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Berita Musau

Ethnic Conflicts and Transition to Democracy in Africa: Recurrence of Ethnic Conflicts in Kenya (1991–2008)

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ETHNIC CONFLICTS AND TRANSITION TO DEMOCRACY IN AFRICA: RECURRENCE OF ETHNIC CONFLICTS IN KENYA (1991–2008)

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Vorwort

In der entwicklungspolitischen Diskussion spielen zunehmend ethnische Herkunft und kulturelle Identität im Kontext von Demokratisierungsbestrebungen eine erhebliche Rolle. Individuen ordnen sich selbst oder werden aufgrund des Kriteriums ihrer ethnischen Herkunft vermeintlich homogenen Gruppen zugeordnet. Insbesondere im Zusammenhang mit der Analyse von Konfliktsituationen gewinnen kollektive Identifikationen und „Zugehörigkeiten" an Bedeutung. Da insbesondere im afrikanischen Kontext Konflikte häufig entlang solcher ethnischer Zuschreibungen entstehen, wird in international geführten Diskursen mitunter außer Acht gelassen, dass interethnische Konflikte nur aus dem komplexen Zusammenspiel historischer, institutioneller, wirtschaftlicher und individuell verhaltensbestimmter Faktoren – auf nationaler wie globaler Ebene – erklärbar sind.

Die vorliegende Arbeit trägt der Aktualität des Themas ethnischer Konflikte im Zusammenhang mit politischer Liberalisierung Rechnung, indem sie das Beispiel Kenyas aus historischer Perspektive bis zu den rezenten gewaltsamen Ausschreitungen Ende 2007 aufrollt. Die Analyse greift jene entscheidenden Phasen seit dem Beginn der politischen Transition in Kenya Anfang der 1990er Jahre auf, vor deren Hintergrund drei von Gewalt dominierte Konflikte ausgetragen wurden. Dabei wird im Besonderen auf die Bedeutung von Ethnizität wie auch ethnischer Konflikte für den Transitionsprozess eingegangen. Durch die differenzierte Betrachtung des vielschichtigen Problems werden zentrale Faktoren wie die Landfrage, regional divergierende Machtverhältnisse, ökonomische Zusammenhänge, die manipulierende Rolle von Wahlkampfrhetorik, rechtsstaatliche Rahmenbedingungen, der Einfluss der politischen Elite aber auch die Bedeutung regionaler Konflikte für Kenya berücksichtigt.

Die Studie zeigt, dass ethnisch motivierte Konflikte in Kenya nicht – wie oft vermittelt – ihre Ursache in den großen Unterschieden ethnischer Gruppierungen haben, sondern vielmehr Ausdruck von zugrunde liegenden politischen, wirtschaftlichen und sozialen Spannungsverhältnissen sind. Besondere Aufmerksamkeit wird der Realisierung identitätsstiftender Maßnahmen eingeräumt, die Teil eines erfolgreichen Demokratisierungsprozesses sein sollte, zugleich wird aber auf die Notwendigkeit institutioneller Reformen und deren Verankerung auf regionaler wie globaler Ebene hingewiesen. Diese Arbeit liefert damit innerhalb der Konfliktforschung einen wichtigen Beitrag für die aktuelle Diskussion über ethnisch fragmentierte Gesellschaften.

Gabi Slezak

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Master Thesis

Ethnic Conflicts and Transition to Democracy in Africa: Recurrence of Ethnic Conflicts in Kenya (1991-2008)

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Dedication

This research is dedicated first to my family and relatives, secondly to all those who have suffered variously due to identity based conflicts and thirdly to all those who are genuinely and tirelessly committed towards the peaceful coexistence of various ethnic groups and the eventual realization of democracy in Kenya and Africa at large.

Acknowledgement

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List of Acronyms

AU	African Union
CSO	Civil Society Organization
CSU	Civil Society Union
DP	Democratic Party
DRC	Democratic Republic of Congo
ECOWAS	Economic Community of West African States
EU	European Union
FIDH	International Federation for Human Rights
FORD	Forum for the Restoration of Democracy
GEMA	Gikuyu, Meru and Embu Association
HRW	Human Rights Watch
ICG	International Crisis Group
IDMC	Internal Displacemement Monitoring Centre
IDP	Internally Displaced Person
IFS	International Financial Institutions
IMF	International Monetary Fund
IPK	Islamic Party of Kenya
KADU	Kenya African Democratic Union
KAMATUSA	Kalenjin, Maasai,Turkana, Samburu
KANU	Kenya African National Union
KAU	Kenya African Union
KCA	Kikuyu Central Association
KHRC	Kenya Human Rights Commission
KPU	Kenya People’s Union
MP	Member of Parliament
MPR	Mouvement Populare de la Révolution
NADU	National Democratic Union
NARC	National Alliance Rainbow Coalition
NCCK	National Council of Churches of Kenya
NGO	Non-Governmental Organization
ODM	Orange Democratic Movement
PCEA	Presbyterian Church of East Africa

PNU	Party of National Unity
PREG	Politically Relevant Ethnic Group
UN	United Nations
UNDP	United Nations Development Programme
US	United States

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Abstract in English

The end of the Cold War ushered in a new world order and the beginning of the process of transition to democracy in Africa, which has been characterised by intra-state wars and ethnic conflicts. This research explores the ethnic conflicts in the process of transition to democracy in Africa in the new world order, taking the case of Kenya's transition process from 1991 to 2008.

The study analyses various historical, institutional, structural, and economic factors both at the domestic and global arena, which underpin the recurrence of ethnic conflicts in Kenya's transition process. The findings of the research indicate that ethnicity has been a salient force for mobilization towards access to the state, power and economic gains in Kenya, since the country's colonial and post-colonial period and has even assumed more salience in Kenya's transition process which started after the end of the Cold War. The structure of the Kenyan society, characterised by sharp economic disparities further provides ground for ethnic mobilization for conflict. This is underpinned by the extant strong correlation between ethnicity and the political parties, electoral constituencies as well as the administrative structure. The efforts that have so far been applied to resolve the conflicts exhibit inherent gaps and only suppress the conflicts without solving them.

The research concludes that: democracy should be pursued in Kenya and Africa at large and recommends that both political as well as socio-economic dimensions of democracy should be equally emphasized. Proper management of ethnicity is indispensable for the success of the democratic transition. The research recommends various measures which could be applied to manage ethnicity in Kenya's transition process, for instance: formation of multi-ethnic integrative parties, advocacy of ethnic tolerance and harmony, as well as reduction of economic and social inequalities and exclusion. Moreover, the prevailing cultures of impunity and violence should be eradicated.

Abstract in German

Das Ende des Kalten Krieges führte nicht nur zu einer neuen Weltordnung, sondern leitete auch einen Prozess des Umschwungs zur Demokratisierung in Afrika ein. Innenstaatliche Kriege und ethnische Konflikte dominierten das Bild des Kontinents. Diese Forschungsarbeit befasst sich näher mit den ethnischen Konflikten im Prozess des Umschwungs zur Demokratisierung in Afrika in der Zeit der neuen Weltordnung und konzentriert sich insbesondere auf die ethnischen Konflikte in Kenia in der Zeit von 1991 bis 2008.

