jaramogi Oginga Odinga, the former vice president, was put under house arrest between 1969 and 1971. Still, the years between 1970 and 1976 were dicey times for the Kiambu Mafia. Mzee Kenyatta’s health was failing by the day, and it was just a matter of time before they woke up to the fact that he was no more.

To the extent that they did not want to be caught flat-footed, the Mafia must have realised that it was impossible to eliminate every possible threatening political force, so they cleverly came up with a political scheme: the creation of a party within a party. The creation of Gikuyu Embu Meru Association (GEMA) by the Kiambu Mafia apparently coincided with the weakening of the ruling party KANU. GEMA, which was supposed to be a welfare organisation in theory, was in fact a vehicle for the Kiambu political protagonists’ scheme to propagate Uthamaki philosophy as they sought to strangle KANU’s nationalist credentials, which were a direct threat to their devious plan.

### **The “Change-the-Constitution” movement**

As Mzee Kenyatta’s health was deteriorating quickly, the Kiambu Mafia hatched another plan towards the end of 1976: the Change-the-Constitution mantra. With a constitution that expressly said that in the event that the president was incapacitated or suddenly died, the vice president would automatically take over the reigns of power, the Kiambu Mafia fought tooth and nail to stop Daniel arap Moi from succeeding Mzee Kenyatta.

The front man for the group was Dickson Kihika Kimani, the MP for Nakuru North and the controversial leader of the Ngwataniro Mutukanio land buying company. In September, 1976, the group, led by the political operator Kimani, held its first meeting in Nakuru to propose that the rules of succession be modified. A month later, Kihika, whose base was Nakuru but who had aligned himself with the Kiambu Mafia, repeated the assertion on October 3 in Limuru as he held a fund-raising meeting.

The activities of the Change-the-Constitution protagonists were stopped by the all-powerful Attorney General, “Sir” Charles Njonjo, who, two days later, issued a terse statement: “It is a criminal offence for any person to encompass, imagine, devise, or intend the death or deposition of the President.”

Kenyatta followed Njonjo’s statement with his own from State House: “The government



reiterates its earlier statement by the Attorney General.” Thus the Uthamaki project of the GEMA/Change-the-Constitution group of 1976 had been nipped in the bud.

Before his fall from grace in 1983, Charles Njonjo, the influential and powerful Attorney General, is reputed to have boasted that were it not for him, Vice President Moi would not have ascended to the presidency. “Had I not laboured single-handedly, to ensure that the provisions of the constitution were adhered to, Moi would not have been president and there would have been chaos in the country,” Njonjo is reported to have said this to all who cared after Moi had entered State House.

When Moi became president, Kihika Kimani pledged his loyalty to him with the following statement on September 8, 1978, two weeks after Mzee’s death: “President Moi is the only natural leader Kenyans have with the necessary qualifications to lead the nation following the untimely death of President Kenyatta...It is the people, the majority of Kenyans, if not all, who are now pleading with him to become their President.”

Cynics believed that this professed loyalty was just a scheme to buy time, as many in the Kiambu Mafia believed that Moi would be a lame duck president and would not hold office for long. They were wrong: Moi consolidated his power and remained in office for 24 years. (In their book, *The Kenyatta Succession*, Joseph Karimi and Philip Ochieng describe the various intrigues, plots and personalities behind the Change-the-Constitution movement.)

Kenya’s political folklore has it that before his ouster from public life (through a commission of inquiry into his conduct by President Moi), Njonjo had since the early 1970s been conspiring and marking time to succeed President Jomo Kenyatta. His presumed support – apparently through proper constitutional means – for Moi and his wars with the Kiambu Mafia were a ruse in his master game plan to wrestle state power from Moi after taking credit for “planting” the former vice president in State House. His infamous remark, “*Engethua ndogoria itingekinyera nyeki*” (A limping leader sheep cannot lead the rest of the flock to greener pastures), suggesting that Moi was a weak president and therefore just “a passing cloud”, was used to incriminate and label him a traitor.

### **The return of Uthamaki**

Twenty-four years after GEMA and the Change-the-Constitution adherents had failed to stop Vice President Moi from taking over from Kenyatta, who quietly died on the night of August 22, 1978, the Uthamaki project reared its head once more on the eve of the third multiparty elections in Kenya in December 2002. The scion of the Kenyatta family, Uhuru Muigai Kenyatta, was running for the presidency against Mwai Kibaki, a portly conservative



politician from Othaya, Nyeri County, who had united with Raila Odinga to form a formidable opposition to the younger Kenyatta and Moi's KANU party.

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The Change-the-Constitution movement of 1976 was a scheme by a certain section of the Central Kenya carpetbaggers to stop a Rift Valley Kalenjin politician from succeeding President Jomo Kenyatta. The current push for changing the constitution has been interpreted in certain quarters of the Rift Valley region as a plot by a certain Central Kenya political cabal to stop another Rift Valley Kalenjin politician - Deputy President William Samoei Ruto - from taking over from President Uhuru Kenyatta, who is serving his second and final term. In essence, then as now, Rift Valley is the political theatre of brinkmanship.

The Kiambu mandarins of Change-the-Constitution movement of 1976 sought the help of Jaramogi, who in their first meeting in Nakuru, sent his political ally and former Kenya People's Union (KPU) leader, Achieng Oneko, to represent him. For some time it looked like Jaramogi was ready to lend the outfit his nationalist credentials. Even though the Kiambu Mafia had orchestrated Jaramogi's political banishment, they craved for his singular political support.

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Then as now, a section of the ruling Jubilee Party, led by a section of the Central Kenya political class, has roped in Raila Odinga, Jaramogi's second son, to help them push for a change in the constitution. Although, these same political players have in the recent past





called Raila all manner of names, including telling him he is a “slow punctured politician” and is “too old and should retire”, they now seem to have rediscovered his political usefulness. David Murathe, President Uhuru’s lackey and chairman of the Jubilee Party, recently said that Raila should not think of retiring from politics, since he was still energetic enough and Kenya needed his style of politics.

The build-up to the Change-the-Constitution push of four decades ago was preceded by deaths, house arrests, and incarcerations. Will the current Change-the-Constitution movement also be accompanied by the death of certain politicians’ careers? Only time will tell.