

SPEED GOVERNORS: ROAD SAFETY AND INFRASTRUCTURAL OVERLOAD IN POST-COLONIAL KENYA, *c.* 1963–2013

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They are horrible things. They move at almost half the speed of an aeroplane. Something should be done to check this. . . . If we let things go as they are now, I think our country will get a bad name. (Ronald Ngala, on the Peugeot 504 Happy Taxi service from Nairobi to Nakuru, 1965)

The twenty-first century scramble for Africa is one of speed. With massive engineering projects in the works, such as the building of trans-continental transport corridors, or private investment in ‘hi-speed’ fibre optics, the challenge to ethnographic research on transportation and communication in Africa today is to reconfigure the temporal assumptions of globalization theory. In the expansion of global capitalism and the ‘new’ infrastructural dispensation for Africa, what is the value of speed? (Morris 2010). How is neo-liberal governance and policy ‘generating new frictions in the state apparatus . . . more geared to the management of mobility rather than outright exclusion or enclosure?’ (Chalfin 2010: 58). From ethnographers, such questions beg a sustained empirical re-examination of James Ferguson’s (2006) depiction of the ‘point-to-point connectivity’ along and through which processes of globalization work in transforming sovereign state power, and thus effecting significant but uncertain opportunities and dangers in the everyday lives of the African citizenry.

One concrete ethnographic focus on these transformations, elsewhere as well as in Africa, has been the sparsely explored conjuncture between roads, automobiles, state formation and global commodity chains (see Beuving 2006; Chalfin 2010; Dalakoglou 2010; Harvey 2005; Masquelier 2002). Without presuming the contingent dangers and opportunities that roads make or bring in particular countries and locales, ethnographers can engage with what Anna Tsing (2005) has heuristically dubbed the ‘friction’ of globalization, that is, the productive risks and gambles experienced by those for whom roads are morally ambivalent spaces of life and death subsumed by global capitalism. For Tsing, friction is ‘not just about slowing things down’:

Friction is required to keep global power in motion. It shows us (as one advertising jingle put it) where the rubber meets the road. Roads are a good image for conceptualizing how friction works: Roads create pathways that make motion easier and more efficient, but in doing so they limit where we go. The ease of travel they facilitate is also a structure of confinement. (Tsing 2005: 6)

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This ambivalence—of mobility and arrest, freedoms and constraint—is a recurrent analytic theme in the ethnography of roads. But do analyses of people's ambivalence towards roads under the conditions of globalization tell us about how they see global power in motion?

In this article, I focus on the place of road safety in Kenyan legislative history since independence in 1963 as a way of illustrating the analytic value of speed for the anthropology of the state in East Africa. Ethnographically, the article focuses on the inchoate and partisan perspectives of vehicle owners, both commercial and private, as they seek opportunities to subvert the infrastructural governance of traffic laws, licensing authorities and police enforcement. It also highlights the aspirations and ideologies of Kenya's political elite, particularly as expressed by those Members of Parliament and government ministers who have contributed to debates about how to curb Kenya's 'road carnage'—in the contexts first of decolonization and then, decades later, of this nation state's uncertain and emergent position as a conduit of globalization in the wider East African area.

As a highly visible public concern since the early 1960s, the focus on road safety in Kenya presented here offers a way to rethink the temporal dangers and uncertainties of automobility under global capitalism, but goes further in seeking out historical continuities in Kenya's post-colonial experiences of road death and injury. This focus on road safety takes us from Africanization, in the 1960s and 1970s, to the regulatory reforms of the 1990s and 2000s in the guise of neo-liberalism. From the vociferous complaints and debates of Kenyan politicians about imported Peugeots being dangerous to drive on Kenya's rough and sparsely tarmacked roads in 1964, to the much publicized traffic crackdown of 2003—the so-called 'Michuki Rules'—road safety is a field of study ideally suited to the analysis of infrastructural governance and its transformations and continuities over a five-decade period. What is of analytic interest here is the new value of speed in an East African region that has embraced automobility aggressively as the vehicle for enhancing state sovereignty in a globalized economy.

Organizing a kaleidoscopic range of particular historical concerns with road safety, from narrow colonial roads and crumbling infrastructure to drunk drivers and speed limits, Kenyan legislators themselves have not been spared the dangers of driving and road travel. Deaths and injuries among the political elite have contributed to a sense of urgency throughout the entire post-colonial period under consideration here, that is, from 1963 to 2013. Looking back on this history from the perspective of ethnographic research undertaken on a variety of topics since 1998, a lasting impression of legislative and bureaucratic inefficiencies, if not moral inertia, permeates many people's views on the future of Kenya's road safety programmes and facilities, with numbers of my older interlocutors asking, 'Why have Kenyan leaders failed to curb road carnage since independence?' As a partial answer to this question, this article borrows from Michael Mann's (1986) formulation of 'infrastructural power' a perspective on the material and ideological interests of Kenya's political elite, inclusive of 'big' vehicle owners and legislators who often have the capacity to define, at any particular historical conjuncture, the limits of state sovereignty and the horizons of personal accumulation.