Die Untersuchung analysiert verschiedene historische, institutionelle, strukturelle und ökonomische Faktoren auf der Binnen sowie auf der globalen Ebene, welche die wiederkehrenden, ethnischen Konflikte im kenianischen Umschwungsprozess untermauern. Die Erkenntnisse der Forschungsarbeit lassen darauf schließen, dass Ethnizität ein hervorragender Faktor für die Mobilisierung des Zugangs zum Staat, zur Macht und zum ökonomischen Erfolg in Kenia ist. Bereits in der kolonialen und postkolonialen Zeit wirksam, hat Ethnizität im Umschwungsprozess in Kenia, der nach dem Ende des Kalten Krieges einsetzte, noch größere Bedeutung gewonnen. Die Struktur der kenianischen Gesellschaft, die von starken ökonomischen Ungleichheiten geprägt ist, liefert weitere Gründe für die ethnische Mobilisierung von Konflikten. Dies wird durch die starken Wechselbeziehungen zwischen der Ethnizität und den politischen Parteien, den Wahlkreisen und der Verwaltungsstruktur untermauert. Die Anstrengungen, die bisher unternommen wurden, um die Konflikte zu lösen, sind jedoch inhärent lückenhaft und vertuschen die Konflikte lediglich, statt sie nachhaltig zu lösen. Die Arbeit zeigt, dass Demokratie in Kenia beziehungsweise in Afrika stark gefördert werden sollte. Außerdem ist es von Vorteil, auf die einerseits politische, andrerseits die sozioökonomische Dimension der Demokratie in gleichem Maße Wert zu legen. Ein angemessener Umgang mit Ethnizität ist für einen erfolgreichen demokratischen Übergang unverzichtbar. Es werden mehrere Maßnahmen vorgeschlagen, welche ergriffen werden könnten, um die Volkszugehörigkeit in Kenia entsprechend zu berücksichtigen. Diese wären beispielsweise die Gründung integrativer, multiethnischer Parteien, die Propagierung von ethnischer Toleranz und Harmonie, sowie die Verringerung der wirtschaftlichen und sozialen Ungleichheiten und Ausschlüssen. Darüber hinaus müsste die herrschende Kultur der Straflosigkeit und Gewalt gänzlich ausgerottet werden.

Chapter One

Introduction

1.1. Introduction

Since the end of the Cold War, inter-state conflicts have reduced, while intra-state conflicts have increased; most of them unfolding along ethnic lines (Väyrynen, 1999:125; Shoup, 2008:7). In deed, in spite of the world being in an era of globalization, ethnic and communal violence persists, which according to (Geschiere and Nyamnjoh, 2000:423) seems to be the "flip side of globalization". Consequently, the trend has been that, ethnic groups that previously lived harmoniously together now turn against each other, leaving behind trails of destruction among civilians. The end of the Cold War was also associated with transition to democracy especially of countries in Eastern Europe and Africa.

Africa remains the hardest hit by violent conflicts. The infamous Rwanda genocide in 1994 is a case in point. Ethnic conflicts have been a major characteristic in the democratic transitions in Africa in the post Cold War era. Some prima facie examples are; Liberia, Somalia, Sudan, Algeria, Angola, Congo, Zaire, and Burundi among others (Osaghae, 1992:223). The post-election violence that hit Kenya after the December 2007 general elections, which unfolded along ethnic lines is one of the recent epitomes of such conflicts in the "New World Order" and the era of democratization. The above cases and many others invite provoking thoughts and quest for research concerning the persistent ethnic conflicts in Africa.

Kenya's democratic transition began in 1991 owing to increased domestic and international pressure that compelled the Kenyan government to accept the reintroduction of multiparty elections; a move that had been vehemently resisted by those wielding power in Kenya at that time. The re-introduction of multiparty political pluralism was considered (at least theoretically) a great leap towards democracy and a way forward towards freedom of political expression, protection and promotion of human rights, equal distribution of economic and other national resources among others; all of which are concordant with democracy. On the contrary, this process of transition has been dominated by violent ethnic conflicts

that have continued unabated, usually becoming more intense during Kenya's general elections, which are held after every five years.

In 2002 ethnic violence subsided and peaceful handover of power took place (Elischer, 2008:5). This successful change of regime was said to have moved Kenya to the democratic camp (VonDoepp and Villalón, 2005:8). Consequently Kenya received a lot of praise from the international community and was considered an icon of stability in Africa. All these praises and optimism were watered down by the 2007-2008 post-election violence, which proved to be the most brutal and the worst experienced ever since independence. This research explored the recurrence of ethnic conflicts in Kenya during the country's transition to democracy since 1991.

The research is divided into six chapters. This chapter (chapter 1) introduces the research and presents the problem, aim and objectives, research questions and hypotheses. Chapter two encompasses the literature review and theoretical framework; linking the various concepts of democracy, ethnicity and ethnic conflicts, which are predominantly dealt with in this research. It also deals with ethnic violence and transition to democracy in Africa at a theoretical and conceptual level and discusses the methodology applied as well as highlights the significance of the research.

Chapter three on the other hand, presents a historical background to the struggles for democracy in Kenya; indicating the domestic and global structures and trajectories that have influenced the transition process in Kenya. It also discusses the nature of the political parties in Kenya's process of democratization and the salience of ethnicity. Chapter four discusses three major waves of ethnic conflicts in Kenya since 1991 till 2008. Chapter five further analyses the recurrence of the ethnic conflicts bringing together information contained in the preceding chapters while chapter six forms the conclusion and recommendations for action and further research.

1.2. Problem statement

As mentioned above, 1991 marked the reintroduction of multiparty elections in Kenya. Paradoxically, it is in the same year that violent ethnic conflicts erupted in the country. The conflicts started in the Rift Valley province of Kenya; one of the most ethnically heterogeneous regions in the country and also one of the most agriculturally

productive regions of the Kenya (see the Rift Valley and other provinces in figure 1. pg 26). Other provinces that have been battlegrounds of ethnic conflicts include the Western and Nyanza Provinces (Moyo, 2004:22), presumably owing to their proximity to the Rift Valley Province. Kenya's Coastal Province also experienced some violent ethnic conflicts in 1997.[1] The recent post-election conflicts that rocked the whole country, in rural and urban areas alike unfolded in an ethnic dimension too. (See chapter four for details on ethnic conflicts in Kenya).

The economic, social and political consequences of ethnic conflicts in Kenya are immense. Since the early 1990s, ethnic conflicts have been leaving trails of destruction in Kenya and have become an endemic phenomenon, threatening the coexistence of the various ethnic groups. Ethnic conflicts are a hindrance to both economic and human development. Loss of life, property, and displacement of persons has been rampant in Kenya. So destructive and pain inflicting are ethnic conflicts in Kenya, that their memory sends cold chills down the spines of those who have witnessed them or have been directly affected. Nyukuri (1997), points out that "the thought of fresh ethnic conflicts in Kenya raises immense fear and apprehension."

The regional significance of Kenya cannot be overemphasized. Considering that her neighbours in the Horn of Africa as well as the Great lakes region: Somalia, Sudan, Ethiopia, Uganda, Rwanda, Burundi and the Democratic Republic of Congo (DRC) have experienced civil wars, Kenya plays a key role of hosting both refugees and exiles from her neighbours (Galaty, 2005; Miller and Yeager, 1994:122).

In addition, Kenya connects its landlocked neighbours to the Indian Ocean coast; hence most of the shipped goods to these countries are transported through Kenya (Smith, 2008:2). The Rift Valley Province which has been adversely affected by ethnic conflicts, as well the Western and Nyanza provinces, which are also significantly affected, form an indispensable transport connection between Kenya and her neighbours (see chapter four, section 4.3 for details). All these are some of the major sectors that are affected by ethnic conflicts in Kenya. This further attests to the negative impacts of Kenya's ethnic conflicts in an international context and

[1] The clashes at the Coast Province affected mainly Likoni area. The Rift Valley, Western Province and Nyanza form some of the former "White Highlands" during British colonial rule and they contain very fertile farmland (Human Rights Watch/Africa Watch, November 1993:1).

consequently the much needed research to dig out information that would assist in mitigating the conflicts and managing ethnicity.

