

Development through Positive Deviance and its Implications for Economic Policy Making and Public Administration in Africa: The Case of Kenyan Agricultural Development, 1930–2005

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Summary. — Positive internal innovation has long been a central element of African agricultural development, even if modern efforts to stimulate technical, institutional, and policy innovations in African agriculture have tended to look outwards. This paper examines the role of positive deviance in Kenyan agriculture over the last 75 years to cast doubt on the alleged authoritative sources of policy advice and mandates from the outside. Positive deviance and appreciative inquiry are suggested as organizing frameworks for identifying and amplifying the generation and uptake of internal African innovations.

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Key words — Africa, Kenya, positive deviance, conditionality, agrarian development

1. INTRODUCTION

“I think that one of the reasons why the African development scene has altered, I’m afraid not for the better, especially in the field of agriculture, is that so much of the multinational development projects or whatever you like to call them, are being pushed out from the centre by people who really don’t know Africa. How the hell do you expect it to work. . .this is one of the problems that we have in the world today, including this estimable organization at which I work, that so much of this is not brought up from the grassroots, and that is why we have all the problems. It does not respect the views of the people on the ground.” A. Storrar, former Senior Agricultural Adviser, the World Bank, 1987 (quoted in Thurston, 1987, p. 137).

Positive indigenous innovation has long been a central element of African agricultural development. Indigenous knowledge literature attests to the successes of African innovators in crop breeding, pest control, natural resource management, institutional, and organizational development in both pre and postcolonial periods (Brokensha & Warren, 1980; Kuyek, 2002; Mackenzie, 1998; Ndoum, 2001; Reij &

Waters-Bayer, 2001; Warren & Titilula, 1989). Despite these successes, modern efforts to stimulate technical, institutional, organizational, and policy innovations in African agriculture have tended to look outwards, mostly driven, in the mainstream, by external forces starting with the colonial administration in the 19th century, and continuing in the postcolonial period, after a brief interlude in the early decades of independence (1960s–70s), through policy conditionality. As a recent World Bank (2006, p. 1) paper put it, African indigenous innovators are often overlooked on the basis that “the innovations and discoveries they produce are mostly incremental, meaning they do not carry high income gains.”

* I am grateful to Judith Heyer, Leah Bassell, Emma Samman, Kristin Davis, and three anonymous reviewers for their comments on early drafts of this paper, and to Hanna Wossenyeleh and Sinidu Workneh for excellent research assistance. Final revision accepted: April 10, 2006.

This paper will demonstrate that this position is seriously mistaken. Despite the relegation of indigenous/internal innovation (by mainstream/externally driven approaches) to the periphery or informal sector, it shall be shown that some of the most fundamental innovations in Kenyan agriculture over the last 75 years—private property rights in land, smallholder cultivation of commercial cash crops, contract farming, significant pressures toward market-led approaches—were pioneered and pushed into the “mainstream” (from the “fringes”) by a handful of internal innovators (here referred to us “positive deviants” see definition in Section 2) in spite of prevailing official or mainstream policy. The case studies presented here suggest that the constant turn outward in search of solutions to national problems has tended to bury possibilities and to dampen national innovation. For example, although the [World Bank \(2006\)](#) estimates that informal agriculture in Nigeria which mostly uses indigenous methods and techniques has an estimated worth of US 12 billion, it also finds an “indifference trap” where a majority of indigenous innovators no longer share potentially efficiency and productivity enhancing innovations because public policy, laws and institutions do not recognize or create a conducive environment for the uptake of their innovations.

This paper examines the role of positive deviance in Kenyan agriculture over the last 75 years to cast doubt on the alleged authoritative sources of policy advice and mandates from the outside. It shall be shown that positive national innovation does not require external ideas, aid, or “technocratic” approaches. Innovative ideas can come from a wide spectrum of stakeholders—the key challenge lies in the early recognition of such efforts by public authorities and institutions, and in building effective coalitions to mobilize for their development and uptake. Section 3 shows that positively deviant smallholders, agricultural, and administration field officers were instrumental in the formulation and implementation of the Swynnerton Plan (1954–59), making a generational impact on postcolonial Kenya’s agrarian development through fundamental institutional, organizational, technical, and policy innovations. At firm level, Section 4 credits positively deviant farmers and members of staff of the Kenya Tea Development Agency (KTDA) with the transformation of the organization from a vulnerable, top-down, and authoritarian public corporation catering for few thousand small-

holders in the early 1960s into a lucrative multi-million dollar private enterprise fully owned and managed by over 300,000 smallholder farmers at the beginning of the 21st century, while Section 5 demonstrates that positive deviance among smallholders and elements within the bureaucracy played significant roles in the pursuit of potentially more efficient and equitable organizational, institutional, and policy arrangements in the sugar sub-sector throughout the Kenyatta and Moi regimes. These case studies will also show that positive deviance in Kenyan agriculture was constrained by a number of factors, most notably, policy conditionality, internal political constraints, and interest group pressures. This paper suggests positive deviance and appreciative inquiry approaches as organizing frameworks for identifying and amplifying the work of African innovators, thereby solving the problem of “indifference trap.”

(a) *Why Kenyan agriculture?*

Many African governments briefly attempted homegrown¹ solutions to their development problems during the early postcolonial period before being forced by policy conditionality to cede this role to external agents/cies from the early 1980s. This came about amidst claims that governments were part of the development problem rather than its solution ([Bhagwati, 1982](#); [Datta-Chaudhuri, 1990](#); [Krueger, 1990](#)). Limitations of “before and after” evaluations of the impact of Structural Adjustment Programs (SAPs) notwithstanding ([Sahn, 1996](#)), externally imposed solutions have in many cases fared no better than preceding homegrown ones ([Cornia, Jolly, & Stewart, 1987](#); [Ghai, 1991](#); [Kohsaka, 2004](#)). Paradoxically, countries like Mauritius and Botswana² that refrained from much foreign aid and advice have emerged as two of Africa’s most successful economies and democracies (see for instance, [Subramanian & Roy, 2001](#); [UNDP, 2003](#)). This should not be totally surprising as some of the global economic miracles of the last century—the “East Asian Tigers” also underwent economic transformation by largely ignoring “mainstream” development policy advice ([Amsden, 1989](#); [Chang, 1993](#); [Rodrik, 2001](#)).

Kenya presents an interesting case for different reasons. Its economy grew much faster under homegrown institutional, organizational, and policy innovations (embedded in “African Socialism” in the 1960s and early 1970s), some

of which were borrowed from, if not similar in principle, to the Swynnerton Plan (Ochieng, 2005). This is despite the fact that as far as the country was concerned, SAPs constituted, to a large extent, the amplification of many policies already pursued, if half-heartedly or disparately, across sectors of the economy (Husain & Faruqee, 1994; Mosley, Harrington, & Toye, 1991; Swamy, 1994). Until the early 1980s, Kenya's agricultural sector was regarded as constituting a successful "development model," distinguished by the prominent role that smallholders played in both commercial agriculture and national economic policy making (Bates, 1981, 1989; Lele, 1989; Lofchie, 1989; Orvis, 1997). The country's overall economic growth averaged 6.4% per annum from 1965 to 1980 (Orvis, 1997, p. 6).³ The annual average increase in agricultural production was 6.2% from 1965 to 1973 and 3.5% from 1973 to 1984, compared to 2.6% (1965–73) and 1.4% (1973–84) for sub-Saharan Africa as a whole (Bates, 1989, p. 1; Holmquist, 2001, p. 3).

Against a background of changing domestic and international political and economic conditions, coupled with SAPs, the country's economy and agricultural sector went into a period of general decline from the early 1980s onwards. The annual average rate of agricultural growth slowed to 1.1% in the period 1990–2000, while economic growth declined steadily throughout the 1980s to reach a low rate of 1.9% in the period 1990–2001 (Republic of Kenya, Economic Survey, various). The good performance in the 1960s and early 1970s can of course be attributed to a number of factors including more favorable initial conditions (Heyer, Maitha, & Senga, 1976). (A detailed examination of Kenya's (early) "exceptionalism" is beyond the scope of this paper.) This paper traces and evaluates the impact of positive deviance in Kenya's agriculture to show that conditionality was neither a necessary nor a sufficient condition for innovations in Kenyan agriculture; internal innovation can be as high yielding or even a more fruitful source of innovation than that induced through conditionality.

(b) *Choice of the case studies: the KTDA and Mumias Sugar Company (MSC)*

Kenya has one of the most extensive contract farming schemes in sub-Saharan Africa covering over a million farming households involved in the contract production of such diverse crops

as tea, sugar, coffee, tobacco, flowers, fruits, and vegetables (Glover & Kusterer, 1990; HCDA, 2002; Jaffee, 1994; KSB, 2002; KTDA, 2002; Republic of Kenya, Economic Survey, 2004; Watts & Little, 1994). Coffee, tea, and sugar constitute the biggest contract schemes, involving nearly 600,000, 360,000, and 100,000 smallholders, respectively (Republic of Kenya, Economic Survey, 2004). Overall, smallholders (with a national average farm size under 2.5 ha) remain the largest producers of key agricultural commodities in Kenya, accounting for 70% of total marketed agricultural production and close to 75% of the total area under the two (long time) leading export crops, tea, and coffee (horticulture having overtaken coffee as the second largest foreign exchange earning cash crop in the late 1990s, Republic of Kenya, Economic Survey, 2004). If agriculture has been integral to the Kenyan developmental model, contract farming has been at the heart of Kenyan agriculture, facilitating smallholder participation in the commercial production of high-value cash crops.

The KTDA and the Mumias Sugar Company (henceforth, Mumias or MSC) schemes were selected because the tea and sugar sub-sectors have striking similarities and contrasts in terms of modes of production, marketing, socio-political and technical characteristics, policy conditionality, internal political dynamics, and shifting historical fortunes of the crops, growers, agribusiness, and the state. Tea is Kenya's largest foreign exchange earner, accounting for over 20% of the country's foreign exchange earnings (Republic of Kenya, Economic Survey, 2004). The KTDA, with 360,000 smallholder farmers distributed across five provinces, accounted for 60% of all tea produced in Kenya, and provided direct and indirect employment to some 2 million people in 2001 (TBK, 2002). Plantation or estate tea companies and the Nyayo Tea Zone Development Authority, accounted for the remaining 40%. The country is the second largest tea exporter in the world, accounting for 18% of global tea exports (TBK, 2002). In contrast, Kenya is a sugar-deficit country, importing a third of its annual sugar consumption (Republic of Kenya, Economic Survey, 2004), the commodity having long been one of the largest items, by value, of Kenya's imports (Central Bureau of Statistics, various). Sugarcane is mainly grown in the Western and Nyanza provinces of Kenya, where it was the main source of livelihood for over

100,000 smallholder farmers, directly employed 35,000 people and indirectly supported another 3 million in 2001 (KSB, 2002). It also played a major import-substitution role, and generated substantial revenues to the exchequer, accounting for 28% of the government's excise revenue in 2000 (KSB, 2002). Sugar was the fourth largest contributor to the agricultural GDP after tea, horticulture, and coffee, in that order, in 2001 (Republic of Kenya, Economic Survey, 2002).