SPEED GOVERNORS

Stephen 'Stone' Gicheru has been a mechanic since 1979 and operates an open-air *jua kali* 'garage' along Nairobi's Kirinyaga Road, a part of the city whose businesses are concentrated around automotive repair and spare-part shops. On a return visit to Kenya in 2008, I was able to enlist Stone's help in negotiations with a number of Asian shopkeepers to get me good prices on several parts, including a set of headlights and a radiator, for a decrepit Peugeot 404 I was aiming to repair to working order. I had met him years earlier in 2002, when my Land Rover was involved in an accident on Park Road with a *matatu*, the ubiquitous Public Service Vehicles (PSVs) or mini-buses that ferry passengers from A to B in the city and country. Shortly after I left Kenya in 2003, the new government of Kenya under the presidency of Mwai Kibaki pushed through a 'radical' amendment to the Traffic Act, officially known as Legal Notice 161, but popularly referred to as the 'Michuki Rules' after the then-incumbent Minister for Transport and Communications, John Michuki. These regulations primarily targeted the PSV industry, particularly *matatu* which have had a complex licensing and regulatory history since the late-1970s and continue to generate spirited controversies about the management of mobility in Kenya. In the public sphere of the media, Michuki Rules were viewed initially as a long overdue, get-tough approach to road safety enforcement, but in recent years have come to stand as a symbolic marker of the flux and reflux between safety and danger on Kenyan roads. One of the requirements of Legal Notice 161 was that the owners of all commercial haulers, petrol tankers and the like, as well as licensed PSVs, were to install speed governors on their vehicles, rotor devices that mechanically restrict these categories of vehicle to a maximum speed of 80 k.p.h. Curious as to talk of 'backsliding' with respect to most of the Michuki Rules, a quite common perspective in the wake of any attempted crackdown on Kenya's transportation industries, I asked Stone what it had meant for his business as a mechanic. While inspecting the used radiator I had bought, he admitted that one didn't need to be a mechanic to install or take out the speed governors:

There was nothing really for us mechanics in Michuki Rules. Panel beaters joked that Michuki Rules would steal their business! Maybe the guys who had links to the *matatu* SACCOs (Saving and Credit Cooperatives) initially got a lot of work, especially body painters, but generally down here *mtoni* [by the river] it was more of a nuisance trying to find the right governors in the auto-shops for a particular make of vehicle. Also, as you probably know, [governors] were taken out just as quickly as they were put in. Some mechanics would then buy them back, at a fraction of the price, and install them in another vehicle at the retail price, plus labour. Control speed? There's no way in heaven to control speed in Kenya – not God, not these things, not the police, not the government. The only thing that can control speed is a driver. (Notes: 20 June 2008, Nairobi)

Speed is not without its theorists, including many of Kenya's commercial vehicle owners, brazenly adorning their fifty-passenger buses with epithets such as: *God Speed*; *No Finish Line*; and *Amua Twende* (Agree, Let's Go). This in a country where every tourist learns the Swahili proverb: '*Haraka, haraka, hakuna baraka*' (There is no blessing in hurrying). But this image of a slow, languid and agreeable pace of life is shattered, at once and without irony, by the intense pressures most Kenyans must endure in making a living. Speed is a staple topic of conversation

for commuters but in ways that are often surprising to foreigners. Running late owing to traffic congestion, hurried passengers exhort drivers to speed up or drive on the soft shoulder of the road to reach work on time. In climbing down from a 'country bus' pallid and relieved to have arrived at their destination alive and well, passengers might well praise their driver for a long road-trip made shorter by excessive 'skilful' speeding. On a night trip from Nairobi to Meru, for example, I was one of several passengers who demanded that the driver slow down – only to find ourselves harshly rebuked by other passengers intent on getting home as fast as possible. Yet everyone acknowledges that the value of speed is often exchanged for human lives: speed kills.

Critical rhetorical attacks on over-speeding were rife in the National Assembly of the early 1970s. Ronald Ngala, who was then Minister for Power and Communications, one of the three ministries charged with regulating and managing mobility in Kenya, spoke in Parliament about the motivations for speeding by professional drivers:

I have seen drivers driving along Nakuru Road or Thika Road or Mombasa Road carrying passengers in a Peugeot. They drive at well over 90 miles an hour. They do not worry at all. They drive as if they are carrying bags of *posho* when they are carrying the lives of people. . . . They may be in a hurry, but some bus and other vehicle owners, really, tell their drivers, 'You must make so many trips a day, before I can pay you properly.' Therefore, the driver is conditioned by the number of trips he must necessarily make before he can be paid on that day. Therefore, he 'flies' because he wants to reach his day-mark set by his employer. (KNAH – Kenya National Assembly, Hansard – 25 November 1970: 2311)

Thirty-two years later, in 2002, Musalia Mudavadi expressed his views on this matter; echoing Ngala's take on the exploitative social relations between employers and drivers obliged to drive at speed for profit:

Let us face the reality. Many transporters out there would like to avoid spending money on their vehicles, and so, they hire people for a throw-away fee. They hire young Kenyan *matatu* drivers and conductors at a pittance fee or salary and expect them to deliver so much money overnight. Because these young men and women, indeed, want to survive, they end up being reckless because they want to make as much money as possible in order to satisfy the requirements of their employers. (KNAH 2002: 1174)

The seemingly continuous necessity of 'reckless' speed for drivers and their employers is countered by the fleeting comments of regular passengers, as when a friend described, in 2001, a kind of phenomenology of fear: 'When the driver starts speeding, everything and everyone goes quiet and it gets deathly cold.'

Among social theorists, however, speed has been employed mainly in historical analyses of one kind of the other, exemplified perhaps by Paul Virilio's (2006) treatment of military logistics and its application to the tacit political engineering within civil architecture and urban planning. Although Virilio's thesis on the militaristic melding of 'speed and politics' in late modernity is taken up by many writers as a starting point of theorizing speed, some authors argue for restraint in the application of this model. William Connolly (2008) provokes us to take into account the idea that speed can have some *positive* role in 'intrastate democracy and cross-state cosmopolitanism' while also retaining the idea that speed

is 'profoundly' ambiguous (Connolly 2008: 177–8). However ambiguous the material and ideological values of speed in the globalized capitalism of recent decades, noticed above all by globalization theorists emphasizing – perhaps too far – the compression of space and time through communication and transport technologies (Harvey 1989), the new value of speed in Africa requires further precision, witnessed by Rosalind Morris's discussion of automobility in democratic South Africa, where 'rush hour' can also mean crawling along traffic jams where the 'desire' for speed is interrupted (Morris 2010: 602). It is in this sense of such disjunctive temporalities that speed can be one way of looking at Africa's new neo-liberal, infrastructural dispensation and thus discerning its current and future re-spatialization within global capitalism. Where social theories of speed coalesce, however, is in agreement that beyond the kinetic materiality of speed, its value for capitalism lies in bringing ideology and infrastructure together.