Referring to ethnic conflict in Kenya in the 1990s, coupled with reprisals of political opponents, Apollos (2001:100) posits that " the last decade of the 20th century in Kenya will be remembered for armed conflicts, massacres, displacements, uprisings, riots and demonstrations" adding that "their repercussions would be felt even in the 21st century." On the same note, Wa Wamwere (2003) explicitly explains the repercussions of negative ethnicity, giving an account of the numerous deaths that have occurred in Africa due to violence organised along ethnic lines. He points out that negative ethnicity is not an African phenomenon; maintaining that it is also to blame for the ethnic violence that broke out in the former Yugoslavia in the early 1990s. According to Wa Wamwere, the destructive nature of misused ethnicity is Africa's second largest problem after HIV/AIDS that is hindering development, peace and happiness at an alarming rate.

Violent ethnic confrontations posed a great challenge to Kenya's democratic transition throughout the 1990s. Whereas Kenya's transition to multiparty political pluralism in 1991 was accompanied by ethnic violence that persisted throughout the decade, the transition from the Kenya African National Union (KANU) regime to the National Alliance Rainbow Coalition (NARC) in 2002 was relatively amicable and ethnic violence was very minimal (Oyugi et al., 2003:39).

The 2007-2008 post-election violence and the heavy ethnic undertones that dominated it brought to surface the fact that ethnicity is still a strong force to reckon with in the current wave of political liberalization and democratization. In addition, it portends the ever growing need to comprehend and thus forge ways of managing ethnicity to avert destruction that results from the negative mobilization thereof. This prompted us to dig into research and find out underlying factors behind this recurrent phenomenon in Kenya.

1.3. Aim and objectives of the research

The fact that Many African states are inhabited by people of various ethnic groups cannot be avoided. Kenya alone consists of more than forty different ethnic groups. However, the fact that various groups engage in atrocious inter-ethnic

conflicts is a sad reality that has dawned not only to Kenya, but also to several other parts of the world, especially as mentioned, since the last decade of the twentieth century.

Ethnic conflicts in Kenya have attracted proliferous research into the phenomenon. Klopp for example has carried out extensive research mainly on ethnic conflicts in Kenya's Rift Valley Province. Her 2001 and 2002 accounts highlight that ethnic conflicts in Kenya in the 1990s were to a great extend a divisive strategy pursued by political elites in order to gain electoral victory. This has also been captured by Oyugi (2000), Osamba (2001) and Apollos (2001) who on the same note cite land as one of the historical grievances and a major factor in ethnic mobilization. Oyugi further reveals that ethnic conflicts in Kenya, especially in the 1990s were orchestrated by leaders, who manipulated ethnicity for personal gains due to their fears of power loss in the wake competitive politics.

A comprehensive study on the conflicts has been done by Oucho (2002) who not only cites land grievances, but also environmental and demographic issues especially population pressure and environmental degradation, as well as colonial legacy among other factors as undercurrents of ethnic conflict in Kenya. This research acknowledges the contribution of the above authors as well as many others in providing significant information about ethnic conflicts in Kenya. Most of the authors have however, focused more on the Rift Valley Province of Kenya. The clashes at the Coast province for example have received little attention. In addition the issue of inter-ethnic conflicts as a recurrent phenomenon with multifaceted dimensions since the early 1990s has received little focus in most research.

Besides, the recent post election ethnic violence across Kenya sends messages to researchers that any part of the country stands vulnerable to this terrifying violence. Moreover, the reality that these conflicts have been occurring repeatedly could lead to a state of pessimism and the complacency that ethnic violence is an adversity that is bound to be lived with. This research was however, motivated by optimism and conviction that a clear understanding of the factors underpinning the recurrent phenomenon would enhance better preventive as well as resolution measures.

This research therefore aimed at contributing to the much needed information by finding out the factors underpinning the recurrence of violent ethnic conflicts in

Kenya in the current process of transition to democracy. By looking at the ethnic conflicts in Kenya in connection to the process of transition to democracy, this research further aimed at taking a comprehensive approach that looks at various trajectories not only at the domestic but also the international or global arena, taking all of them as mutually reinforcing arenas which come into play in influencing Kenya's ethnic conflicts.

It is also important at this point to note that the pastoral conflicts at the extreme northern part of the Rift Valley Province, the northern and north-eastern part of Kenya have consciously not been included in the cases discussed in this research. We acknowledge the fact that such conflicts, although they are mainly about struggles over access to diminishing pastures, sometimes take an ethnic dimension. Nevertheless, we consider them different from the cases discussed in this research; for instance in the manner in which they are articulated, as well as their timing which is usually determined by changing availability of pastures and changing climate and also involve different actors and dimensions from the cases discussed in this study.

With the above backdrop, the general objective of this research was therefore, to analyse the ethnic conflicts that have occurred since 1991 in Kenya; the beginning of the long process of transition of the country to democracy up to the recent 2007-2008 post-election violent conflicts. While it was not possible to document each and every ethnic conflict that has occurred in the country since 1991, three main waves of ethnic conflicts have been extensively discussed: the 1991-1994 Rift Valley clashes, 1997 clashes in Mombasa and Rift Valley once again in 1998 and the recent 2007-2008 post-election conflicts in various parts of the country.

In conjunction with the above aim and general objective, the following were the specific objectives of the research:

1. To find out the link between the transition to democracy in Kenya and ethnic conflicts in the country.
2. To demonstrate how historical, institutional, behavioural and economic factors interdependently influence the occurrence and recurrence of ethnic conflicts in Kenya.

Working towards the above objectives required a careful analysis of various factors which would play a key role in comprehending the interethnic conflicts that

this research dealt with. The research therefore set out the following factors to guide in the analysis:

1. Timing of the interethnic violence: When have the interethnic conflicts occurred?
2. Victims and perpetrators: This involved a careful analysis of the victims and the perpetrators in the different occasions in terms of their ethnic group, region (place), economic and social status.
3. Causes of interethnic violence: Here focus was on the factors given as the causes of the conflicts, in order to establish their historical, behavioural and institutional basis and significance.
4. Efforts used in resolving the conflicts: The rationale here was to establish the efforts that have been applied to deal with the interethnic conflicts since 1991 and how adequate they have been in resolving or fuelling conflicts.

1.4. Research Questions and Hypotheses

Based on the above objectives and factors of analysis, the following questions guided the research.

1. Why did Kenya's transition to multiparty democracy lead to inter-ethnic violence and why do they go along with general elections?
2. Who are the victims and perpetrators in the conflicts in the various ethnic conflicts?
3. What efforts have been applied so far to resolve ethnic conflicts and how effective have they been?
4. What role do history, institutions as well as the economic and the structure of the Kenyan society play in the recurrence of ethnic conflicts?

In addition to the above objectives, factors and questions, the research was guided by the following hypotheses:

1. Democratization is likely to trigger ethnic conflicts in a country where ethnicity assumes a high salience in political competition.
2. Historical, institutional, economic and behavioural and global factors interdependently play a key role in Kenya's interethnic conflicts.

Chapter Two
Literature review and theoretical framework

2.1. Literature review

The literature review for this research revolves around issues like democracy, transition to democracy, ethnicity and ethnic conflicts each of which represents a vast area of research. Consequently, each is represented by an enormous amount of literature; both academic and non-academic. The literature review adopted in this research is therefore, limited to some of the texts and articles that link democracy in Africa in general and Kenya in particular with the resurgence of violent ethnic conflicts. An understanding of democracy and the transition thereof is important for this study as it coincides with the upsurge of ethnic conflicts. This implies the possibility of establishing a relationship between the process of democratization and ethnic conflicts and their recurrence, an endeavour that this study undertakes.