Prior to independence in 1963, both tea and sugar were grown as plantation crops, with little or no African participation (there was little European participation in the sugar industry either before or after colonialism, with its preindependence production largely in the hands of Kenya Asians). The postcolonial government sought to address this situation by creating state companies to oversee the production and marketing of these commodities, and by placing emphasis on the participation of smallholders through contract farming. The KTDA was founded under the Agriculture Act (Cap.118) in 1964 to promote the development of smallholder tea, while the Kenya Sugar Authority (KSA) was founded under the same Act in 1973 to act as an advisory body to the government on the development of a smallholder-based sugar industry. Mumias was founded in 1973, as the first smallholder sugar contract farming scheme in Kenya. It is now the largest sugar producer in Kenya, producing 200,000 tonnes of sugar annually and accounting for 50% of all sugar produced in Kenya (KSA, 2001). It has a production contract with 65,000 smallholders.

Initially, both the KTDA and Mumias were government parastatals with multi-partite arrangements involving either the World Bank and/or the CDC (Commonwealth Development Corporation) among other partners. Both have since been privatized (KTDA in 2000; Mumias in 2002) with the KTDA being wholly farmer owned and managed and Mumias retaining significant government shareholding and management control. Although both the KTDA and the KSA were established under the same legislation and have more or less similar histories, the rules governing management, production and trade as well as policy, technical, organizational, and institutional innovations in the two schemes have been markedly different. Tea is produced primarily for export while sugar is produced primarily for the domestic market. The market determined tea

prices from the outset of the smallholder scheme, whereas until the mid-1990s the state set both producer and consumer prices for sugar. As will be shown in the following sections, smallholders in the tea sub-sector have often played instrumental roles in innovations within the KTDA, whereas innovative activities by smallholders in the sugar sub-sector have been severely restricted (for detailed contrasts, see, Lamb & Mueller, 1982; Leonard, 1991 (in the case of KTDA); Ministry of Agriculture, 1982, 2003; Ochieng, 2005 (for both cases); Odada, 1987 (in the case of Mumias/sugar); Steeves, 1975; Watts & Little, 1994).

Finally, the two schemes are located in different geographical/political locations of Kenya. Tea is grown in 28 districts in five provinces across the country, including in Central and Rift Valley provinces which have thus far produced Kenya's presidents. Sugar, on the other hand is grown in Western and Nyanza (and formerly Coast) provinces which have constituted the bedrock of opposition politics in Kenya. Both tea and sugar are considered "political" crops in Kenya, tea for nationalist reasons (the earlier colonial prohibition) and its contribution to the GDP and foreign exchange earnings, sugar due to its popularity with the masses (for consumption).

Despite these similarities and differences, the following discussions will show that positive deviance was present in both tea and sugar schemes. However, the propensity for its uptake or lack thereof was dependent on a complex mix of factors, which included: historical circumstances (colonialism), a national political system characterized by patron-client politics based on an ideology of ethnic competition, interest group pressures (agribusiness bias), and policy conditionality.

2. POSITIVE DEVIANCE AND APPRECIATIVE INQUIRY AS ECONOMIC POLICY MAKING AND PUBLIC ADMINISTRATION INTERVENTIONS

Positive deviance has been defined variously in sociology and organizational studies (Cameron, Dutton, & Quinn, 2003; Clinard & Meier, 2001; Dodge, 1985; Goode, 1991; Heckert, 1998; Mathews & Wacker, 2002; Meyerson, 2004; Robinson & Bennett, 1995; Sagarin, 1975; Spreitzer & Sonenshein, 2004). Here it is defined as intentional behavior that significantly

departs from the norms of a referent group (in honorable ways) to create social, technical, institutional, organizational, and policy innovations, whether embraced and amplified by the referent group or not. Referent group can be organizational, industry, and business practice norms (Elangovan & Shapiro, 1998; Spreitzer & Sonenshein, 2004) or in the global context, country, or regional norms.

One of the widely cited examples of positive deviance in development and organizational studies literature is *Save the Children's* work on malnutrition in Vietnam in the 1990s. Working with Vietnamese communities in which child malnutrition was the norm and in which all families shared the same resources, socioeconomic status, and constraints, *Save the Children* discovered that a small group of families was able to nourish their children nonetheless. The key to this anomaly lay in positive deviance. Mothers in this small group supplemented their children's diet with tiny shrimps collected from rice paddies and with greens from sweet potato tops. These foods were available for free for everyone but conventional opinion held that they were unsuitable for young children. Rather than introduce external "solutions" to the malnutrition problem, *Save the Children* opted to amplify the "positive deviance" exhibited by this small group of families. The result was that between 1991 and 1999, 250 communities had rehabilitated about 50,000 malnourished children in Vietnam (HP Labs, 2005). Since then, positive deviance has been used to tackle "female genital mutilation" in Egypt and to promote corporate social responsibility in companies such as Hewlett-Packard and Shell (HP Labs, 2005; Meyerson, 2004).

These examples highlight the basic assumption underlying positive deviance: that in communities and organizations across the world, there are a few individuals whose deviation from the norms generate innovative solutions to their local problems despite the fact that they face similar resource constraints as their immediate neighbors. This might appear obvious but it has huge implications for development policy and practice in Africa. For instance, it implies that the resources needed for development (financial as well as intellectual) may already exist within African organizations and institutions. As these (resources and "solutions") are locally owned, they are potentially more sustainable than externally driven solutions which are often backed up by external resources (aid and policy conditionality).

Conditionality oriented economic policy making often start by asking the question: What is wrong with this country, institution, or organization and how can it be fixed? Invariably such reform measures look outwards rather than inwards for solutions. They seldom start by asking the question: what is right within this country, institution, or organization and how can it be amplified for greater effect? This is the positive deviance and appreciative inquiry approach. Appreciative inquiry rests on two fundamental assumptions: (1) inquiry and intervention/change are simultaneous moments and (2) in every society or organization something works (Bushe, 1995; Cooperrider & Srivasta, 1987; Cooperrider, 1990). It can be used as a methodology for identifying and amplifying positive deviance. While traditional organizational management methods start by identifying problems with a view to fixing them, appreciative inquiry begins by identifying what works with a view to amplifying it for a greater success. The following sections examine the role of positive deviance in key institutional, organizational, and policy innovations in Kenyan agriculture over the last 75 years with a view to demonstrating that (1) indigenous/internal positive innovation can yield high returns and (2) policy conditionality is neither a necessary nor a sufficient condition for national innovation; on the contrary, sometimes it threatens or delays such innovation.

3. THE EVOLUTION OF THE SWYNNERTON PLAN: 1930S–53: POSITIVE DEVIANCE IN THE KENYA COLONY AND THE FOUNDATION OF POSTCOLONIAL KENYA'S AGRICULTURAL INNOVATION SYSTEM

The Swynnerton Plan (1954–59) is much celebrated as the foundation of agricultural policy making and innovation in postcolonial Kenya's agrarian development (Bates, 1989; Hebinck, 1998; Holmquist, 2001; Lofchie, 1989; Wanjala, 2000). It facilitated the co-evolution of institutions, organizations, and policies that were instrumental in the development of commercial smallholder agriculture in postcolonial Kenya. These include: private property rights in land, contract farming, and state and market support of the African commoditization process through agricultural research institutes, credit schemes, and preferential policies for certain

crops (Bates, 1989; Hebinck, 1998; Holmquist, 2001; Lofchie, 1989; Wanjala, 2000). While much has been written about the Plan and its impact on postcolonial Kenyan agriculture, relatively little is known about its evolution, especially the role that a few “positive deviants” in the Colonial Administration and Agricultural Service played in its formulation and implementation. How did the innovative ideas embedded in the Plan move from the “fringes” of colonial policy making and delivery into the mainstream of agricultural policy making and delivery in late colonial and postcolonial Kenya? This section traces the trajectory of ideas embedded in the Plan from the “fringes” (1930s–53) into the “mainstream” where they were accepted, implemented, and celebrated (1954–2004).

The “Plan to Intensify the Development of African Agriculture in Kenya” or the Swynnerton Plan (for short) was formulated in reaction to the Mau Mau war for independence (1952–56). It had twin political and economic objectives: to ensure political stability by creating a class of yeomen African farmers whose prosperity would not only lead to allegiance and support for the status quo, but would also absorb potentially rebellious or radical landless Africans as wage laborers (Thurston, 1987). Prior to the Plan, Africans were prohibited from cultivating high-value commercial cash crops such as coffee, tea, and pyrethrum. But the Plan went beyond the simple legalization of African production of high-value cash crops to seek two fundamental objectives: (1) to promote African commodity production by providing administrative and technological services such as agricultural research institutes, processing facilities and marketing boards, and credit schemes, for which private land would serve as collateral, and (2) to promote the establishment of private property rights in land which was viewed as a means of internalising the benefits of innovative activities, providing economic incentives for productivity increases in agriculture, and solving what was regarded as chronic and costly litigation arising out of the customary land tenure system (Hebinck, 1998). In effect, the Plan sought to establish both market and state support for the commercialization of African agriculture.

This had two far-reaching consequences: it broke the monopoly of white settlers over commercial agriculture and extended the politico-economic structure of agrarian institutions and organizations that had served white settler

agriculture into African commodity production. Although the Plan only lasted five years (1954–59), after its expiry, the colonial and later the postcolonial states continued to pursue policies and principles embedded within it, especially, the notion of private property rights in land, and the principle of extending market and state control over the African commoditization process. Ideas embedded in the Plan, for example, led to the creation of public corporations, such as the KTDA and Mumias Sugar Company. The Plan laid the foundation for technical (research institutes), institutional (private property rights in land, contract farming), organizational (public–private partnerships—multi-partite arrangements involving the state, private sector, international development agencies and smallholder farmers), and policy (mixed economy) innovations in postcolonial Kenyan agriculture (Ochieng, 2005).

Although bearing the name of its lead author, Roger Swynnerton, then Assistant Director for Field Services in the Colonial Department of Agriculture, the Plan was distilled and amplified from the collective innovations of “positively deviant” agricultural field and administration officers in Central Province dating back to at least the 1930s.

The Plan was drawn up in response to a crisis in land use in Central Province which stemmed from political decisions taken earlier in the century about land tenure and forms of production as well as from increasing pressures on peasant producers after the Second World War when real wages fell and households became poorer. However, while sanctioned in London and Nairobi, the content and the implementation of the Plan were controlled in the field by the Provincial Administration and the Agricultural Service. For all that London and Nairobi may have believed that they controlled development, its course was to a large measure determined by the field officers and was dependent upon the level of local collaboration they managed to achieve (Thurston, 1987, p. 1).