The title of this article takes its cue from Max Weber's (1946/1958) railway metaphor of the 'switchman', whereby meaningful historical actions were set along certain tracks, as opposed to others, by governing material and ideological interests. 'Speed Governors' makes reference not only to the mechanical speed limiters installed in Kenyan vehicles by laws designed to reduce road accidents, but more importantly to the ideological and material interests of legislators, on behalf of vehicle owners, for whom 'redemption' from the inequities of colonialism meant the aggressive, fast-paced, and sovereign takeover of the national economy. Although writing about religious ideologies and practices, Weber's argument that redemption and interest were joined together stands as a heuristic lesson for other political and economic contingencies such as Africanization in post-colonial Kenya:

Not ideas, but material and ideal interests, directly govern men's conduct. Yet very frequently the 'world images' that have been created by 'ideas' have, like switchmen, determined the tracks along which action has been pushed by the dynamics of interest. 'From what' and 'for what' one wished to be redeemed and, let us not forget, 'could be' redeemed, depended on one's image of the world. (Weber 1946/1958: 280)

What was this image of the world in the newly sovereign Republic of Kenya? One searing image was the gross inequities of the colonial regime, which held onto its power, not so much through legislation as through its tentative grasp on infrastructural power and domination of the economy through the threat of violence. Roads and vehicles were particularly charged images of the world at this time, but, in the early 1960s, when Africans prepared for political independence, they looked to a neglected infrastructure that had only really served the interests of the colonialist in the not inconsiderable enclave of the agriculturally productive 'White Highlands'. Building a modern and competitive capitalist economy upon the grossly inadequate infrastructure left behind by the colonial government meant a radical appropriation of property and the slow institutional growth of the state's infrastructural power. Road building, access to credit facilities, new legislation empowering Africans to move into management positions, a robust military, new constitutional powers, and an effective and ever-expanding transportation system were all goals of an ideology – Africanization – that set into motion new, but ultimately contradiction-laden values of speed. Ultimately, this ideology of speed, like Weber's 'switchman', generated new forms and categories

of governance that promoted a rampant variant of capitalism. Albeit highly regulated by centralized government, it expanded with such a velocity that it overtook the available infrastructure and fiscal resources. This led to a dangerous infrastructural overload.

Legislators and politicians within this image of the world, in which multinational corporations threatened 'indigenous' capitalists, fought various battles over the Africanization of the transportation sector. From long and drawn-out debates over the monopoly of the UK-owned Kenya Bus Services and the East African Railways and Harbours companies to the formation of Africanized parastatals like KENATCO (Kenya Transportation Company), and the eventual controversial licensing of *matatu* owned by African entrepreneurs, Kenyan legislators were faced with a double bind. Always tacticians rather than strategists in the wake of decolonization, these politicians acknowledged the politics of indebtedness that accompanied the massive borrowings from the international financial institutes, such as the World Bank, to build modern transportation infrastructure on top of the crumbling and insufficient roads and bridges built by the colonial government. The other bind, equally political, was the social organization of African economic competition in the transport industries, regulated by government wings such as the Transport Licensing Board. This process soon put into question the loyalty of some legislators, as elected representatives, to the *wananchi* (everyday people) of their African constituencies. These two contradictory forces, huge insoluble debts and a fragmented African entrepreneurial class, made the argument for reducing road danger and improving road safety hostage to the more pragmatic priorities of capital accumulation and building infrastructure. One lasting outcome of this historical process, still in evidence today, was the infrastructural overload upon Kenyan roads and the complexities of managing ever-increasing numbers of vehicles.

As a case in point, by 1970, the dangerous competition between cars, buses, lorries and petrol tankers on Kenya's single-lane trunk roads had produced such an alarming number of fatal crashes and explosions that Members of Parliament moved to change the existing Traffic Act under a mandate to curb traffic accidents and road deaths. One outcome of parliamentary debate was a ban on the night-time movement of petrol and oil tankers, blamed for the most horrific and sensationally reported accidents. A common theme was the incineration of bystanders along the roadsides, many of whom – a pattern still prevalent today – were killed while trying to salvage spilled petrol or other fuels in buckets and jerry-cans. Ronald Ngala was the architect of the night travel ban and champion of installing speed governors and tachographs in heavy commercial vehicles. Ngala was no radical, however; he remained sympathetic to transporters and resisted the more radicalized call for a total ban on petrol and oil tankers. He invoked the spirit of Africanization by disagreeing with those opposed to any transport of flammable products by road: 'They will appreciate that this is an industry in which indigenous people have just entered, and they are making their living and helping other people in this' (KNAH 21 May 1970: 970). This night ban was officially gazetted as Legal Notice 83, The Traffic (Movement) Rules, and petrol transporters obligingly stopped their road shipments in the hours of darkness. Surprise ensued among MPs and the public when, after only a week, the ban was revoked and tankers resumed hauling their volatile liquid wares at night. Learning about the resumption of night-time petrol transport from the

newspapers, many legislators were outraged that Ngala had not consulted with his fellow parliamentarians, who had debated road safety policy and legislation for days on end. The sense of betrayal was particularly widespread amongst backbenchers of the government party (then the sole legitimate party), the Kenya African National Union (KANU). Among the weapons of 1970 legislators was the accusation of collusion with powerful capitalists. The MP from Mugirango West, G. J. Morana, was particularly outspoken, accusing the senior legislator Ngala of caving into ‘pressure from outside’, alleging that he had – as Minister for Power and Communications – ‘been induced to do something by big money’ (KNAH 29 May 1970: 1279). Pushed into an apologetic stance, Ngala argued that he had meant the ban to be ‘temporary’ and, in furthering his support for the transporters’ union, stated that in the course of a single meeting, ‘the public who own these vehicles have been very cooperative’ and that new policy directions had been taken in consultation with a range of stakeholders: the traffic police; safety experts; representatives from Ngala’s own ministry; the African Transporters’ Union; the Chamber of Commerce; the Automobile Association of Kenya; and the Office of the President. In short, this meeting at Harambee House represented all the real Speed Governors in Kenya.