Democracy is an elusive and contested term that lacks a universally accepted definition. Nevertheless, democracy has always to a great extend been attributed to struggles for popular participation in decision making. “Rule for the people” “by the people” and “of the people” are some of the phrases and slogans that accompany the idea of democracy. Nzongloa-Ntalaja (2001:14) for example visualizes democracy in terms of three basic ideas, which he collectively refers to as “democratic culture”: democracy as a moral imperative, as a social process and as a mode of governance. As a moral imperative, democracy refers to mankind’s inherent natural aspiration for freedom, and a more humane social and political order. Nzongola-Ntalaja further posits that, democracy as a social process refers to a continuous process preoccupied with the promotion of equal access to fundamental human rights and civil liberties for all. As a mode of governance, democracy is based on principles of popular sovereignty, the rule of law and a periodic alteration of leadership. Nzongola-Ntalaja’s visualization of democracy therefore, views it not only as a process but also as a value in itself.

Smith (2000:24) views democracy in terms of the process of democratization itself, which he links with political liberalization. He takes political liberalization as an increase in civic liberties that result from the relaxation of political control by

authoritarian leaders. Smith views democratization as a part of liberalization, but which is aimed at the political system focusing on competitive elections as a genuine process of choosing leaders. Bratton and Mattes (2001) argue on the same note and talk of democracy in terms regimes that support human rights in addition to competing parties and open elections.

Further consideration of democracy by Bratton and Mattes (2001:447-453) suggests two dimensions attributed to it: the political and socio-economic. The political dimension mainly focuses on rules and laws that enhance freedom, empowerment and participation which further reflect access to decision making apparatus like state and public control. Bratton and Mattes (ibid.) view this as the intrinsic value of democracy; an end in itself, based on political freedoms and equal rights. The socioeconomic dimension of democracy which Bratton and Mattes refer to as the instrumental aspect of democracy is closely related to the political dimension. Here, regime change and by extension democratic leadership is viewed as a means to achieve ends. The ends in this case involve mainly the enhancement of stability, development and improvement of living standards and alleviation of poverty.

Some literature also tries to find out the rationale for democracy. Is democracy important any way? On this note, Bray (2006:3) sees democracy as justifiable in that it plays the role of protection and development of humanity.[2] In his analysis, he combines the two dimensions of democracy (political and socio-economic dimension) and shows how they interdependently lead to the well being of humanity. A very interesting account of democracy has been put forward by Amartya Sen (1999:3-17) who links democracy to the whole idea of development in a very unique way. He argues that democracy is an indispensable component in human development. Democracy in this sense entails the political participation and freedom, the development of the basic capabilities of human life, governments' role in enhancing the economic development of its citizens as well as development of values and understanding of needs, rights and duties.

[2] Bray refers to protection against abuse and violations of human rights and civil liberties by tyrannous leaders, (i.e. freedom from domination. Development of humanity stems from achievement of ends deemed necessary for human development e.g. support for common good, social equality, distributive justice, economic development and ecological care (Bray, 2006:5-6). For more information about these two rationales for democracy, see (Bray 2006:1-20).

The Cold War ushered in a wave of advocacy of liberal democracy, especially in the former Soviet Union, Eastern Europe and Africa (Bray, 2006). This also brings other debates surrounding democracy: the debates on transitions to democracy and violence. The resurgence of intra-state wars and conflicts various parts of the world, notably the former Soviet Union, parts of Eastern Europe and Africa during the 1990s, which paradoxically coincide with the process of transitions to democracy in those parts have invited a keen attention (Lake and Rothchild, 1996:21). Mann (2005) refers to the above phenomenon as the dark side of democracy. This research however views it not as the dark side of democracy, but the dark side of improperly managed transitions.

Concerning Africa, Villalón and VonDoepp (2005), point out a wave of democratization that swept the continent in the early 1990s. International demands on "good governance" coupled with domestic pressures for political change were the main driving force behind this wave of change. Successful conducting of multiparty elections in Africa was and continues to be viewed as a successful transition to democracy. Whether the political changes of the early 1990s constituted transitions to democracy or not, still remains questionable up to date.

Democracy in Africa is consequently considered highly flawed (ibid.). A number of discourses surround this phenomenon. The first one concerns the issues about the appropriateness of the kind of democracy advocated in Africa in the 1990s. Claude Ake (1993) argues that the liberal democracy advocated in Africa since the end of the Cold War is the wrong type for the continent. He looks at democracy as a means of acquiring power Vis-a-Vis democracy as a means of acquiring development and improvement of life. The latter, he argues is the democracy that suits the social base (the masses) in Africa. Ake maintains that Africa requires a different type of democracy and not liberal democracy that encourages individualism whereas Africa is still a communal society.

In addition, liberal democracy, he points out was spearheaded by the elites who desired power, the international development community and the Western countries which also address human rights and rule of law, taking individuals as legal subjects within their country; This, according to Ake would only be applicable in urban areas and not in the rural areas where communal ties remain intact (ibid.:240). Further discourses centre on the role played by the international pressure arguing that

democracy was imposed on Africans. Ake misses the point however by focusing too much only on the socio-economic (instrumental) dimension of democracy and downplaying the political (procedural) dimension which is equally important. We are of the view that both dimensions are equally important and should run concurrently for successful democratization.

Democracy in Africa has been mainly equated to multiparty elections or political pluralism with emphasis on competitive elections and the ability of the public to express their preferences (Stewart & O'Sullivan, 1998). Consequently, elections have been used as an indicator of democracy in Africa by Africans and the international community at large. If a country holds free and fair elections (which is rarely the case), then it is said to be democratic.

This change according to many authors enhanced a lot of political competition. This has been echoed by Villalón and VonDoepp (2005), who further argue that the focus on elections as the metric of democratic success can be problematic. It suggests an emphasis on the intrinsic value of democracy; the political dimension. It does not reflect the conclusion of a clear process but "perhaps a snapshot of one brief moment in an ongoing period of transition and flux" (ibid.: 7). Socio-economic dimension of democracy that deals with the development of the wellbeing of people, (especially the masses) has been obscured.

This has further been marred by intra-state conflicts which have increased the suffering of many people, undermining the prospects of further democracy. Indeed Nzongola-Ntalaja (2001:12), acknowledges the fact that although the efforts of democratization in Africa beginning from the late 1980s were greeted with a lot of hope and enthusiasm, pessimism is now looming in. He correctly points out the following factors that undermine democracy in Africa: "reluctance of incumbents to leave office, persistence of ethnicity which challenges national cohesion and equal citizenship and persistence of poverty and unemployment as well as social exclusion" (ibid.).

The above accounts attest to the complexity that surrounds the term democracy as a disputed term and its associated transition as a controversial process. For the purpose of this study, the author adopts the conceptualization of democracy offered by Nzongola-Ntalaja at the beginning of this chapter: democracy as a moral

imperative, a social process and a mode of governance. This is because it encompasses in a very humble sense, all the dimensions of democracy that have already been discussed in this paper. It focuses on both the political (the intrinsic value) and the socio-economic (instrumental value) dimensions of democracy; hence presents democracy as a self justifying phenomenon. Although Ake (1993) has indicated the need to focus on the socio-economic aspects of democracy in Africa, he ignores the political aspect which is equally important.

In line with the observations of many authors, we take cognisance of the fact that democracy in Africa has been mainly looked at through the lenses of political pluralism and elections. We acknowledge the change in many countries especially in Africa from single party to multiparty systems as a significant step in the process of attaining democracy. However, democracy goes far beyond holding elections as indicated in Nzongola-Ntalaja's visualization of democracy adopted for this research. We argue further that the initial step of transition to democracy in the early 1990s not only in Africa but also elsewhere in the world like the former Yugoslavia and former Soviet Union just but to mention a few, aroused violent conflicts along various aspects of identity; notably religion and ethnicity. These, as argued earlier were the unintended consequences of the democratic transitions or the *"dark side of democracy"*, to quote Mann's (2005:2) phrase.