The early 1930s marked the beginning of “positive deviance” among a few agricultural and administrative field officers in the Colonial Provincial Administration and Agricultural Service that would be amplified in the mid-1950s as an integral part of the Swynnerton Plan. This intensification was to be achieved through three critical innovations, all pioneered by positive deviants within the Colonial Provincial and Agricultural Service: individual land tenure, African cultivation of cash crops, and state and market support for the African

commoditization process. The Colonial Provincial Administration had been seeking solutions to the deteriorating land use in Central Province since at least 1930 when the Agriculture Department began taking agricultural services to African areas more seriously. This followed the Great Depression and subsequent fall in world prices which undermined the viability of settler export crops (Anderson & Throup, 1985; Spencer, 1980; Von Zwanenberg, 1974). Minor instances of positive deviance that would culminate in the three critical innovations above, began to emerge from this point onward.

Firstly, this period was marked by the positively deviant Governorship of Sir Joseph Byrne (1931–37). Byrne was more receptive to African agricultural development and less influenced by the settlers than his predecessors (Talbot, 1975). Consequently, his Native Chief Commissioner and Director of Agriculture emphasized the need for increased African agricultural production. His Governorship also oversaw the establishment of the Carter Land Commission (1932–33) to study the land situation in the colony (pressure on communal land tenure systems as a result of population growth and alienation of African land was leading to *inter alia* land degradation and low agricultural productivity), with a view to resolving the land question (arising from the alienation). Despite the relative positive deviance of Joseph Byrne, the colonial administration remained conservative and conventional in its agricultural policy making and delivery in the African areas. For instance, despite the fact that the Carter Land Commission noted that the concept of individual land tenure was emerging among some Kenyan communities (especially the Kikuyu), the colonial administration reaffirmed both that Africans had enough land and that the communal land tenure system was efficient (Thurston, 1987).

Agricultural and administration field officers had been heavily involved in the Carter Land Commission and while the Commission recommended no tangible solutions to the pressure emanating from the alienation of African land, it did recommend adoption of better farming methods and consolidation of fragmented holdings. These recommendations were ignored by the colonial government but positive deviance by some agricultural field and administration officers that would later lay the basis for the intensification of African agriculture through the institution of private property rights to land

and cultivation of cash crops was initiated during this period. Three people exemplify this: Colin Maher, Jack Benton, and Chief Muhoya Kagumba. Colin Maher was an Agricultural Officer passionate about studying soil erosion in the African areas. Like many Agricultural Officers in Central Province, he was convinced that by the 1930s steady population growth was undermining the logical basis of the communal land tenure system and that the technical solution to this lay in land consolidation and African cultivation of cash crops. But there was little he or any of his colleagues could do.

As early as 1932 and repeatedly throughout the 1930s departmental reports lamented that the officers could do no more than assist by advice and propaganda for land consolidation and the smallholding system as the basis for intensified production and soil conservation. The bringing of a change in attitudes that would allow alteration in native custom... was the responsibility of the Administration. (Thurston, 1987, p. 17.)

Rather than adopting the strategy of intensifying land use by developing smallholdings and gradually introducing cash crops from this period, as many Agricultural Officers like Maher advised, the colonial administration reaffirmed the development of the communal approach to agriculture, including an emphasis on traditional forms of cooperation such as communal cultivation (Throup, 1983; Thurston, 1987, p. 17). This drive to entrench communalism was not well received by the African population (Colony & Protectorate of Kenya, 1948). The government's imposition of communalism increased disparities, intensified competition, and negated development efforts, especially in the Central Province (Thurston, 1987, p. 25). Kikuyu society had never been the harmonious non-competitive communal state which the colonial government idealized (Cowen, 1976). An indigenous class of capitalists was already well established in Kikuyuland by this time (Cowen, 1976).

Not surprisingly, by 1947 the mainstream efforts to promote rural African development had failed. The colonial government was forced to embrace although not amplify at this time (the late 1940s) some innovative activities and ideas that had been preached or practiced by a few positive deviants in the Colonial Administration and Agricultural Service. In August 1947, Trevor Moon, Provincial Agricultural Officer Central Province, conceded that the future of intensely populated African areas lay in

the establishment of higher priced, permanent or semi-permanent crops, and not in low-priced crops such as maize. In the same year, the Director of Agriculture announced that the coffee industry had withdrawn its objection to African coffee growing provided it was adequately supervised and not grown too close to settler coffee (KNA, 1947). Two years later, the Tea Growers Association made a similar announcement.

While the Government had been pushing through with communalism and prohibiting African cultivation of high-value cash crops, a few (positively deviant) agricultural and administrative officers had been so passionate about introducing individual land tenure in African areas and allowing African smallholders to cultivate cash crops that they had taken a number of “fringe” steps in this regard. One of these was Jack Benton, Agricultural Officer in Meru from the 1930s. He was singularly responsible for the technical innovations (farm and factory standards and procedures) that were to become the basis of Kenya’s smallholder coffee industry (Thurston, 1987, p. 12). Through trial and error he had developed the basic husbandry practices, factory design, and organizational structures (grower societies) needed for smallholder coffee production by 1947. As then Assistant Agricultural Officer in Meru Victor Burke recalled: “One expects development of this sort to be the result of central policy, but in fact I think that the development of coffee in that district was done almost in spite of official policy in the early days” (quoted in Thurston, 1987, p. 36).

As these agricultural field officers moved into cash crops policy, they relied heavily on positively deviant administration officers. Kisii District Commissioner Clarence Buxton, for instance, persistently pressured the administration to allow African cultivation of coffee so that when experimental coffee schemes were authorized, Kisii was selected as one of the few pilot districts. But positive deviance in land tenure and African cultivation of cash crops was not only limited to elements within the Colonial Civil Service. African smallholders played a critical role too. Preliminary efforts at land consolidation had commenced in the 1940s although the Administration and Agricultural officers could not agree on the kind of land tenure reform to pursue. The latter supported granting of secure titles to progressive farmers so that they could consolidate, access credit and develop their land, while the former

opposed proposals that would foster individual ownership and undermine community rights (Sorrenson, 1967). Chief Muhoya Kagumba set a notable example in Nyeri during this bureaucratic stalemate. From 1945 onwards, he initiated a process of measuring and reallocating fragments of consolidated holdings and succeeded in establishing a progressive farm on his consolidated holdings; an exact copy of a nearby European farm. The colonial authorities rewarded his efforts by allowing him to become the first African in the area to be allowed to keep grade cattle. This enhanced his economic and social standing and his efforts were quickly imitated and replicated by others in the area. By 1952, there were over 60 farmers operating smaller consolidated holdings in the area (Thurston, 1987).

This was the path of deviance that led to the Swynnerton Plan. Roger Swynnerton, a career field officer, arrived in Kenya in 1951⁴ as Assistant Director for Field Services. When in 1953 he was tasked to design an agricultural development program in African areas, he focused on amplifying internal innovations. “An experienced field officer, he knew that its success depended upon integrating the thinking and experimentation of the previous 20 years” (Thurston, 1987, p. 73). In his own words: “My role was therefore, to act as a catalyst to draw the evolving situation into a coherent plan” (in Thurston, 1987, p. 73). He made numerous field visits and conducted extensive consultations with provincial, district and agricultural field, and administrative officers. Consequently, the Plan became the amplification of policy in the field pioneered by positive deviants rather than an imposition from the top. “I think the good thing about the Swynnerton Plan was that it really did derive from district experience. Prior to the Swynnerton Plan, directors in Nairobi had a concept of fieldwork which was entirely out of date. They didn’t understand what was happening in the districts but Swynnerton...did... Where people knew what they were doing they were enabled to get on with their own thing instead of having a pattern imposed from the top” (Victor Burke, Agricultural Officer Central Province, in Thurston, 1987, p. 80).

The fundamental elements of the Swynnerton Plan such as private property rights in land, African cultivation of cash crops and state intervention in the African commoditization process were simply the amplification of ideas, organizational, and institutional mechanisms

pioneered and piloted by positive deviants in the Administration and Agricultural Services over a period extending 20 years. This amplification rather than the introduction of “new” policies greatly facilitated the implementation of the Plan as the people who had initiated many of its central tenets were the same ones charged with its implementation. “I think virtually every one of us who had to do with it might have written it somewhat differently ourselves, but basically I don’t think we had any quarrel with the Swynnerton Plan. . . From its inception until 1961 every officer worked at full tilt 7 days a week and all day to make the best of the chance” (Leslie Brown, Chief Agriculturalist, Kenya Colony (early 1960s) in Thurston, 1987, p. 81).

The foregoing discussion demonstrates that despite rather authoritarian colonial structures and policies, a few colonial bureaucrats and African smallholder farmers took the risks and deviated from “mainstream” norms and policies to experiment with local solutions to local problems. As Thurston (1987) has argued, these small-scale local solutions did not solve national problems but when they were drawn together and amplified to form the core of national policy, the result was the modern foundation of a national agricultural innovation system in Kenya, a system that partly explains Kenya’s “exceptionalism” in terms of African agricultural policy making and delivery at least in the 1960s and 1970s (Ochieng, 2005). The successes of the ideas embedded in the Plan are perhaps best exemplified by one of its monumental creations, itself home to positive deviance in Kenyan agriculture—the KTDA.

4. THE KTDA: THE EMBODIMENT OF POSITIVE DEVIANCE IN POSTCOLONIAL KENYAN AGRICULTURE

The KTDA exemplifies both the successes of the Swynnerton Plan and positive deviance in postcolonial Kenyan agriculture. It was founded as a direct result of the Plan. It embodied the Plan’s key institutional, organizational, and policy innovations: private property rights in land, contract farming, and state and market support of the African smallholder commoditization process. The latter was done through the declaration of tea as a special crop which bestowed upon it preferential treatment⁵ (Ochieng, 2005).

Many of KTDA’s successes are due to positive deviance and are best understood within a historical context. In 1964, 19,000 smallholders cultivating 4,700 ha of tea in 11 districts produced about 2.8 million kilos of green leaf annually. In 2002, 360,000 smallholders grew tea under the KTDA on 85,000 ha of land spawning 28 districts and produced 700 million kilos of green leaf (TBK, 2002). Prior to the establishment of the KTDA (it was initially founded as the Special Crops Development Authority (SCDA) in 1962, changing its name to KTDA in 1964) tea had never been successfully produced on smallholdings anywhere in the world. Many people, including top officials of the Tea Board of Kenya and multinational tea companies, were initially skeptical of KTDA’s viability. In fact, the World Bank initially refused to fund the project on feasibility grounds (Leonard, 1991; Steeves, 1975). It took the commitment of positive deviants to get the scheme started. The technical innovations required for the success of the smallholder tea project were largely developed by Graham Gamble who took over as Provincial Agricultural Officer, Central Province in 1956 (Thurston, 1987). A former officer in India and Sri Lanka where he had observed that smallholder tea could never succeed without strict supervision, Gamble was determined to see the smallholder project succeed in Kenya. After much controversy within the Agriculture Department, his insistence that the smallholder project should be based on high-quality tea grown under carefully supervised conditions (as opposed to homegrown or “sun-dried” tea which required no processing) became the standard for smallholder tea in Kenya.