As an ironic segue way into the following discussion of road death as sacrifice, Ngala’s principal legislative opponent, G. J. Morana, was killed travelling at high speed from Kakamega to his constituency in Western Kenya on 12 September 1970. Although at first the Voice of Kenya reported that he had been killed in a head-on collision with a lorry – then the most demonized vehicle on Kenyan roads after petrol tankers – it emerged in official reports that the MP had died when a speeding Criminal Investigations Department Land Rover attempted to overtake, forcing Morana – in his private car, *en route* to a government meeting on unemployment – into the path of an oncoming vehicle. Reduced in the manner of his death to a statistic in a very common Kenyan accident pattern, Morana joined a growing list of legislators killed in car crashes while criss-crossing the country, at speed, in the pursuit of their politics. In his own time, veteran politician Ronald Ngala, the first post-colonial minister to take road safety ‘seriously’, would be killed on Christmas Day, 1972, travelling at speed on the road to his home in Kilifi – an accident many to this day hold to have been an automotive assassination.

THE SACRIFICIAL WOUND

Twenty-five days before he was set to become President of the Republic of Kenya in late December 2002, Mwai Kibaki’s luxury Range Rover was torn apart in a high-speed collision with an off-duty *matatu*. The crash took place following a sudden downpour at the Machakos junction, a notorious ‘black spot’ intersection along the busy and dangerous Nairobi–Mombasa Highway. It happened at the end of an exhausting, frenetically paced campaign tour. Radio and television reports of the incident found the nation holding its breath under a pall of uncertainty.

Kenya’s future third President survived the late-night crash with lacerations to his arm and a broken femur, but two young men travelling in the mini-bus, Mutongi Musau and Mutuku Muia, were killed instantly. Others, including

Kibaki's long-term driver, were badly injured and would spend many months in Nairobi Hospital, while the future President was airlifted with the greatest expediency for emergency treatment in London. At the time of this breaking news, a murmur rippled through the population, whispering first of occult interventions and cold-blooded politics, but then, less sensationally, of the banality of road death and injury in Kenya since times past that only the elderly could vaguely determine. Conspiracy buffs had a ready-made plot: the staging of fatal road crashes has been, since colonial times, one of the principal forms of political assassination in this East African country. Moreover, people argued, hadn't Kibaki's main political ally, Raila Odinga, had a similar crash on the campaign trail not a month earlier, although he emerged unscathed?

These were heady and dramatic times, pouring fuel on the public imagination. Marking the end of twenty-four years of Daniel arap Moi's supremacy over KANU – prior to 1992 the only legal political party – the inauguration of Mwai Kibaki on 28 December 2002, as Kenya's third President, took place under the pretence of an ideological rupture, even a millennial change of guard, sparking off popular idealizations that, morally speaking, the long decades of economic and social privations experienced since 1978 would finally be redeemed by a new start. In the cathartic expression of relief and euphoria at the end of a generation's worth of KANU rule, tens of thousands of jubilant Kenyans descended upon Nairobi's Uhuru Park, that powerful public symbol of independence, to witness the pomp and ceremony of statehood usher in the unknown and untested new government.

Kibaki became President, it must be added, confined to a wheelchair. Certainly an iconic moment in his controversial two-term presidency, given his later ill-health and unabashed elitism, Kibaki's plastered left leg, held up in traction, symbolized an arduously fought political victory secured in spite of the wounds sustained. But the septuagenarian's injuries laid bare a statistical fact that ordinary Kenyans knew viscerally all too well: road crashes kill some three thousand Kenyans each year and, in addition to the existential pain inflicted on survivors mourning the loss of their loved ones, maim many thousands more. Moreover, in spite of renewed attention to the sacrifice and blood-letting of Mau Mau and civil war, hadn't an incalculable amount of blood been shed by 'sons of the soil' on Kenya roads in the name of *maendeleo* (development)? The wounds Kibaki bore physically on that momentous and poignant day were the symbolic wounds of the nation.

I witnessed Kibaki's inauguration with dozens of men in a rural bar through the flickering screen of a battered colour TV. Far from the teeming crowds at Uhuru Park, some climbing trees and lamp-posts to revel in the military and civic pageantry above a sea of human bodies, the customers at Kathee's *Makuti Place* in Mikinduri, Meru North, engaged in speculative palaver about the prospects of the coalition government – the National Alliance Rainbow Coalition – in wayfaring through the political and social legacies of Moi's long-lived autocratic regime and its sycophantic networks. Kenya's future seemed poised for something novel, yet somehow suspended in the magnitude of the situation. For many, the new Kibaki government represented a kind of break from the past, a rupture with what was wrong with Kenya and a hope that Kenyans could, in their own words, leave behind the Kenya they had, to build the Kenya they wanted. Beyond

the specific, local experiences of the 2002 campaigns in Mikinduri, which saw some violent episodes while order and quiet reigned in the nearby towns, talk over bottles of tepid beer and soda turned to questions of ending corruption among the police and civil service, the cancellation of primary school fees, the abolition of the provincial administration, the advent of overdue prison reforms, the new constitutional review, and reducing the ‘carnage’ on Kenya’s roads.