Why is it that this process of transition to democracy has been surrounded by conflicts and human suffering in Africa while democracy was believed to be a panacea to social conflict and underdevelopment? This implies that analysis of these conflicts in relation to democracy is ineluctable if the conflicts are to be understood, and therefore prevented, managed and resolved. It is in light of this need for understanding conflict that we undertook this research. The research focuses on the ethnic conflicts as one of the pervasive conflicts in Africa since the early 1990s. The area of study is Kenya whose ethnic conflicts have been recurrent since the onset of political pluralism in the 1990s.

2.2. Transition to democracy and ethnic conflicts in Africa

Violent conflicts, in Africa in the post Cold-War era are the antithesis of the expected and predicted stability, peace and development that were linked to democratization (Smith, 2000:21; Lake and Rothchild, 1996:41). Indeed, many would

agree that the period has led to destitution of some people especially who have suffered the effects of ethnic conflict in various ways such as loss of property, displacement and loss of life. Identity has taken a centre stage in the conflicts; ethnic belligerence being the most prevalent (Shoup 2008:7).

Even before the 1990s, ethnicity was pointed out as formidable force in Africa by a number of African leaders. It was perceived as a great challenge to nationhood. Samora Machel of Mozambique for example was of the opinion that *"for the nation to live, the tribe must die"* (Samora Machel, quoted in Mamdani, citizen and subject p. 135, in Berman et al. 2004:8). Some scholars have also pointed out the central role ethnicity plays in society. According to Thomson (2004:62), ethnic groups remain an important form of social organisation in Africa today, because they continue to serve contemporary social, political and economic needs.

Many authoritarian leaders in Africa such as Moi (Kenya), Eyadema (Togo) and Mobutu (former Zaire) expressed fears that liberalization would lead to greater ethnic conflict (Smith, 2000:23). To what extend were their fears genuine that ethnicity per se would lead to conflict? How would political pluralism lead to ethnic conflict? According to Smith (ibid), the above authoritarians' expression of fear of ethnic conflicts were excuses to avoid sharing or losing power in the wake of political pluralism. Indeed, Smith's comprehensive empirical study on the relationship between democratization and political liberalization established that, other influencing factors held constant, an inverse relationship exists between political liberalization and ethnic conflicts in Africa (ibid.:32). This portends that democratization and liberalization would not lead to ethnic conflicts if ethnicity was not mobilized for conflict.

Some leaders on the other hand did not see ethnicity as a threat to political pluralism. Julius Nyerere of Tanzania for example, was ready to embrace the democratization process and he took it upon himself to encourage openness in his country, to engender a calm and peaceful transition to democracy (Hyden, 1994: 96). Fears of ethnic divisions and conflict in the wake of the democratization process, especially by African leaders it can be argued here were fears of power loss.

Nzongola-Ntalaja (2001), further maintains that a useful connection between transition to democracy and ethnic conflict in Africa calls for a carefully analysis of

the conditions under which identity differences (based on ethnicity) can result in ethnic conflicts. According to him, transition to democracy in Africa was aimed at putting an end to autocratic single party rules that had dominantly prevailed in many African countries in the continent since their independence. Political pluralism prompted a reorganization of power relations at all levels of society. Consequently, most of the authoritarian rulers were dreadful of losing power and hence, opposed to the efforts of democratic transition. When it became impossible to resist the changes further, ethnic mobilization was resorted to as a strategy of incumbents to avoid relinquishing power.

In the areas where ethnicity has been resorted to, electoral competition has accentuated on the one hand "conflicts within ethnic communities over elite claims to leadership on one hand, as well as class based confrontations over the moral obligations and the reciprocities of the rich and the poor and on the other hand inter-ethnic regional grievances," (Berman et al., 2004:11). Political liberalization which is a key element in the form of democracy articulated after the Cold War era opened up spaces for the expression of grievances which had been suppressed during the Cold War by authoritarian regimes; most of the grievances stemming from ethno-regional inequalities of access to the state power and resources of modernity like jobs and capital (ibid).[3]

Ethnic conflicts and claims of autochthony

Democratization process in Africa has ushered in claims of autochthony in Africa. On that note, (Berman et al, 2004:11-12) cogently point out two dominant forms of autochthonous claims in the democratization process: the first revolves around discourses on distinction between the "natives/indigenous" and the "strangers/migrants/foreigners". This leads to the assertion of communities to be represented by elite from their region "sons of the soil". The second revolves around claims of autochthony as opposed to residence as the core principle of determining local/regional leadership. This highlights the struggle for supremacy between ethnic communities that has dominated the political arena in the process of democratization in Africa. More over, on the basis of the same claims, those who consider themselves as "original" claim to have special rights to the region over the "strangers".

[3] Berman et al., (2004:11) here give examples of Kenya, Cameroon, Senegal, Nigeria as counties where such grievances erupted and stirred up ethnic conflicts.

Nzongola-Ntalaja (2004) takes the above discussion further and links it to citizenship. He argues that the shift of focus to "indigenous" vs. "stranger" and debates on autochthony enhanced the manipulation of citizenship for exclusionary purposes especially by incumbents who were reluctant to lose power in the democratization process. This in turn led to serious violent conflicts organised along various aspects of identity; ethnicity being the most salient.

The exclusion of Alassane Dramane Ouattara from running for presidency in Ivory Coast on claims that he was Burkinabe in 1996 and 2000, despite him having held government positions in the country, led to ethnic violence of political (southerners and northerners) and religious (Christians and Muslims), (ibid.: 404)[4]. Geschiere and Nyamnjoh (2000:427) also highlight similar claims of autochthony in the wake of democratization in the 1990s in Cameroon especially between the Beti ethnic group that claims to be the locals (autochthons) and the Bamileke who are considered immigrants (allogenes).

The above exclusionary aspects of citizenship have also been dominant in the Great Lakes Region of Africa which has consequently experienced some of the most brutal ethnic conflicts since the 1990s, including the infamous 1994 Rwanda genocide. They involve the Hutus and Tutsi ethnic groups, which inhabit the different countries in the region; predominantly in Rwanda and Burundi (Nzongola-Ntalaja 2001:13). Other Hutus and Tutsis are found in Uganda, Tanzania and Congo; many of whom are exiles or refugees resulting from the conflicts between the two ethnic groups in Rwanda and Burundi. In Congo, Mobutu's regime used ethnic violence to repress the democratic movement in North Kivu in 1992, the victims being Hutu and Tutsi who were forced to seek refuge in Rwanda (ibid.). Similarly, between 1992 and 1994, people who had lived in Katanga province for almost a century were forced to walk back many miles away to Kasai province where they were alleged to have "originally" come from; some died on the way owing to harsh conditions (ibid.). This region remains conflict torn up to present.

Kenya, has also not been unscathed by the "dark side of democracy". It has experienced various forms of violence since 1991. Three major incidences of ethnic

[4] The crisis later escalated into civil war that required the Peace-keepers from France, the United Nations and the Economic Community of West African States (ECOWAS) (Nzongola-Ntalaja, 2004:404).

violence are however striking. The first two were in 1991-1994 mainly in the Rift Valley Province and 1997/1998 in the same province and in some parts of the Coast Province (see the provinces in the map on page 26 of this research). In both cases, discourses of autochthony were also applied, whereby those allegedly referred to as "foreigners" in the conflict regions were the main targets, and were told to go back to where they originally came from. Just like the conflicts cited above, the then incumbent regime was implicated in the conflicts (Osamba, 2001; Apollos, 2001; Smith, 2000, and Oyugi, 2000)). The third incidence was the recent 2007-2008 post-election violence, which engulfed the whole country, had strong ethnic undertones and same autochthonous claims persisted (Elischer, 2008). The above incidences of ethnic conflict also coincide with Kenya's general elections in the country namely: 1992, 1997 and 2007 respectively. (These conflicts are discussed in detail in chapter four of this research).