In 1956, when he took over as Provincial Agricultural Officer in Central Province, there were only 691 acres of tea concentrated in Nyeri and Embu districts. He gradually pushed smallholder tea out to all the districts in the Province and his efforts were rewarded at the end of the decade when Roger Swynnerton convinced the then Colonial Development Corporation (CDC, later changed to the Commonwealth Development Corporation) to loan the smallholder project money to put up tea processing factories (Thurston, 1987). Swynnerton’s presence as CDC Agricultural Adviser two years later would finally convince the World Bank to fund the smallholder project, leading to the famous World Bank–KTDA–CDC Supervision Agreement of 1964 (see below). The type of industrial organization adopted (contract farm-

ing) was determined by economic and political concerns: smallholders lacked the financial, technical, and managerial capacity to effectively cultivate, process, and market tea on their own, the context of land scarcity under which the program was initiated meant that the capacity for further large-scale/plantation expansion of tea cultivation (that would effectively restrict tea production to foreign multinationals) was politically unpalatable.⁶ Others (Leonard, 1991) have argued, however, that the organizational design chosen reflected the lack of faith in the workings of the market and the belief that African peasants were not sufficiently responsive to market conditions to generate factor and product linkages that would be required for the project to succeed. Those who held this view would be proven wrong by positive deviance among smallholders.

In 1958, smallholder African tea was sold at the Nairobi tea auction and fetched among the highest prices in Kenya (Thurston, 1987, p. 123). Since then, Kenyan tea has consistently fetched the highest prices in the world tea market primarily as a result of smallholder tea. For instance, in 1954 (before large-scale smallholder tea production), Kenyan tea commanded prices 14% below the average London auction price, by 1971 as smallholder production caught up with estate production, Kenyan teas commanded prices 6% above the London average and this leadership in quality has been more or less maintained to date⁷ (Leonard, 1991, p. 125; *Licht's World Tea Monthly*, various). Gamble's faith in smallholders' ability to produce high quality tea, under adequate supervision had paid off. It succeeded in part because smallholders also had faith in themselves. By the early 1960s, smallholder determination to produce high quality tea and coffee was such that "most European officers felt they were no longer pushing out ideas and standards; in large measure the people had seen the benefits and were doing it themselves...locally elected officials of coffee and tea societies were monitoring standards and tended to refuse licenses if holdings were not properly prepared...and would not permit inferior harvests to be processed" (Thurston, 1987, p. 128). This did not however stop the World Bank and the CDC from imposing conditionality measures allegedly to assure the quality of smallholder tea. As argued below, this constrained rather than enhanced institutional, organizational, and policy innovations in the smallholder tea project.

(a) *The World Bank–CDC Supervision Agreement of 1964 and its impact on positive deviance within the KTDA*

During the early postcolonial period (1963–75), the KTDA was a project of international capital. The CDC held at least 50% shares in the early KTDA factory companies (autonomous companies, by law owned and managed by, or on behalf of, the KTDA) and the KTDA held the other half (KTDA Annual Reports, various). The Government of Kenya guaranteed foreign loans but did not hold any shares in the KTDA or its factory companies. The multinational companies assisted with the construction of KTDA factory companies in the 1960s and 1970s, and provided expertise on tea cultivation and manufacturing. They also acted as management agents for KTDA factory companies until 1977 (Etherington, 1973; Stern, 1972). The KTDA was thus no more than an extension and leaf collection service. Its manufacturing and marketing tasks were being undertaken on its behalf by its management agents, Brooke Bond Liebig and George Williamson, while the World Bank and the CDC held wide powers over policy and recruitment of staff (Dinham & Hines, 1983; Swainson, 1978, 1980).

The powers of the World Bank and the CDC were underpinned by the 1964 Supervision Agreement signed between the Kenya Government, the World Bank, the CDC, and the KTDA. This Agreement, a by-product of the 1964 World Bank–CDC–KTDA–Government of Kenya Loan Agreement, gave the World Bank and the CDC wide powers in the running of the KTDA as reflected in the KTDA Order of 1964—the law establishing the Agency. Among others, senior management changes, changes in levies charged on growers, alterations in the managing agency contracts between the KTDA and multinational tea companies, and any change of more than 10% in the planting program needed the Bank's and the CDC's agreement (Ochieng, 2005, pp. 124–160; Steeves, 1975, p. 145).

Many of the conditions embedded in the Supervision Agreement were superfluous. The husbandry techniques that they sought to underpin had been developed by positive deviants such as Graham Gamble as aforementioned. However, the conditionalities provided the context within which positive deviance by a few field officers, smallholders, and senior management staff occurred and was constrained

during the early postcolonial period (1963–75). Innovations emerging out of this positive deviance include: grower representation or agency, development orientation of the scheme, and KTDA's vertical integration or move to process and market its own tea. Three episodes will illustrate these: the evolution of grower representation; the "illegal" tea planting scheme of the 1960s; and KTDA's move into manufacturing and marketing of its own teas in the late 1970s. These were acts of positive deviance that would later be amplified at different points in time, ultimately transforming the KTDA into the world's largest tea corporation, fully owned and managed by smallholders.

(b) *Preserving KTDA's development objectives*

From the outset, the KTDA had been designed to ensure effective control of smallholders through monopsony and monopoly powers. It was the only legal source of planting material and the only legal buyer of smallholder green leaf. It determined who could grow tea, where it could be grown, under what husbandry practices, and what levies were to be charged. It was empowered to inspect, grade, accept, or reject green leaf (Etherington, 1973; Lamb & Mueller, 1982; Ongile, 1999; Stern, 1972). Farmers supplied land and labor and followed husbandry techniques as advised by KTDA's extension officers. It was not until liberalization in the mid-1990s, and privatization in 2000, that many of these controls were substantially relaxed. The Working Party that recommended the formation of the KTDA had argued that this degree of control was necessary in order to secure low production and processing costs, and high tea prices, which would secure the economic and financial viability of the smallholder project (*Colony & Protectorate of Kenya*, 1960).

From 1960 through until 1963, the SCDA adopted as its general social development ideology the creation of African agrarian "middle peasants" in the tea sector (Steeves, 1975, 1978). Almost anyone willing to participate in the smallholder project could do so (Steeves, 1975, 1978). A widely accessible credit scheme, low initial deposits and minimum-starting requirements facilitated entry.⁸ However, with the shift from the SCDA to the KTDA in 1964, the Agency came under pressure from its lenders, the World Bank and the CDC, and its managing agents (Brooke Bond Liebig, James Finlay, and George Williamson), to put a pre-

mium on commercial orientation and financial viability.⁹ From 1964 onwards, there was a marked shift in the Agency policy from the developmental concerns of the smallholder project (focusing on widespread participation of lower strata farmers that formed the majority of smallholders) to commercial considerations (focusing on middle to upper strata farmers that could afford to pay their way through the scheme). This was achieved through a number of actions. Firstly, there was a rapid contraction of credit throughout the 1960s, before it was finally abolished in 1972 (Steeves, 1975, 1978). The minimum number of stumps required for new growers to enter the scheme was increased from 500 to 1000, and the price of tea stumps was increased from 6 cents per plant to 12 cents. The Grower Financed Planting Scheme was also introduced, targeting relatively well-off farmers that could afford to participate in the scheme without credit facilities.

KTDA explained this shift on efficiency and financial grounds but there was more to it than that. Acreage expansion of the smallholder scheme constituted a near existential threat to the multinational tea companies in the 1960s–70s in the light of efforts then being made internationally to impose production and export quotas on tea producing countries. Such a quota would have intensified the competition between multinational tea companies, the KTDA and local estate tea companies, many of them owned by members of the ruling Kenyatta coalition (Ochieng, 2005). The introduction of vegetative propagation (VP) methods during the Third Plan (1968–72) makes it harder to sustain the argument that this shift was primarily occasioned by financial constraints or efficiency considerations. VP provided KTDA with a good opportunity to expand planting at substantially lower costs. VP involved replacing seedlings (planted in KTDA's nurseries) with cuttings from "mother bushes" and was much cheaper. However, instead of lowering the cost of planting material as a result of this technical innovation, KTDA increased the minimum VP units required for first time participants and old ones—5 units for new farmers (3,500 stumps) 3 units (2,100) for old farmers. It also introduced an additional levy known as the Development Charge, the cost of which was higher than that of the planting material and had to be paid by every farmer regardless of where they obtained their planting material. The overall effect of these

policy changes was to increase the cost of participation in the scheme with a view to excluding lower strata farmers from the tea project. For instance, despite technical innovation (VP) in the mid-1960s, by 1970, the cost of participating in the smallholder project was over 10 times (in real terms) that during the period 1960–63 (Steeves, 1975).

As noted above, KTDA rationalized this policy shift (backed by the World Bank and the CDC) by arguing that farmers within the lower strata were too poor to be helped, neglected their tea, and that if the Agency continued to promote their participation they might jeopardize factory investment by low leaf deliveries (Steeves, 1975, p. 347). Positive deviance by these lower strata farmers quickly showed this to be mistaken. In spite of the increasing costs of participation, these farmers were determined to participate in the scheme and succeeded. Steeves (1975, 1978) has demonstrated that credit contraction forced farmers across the country from 1964 onwards to start acquiring and planting tea plants illegally, relying on friends and relatives to purchase tea plants on credit, rather than having to pay cash for them. It also forced them to sub-divide family land units without informing KTDA, and to rely on “middlemen” who bought plants from the Agency to sell to others. They were aided by a few positively deviant KTDA field officers who willfully neglected to enforce the strict KTDA rules. As a result, by the early 1970s, the KTDA reckoned that there were more farmers planting tea illegally than legally, and it decided to absorb them formally into the system by declaring an amnesty on all illegal planters and plantings (Steeves, 1975). The Grower Financed Planting Scheme was also scrapped. KTDA had found itself in a situation where it was increasingly losing control over the smallholder project—the one thing it had been formed to assure.

More importantly, positive deviance by farmers facing the most constraints (and a few field officers) had ensured that KTDA remained a development oriented organization. This particular instance of positive deviance also proved important in catalyzing Kenya’s ascendancy as one of the world’s leading exporters of tea by the mid-1990s through a more rapid expansion than envisaged by official planners. That this was done without compromising quality of smallholder tea testifies to the positive deviance of the smallholders and KTDA field officers who even while refusing to comply with

KTDA’s non-developmental tendencies, understood the importance of maintaining the high quality standards of the smallholder tea project.

(c) *Farmer agency*

As already noted, for reasons ranging from lack of faith in the workings of the market, a belief in the “economic irrationality of the African peasant” and therefore the need for him/her to be controlled by the state, to concerns about quality and viability of the smallholder project and the need to safeguard the substantial investments in the smallholder tea sector, the KTDA was endowed with massive monopoly, monopsony, and autocratic powers (Etherington, 1973, p. 9; Lamb & Mueller, 1982; Leonard, 1991, p. 128). The end result was a contract farming arrangement in which the KTDA had multiple controls over grower behavior. However, positive deviance by a few smallholders undermined this autocratic structure, gradually institutionalizing farmer voice within the Agency and ultimately transferring its ownership and management to smallholders when privatization came in 2000.