Kibaki’s wounds bring sacrifice to mind. The underlying logic of sacrifice, according to Michael Jackson, is one where giving something up to another – one’s own life at the extreme – ‘in effect places the recipient of a gift under an obligation to the giver’, an obligation ‘that one can never repay’ (Jackson 2011: 70–1). In surviving his collision at Machakos junction on 3 December 2002, where the *matatu* conductor Mutongi Musau and welder Mutuku Muia perished, Mwai Kibaki’s adjutants made arrangements for the purchase of a coffin and ordered a government Land Rover to ferry Musau’s body from the Machakos Hospital mortuary to his family’s landholding for burial. Journalists for the *East African Standard*, Mutinda Mwanzia and David Nzia, following the plight of Musau’s family seven years after the tragic incident, quoted the deceased youth’s mother: ‘No amount of material or monetary help can replace a lost son, but at least the President should have shown some concern for the bereaved families. His silence is baffling’ (Mwanzia and Nzia 2009).

The shortfall of judicial or actuarial justice among the surviving relatives of fatal road crash victims is a worldwide phenomenon. Paltry material or symbolic compensations, as witnessed by Ellen Moody’s (2006) ethnographic case study of a Salvadoran man killed by a Coca-Cola company lorry, may lead anthropologists to reformulate the logic of sacrifice as expressed above by Musau’s mother, but in the case of Kibaki’s wounds, his silence over an unpayable debt speaks to his successive governments’ failed efforts to take a morally superior stance on Kenya’s ‘road carnage’ to that taken under Daniel arap Moi. The moral dimensions of sacrifice mirror the politics of compensation in states that exercise their domination through what Michael Mann identified as infrastructural power, governance achieved institutionally ‘through’ rather than ‘over’ people (Mann 1986: 31). In Mann’s formulation of infrastructural governance, in which road safety would be a prime example, ‘reforms normatively reflect an intention to expand the scope of infrastructural power through expanding the reach of such institutions’ (*ibid.*). The sheer impossibility of compensating Musau’s bereaved mother in the aftermath of Kibaki’s crash, in this kind of analysis, reflects the moral dimensions of sacrifice as much as the failure of road safety legislation and reforms during the post-colonial period. Absent the actuarial or judicial justice usually offered through infrastructural governance, Kenyans suffering from road accidents are left with questions of moral responsibility and little hope for effective reform. This *moral* reciprocity – the obligation of Kenya’s elite to perform social and political reforms as the price to pay for receiving power – presents something of a paradox, as the same government simultaneously encourages the rapid growth of automotive capitalism, yet signs global pledges to counter road deaths and injuries (most recently, in Kenya’s commitment to the 2011–2020 UN Decade of Action for Road Safety).

Kenyan celebrities killed in road crashes, such as rapper E-Sir (Issah Mmari), who died in March 2003 returning to Nairobi after a concert in Nakuru, become martyrs for the country’s road safety lobby and its activists. They epitomize

the shedding of young, vibrant, creative blood for the *wananchi*'s sins of over-speeding, drunk driving, and recklessness. Famous survivors of crashes, like professional long-distance runner Paul Tergat, have gone on to become road safety activists themselves, attempting to 'give back' that which was almost 'taken' or has been taken from them. A current of nationalism runs through this logic of sacrifice. Yet, there is another dimension to this sacrificial logic: the annual loss of 3,000 Kenyans is seen – with some measure of cynicism – as a blood price for the cost of development, a price that while enriching the wealthy and punishing the poor takes the lives of citizens irrespective of class, albeit in disproportionate numbers (see Smith 2008). The notion of road deaths and injuries as sacrifices in Kenya has a long-standing post-colonial history. In the early 1970s, during the debates over the dangers of petrol tankers to other road users, the Nakuru MP, M. W. Mwithaga pleaded, 'We cannot sacrifice the entire population on the altar of a few individuals who profit by running these tankers' (KNAH 21 May 1970: 964). This sense of sacrifice, informed by the idealization of African Socialism then current, is linked with the sensitivities of far-reaching social and economic inequalities in Kenya, where the increasing road deaths and injuries come to be seen, firstly, as a failed moral responsibility, and only secondarily as a question of social justice. This accounts partly for why the occult is so infrequently invoked in Kenyan discussions of road wrecks. While the occult is invoked in some explanations of road crashes in Kenya, such as the 'Ghost Buses' of Mombasa Road, the wounding of prominent Kenyans, like Kibaki or Tergat, tends to be seen as a secular sacrifice with a particular political register between the haves and the have-nots, on the one hand, and the innocent and the culpable on the other.

To speak of blood sacrifice in reference to road deaths is not necessarily misplaced anthropological exoticism. With reference to two oft-cited ethnographies of road crashes as blood sacrifices in Niger and Tanzania, respectively, I attempt to render this notion of sacrifice more explicitly comparative. Adeline Masquelier's (2002) conversations with Mawri travellers along Route National 1 in Niger unveiled stories of uprooted female spirits (*doguwa*) that shape-shift into automobile-like entities crashing into oncoming automobiles, killing their occupants. One informant even described these spirits as a half-nymph, half-Dunlop tyre inspired by an old range of advertising images. Masquelier's description of the homeless and roaming spirits, displaced from their tree and rock homes by colonial road-building projects, works to reaffirm 'automotive travel as a process fraught with risky and contradictory possibilities' (Masquelier 2002: 832). The Niger example shows how experiential changes brought by roads and automobiles are linked to broader experiences of colonialism, capitalism and modernity; changes that, in their challenge to everyday life, provoke stories that tap into 'older, collective ideas about spirits and speed, power and blood, and violence and sacrifice' (2002: 846).