The above accounts attest to the role of ethnic conflicts in impeding the democratization process in Africa. Whether the conflicts are as a result of the process of democratization *per se* or whether ethnicity *per se* is the cause of the conflicts, remain issues of discussion. Nevertheless, the reality on the ground is that ethnic conflicts are rife in Africa and need to be addressed. The other fact is that, democracy as a moral imperative as a process and as a mode of governance is indispensable and should be embraced. It is therefore in light of these facts that the author of this research undertook this research on ethnic conflicts in Kenya since the onset of the democratisation process with the aim of finding out the factors behind their recurrence.

2.3. Definition of concepts

Ethnicity

The term ethnicity and ethnic group has been defined in multifaceted ways by different authors. According to Barth (1996:75), ethnicity refers to a group that is largely "biologically self perpetuating, shares fundamental cultural values and makes up a field of communication or interaction, has a membership which identifies itself and is identified by others, as constituting a category distinguishable from other categories of the same order."

Barth acknowledges the more emphasis that culture receives when defining ethnicity and suggests that in spite of the emphasis on culture, a one-to-one relationship between ethnic units, cultural similarities and differences cannot be assumed. Instead, only the aspects of culture that are significant to the actors are taken into consideration in ethnic organizations while others are ignored. Self-ascription and ascription by others is based on the most general identity which is contingent on origin and background. This aspect of ethnicity according to Barth (ibid.: 78) is used in an organizational sense as a way of categorizing people for the sake of social interaction with the others. These cultural aspects, he adds, form boundaries for social interaction with other similarly categorized ethnic groups. The boundaries are fluid in nature. The boundaries and the organizational form of the group keep changing, but are nevertheless maintained.

Complementarity of cultural features of different ethnic groups enhances positive bonds between or among the groups (ibid.: 82). This may consequently lead to interdependence or symbiotic relations among the groups. The complementarity of each others cultures strengthens the reference to ethnicity in group interactions and in situations where they don't complement each other, then there is little interaction between the groups or there may be interaction but without reference to ethnicity.

Cohen (1996) sees contemporary ethnicity as a product of intensive interaction between ethnic groups and not their complete separation. Ethnic groups here are constantly involved in dynamic arrangement of customs and relations and not their conservation of continuity. Giving less emphasis to the centrality of culture in ethnicity, Cohen argues that ethnicity is a political phenomenon and traditions are only used as idioms and mechanisms for political alignment (ibid.: 87). Ethnicity in this case is not mainly for mere identification, but a force of group organization and taking position in the political arena.

The above discussion surrounding the definition of ethnicity bespeaks the elusiveness of the term and the absence of a universal definition of the term. A further study would therefore bring out more definitions. This study takes ethnicity as an aspect of collective identity and social organization which rests mainly on ascription based on myths of common ancestry, shared culture, territorial settlements, group affiliations, and relationships. In the context of this research, ethnic groups are viewed more as interest groups than just mere identity groups.

Surrounding discussions and definitions of ethnicity and ethnic group is the term "tribe". Thomson (2004: 62) posits that the term tribe is sometimes used to refer to "ethnic group" in Africa and notes that it is perceived negatively especially by the Africans themselves, due to its derogatory use by colonialists who attributed it to Africa's "uncivilized" organization of society. This applies the various the terms: "tribe", "ethnic group" and even "ethnic community" synonymously.

Ethnic conflict

In spite of the fact that numerous cases of violence have been referred to as ethnic conflict in various parts of the world, controversies still surround the term. It has been used to refer to conflicts which in the real sense have been conflicts over resources, political violence and class conflicts among other grievances. This is because of the strong mobilizing force attributed to ethnic group affiliation.

Ethnic conflict refers to a continuum of events which range from the articulation of discontent, protest, mobilization, confrontation, sporadic or sustained violence, and civil war or insurrection, in which ethnicity plays a key role (Smith, 2000:24). Ethnic conflict can thus be violent or non-violent. Non-violent conflict is inevitable in the society, but violent conflict is an unacceptable phenomenon which can be avoided so long as the right measures are applied.

This study adopts Smith's definition and concentrates mainly on violent ethnic conflict. Ethnic conflict is therefore used in this research to refer to violent ethnic conflict. Another term that may also be used to refer to the same is "tribal clashes" or even "ethnic violence" or sometimes "violent ethnic conflict". The focus on ethnic violence does not however brush aside the effects of the other manifestation of ethnic conflict indicated above to society. Indeed, the author of this research acknowledges that other manifestations of ethnic conflict for example ethnic tensions, and mobilizations, and protests may either precede or can be sequels of ethnic violence.

2.4. Theoretical framework for analysis of ethnic conflicts

There has been a proliferation of research on ethnic conflicts. Various social science theories have been put forward to explain the occurrence of ethnic conflicts. Some of these theories which also explain the concept of ethnicity include: Primordialism, instrumentalism and modernisation.

Primordialism

According to primordialists, ethnic conflicts occur as a result of persistent inborn factors which are often used as basis for ethnic groupings and pursuance of a common goal. These ties involve common culture, and common ancestry or kinship ties, common language and religion, among others. They are social "givens" that one cannot live without and they bind one to their fellow kinsman, neighbour, and believer by virtue of their very nature (Geertz, 1996: 42). According to this theory, individuals engage in conflicts due to the bond that keeps them together and they therefore risk their lives for the common good of the entire group. Ethnic conflicts here are then carried out on the basis of identification as "us" and "them". Emotions play a major driving force whereby members have affection for their own groups and hatred for other groups (Horowitz, 1998).

Instrumentalism

According to instrumentalists, ethnic conflicts are an outcome of mobilization of ethnic identity by individuals or even groups of individuals for political and economic ends, (Berman, 1998:309). Among the supporters for this theory are Berman (2004), who sees political elites as key actors in mobilizing their fellow ethnic group members who are receptive owing to perceived benefits accrued to the loyalty in the politics of "Big Man – Small Boy". On the same note, Carment (1993:138-139) cogently posits that ethnic identity in this view is maintained for collective action as long as it yields competitive advantage; as such, it is fluid and situationally mobilized depending on its strategic utility. The instrumentalist view takes ethnic conflicts as political in nature and puts more emphasis not on cultural but political and territorial appeals, (ibid.). Instrumentalism is also reflected in rational choice theory and studies of class differences in society which provide grounds for ethnic mobilization (Berman, 1998:309).

Modernization theory

Modernisation theory also referred to as the competition theory views ethnic conflict as result of mobilization competition for scarce resources tied in a modernized society (Mozaffar, 1995:38). Modernisation process entailed the process of nation-building, which implies shared national characteristics among social groups and hence an increased homogeneity in the society at large. This leaves the power of

allocation of national resources to the state. Hettne (1996:20) observes that "More often than not, state power is linked with a dominant ethnic group, which therefore becomes the carrier of modernization and nation-building. The "ethnic interests" of the dominant group coincide with the "national interest" (Hettne, 1996:20). Modernization was aimed at eroding ethnic consciousness and forging national cohesion (Mozaffar, 1995: 81). However, the process in turn perpetuates the salience of ethnic groups and in struggles for access to scarce resources and political representation.

None of the above theories can be generalized as the most fitting explanation for the multifaceted ethnic conflicts that ensue in the various parts of the world. Horowitz (1998) correctly points out that none of the above theories can single handed explain why people fight along ethnic lines whereas there are many other categories of identification like class, or profession among others. He quotes Bell's observation that ethnicity is salient in conflicts because "it can combine interest with an affective tie" indicating that once the affective side of ethnic affiliation is recognized, it also becomes an "interest site" (Bell 1975:169, as quoted in Horowitz 1998:23).