Grower representation had been a late admission to the smallholder project coming as a reaction to the formation of the Central Province African Grown Tea Association (CPGTA). CPGTA had been formed by a group of smallholder tea farmers in Central province to fight for their interests in the SCDA. The SCDA had been created following the success of two pilot smallholder tea schemes established in 1956 and 1958—the Central Province African Grown Tea Marketing Board and the Nyanza and Rift Valley Provinces Tea Marketing Board. The pilot schemes had been heavily subsidized by the colonial state, keen to undermine peasant rebellion through economic incorporation (Leonard, 1991, p. 126). This meant that smallholders who started tea growing during the pilot project experienced declines in their returns following the shift from the pilot scheme to the SCDA which was intended to be self-sufficient. It was this situation, coupled with the burden of multiple controls on grower behavior that led to the formation of CPTGA, with Naftali Wachira, a former primary school teacher, as President (Ochieng, 2005, pp. 188–193; Steeves, 1975, pp. 154–155).

The CPTGA took exception to the multiple controls on grower behavior imposed by the SCDA. It demanded arrangements similar to

those that had existed under the pilot schemes, a more rapid expansion of the smallholder sector than was being proposed by the SCDA, and a greater say by smallholders in the project. It felt that the tea industry was heavily driven by the interests of the multinational companies at the expense of smallholders. It sought increased farmer representation and participation to correct this imbalance (Leonard, 1991, pp. 126–129). The SCDA and the colonial authorities viewed the CPTGA as a serious threat to the smallholder project. By criticizing the “self-sufficiency” design of the SCDA, it was threatening to undermine recruitment of smallholders into the scheme, and making the fight against “sun-dried tea” (low quality home processed tea), which at this stage was a threat to the smallholder project, much more difficult.

It was against this background that with the assumption of the duties of the provincial tea marketing boards in 1962, the SCDA moved to “mainstream” or institutionalize smallholder representation within the scheme and to co-opt the CPTGA (Ochieng, 2005, pp. 188–193). In 1962, the colonial government gave the SCDA powers to “set up Regional Boards or Committees consisting of members and officials of the Authority and such other persons associated with them as it considers desirable to advise the Authority in carrying on its functions” (Steeves, 1975, p. 22). The SCDA quickly established tea committees so as to have representatives for each district nominated to represent them on provincial boards. The committees were supposed to be two-way channels of information—of grower grievances and recommendations to the Authority and of Authority policies and schedules to growers. The SCDA system of grower representation had elected grower representatives from the divisional and district levels (divisional and district tea committees, respectively) to the provinces (provincial tea boards) and the national board (SCDA board of directors). Smallholders were allowed representation on the national board of the SCDA although the Minister for Agriculture appointed smallholder representatives at this level until 1966, when the provincial tea boards started electing them.

Through these measures, the SCDA managed to kill off the CPTGA and to co-opt it into the organizational structure of the SCDA (through for instance the appointment of CPTGA President Naftali Wachira onto the SCDA Board as a grower representative). Positive deviance by

smallholders in Central Province had led to the embedding of smallholder representation within the tea scheme. It would take nearly 30 years for this representation to mature and bear fruit but the foundation for effective farmer representation and ownership of the smallholder project had been laid. The co-optation of this positive deviance benefited both the SCDA more immediately (in the short term) and smallholder farmers (in the long run). Wachira’s role in the Board following co-optation was to lead the fight against “sun-dried tea”; this was a task he was best suited to accomplish given the respect he commanded from smallholders, especially in Central Province.

In 1964, the SCDA was renamed the KTDA. An autonomous smallholder representation structure outside the KTDA had been destroyed and replaced with a semi-autonomous representation embedded in the organizational structure of the Agency. This internal form of representation took three forms that would later prove critical to smallholder acquisition of ownership and management of KTDA:

- (I) Representation within the KTDA at the divisional, district, provincial, and national board levels.
- (II) Shareholding in KTDA factory companies.
- (III) Representation on the boards of KTDA factory companies.

Although smallholder participation within the KTDA at these various levels was of limited value from the 1960s through the 1990s, it provided them with critical experience in shareholding, management, and decision making that would prove crucial during the privatization of the scheme in 2000 (Ochieng, 2005). In the early 1960s, KTDA Head Office regarded the structures for smallholder representation (tea committees) as advisory bodies that were there to provide legitimacy to the scheme, help mobilize support and interest for the smallholder project and abide by the wishes of the Agency. They were not expected to participate in policy and personnel decisions although that is not how some of them conceived their roles. By 1964, several Committees had delved into the employment of field staff, siting and construction of tea factories, employment of factory staff, and several policy and personnel areas (Steeves, 1975). This forced the Board to issue a Board Paper (No. 121, 1964) outlining the powers and duties of the Committees. The paper reaffirmed the view of

the Agency of the committees as purely advisory bodies. However, district tea committees were allocated the additional duty of planting material within the district, subject to KTDA instructions, making recommendations as to the number of new growers to be allowed each year, and selecting sites for the construction of buying centers and road development.

The order establishing the KTDA had empowered it “to establish, acquire and operate processing factories, and to promote and subscribe to shares in any company incorporated in Kenya for the purpose of processing or marketing tea” (The Agriculture Act, KTDA Order, Section 19(f), 1986). The establishment of the factory companies was premised on the understanding that the role of the grower would be dominant, eventually (KTDA Board Paper, 123, 1964). Consequently, they were set up on the basis that whereas initially the KTDA and its joint venture partners would provide part of the equity to supplement the loans contracted for the construction of the factory companies, they would divest their interests and allow grower subscription for the equity once the loans were repaid. KTDA Board Paper 123/64 recognized that smallholders would be motivated to acquire shares in the factory companies partly to get a sense of ownership and control and partly as a result of dividends and appreciation of shares. It also acknowledged that the prospect of control was a long way off and that smallholder say in the affairs of the factory companies would be limited to general meetings and “possibly the right to appoint an additional director” (KTDA Board Paper, 123, 1964, p. 3).¹⁰ However, this policy was more deliberate than the Board Paper suggests. The KTDA could have made the shares more attractive to growers and given smallholders greater say in the running of the factories but with the keenness of the state, multinational tea companies, the World Bank, the CDC, and KTDA to limit the role of smallholders in the scheme (Ochieng, 2005) it suited the Agency not to. Thus, although smallholders were allowed to buy shares in factory companies from the mid-1960s, not many did. By 1982, 10% (15,000 farmers out of a total of about 150,000) of smallholders owned shares in the 16 KTDA factory companies which allowed smallholders to subscribe to shares (Lamb & Mueller, 1982). This was mainly because there was no market for the shares (these being restricted to smallholders or smallholder organizations

only) and the dividend from the factory shares (fixed at no more than 8% annual average over an 18-year period) was unrelated to the financial performance of the factory companies (Ochieng, 2005). Not only did the ownership of shares by smallholders in these factory companies fail to improve their economic fortunes, it also failed to increase their say in the factory companies as the KTDA did not grant the factory companies autonomy commensurate with their legal constitution. Although the KTDA used shareholding as a device for creating an illusory sense of ownership among smallholders (so that it could enhance its control over the scheme), smallholders viewed the factory companies as opportunities for them to own and participate more actively in the smallholder tea project (Ochieng, 2005).

The idea of farmer ownership and management of the KTDA dated back to the early 1970s when the influence of multinational tea companies and international development agencies in the smallholder tea sector came under severe challenge from a section of Kenyan MPs, local plantation tea companies, and a section of KTDA management itself. During a parliamentary debate on the CDC–KTDA–Government Loan Agreement of 1974, so-called radical politicians Joseph Martin Shikuku and Jean Marie Seroney decried the “alienation and exploitation” of smallholders by the KTDA and its management agents. They proposed that KTDA be made a public limited company and that its operations be decentralized so that it could both be accountable to, and controlled by, smallholders (Swainson, 1980, p. 261). This call was ignored by the Kenyatta state (and the World Bank and the CDC, which under the loan conditionalities would have had to sign on to such a policy and organizational shift). Similar concerns were expressed by some farmers during the Presidential Probe Committee set up by President Moi in 1989 to inquire into the operations and possible restructuring of the KTDA (Mahihu, 1990). Again, these concerns were ignored (Ochieng, 2005).

With increased space for political contestation following the reintroduction of multi-party politics in the early 1990s, positively deviant smallholders renewed the push for smallholder ownership and management of the KTDA. In November 1994, a political grouping of Central and Eastern Province MPs calling itself the Coffee and Tea Growers Parliamentary Association (CTGPA) was formed under the Chairmanship of then Democratic Party Chairman

Mwai Kibaki. Among others, it advocated grower strikes as a means of forcing policy change. This aggressive approach by the CTGPA culminated in the formation of a splinter smallholder representative body calling itself the Kenya Union of Small-Scale Tea Owners (KUSSTO). Backed by CTGPA, KUSSTO operated outside the KTDA structure and sought to effect change in the smallholder sector through protests, demonstrations and boycotts rather than through the institutionalized form of representation within the KTDA, which they viewed as compromised (Daily Nation, May 26, 1998, July 14, 1998, December 15, 1998, May 30, 2001, May 11, 2003; Ochieng, 2005). Consequently, the 1990s, were characterized by unprecedented grower protests and tea boycotts.

KUSSTO wanted an independent grower body outside the official structure of the KTDA, the withdrawal of the KTDA from the direct management of individual tea factories, the right of farmers to sell their green leaf to buyers of their choice, and the sale of KTDA to growers (Argwings-Kodhek, 1999; Ongile, 1999). In 1992, the World Bank and the IMF pushed through the Public Enterprises Reform Programme (PERP). PERP was a policy conditionality that sought to enhance the role of the private sector in the economy by shifting responsibility for production and delivery of products and services from the public to the private sector, reducing the demand of the public enterprises on the exchequer,¹¹ improving the regulatory environment, and broadening the base of ownership (Republic of Kenya, 1994, p. 1). It did not however specifically target the KTDA (initially) and it was not until 1996, that the KTDA launched its privatization blueprint, scheduling itself for privatization by 2000.

The privatization of KTDA as an “innovative institutional or policy idea” was pioneered and pushed for quite aggressively by farmers through KUSSTO before it became a policy conditionality, although the Moi state’s decision to finally privatize the parastatal in June 2000 was influenced by a combination of factors, including conditionality, farmer pressure, and favorable political economy factors. Ochieng (2005, pp. 215–220) has argued for example that the privatization of the KTDA, with the government condition that (1) the sale of KTDA shares be restricted to smallholder tea farmers only, and (2) smallholders buy shares only of factory companies at which they deliv-

ered green leaf, protected the economic interests of Moi’s largely tea growing Kalenjin community and was thus aligned with his ethnic and political interests. Moreover, the earlier relative insulation of the KTDA from political interference and its operational and financial autonomy (by this time, it neither relied on the state nor donors for financial support) meant that the government had a limited financial stake in it. All these factors combined to make its privatization less painful to the Moi government, both politically and financially (Ochieng, 2005). These factors may have paved the way for the privatization of the KTDA but the key point here is that good policy (including neo-liberal approaches) does not need outside ideas or aid, although policy conditionality may aid such internal innovations if they are aligned.