This is a compelling and rich argument but, as Todd Sanders argues for similar stories about spirits and buses in Tanzania, this way of interpreting such stories of blood sacrifice – of seeing them in a bad 'now' and good 'then' temporality – risks mishandling our material and, hence, succumbing to what he calls a 'seductive anthropological analytic': modernity and its speed does bad things to good people (Sanders 2008: 108). The popularity of anthropological critiques of local moral exegesis of the excessive and overbearing experience of global capitalism – from Taussigian 'devil talk' to Comaroffian

zombification – can be particularly revealing of the politics and modernity of the occult: but, as Sanders cautions, it also may blind us to some of the temporal continuities in our ethnographic material. In his work on Tanzanian stories of blood-hungry spirits in the employ of bus owners, where these spectral beings are blamed for fatal collisions on the road, the theoretical implications of situating these stories historically, as in the days of African Socialism or in more contemporary neo-liberalism, have quite significant repercussions for interpretation. Sanders's caveat of the 'seductive anthropological analytic' has further resonance in the following section on the far-from-clear moral responsibilities of vehicle owners to abide by traffic law.

In the final section below, infrastructural power is examined with reference to how private and commercial vehicle owners confront the regulatory arms of the state in Kenya's transport industries. With a focus on the highly regulated licensing authorities and, by contrast, the 'liberalized' insurance solicitors – frequently tied in with the global reinsurance giants – the following discussion examines the everyday practices of drivers and vehicle owners that inadvertently subvert aspects of the Traffic Act legislated to improve road safety. As a correlated effect of this social dynamic, such actors are also subject to the creation of inequities as a state effect of regulatory authorities, in this case the Transport Licensing Board, as well as claims for compensation or insurance that are frustrated as the result of poor record keeping and corruption among the Traffic Police.

LICENSED TO KILL?

The purchase, registration, licensing and insuring of a vehicle in Kenya is a bureaucratically bewildering, time-consuming, and patience-testing exercise. This is especially compounded when one is buying a second-hand vehicle that has remained unlicensed and uninsured for many years. In my case, the Land Rover I bought from a Kenya Wildlife Service conservation officer stationed in Marsabit was more likely a sixteenth-hand vehicle, judging by the long list of previous owners entered into its logbook dating back to 1974. My age-mate, this Land Rover provided me with a necessary mobility in the rural areas where I conducted the bulk of my fieldwork, but proved a continual source of financial drain, plain frustration, and close brushes with mechanized death. It was also one of the methodological conditions of my research that taught me most about those Kenyans whose livelihoods depended upon the constant repair of their beloved jalopies. So loved was this particular vehicle that its previous owner christened it the 'Queen Mother', a sobriquet inspired by his theory that 'the Land Rover and not the *mzungu* colonized Africa' – which, on driving some of northern Kenya's roads, is bounced into a plausible statement of fact. But whatever the affective materiality of vehicles to their owners, they are also wrapped up in a complex web of regulatory paperwork that invisibly guides the infrastructural power of the state and its commercial counterparts over vehicle owners and their operators.

I learned this most poignantly from Yusuf Horre, trucker and entrepreneur, who had been the witness to the purchase of the ageing Land Rover. Knowing the history of the vehicle since it had been used as an unlicensed and uninsured *matatu* in and around Marsabit, he cautioned me generously with a warning of what

might happen if I travelled alone to the Transport Licensing Board (TLB) to acquire a road licence:

You've got the logbook and original registration, but everything else is out of date. How can you account from 1997? Suppose there is some kind of arrears recorded against the registration number? What if it was stolen at some point? You will be liable to pay the TLB a lot of money. Perhaps you get into legal trouble. Someone will want to eat. Then what? You won't be able to insure it, let alone drive it. Let me tell you what. . . . I am going to Nairobi anyway. I know how the TLB works. I have many contacts there. I will make things a lot easier for you. (Notes: 3 February 2002, Marsabit)

Yusuf made good on his promise to assist me, a generosity that I still do not understand, an act that secured the necessary road licence and opened up the way for me to insure the vehicle in my name. But he was also very generous with his understanding of the commercial transport industry, its regulation by the state, and the ways in which owners and drivers conspire to circumvent the state's regulation of their businesses.

Yusuf's main source of income was his Leyland lorry, inherited from his father's fleet, which worked several routes from North Horr to Isiolo. For Yusuf, the key to making money in haulage was speed and, in practice, this meant seeking any means to minimize the wastage of time in dealing with bureaucracy. Coming from the north of the country, sometimes referred to as Kenya 'B' because of a widespread sentiment of its having been neglected by a succession of post-colonial governments, Yusuf could be described as operating his business at the 'margins of the state' (Das and Poole 2004), particularly since he understood quite clearly, in his words, that 'corruption is another word for getting things done through people rather than through government'. From the three weeks that I spent with Yusuf, first in getting the Land Rover back to Meru unseen by the police, then in doing mechanical repairs and paperwork, he offered a picture of Kenya's licensing authorities and insurance companies that shed much light on the subtle ways in which vehicle owners could subvert these regulatory branches of the state's infrastructural power.

Accusations of corruption within the licensing of commercial and public service vehicles have a long history in Kenya. As noted above, Kenyan legislators frequently decried the practice of Africans objecting to the issuance of more commercial licences to would-be African competitors, a challenge to the guiding principles of economic sovereignty sought through Africanization in the 1960s and 1970s. Worse still was the scandalous revelation in Parliament that Africans, some of them prominent politicians, were renting transport licences to non-citizens, especially Asians and Europeans. From the 1980s to the 1990s, it was the fury over the deregulated *matatus* and greatly increased numbers of road dead and injured that elongated national discourse on corruption within the transport industries and traffic police. Yet, in conversations with truckers like Yusuf and reading the available archival records, there are some compelling reasons to rethink the Kenyan conception of 'corruption', a catch-all term, with respect to the extra-institutional and network-oriented ways in which infrastructural power is personalized. To examine the possibilities of personalizing infrastructural power – or what has been called corruption – two very common instances of this can be brought to bear as evidence. First, there are the roadblocks erected by traffic police on major trunk roads that solicit unrecorded and illicit 'levies'

from PSV and lorry drivers; second, one can examine widespread perceptions that most insurance companies are 'bogus' in the light of failed claims to compensation among victims of road accidents.