A multifaceted approach proposed

This research acknowledges the inadequacy of any single theory to explain the ethnic conflicts in Kenya which this research studied. We adopt a more focus on the instrumentalist view which is based on the rational choice theory that hinges upon cost-benefit oriented economic and political choices.

Most research dealing with causes of ethnic conflicts especially in Africa as indicated above, brings to cognisance the fact that mobilization along ethnic lines by leaders is a key causal and sustaining factor of ethnic conflict. This depicts leaders as the evil preys ready to lure the naïve and innocent ethnic group members (the mobilized) for their own benefits. Very little focus has been directed towards understanding the moral as well as temporal, economic, institutional, behavioural and historical factors making ethnicity such a strong mobilizing force. Why do rational individuals opt for ethnic mobilization and why are the actions resulting thereof violent?

This research views ethnicity in Kenya as highly instrumental and as an interest group that comes in handy in different political situations. Taking the instrumental

view of ethnic identity as applied in electoral competition in the current era of democratization the research further adopts the rational choice institutionalism approach. This approach holds that institutions shape the choices and strategies as well as political behaviour of actors in the political arena (Mozaffar, 1995:49; Lecours, 2000:512). Institutions in this could include formal structures like state, government structures, electoral systems, and even party systems. Shoup (2008) identifies also some informal institutions like myths of common origin and indigenousness that have dominated many societies and have been major forces behind ethnic conflicts in the era of democratization.

This research highlights the perspectives and ideologies underlying the relationship between ethnicity and various institutions like the state, the provincial administrative structure and political parties that engender strategic choices for ethnic mobilization and cooperation between political leaders and their followers especially during multiparty elections in Kenya. A historical retrospect is further applied to highlight the historical development of the various relationships of ethnicity and institutions which in turn finds expression in the current instrumentalization of ethnicity and hence ethnic conflict. A structural approach is also considered especially in highlighting the interaction between class/economic inequalities and ethnicity in the ethnic conflicts in Kenya. On the same note, structural factors such as colonial and post-colonial state as well as global ideological shifts particularly the global bi-polarity during the Cold War era inform this research as far as democracy and issues of class and ethnic cleavages and conflicts are concerned.

2.5. Research methodology

This research went through a long process of development before the final topic of research could be identified. The very initial step involved intentions of finding out to what extend struggles over resources go along with ethnic conflicts in Africa. Further considerations of the above idea lead to the realization that violent ethnic considerations have been on the rise in the post Cold War era and the resultant wave of democratization in Africa. This gave the research a certain direction; to establish the link between the process of transition to democracy in Africa and the ethnic conflicts.

The 2007 post election violence in Kenya led to the final decision concerning the topic, choosing Kenya as an example to find out the link between ethnic violence and the process transition to democracy. The research therefore involved an in depth study of three waves of ethnic conflicts in Kenya since 1991; The first wave (1991-1994) in the Rift Valley province, second wave (1997- Coast Province, and 1998 Rift Valley Province) and then 2007/2008 post-election violence.

The study was a desk research carried out in the various libraries in the University of Vienna, notably the Main University Library and the African and Middle Eastern Library. Information was gathered from the libraries as well as from the internet. The research therefore involved analysis various academic and non-academic documents on ethnicity, democracy in general and transition to democracy in Africa and Kenya in particular and its link with ethnic violence. Documents like books, journals, online newspaper articles and reports were used as sources of information for this research.

A number of problems were experienced in this research. First, democracy itself is a term that faces numerous interpretations and requires a careful selection of context and content. To overcome this, the research consciously avoided going deep into various discussions that may lead to circles of discussion without easily getting to the point. For example, the research has consciously excluded an in depth discussion on types of democracy such as liberal, social and socialist democracy. Instead the dimensions of democracy (procedural/political as well as the instrumental/economic) were preferred. Nzongola-Ntalaja's view of democracy (discussed above) was adopted for the research.

Another problem concerned availability and access to literature sources. There is little documentation about ethnic conflicts in Kenya between 2003 and 2006. We acknowledge that to some extend it is because of the relative ethnic cohesion experienced in the country. Besides are no text books yet on the recent 2007/2008 post-election conflicts. Therefore, for this part of the research mainly relied extensively on newspaper articles, and reports especially from Human Rights Watch and the International Crisis Group among as sources of information.

Data collected was mainly qualitative. Although some minor analysis was carried out throughout the various chapters through various sub-topics, a comprehensive analysis was done in one of the chapters (chapter five) which drew on information

from the previous chapters of the study and organized the analysis in various themes which to a great extend in accord with the objectives, hypotheses and factors of analysis mentioned in the introduction.

2.6. Significance of the research

The process of democratization is still a current phenomenon in Africa. Almost all the countries in Africa are in transition to democracy. Insecurity and instability is still prevalent in the continent and in some cases is becoming worse. A great number of them have so far been attributed to ethnicity. It therefore calls for an ever increasing research and careful analysis on the issue**.** This research contributes to the body of knowledge concerning conflicts that have ensued in Africa since the 1990s, whose reality cannot be brushed aside.

Through a careful analysis of the ethnic conflicts that have become pervasive in Kenya since the 1990s up to the present and the establishment of the factors underlying their recurrence, this research contributes to the much needed information and better understanding of ethnic conflicts that have posed a challenge to democratization not only in Kenya, but also in Africa at large.

Policy makers and development agencies may also find interest in this research as providing an understanding into the ethnic conflicts which would further enhance them to devise ways of handling ethnic conflicts and enhancing harmony as a precondition to human and economic development. Kenya is on the process of recovery after the recent atrocious violence that ensued in the country. Leaders and citizens alike could also gain some understanding of ethnic conflict from this research.

Chapter Three

Background to the struggle for democracy and ethnic conflicts in Kenya

This chapter draws a retrospect into the post-independence-Cold War period in Kenya. The chapter consciously provides very cursory information on Kenya's colonial period because it aims at focusing more on the post-colonial period. It highlights Kenya's post-colonial Cold War period as a period dominated by the reinforcement of ethnic consciousness through patronage and clientelist politics, autocratic and repressive regimes which persisted in broad view and silence of the "West".

This study considers this period as a period of missed opportunity whereby moral ethnicity triumphed and hindered establishment of national unity and cohesion. More so, inter and intra-ethnic differences and inequalities were established which have had adverse effects in the current period of transition to democracy. In light of the struggle for democracy, which culminated in the reintroduction of political pluralism in 1991, this chapter also seeks to indicate the point of departure of violent ethnic conflicts; and an extension of the violence to the rural areas, whereby different ethnic groups have continued to be ignited to rise against each other.

3.1. A short retrospect into Kenya's colonial period

Kenya was Britain's colony from 1885-1963 (Muigai, 1995:163). Colonialism was to a great extend motivated by capitalist motives. In the effort of fostering capitalism, christened economic development, the colonial state left few stones unturned as far as the cultural, social and organizational aspects of life among the Kenyan population were concerned (Holmquist et al., 1994:70). Large tracks of land were appropriated from local people to give way for white settler settlement and farming. Most of the regions affected by this move were the current Central, Rift Valley, Western and Nyanza Provinces, which were agriculturally productive and came to be known as the "White Highlands". This move caused great internal displacements, and great numbers later came to live in white settler farms as squatters, providing labour.

Moreover, in the system of divide and rule, the colonial administration enclosed the various ethnic groups in settlement reserves and administrative divisions (provinces and districts) which were coterminous with ethnic groupings. This administrative structure, coupled by uneven development played a key role in heightening ethnic consciousness and tensions (ibid.: 73).

The white settlers were given priority and played a key role in the capitalist economy especially the export-led production. Africans were considered by the colonialists as inherently communally organized and hence, inappropriate for the capitalist model of production; their main role was to provide cheap labour in the white settler farms (ibid.: 72). Only the white settlers were allowed to grow cash crops (ibid.: 74). Education created a middle class and urban working class population. These classes of the population manifested themselves in Kenya African Union (KAU), formed in 1944. Moreover, although KAU's representation cut across Kenya's ethnic lines, it was inherently dominated by the Kikuyu (Muigai, 1995:165). KAU was loosely allied to the Kikuyu Central Association (KCA) and more localized squatter and peasant organizations.