Although radical, KUSSTO’s demands were consistent with those of positive deviants within the KTDA dating back to at least the early 1970s and in the end, the organization fell back on these ideas and took the steam off KUSSTO. In June 2000, the KTDA was privatized through the amplifications of key innovations that had been pioneered by these positive deviants. It became a private enterprise, wholly owned by smallholder tea farmers through their respective factory companies. It was de-linked from the state through its exemption from the State Corporations Act (Ochieng, 2005). After nearly three decades of continuous struggle between the state, multinational tea companies and smallholders, the corporation had managed to free itself from Government, World Bank, CDC, and multinational company tutelage, mostly through the efforts of positive deviants. While the World Bank–CDC–KTDA–Government of Kenya Loan Agreement of 1964 has highlighted the dampening effect that conditionality can have on national innovation, the KTDA’s vertical integration (below), privatization (above), and the sugar case study (Section 5) illustrate the pivotal role that politics played in the uptake or lack thereof of positive internal innovations in Kenyan agriculture. The patron–client basis of Kenyan politics based on an ideology of ethnic competition led to a situation whereby the Moi and the Kenyatta states could be persuaded to look more kindly on positive deviance with the smallholder tea sector as long as they could deem that the outcomes of such innovations were not inconsistent with their political and ethnic interests. Such was not the case in the su-

gar sub-sector, where interests of the ruling elite and those of smallholders were seldom aligned.

(d) *KTDA's vertical integration*

Positive deviance within the KTDA was not simply limited to smallholders. KTDA's transformation from a simple leaf collection and extension organization into a more sophisticated organization engaged in tea production, processing, manufacturing, and marketing was the effort of positive deviants at various levels of the organization, within its smallholder ranks, and occasionally, within government. One man, however, played a pivotal role in KTDA's vertical integration in the late 1970s. His name was Charles Karanja, KTDA General Manager, 1970–81.

The early to mid-1970s was a turbulent time for the KTDA. Its relationship with the multinational tea companies that served as its managing agents was particularly frosty. Particular issues of conflict included producer prices that were perceived by farmers to be low, levies, and managing agency fees that were regarded as excessive or exploitative (Swainson, 1980). Until 1973, the KTDA functioned simply as a leaf collection and extension service. All the processing/manufacturing, marketing, and retailing functions of all but one of its factory companies (Ragati) were performed on its behalf by its managing agents, the multinational estate companies (Leonard, 1991; Swainson, 1980). With the KTDA expanding rapidly by the 1970s, the managing agency contracts started to cause resentment within the KTDA and the political establishment. Farmer representatives on the KTDA Board and the General Manager Charles Karanja, became increasingly dissatisfied with the managing agents as recorded in the Board Paper on Factory Management, 1973: "With increased factory capacities above the initial expectations (sic) the remunerations to the Managing Agents have become very attractive and the existing Managing Agents would be expected to have interest in managing all factories. With the increase in the number of factories to 53 and if the present policy of employing Managing Agents is continued, the present Managing Agents would be overloaded and unable to handle the work. However, most of them would be prepared to expand their organisations to cater for the increased work if they were to be given the Management. This extra commitment

will finally be borne by smallholders. The cost to smallholders would be considerable." The Board Paper concluded that to avoid this extra cost, the KTDA should take over the management of new factories itself.

Following this Board Paper, in 1973 the nine farmer representatives on the 18-member KTDA Board joined the General Manager in voting to empower the KTDA to move into factory management and tea processing. The other representatives on the Board, led by the CDC and government representatives (the Permanent Secretary, Ministry of Agriculture and the Director of Agriculture) voted against (Leonard, 1991, pp. 1–2). Under the KTDA Order, the CDC, and the World Bank held veto powers over major changes in policy at the KTDA, so a "no" vote by the CDC meant that the matter could not proceed further unless cleared by the Minister for Agriculture. The World Bank, the CDC and the multinational companies argued that manufacturing, marketing and retailing functions were technically demanding and that rushed Africanization of these functions could jeopardize the future of the KTDA. By this time, a native Kenyan, Naftali Wachira had been running Ragati Tea Factory successfully for three years and Charles Karanja and grower representatives on the KTDA Board were convinced that it was time KTDA moved into factory management, marketing and retailing. When the matter was referred to the Minister for Agriculture, Jeremiah Nyagah, he sided with the CDC and the World Bank (Leonard, 1991, pp. 1–2).

Normally, this would have been the end of the matter for the law establishing the KTDA did not provide for appeal against the decision of the Minister. But Karanja hailed from the same constituency as President Kenyatta, and knew him personally (Leonard, 1991, pp. 1–2). He took the matter directly to the President. Meeting the President in the company of KTDA Board Chairman Jackson Kamau and the Minister for Agriculture, he appealed to the President's "soft spot," telling him that smallholders countrywide were grateful to him for having fought for their right to grow tea. He explained that the KTDA had matured and that it had the right to process and market its own teas, adding that this would be a practical and visible implementation of the President's Africanization program. The Minister for Agriculture countered that he was concerned, as were the World Bank, the CDC, and multinational companies, that the KTDA

was not yet ready to assume these functions because of lack of technical and managerial skills, and that he was also not keen to antagonize the Agency's financiers. Karanja responded that as an engineer, he was confident that the KTDA would assume these functions smoothly, telling the President that if on the assumptions of these functions, the KTDA failed to perform he would welcome the sack. Kenyatta was persuaded and gave his personal approval for the KTDA to move into tea manufacturing, processing, and marketing. Vertical integration enabled the KTDA to consolidate its position in the Kenya tea industry, reduce costs, and increase profit margins—by capturing upstream and downstream profit margins (Ochieng, 2005). Positive deviance spearheaded by one man had achieved this and paved the way for the 2000 acquisition of the KTDA and all its factory companies by smallholder farmers.

5. POSITIVE DEVIANCE SUPPRESSED: THE KENYA SUGAR INDUSTRY, 1963–2002

The foregoing discussion demonstrates that positive deviance as opposed to mainstream approaches or policy conditionality was instrumental in generating institutional, organizational, and policy innovations embedded in the Swynnerton Plan and in the success of the smallholder tea project. A number of innovations by positive deviants—individual land tenure, contract farming arrangements, farmer agency, and KTDA's vertical integration—found their way from the fringes of policy making and practice into the mainstream, albeit through often circuitous and contested paths. Despite similar conditions, however, developments in the Kenya sugar industry did not follow a similar trajectory. The uptake or movement of positive deviance here was severely constrained throughout the Kenyatta and Moi regimes (1963–2002). Owing to national politics based on an ideology of ethnic competition, the two regimes were more hostile to internal innovations in the sugar sub-sector, often sticking to “mainstream” approaches, which as the following discussion will show, were severely flawed.

From 1967 until 1993, the government controlled the domestic price of sugar from the price of sugarcane (producer price), to the ex-factory price, outgrower levies, and consumer price. It also controlled the quantity of imports

and directly marketed and distributed sugar. It ran the industry through a bureaucratic-private-management complex: appointing factory chief executive officers and boards of directors, setting the policies (like those listed above) but delegating day-to-day management to multinational sugar companies, which included at different points in time Booker Tate (Mumias and Chemilil) Mehta International (Muhoroni) Technisure and F.C. Schaffer (Nzoia). There was little role for smallholders under these arrangements. In his extensive study of Mumias in the 1970s, Barclay (1977, p. 253) summed up the role of the smallholder in the scheme thus: “The participatory component of the contract is negligible. He is not involved in measuring various inputs against anticipated outputs, because the premise of the scheme is that the Company knows best.”

Given the extensive state intervention in this sub-sector and the perception that the state was biased in favor of agribusiness, it is little surprise that internal innovations here focused on alternative institutional, organizational, and policy arrangements that would reduce the role of the state in the sector and empower smallholders. This was long before market-led approaches to development became the norm from the early 1980s. Many of the innovative ideas in this sub-sector revolved around, and took the form of struggles over (1) the need for a national sugar law, laying out the legal and institutional framework to govern the industry (tea had such a law dating back to 1954), (2) the need for an autonomous body with executive powers (like the KTDA) to run the sugar industry, and (3) the need to declare sugar a “special crop” (1963–73). These struggles invariably pitted smallholders and positive deviants within the bureaucracy on the one hand, and the government and multinational management agents, on the other.

(a) *Contestations over the declaration of sugar as a special crop and establishment of an autonomous sugar body, 1963–80*

Commercial sugar production in Kenya commenced in the 1920s with the establishment of medium-scale sugar factories in Miwani (1922) and Ramisi (1927) in Nyanza and Coast provinces, respectively. These factories were owned by prominent Kenyan Asian families—the Hindoochas and the Madhvanis—and until the early 1960s, purchased cane exclusively from Asian and European plantation owners.

African participation in sugar production throughout this period was marginal and confined to the production of cane for making jaggery sugar, especially in the Muhoroni and South Nyanza regions (*Colony & Protectorate of Kenya, 1962*). Apart from issuing licenses to sugar importers and setting consumer prices in order to enforce the regulations of the Commonwealth Sugar Agreement (CSA), the colonial government did not express any interest in the development of local sugar for much of the colonial period. Unlike in the case of tea and other major cash crops, there was no law or institution specifically charged with directing or guiding the sector. It was not until 1962 that the colonial government mandated a working party to look into the development of the sugar industry “in the Kibos/Chemilil/Miwani/Muhoroni/Songhor area and other parts of Nyanza province” (*Colony & Protectorate of Kenya, 1962, p. 1*).

L.H. Brown, Government Chief Agriculturist, led the Working party, which, among others, recommended that participation by African smallholders be included as a matter of policy in all new factory units and that two new factories be set up in the Muhoroni/Chemilil/Songhor area with a combined capacity of 65,000–70,000 tons. This recommendation made the issuance of sugar licenses to factories conditional upon their acceptance of cane from African smallholders and eventually led to the establishment of Muhoroni (1966) and Chemilil (1968) factories to serve both plantation and smallholder producers.

Following publication of the Brown report (1962), the colonial government launched frantic efforts to establish some form of institutional framework for the sugar industry. These efforts encountered strong resistance from the factories (henceforth, alternatively, millers) particularly over the introduction of smallholder participation, and the increase in state regulation over the industry. With the imminence of independence, this conflict spilled over into the early postcolonial state, delaying both the development of any legal and institutional framework for the industry, and the establishment of more factories. The issue of tying miller licenses to participation of smallholders for instance, considerably delayed establishment of Muhoroni factory as the following memo from Mr. P.H. Jones, Under Secretary, Ministry of Agriculture, to Mr. Hughes Rice of the Department of Agriculture, dated, October 27th, 1962, depicts: “The Minister

has agreed to issue a license for a sugar factory to the East African Sugar Industries Limited (In Formation) at Muhoroni. This is Mehta’s new Company. The issue of a license is held up because Mehta’s lawyer, Robson, maintains that there has never been any question of limiting the factory capacity or output, also he does not like the idea of any condition requiring him to take a percentage of cane from independent growers” (*Kenya National Archives, Sugar Files, No. 2*).