When I travelled by *matatu*, my observations of police manning roadblocks revealed a highly systematized routine where the driver would hold a tightly-folded series of shilling notes in his fist, normally dangled just below the side-view mirror, while the officer effecting the stoppage would surreptitiously spirit the money away, before waving the vehicle to continue along its route. Occasionally, passengers would pass comment, but usually only when such acts had been spotlighted recently in the media. Whenever I drove the Land Rover, however, I was never asked for such a 'levy', and I suspect that this may have been what Kenyans call a 'colonial hangover', under the influence of which traffic police subject Asians and Europeans to a different interpretation of law. Traffic police can stop a vehicle for any suspected infringement – overloading or being unroadworthy, for example – but in general most drivers assume that such stops are in search of personal 'fast money', or 'VAT' (value added tax) as one driver I knew put it. Even the expressions used to codify these practices, such as '*Wacha watoto wasome*' (Let the children study) or '*Chakua chako mapema*' (Get yours early), speak of an underlying comic sense that views corruption, as social practice, as an inevitable and unchangeable part of Kenyan everyday life. It is a part of public culture that legislators have decried in moral and political registers since 1963 but this has always been shadowed by the priority of regulating an industry permanently on the edge of infrastructural overload.

On the question of appropriate fines for offences against the Traffic Act, Kenyan politicians have always debated the flawed logic of big fines in a country where bribery is widely practised. Accused by *wananchi* of just wanting to make money off them for traffic offences, some of them real, others invented, the government has rarely been successful in passing legislation for higher fines in the Assembly because most if not all of the politicians working there are drivers and automobile owners. The logic used by politicians to keep fines down is that more costly charges increase the 'negotiating and bargaining power for the traffic police officers' alongside traffic court clerks or other civil servants in the judiciary (KNAH 2002: 1176). Increasingly, roadside corruption is becoming more technologically sophisticated, using M-PESA for instance, a mobile-phone banking system that can exchange funds without the necessity of handing cash over at roadblocks and is considerably more difficult for internal police audits to record. But roadblocks continue to be a bane for motorists and transport workers, especially at night, when other dangers such as banditry (*ujambazi*) prevail and witnesses are few. On the question of roadblocks in 2009, one member of the Grand Coalition Government lamented:

There are so many roadblocks on the highways which are doing nothing. They are nothing but toll stations used by the police to extort money. In some parts of the country, they are so permanent that the grass has grown underneath them, yet they do nothing. (KNAH 2009: 11)

This cry, 'yet they do nothing', of course, belies the fact that such police roadblocks are amplifying salaries, which in turn, as the logic of *Wache watoto*

wasome tells us, is turned into a possibility or opportunity for a child to go to school, for an aunt's hospital bills to be cleared, or to purchase gravel for the foundations of a future house. Such possibilities aside, the regulation that takes place at such police stops shows the extent to which the state's infrastructural power is subverted and redirected to personal networks under the pretence of traffic law enforcement.

The subversion of infrastructural governance also occurs in cases of insurance claims and compensation. Take Thurania's father for example. Thurania was one of my research assistants in 1998, when I undertook an ethnographic study of the liberalization of coffee marketing in Meru District, the agriculturally productive region of central highland Kenya where the bulk of my research took place. In November 1998, Thurania's father – Daktari as we knew him – was ferrying some maize in his Datsun pick-up from Meru to Isiolo, a distance of about fifty kilometres, when a spare tyre loosely strapped to the roof of the vehicle in front of him flew off, bounced crazily on the asphalt between the two vehicles, and took one last terrifyingly sharp ascent into the air and through Daktari's windscreen. Daktari survived with a broken forearm, smashed when, in a sidelong skid, his steering wheel bucked violently. It was Daktari himself, at the hospital in Meru Town, who recounted what had happened. Supine and left in a state of intense pain, Daktari blamed the driver in front for not properly securing the spare tyre, but with some resignation knew that he would not be found to answer liability for the crash, nor would the police or insurers follow the matter up. Anyway, he reasoned, the damage to the pick-up wasn't too bad.

Many years later, on a return trip to Meru in December 2007, I ran into Thurania and asked him for his news. 'Dad died last year,' he told me, 'killed by a lorry at the Kithoka junction, you know the one, near KEMU (Kenya Methodist University).' It had proved impossible, Thurania revealed, to claim on his father's life insurance policy that was attached to his civil service pension, owing to the incomplete nature of the police incident reports. Thurania explained his problems with the documentation completed by the police:

They wrote that he was the probable offender, but when my mother requested to see the other driver's P41, the accident report, the police said she couldn't see it because the investigation was still ongoing. But mum found out from other people that knew this driver that his P41 had been doctored... he too had been found to be the probable offender. (Notes: 2 December 2007, Meru)

Further, he told me, the lorry driver was known to him by reputation and Thurania was convinced that his road licence was fraudulently obtained. In a pall of corrupted and illicit bureaucratic procedures, responsibility was found to be elusive and justice – at least to this family – utterly unattainable on either legal or moral grounds. 'This is Kenya, Mark,' Thurania sighed, 'We may have buried dad, but we haven't buried his case.' Indeed, catching up with him on another brief trip to Meru in 2008, the investigation was still pending closure, as was Thurania's grief.

Legislators in Kenya's Assembly, aware of victims' difficulties in claiming any kind of compensation, and of the judicial and actuarial exploitation that occurs, seem unable to ameliorate this system whereby moral responsibility

shifts position when it is bureaucratized, as described in Dr Misoi's statement on 24 July 1996:

Even the law courts, lawyers who deal with cases relating to claims have become exploiters of the disabled people who are trying to get something from the insurance companies and most of the times even their claims cannot be settled on time. These poor people keep on waiting for years and years when their money is deposited in some savings account or fixed deposit account so that those who have been asked to represent them can make a quick kill. (KNAH 1996: 1696)

A quick kill, indeed . . .