As the countdown to independence gathered momentum in early 1963, African sugarcane growers in Nyanza province mounted pressure on the colonial government to create a statutory agency to promote the development of the local sugar industry. On May 16th, 1963, the Permanent Secretary, Ministry of Agriculture acknowledged this pressure while expressing his reservations about the establishment of such a body in a letter to Mr. G. Skipper, Nyanza Provincial Commissioner: “Suggestions have been made from time to time by manufacturers and growers for the establishment of either a statutory board or an advisory body to deal with sugar problems. I do not consider that the time is ripe for a statutory board; until the factory pattern emerges more clearly (i.e., until we know which of the many competitors in the field is going ahead, it would not be feasible, in my view, to hand over statutory powers to a Board which would inevitably contain a strong element of vested manufacturing interests). I do however, consider that it might help to meet some of the frustrations of growers, and incidentally be of assistance to Government, if we set up an advisory Board...to advise the Minister on all matters relating to the production and processing of sugar, including the preparation of legislation for the establishment of a Statutory Sugar Board” (*Kenya National Archives, Sugar Files, No. 2*).

Two weeks after Kenya attained internal self rule on the 1st of June 1963, the Permanent Secretary, Ministry of Agriculture, wrote to his Minister:

You may remember that, two or three years ago, we were preparing a plan for a statutory Sugar Board. This has not been proceeded with mainly because of the uncertainty over the future of the pattern of the industry arising out of the dithering of Mehta and others...

1. We have, however, been under considerable pressure to set up at least an Advisory Board; this comes direct from Nyanza growers and from the Board of Agriculture...

2. We certainly at the moment lack any formal contact with growers and manufacturers and, in my view the time is ripe for setting up an Advisory Board. I am sure it would be helpful to us as well as helping to remove the frustrations that growers have undoubtedly felt in the past (Kenya National Archives, Sugar Files, No. 2).

On December 8th, 1963, three days before independence, Gazette Notice Number 4982/63 created the Sugar Advisory Board “to advise the Minister on all matters relating to the production and processing of sugar cane, including the preparation of legislation for the establishment of a Statutory Sugar Board” (Kenya National Archives, Sugar Files, No. 2). This Board was composed of politicians, millers, producers, and government representatives. It was, however, only an advisory body and its creation did not satisfy smallholders. Smallholders, in turn, continued to demand the establishment, via a specific sugar law, of a “developmental” body with executive powers (financial, fiscal, and administrative), so that the Ministry of Agriculture could assume an advisory role in the sector, as it had in tea and coffee. The Advisory Board was satisfactory to millers, who, as partners with the Ministry of Agriculture in the running of the sugar mills through management agency agreements (for all the factories, except the then wholly private ones, Miwani and Ramisi), opposed the creation of such an autonomous body.

This was a critical disagreement, and its resolution sheds light on the nature of the tripartite relationship between the state, smallholders, and agribusiness in the sugar industry during the early postcolonial period. Implicit in the smallholder demand for a developmental body with executive powers modeled on the KTDA was a call for the state to declare sugar a “special” crop under section 190 of the Agriculture Act. This was important for smallholders because among other things, it would grant them access to state and market support, particularly in credit, inputs, transportation, marketing, and research services, which constituted the main constraints to smallholder participation in cane production at this time (Ochieng, 2005, p. 65).

The nearly *laissez faire* system that existed in the sugar industry during the early postcolonial period (1963–73), in which the producer, transporter, and manufacturer functioned as separate entities, did not suit smallholders or the industry due to lack of coordination. Sugar production requires close coordination between

cane production, transportation, and factory processing. Firstly, maturity of cane is a critical determinant of the sucrose or sugar content of cane. For optimum levels of sugar, cane must be harvested at the right time, that is, at its maturity age, which varies depending on cane variety and climatic conditions. Secondly, once harvested, cane must be processed quickly—within 48 hours for burnt cane and 4–5 days for cane harvested “green”—otherwise the sucrose content of the cane declines due to “inversion” or decay (Ochieng, 2005, p. 65). Finally, mill extraction is a continuous process, which requires a continuous stream of cane supply. Factory stoppages due to lack of cane lead to sugar losses through inversion of the partially processed cane. Thus, sugar production requires the synchronization of field, transport, and factory operations.

This synchronization or coordination was lacking during the early postcolonial period. Smallholders lacked the competence to determine cane maturity, had no means of transport and no guarantee that all their harvested cane would be bought by the millers. Transporters faced diseconomies of scale in transporting smallholder cane, as smallholder farms were small, disparate and accessible only through dilapidated seasonal roads. Millers had some control over smallholders, in terms of determining cane varieties to be grown and the timing of harvesting, but they had no control over cane transportation or rates, which were determined by individual transporters (Weekly Review, August 29, 1977; Ochieng, 2005, pp. 65–70). This lack of coordination often led to wastage of cane on the field and under-utilization of factory capacities. A lot of mature un-harvested cane would be lost on the farms at times when sugar factories would be operating below capacity due to “shortages of cane,” either because of a lack of cane cutters, transport, or inflated transport rates (Ochieng, 2005, pp. 65–70).

By the late 1960s, this situation had led to declining interest in cane production among smallholders, prompting the state to use force to compel them to produce cane of adequate quality and quantity. This is captured in a letter by Bruce Mackenzie, Minister for Agriculture, to the Provincial Commissioner, Nyanza province, dated October 3rd, 1967: “Recently, I have received some disturbing reports concerning the disinterestedness of many of the sugar cane producers in Kisumu District. I am informed that many refuse to weed their cane

crops, and that in order to protect Government Investment in the Chemilil Sugar Project, the Chemilil Sugar Company is often obliged to do the weeding on many of these holdings. The Company cannot physically cope with the weeding of the entire sugar areas, nor has it the funds to do so. . . I am therefore compelled to write to you to request you, in your dual capacity as the Provincial Commissioner and the Chairman of the Provincial Agricultural Board, to utilise the legal powers vested in you in order to bring appropriate pressure to bear on defaulters who are not practicing good husbandry as required of them by the Agriculture Act and cognate legislation” (Kenya National Archives, Sugar File, No. 2).

It was this readiness of the state to use force to guarantee quality and quantity of raw materials to millers, that both encouraged smallholder agitation for an autonomous “developmental sugar body” and miller opposition to the same. Miller resistance to the creation of an autonomous developmental body for the sugar industry modeled on the KTDA was rooted in two fears: that such a body would inevitably have a significant representation of smallholders, and that it would most likely seek to bring the producer, miller, and transporter under one arrangement, thereby making it an obligation of the miller to assist smallholders at several stages of cane production. Millers did not want to undertake the financial burden of assisting smallholders on credit in circumstances where the creditworthiness of smallholders was uncertain. This was a legitimate, if somewhat, mistaken concern. There was no compelling reason to believe that a developmental sugar authority would implement either of the two propositions. Out of four draft legislations introduced by the government in the 1960s, only one (see Ministry of Agriculture, 1966—the Kenya Sugarcane Development Authority Order) incorporated the two propositions, and this was quickly withdrawn following objections by millers (Ochieng, 2005, pp. 65–70). More importantly, by resisting the creation of a developmental sugar body, or the declaration of sugar as a special crop, millers denied sugar smallholders an opportunity to benefit from state and market support under the “special crop” clause of the Agriculture Act, unlike their counterparts in tea. This impacted negatively on the development of the sugar industry in the early postcolonial state as smallholders resorted to a low risk, low-input, low-output strategy (World Bank, 1977).

The prevailing “institutional vacuum” in the industry favored millers and bureaucrats within the Ministry of Agriculture in different ways. For millers, the lack of state regulation in the sector served to delay the imposition of state control over producer prices. With the state controlling consumer prices and imports, but not producer prices (until 1967), the prevailing situation gave them several advantages: a ready market for their produce; an ability to lower costs by unilaterally reducing producer prices; and an opportunity to design cane production contracts that favored them, in the absence of any specific law regulating their relationship with smallholders. Under normal circumstances, one would expect that concern for supplies would have predisposed millers to support the declaration of sugar as a “special crop.” However, three factors militated against this: the perceived interrelationship between special crop status and the creation of an autonomous executive body; miller ownership of estate farms; and limited factory capacities. Until then, all the crops that had been declared “special” such as tea, coffee, and wheat, had had autonomous or semi-autonomous bodies with executive powers created for their management. Millers were not ready to accept this for the aforementioned reasons. Secondly, the millers owned medium-scale factories, and all except Muhoroni¹² also owned substantial nucleus estates which supplied them with cane alongside large-scale producers and smallholders. In other words, during the early postcolonial state, smallholder production supplemented nucleus estate and large holder production, and was therefore relatively insignificant as a source of cane supply (Ochieng, 2005, pp. 149–158).

The excessive government intervention and disproportionate influence wielded by sugar factories through their multinational management agents negatively impacted on the efficiency and equity of the sugar schemes through skewed pricing, tax, import, and farmer agency structures, and were vigorously opposed by positive deviants among smallholders and within elements of the bureaucracy. For example, as the government’s own Sugar Prices Review Committee of 1972 noted in (implicitly joining smallholders and a few bureaucrats opposed to pan-territorial producer price fixing which had been introduced in 1966, against the wishes of sugarcane producers): “The overall picture is that the top notch farmers are making a profit at present prices and the majority of independent farmers are breaking even on their operating

costs but cannot find credit to invest and thereby improve their returns, nor can they manage to pay off their debts from their present cane income. Small plot farmers simply cannot see the point of putting too much effort into their shambas, and this leads to low overall cane production and very low returns for the farmer's labour. . . these same growers cannot be expected to improve their standards of husbandry or increase their yields at the current levels of economy" (Ministry of Agriculture, Sugar Prices Review Committee, 1972, p. 9).

Despite these limitations, the Ministry of Agriculture, which had direct jurisdiction over the sugar industry and was leading the mainstream government position refused to accede to farmer (and elements of positive deviance within the Ministries of Planning, Commerce and Industry—see for instance Ministry of Commerce & Industry, 1967 on an alternative draft bill) demands for alternative organizational (sugar body), institutional (sugar law), and policy (declaration of sugar as a special crop, differential pricing) arrangements. On December 1, 1966 the Permanent Secretary, Ministry of Planning, weighed in on the need for a statutory sugar board in a letter to his Ministry of Agriculture counterpart: "The Kenya sugar industry presents a classic case for a statutory board—it requires close co-ordination of the supply of sugar cane to processing facilities, and because the major part of the supply to each existing or proposed factory in Western Kenya comes or will come from outgrowers, including both large and small-scale farmers, within which groups there are in turn variations in social and economic backgrounds, we have a very complex set of relationships which requires close study and regulations in the interests of both public and private welfare. In the Central Nyanza sugar belt involving three adjacent sugar factories, one entirely private, one mainly private but with public participation, and the third to be public with nominal private participation, where the three factories are likely to compete for outgrowers' cane supplies in the first years after commissioning of the Chemilil factory, there is clearly a need to ration supplies according to a just formula. This task requires a Board with balanced public and private representation" (Kenya National Archives, Sugar File, No. 2).

The Ministry of Agriculture rejected this position, supporting the sugar factories' position that such a body was unnecessary. Writing to the Chairman of the Sugar Advisory Council,

which had been formed to deliberate this issue, the then existing sugar factories (Muhoroni, Miwani, and Ramisi) stated on June 10th, 1967: "... we have come to the conclusion that the proposed Sugar Authority would have unnecessarily wide powers which, in any case, all reside at this moment with Ministers (as opposed to subsidiary bodies) should critical circumstances dictate their use. . . We have accordingly to withdraw our representatives from your sub-committee and to dissociate ourselves from any recommendations which it might make" (Kenya National Archives, Sugar File, No. 2). The Kenyatta government refused to give in to the calls by farmers and elements within the bureaucracy for an alternative organizational arrangement or the declaration of sugar as a special crop. It was not until 1973 that external circumstances forced the government's hand. The rise of Idi Amin in Uganda curtailed Kenyan sugar imports from there, Britain's entry into the European Union led to the collapse of the CSA and all this occurred within the context of a growing domestic demand for sugar that could not be met through domestic production under existing arrangements (Ochieng, 2005). Thus in 1973, the Ministry of Agriculture was forced to declare sugar a "special crop" and to establish the KSA with jurisdiction to advise the government on the development of the Kenya sugar industry. Rather than amplify the work or ideas of positive deviants within the industry, the Kenyatta state adopted the mainstream positions advocated by the sugar factories and the Ministry of Agriculture. The KSA was created as an advisory body only—executive authority remained with the government exercised in collaboration with the sugar companies, no legal or institutional mechanisms for farmer agency were created (Ochieng, 2005).

Despite its advisory nature, the establishment of the KSA in 1973 nevertheless led to the restructuring of the sugar industry in one fundamental respect. On its advice, the government replaced the hitherto prevailing system whereby the producer, transporter, and miller functioned as separate entities, with a partial contract farming system which obliged millers to provide transport and/or other services to farmers on credit. This not only removed the financial and technical constraints to smallholder participation in the sugar scheme but also led to the synchronization of field and factory activities. The results were immediate and dramatic. National sugar production increased

by 45% in 1973, with smallholder production increasing by 180% (Ochieng, 2005, p. 74). Both smallholder and national sugar production continued to grow rapidly between 1973 and 1980, with Kenya achieving self-sufficiency in sugar, for the first time, if short lived, in 1979 (Ochieng, 2005, p. 74). These impressive results validate positive deviants' demands for the declaration of sugar as a special crop and the creation of a statutory sugar board.

Despite the gains, however, the lack of a specific sugar law and the advisory nature of the KSA continued to constrain the industry. In its Appraisal Report for the South Nyanza Sugar Rehabilitation Loan Request of the early 1980s, the World Bank (1977) noted that there were substantial areas for improvement in the administrative structure and governance of the sugar industry and that the government was reluctant to relinquish some of its responsibilities to the KSA. While stopping short of endorsing the position adopted by positive deviants (on the necessity of an autonomous body with executive powers to run the sugar industry) the Bank implicitly validated this position by recommending that the KSA "be expanded and equipped to render more effectively its advisory role to the government and assume a greater role in the planning of the sugar industry's development...that the KSA be empowered with proper delegation of authority and sufficient resources to coordinate and implement activities in the sugar industry" (Ministry of Agriculture, 1982, p. 100). An Inter-Ministerial Committee set up by the Moi government to look into the problems of the sugar industry in 1982 conceded that the KSA was a toothless body that could not effectively carry out even its advisory functions (Ministry of Agriculture, 1982, p. 100). Despite these limitations, the Moi state remained hostile to the ideas of (1) a sugar law to lay down the legal and institutional framework for the industry and (2) an autonomous body with executive authority to run it. Instead, the government stuck to its bureaucratic-private management-with limited farmer participation model, as the basis for running the industry.

(b) *Contestations leading to, and over the Sugar Act 2002: 1981–2002*

These mainstream approaches failed to deliver the sought after development objectives in the sugar industry. Kenya remains a sugar-def-

icit country, importing a third of its annual sugar consumption requirement, the commodity having long been one of the largest items, by value, of Kenya's imports (Central Bureau of Statistics, various). The failure of these approaches led the KSA itself to re-visit the issue of a legal and institutional framework for the sugar industry by calling for the enactment of a sugar act in 1981—along the lines of proposals made in the 1960s by the ministries of Commerce and Industry and Economic Planning. But like the Kenyatta government before it, the Moi state simply neglected these calls. Not even the PERP policy conditionality of 1993 which targeted the sugar industry could stimulate the desired changes. Inefficiencies and inequities in the sugar industry continued to such an extent that by late 2000, it had galvanized sugarcane farmers, non-governmental organizations and politicians from sugarcane growing areas to form a pressure group called sugar campaign for change (SUCAM) to fight for change in the industry—through the enactment of a sugar law. SUCAM's mobilization and lobbying successes forced the Moi government to issue a draft sugar bill to counter the group's (SUCAM's) which embodied many of the provisions first raised in the 1960s.

In the legislative contestation that followed, the Government lost a motion to pass its version of the bill, and a version that largely reflected SUCAM's demands was passed and became law as Sugar Act 2002. It provided for, among others, cane payment formula based on sucrose content, 50% smallholder share-ownership of sugar factories scheduled for privatization and corresponding farmer representation on their management boards (Republic of Kenya, The Sugar Act, 2002). But not even the enactment of this law represented a victory for positive deviants within the industry. Despite the enactment of the Act explicitly calling for at least 50% share-ownership of the sugar factories by smallholders and a corresponding share of farmer representatives in the management of the factories, not a single sugar factory has complied with this law. Mumias Sugar Company, the only one to have been privatized so far, only allowed farmers to buy up to 30% of its shares. Even then it does not allow farmer representation (either individually or collectively through the farmer organization Mumias Outgrowers Company (MOCO), through which farmers bought their shares) on its Board. This, in spite of the fact that with their 30%

shareholding, farmers constitute the second largest shareholding group in the Company; second only to the government.

The other sugar factories are yet to be privatized. Farmers continue to play marginal roles in the all the sugar companies. This is limited to supplying land and labor, and observing husbandry techniques as directed by the factories (Ochieng, 2005). Partial privatization and liberalization of the industry (in the 1990s) has not undermined the extraordinary powers that the state in conjunction with the sugar companies, wield over the industry. The Moi state selectively implemented the provisions of this law, enforcing those that favored the state and agribusiness and refusing to implement those provisions that would have favored smallholders (e.g., farmer ownership and management, payment based on sucrose content—Ochieng, 2005). Effectively, the government has succeeded in stalling the institutional, organizational, and policy innovations and reforms embodied in Sugar Act 2002.

6. CONCLUSION

The development processes documented in this paper suggest that it is time to rethink the development through aid and policy conditionality paradigm that has dominated international economic policy making with regard to Africa over the last quarter century. These case studies show that positive national innovation or good policy does not require external ideas or aid. Innovative ideas can come from a wide spectrum of stakeholders—the key challenge lies in the early recognition of such efforts by public authorities and institutions, and in building effective coalitions to mobilize for their development and uptake. This is where conditionality might come in handy—in reinforcing internal positive innovation rather than trying to supplant or impede it through outside alter-

natives. This paper has shown that there are real internal constraints to internal positive innovation. These include: (1) patron–client politics based on an ideology of ethnic competition, and (2) resistance from interests groups that might be negatively affected, in the short term, by such innovations. Policy conditionality might be used to help overcome such internal constraints, but such use of conditionality implies that it should be employed as a secondary or last resort measure, rather than as the national “default” position for development. The constant turn outwards in search of solutions to national problems can sometimes act as an impediment to national innovation, as was the case in the early years of the KTDA.

Considerable literature on policy conditionality (Cornia *et al.*, 1987; Ghai, 1991; Kohsaka, 2004) in developing countries indicates that external change agents have limited if any impact in stimulating and successfully managing innovations and policy reforms. This paper has shown that key institutional, organizational, and policy innovations and reforms in Kenya agriculture over the last 75 years have occurred as a result of positive deviance and not “mainstream” approaches or policy conditionality. Contrary to conventional opinion, this study has shown that there is little reason to overlook African indigenous innovators on the basis that their innovations and discoveries do not yield high income gains. Positive deviance and appreciative inquiry approaches have been suggested as organizing frameworks for identifying and amplifying the work of African indigenous/internal innovators. It has been argued that they present one way of solving the “indifference trap” among African internal/indigenous innovators and of accelerating the generation and uptake of social, institutional, organizational, and policy innovations for a rapid economic development in Africa.

NOTES

1. Nyerere’s Ujamaism in Tanzania, Kenya’s African Socialism and Kaunda’s Humanism in Zambia.
2. Granted, Botswana was later blessed with the discovery of diamonds, but the presence of mineral wealth in itself is no indicator of chances for economic development as the literature on “resource curse” has shown.
3. This was (then) above the average for low-income countries (Nyoro, 2002, p. 4).
4. From Tanganyika where he had helped design the Sukumawiki (Kale) Scheme—designed to encourage African cash crop cultivation—mainly coffee and cotton.

5. For example credit facilities, and a hands-off government policy which entailed amongst other things, minimalist taxation.
6. For instance in 1972 the government prohibited Brooke Bond from buying any further land in the country, in an effort to stop the expansion of plantation agriculture.
7. This difference in quality is largely due to husbandry standards, especially that of plucking. While the KTDA adopts "fine" plucking (two leaves and a bud) the estates, in a bid to reduce labor costs, use "coarser" plucking (3/4 leaves and a bud) with a consequent loss in quality (Stern, 1972).
8. 30 shs and a minimum of 500 stumps at 6 cents a stump, all available on credit.
9. Minutes of the 28th meeting of the KTDA Board, 1966, Minutes of the 42nd meeting of the KTDA Board, 1967, KTDA Board Paper, 13/67.
10. Initially, the KTDA allowed for only one farmer representative on the 6-member factory boards.
11. The KTDA had never made a demand on the exchequer. On the contrary, it can be viewed as having made a positive contribution to the exchequer though its contribution to the development of the rural economy in tea growing districts.
12. Muhoroni's nucleus estate was a separate company, wholly owned by the same controlling interest as the East African Sugar Industries, Mehta's company, which was joint-shareholder with the state in Muhoroni (Republic of Kenya, Economic Survey, 1975).

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