CONCLUSIONS

During a 2002 debate on 'road carnage' in the Kenya Assembly, Paul Muite – then Kabete MP – told an apocryphal tale of once being asked by a curious European what side of the road Kenyans drove on. 'I don't know' was Muite's nation-deprecating answer. The laughter from those attending Assembly that day speaks to the dominant perception that Kenya's roads are chaotic and beyond regulation. Bearing in mind Todd Sanders's insistence (2008) that anthropology look for historical continuities, as well as transformation, in examining processes of globalization, it is noteworthy that Kenya Assembly debates on road safety from 1963 to 2013 have been surprisingly recurrent.

One key question has been, 'Who is responsible for road safety?', but this rests on the assumption that acceleration is consistent with the political drive for economic growth. Over the half-century covered in this analysis, the desire to create a centralized National Road Safety Authority that would coordinate the work of all organizations involved in transportation has met with political opposition, chiefly from the transporters themselves, but also from within the insurance industry and the police. The Global Road Safety Commission, the World Bank and the International Monetary Fund (IMF) all promote the sovereign state as responsible for setting up road safety authorities working within the limits of the spatialized nation state. In over four decades of debate, Kenya has grown enormously in population and, with the recent consumer *perestroika* – the term is Brenda Chalfin's (2010) – occurring all across neo-liberal Africa, the speed at which transport infrastructure is being built lags well behind the sheer numbers of automobiles being imported. The situation is one of acute infrastructural overload, not dissimilar to the situation on the ground when Kenya won its political independence from Britain in 1963. Amid this swirl of recent economic demand, the urgency with which the state must manage new demands for mobility is tested in public as the measure of government's competency and the country's reputation for corruption among civil servants and police. In the Kenya Assembly, when road safety is being debated, it is also a broader series of transport- and mobility-related political issues that are addressed: infrastructural power, risk, corruption, speed, supervisory bodies, morality and, indeed, state sovereignty. It is within this wider analytic perspective that Kenyan legislators, as 'Speed Governors', must learn to centre the politics of road safety.

Speed need not remain an abstraction for ethnographers. As Daniel Miller provocatively suggests, the 'main problem with speed may be the rushing

of academics to unwarranted conclusions' (Miller 2001: 10). Part of the problem surely stems from the variability of speed, indeed the different temporalities bound up in processes we have identified as part of the cadences and trajectories of globalization. In Kenya, it would be unwarranted to suggest an ever-accelerating 'automotive' capitalism, without looking at the variable speeds that work within this country's infrastructural governance. The slowing down of injury compensation cases, the stoppage of traffic at police roadblocks, and the forensic reporting of the media following horrific high-casualty crashes all demonstrate the differing paces that regulate roads, drivers and automobiles under the auspices of the centralized state. Emerging from these contradictory temporal frames are new voices, some of which, like those of the injured, are taking on the language of social justice and human rights to express changes in the political and ethical demands of the Kenyan citizenry. Following William Connolly's exploration (2008) of differing speeds in the formation of plural democracies, I shall conclude by observing that the road safety lobby worldwide, but within Africa more specifically, is in a particularly contradictory position with regard to the current ideology of unrestrained and accelerated economic growth: demands based on 'slowing down' could, in the end analysis, prove to be an equally damning threat to democratization and the search for pluralism.

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ABSTRACT

In this article, I focus on the place of road safety in Kenyan legislative history since independence in 1963 as a way of illustrating the analytic value of speed for the anthropology of the state. Road safety, a highly visible public concern in Kenya since the 1960s, offers us a way to rethink the temporal dangers and uncertainties of automotive travel under global capitalism, but also to go further in seeking out historical continuities in Kenya's post-colonial aspirations for safer and more efficient roads. This focus on road safety takes us from Africanization, in the 1960s and 1970s, to the regulatory reforms of the 1990s and 2000s in the guise of neo-liberalism. From the vociferous complaints and debates of Kenyan politicians about imported Peugeots being dangerous to drive on Kenya's rough and sparsely tarmacked roads in 1964, to the much publicized traffic crackdown of 2003, the so-called 'Michuki Rules', road safety is a field of study ideally suited to the analysis of infrastructural power and its transformations and continuities over a four-decade period. What is of analytic interest here is the new value of speed in an East African region that has aggressively embraced automobility as a vehicle for enhancing state sovereignty in a globalized economy.

RÉSUMÉ

Dans cet article, l'auteur s'intéresse à la place de la sécurité routière dans l'histoire législative du Kenya depuis l'indépendance du pays en 1963 pour illustrer la valeur analytique de la vitesse pour l'anthropologie de l'État. Enjeu public de premier plan au Kenya depuis les années 1960, la sécurité routière offre un moyen

de repenser les incertitudes et les dangers temporels des déplacements automobiles en période de capitalisme mondial, mais également d'aller plus loin dans l'identification de continuités historiques dans les aspirations postcoloniales à des routes plus sûres et plus efficaces au Kenya. À travers le prisme de la sécurité routière, l'article nous transporte de l'africanisation des années 1960 et 1970 aux réformes réglementaires des années 1990 et 2000 sous les traits du néolibéralisme. De la virulence des plaintes et des débats des politiciens kenyans à propos de la mauvaise tenue de route des véhicules importés Peugeot sur les routes cahoteuses et peu goudronnées du Kenya en 1964, à la très médiatisée répression sur les infractions de la circulation de 2003 (appelée « Michuki Rules »), la sécurité routière est un champ d'étude qui se prête parfaitement à l'analyse du pouvoir infrastructurel et de ses transformations et continuités sur quatre décennies. D'un point de vue analytique, il est intéressant de voir ici la nouvelle valeur de la vitesse dans une région d'Afrique orientale qui a ardemment adopté l'automobilité comme véhicule de renforcement de la souveraineté d'État dans une économie globalisée.