These classes ultimately manifested themselves inherently in the *Mau Mau* movement formed to fight for independence; this further portrayed ideological differences and motives owing to the class disparities and economic inequalities that existed. While the middle class people were fighting for removal of obstacles to individual advancement, the masses wanted collective restoration (Lonsdale 1986, cited in Holmquist et al., 1994:73). These differences and motives persisted in the post-independence Cold War period and have been inherent in ethnic conflicts in Kenya since the 1990s.

3.2. Independence Movements and the *Majimbo* debate

Kenya consists of 42 ethnic groups. The major ethnic groups are Kikuyu 22%, Luhya 14%, Luo 12%, Kalenjin,[5] 12% Kamba, 11% and Meru 6%.[6] Other smaller

[5] Kalenjin is a composite group which was coined by the colonial government and consists of five tribes: The Nandi, Kipsigis, Keiyo, Marakwet and Tugen (Oucho, 2002:50).

[6] Figures from the International Federation for Human Rights/Kenya Human Rights Commission Report, April 2007.

groups are the Kisii, Maasai, and the Mijikenda[7] among others. It is divided into the following eight major administrative divisions known as provinces: Central, Eastern, Rift Valley, Eastern, Western, Nyanza, North Eastern and Nairobi. Provinces are further divided into several districts. Kenya attained independence from the British in 1963. Figure 1 below shows the eight provinces of Kenya, their capital cities/towns and some other towns in the country.

Figure 1: Kenya's eight provinces, their headquarters and some major towns

Source: geology.com – political/physical map of Kenya.

[7] The Mijikenda (Swahili word for: nine tribes) also a large group of nine tribes which live in Coast Province. It consists of the following groups: Digo, Duruma, Kauma, Chonyi, Kambe, Ribe, Rabai, Jibana, and Giriama (Posner, 2005:261).

Towards independence, two political alignments emerged in 1959-1960 whose leaders and followers represented significant ethnic cleavages. On the one hand was the Kenya African National Union (KANU), which was an alliance of the Kikuyu and Luo[8], the largest ethnic groups and on the other hand Kenya African Democratic Union (KADU), consisting of a coalition of smaller groups which included the Kamba, Luhya, some coastal communities and Rift Valley pastoralists such as the Kalenjin and Maasai (Galaty, 2005:179).[9] KADU members dreaded domination by the large and powerful Kikuyu and Luo. The Kalenjin and Maasai in particular, feared that their ancestral land in the Rift Valley, which during colonialism had been appropriated and settled by the white settlers, would be taken by the Kikuyu; who had great numbers of landless people. This landlessness was greatly high especially after the *MauMau* emergency, whereby former detainees went home only to realize that they had lost land to the loyalists who did not take part in the *Mau Mau* (Oyugi, 2000:7).

The two parties advocated two different types of philosophy as far as the type of government was concerned. While KANU advocated a centralized form of government, which would provide citizens with the right to live and own property anywhere in the country KADU preferred *"majimbo"*[10], a federal state based on regionalism, aimed at protecting and restoring local land rights which had been violated during white settlement (Galaty, 2005:180). These two opposing stands were a reflection of the interests of the leaders' constituencies. For the Kikuyu, it was an effort to legitimize their acquisition of land outside their home district particularly the former white highlands in the Rift Valley where a great number had lived for a long time as squatters and labourers in the white settler farms.[11]

For the Maasai and the Kalenjin, it was a bid to fight against losing their parts of land which they had surrendered and was therefore appropriated by the initial stages of colonial rule (ibid: 180). Moreover, the *majimbo* strategy was rationalized as a

[8] The two ethnic groups had earlier on cooperated during the colonial period through a political Association (Kikuyu Central Association, (KCA) (Galaty, 2005:180).

[9] The leadership of the two parties consisted of key members from the ethnic groups supporting them: KADU was led by Ronald Ngala (from Coast), Masinde Muliro (Luhya), Daniel Arap Moi (Kalenjin) and other leaders from other smaller communities in Kenya; KANU was led by Jomo Kenyatta (Kikuyu), Tom Mboya (Luo) and Oginga Odinga (Luo) (Elischer, 2008:11).

[10] *Majimbo* is the Swahili word for *federal state* and *majimboism* is the Swahili word for *federalism.*

[11] The white settlers preferred hiring the Kikuyu in their farms as they regarded them as very hard working and good farm workers who provided good quality labour (Akiwumi Report - Rift Valley Province, 1999: 15).

means of safeguarding minority communities in the Rift Valley and the Coast Province from the larger communities (Klopp, 2002:272). Viewed from a different angle, these two opposing stands were strategies for jostling for power and it is at this point that "the fear of Kikuyu domination was invented" (Atieno-Odhiambo, (2000:24), quoted in Klopp, 2002:272).

3.3. The Kenyatta era (1963-1978)

After a strong electoral victory in 1963, KANU formed a transitional government, after which it assumed full power at independence; Jomo Kenyatta, a Kikuyu became the first president of Kenya. KADU formed the opposition. In early 1964, KADU dissolved itself and was absolved into KANU (Miller and Yeager, 1995:38; Kanyinga, 2003:102). Top KADU leadership acquired significant positions in the ruling party. The *majimboism* was subsequently dismantled (Muigai, 1995:167).

After the emergency, having lost their land to the loyalists[12] most insurgents and detainees, predominantly of Kikuyu ethnic group, moved to the Rift Valley to join their relatives who had lived there as squatters and were anticipating squatter settlement (Oyugi, 2000:7). Large tracks/chunks of land designated for squatter settlement schemes were eventually transferred to wealthy Africans who had organized themselves in partnerships or companies (Galaty, 2005:180). Some of the land buying companies included the Gikuyu, Embu, and Meru Association (GEMA). Over one million acres of former settler lands were transferred to Kikuyu small holders and to the wealthier African middle class people while numerous landless and poor people were left out (ibid.: 181).

The fears expressed by Rift Valley leaders gained confirmation. Some parts of the Rift Valley notably, Nakuru district, Laikipia district, Trans-Nzoia and part of Uasin Gishu district, which were predominantly occupied by the Maasai before they were appropriated for colonial settlement, were shifted from settler to Kikuyu hands through land reform in the first decade of independence (Galaty, 2005:181). The above districts have been major centres of the ethnic conflicts since the 1990s (see chapter four for details). It is however, important to note that although widely argued

[12] Loyalists are people who collaborated with the colonialists and did not participate in the Mau Mau movement; hence they remained at home and had the chance to acquire land during land consolidation.

that the Kikuyu were the main benefactors, it was only the rich and middle class ones who benefited. Majority of the squatters and landless people after independence also came from the Kikuyu community. The Kikuyu thus, came to paradoxically symbolize both the richest and the poorest Kenyans (ibid.). Other ethnic groups that acquired land in the Rift Valley were the Luo, Luhya, Kisii and Kamba who also bought land and settled in various parts of the Valley, including the above named districts (Oyugi, 2000:17).

After the dissolution of KADU and the appointment of its leaders to the government, KANU remained the only party in Kenya. This would have been a perfect chance to curtail ethnic politics and unite the country. The success in uniting the country was however contingent to a number of key issues. A part from land distribution discussed above, which already favoured the Kikuyu, other issues included: Africanization of the public service as well as economic development policies (Muigai, 1995:168).

The process of Africanization entailed employing Africans in public service positions which had been occupied by Europeans during colonialism as well as engaging Africans in economic development processes. Moral ethnicity triumphed instead, as president Kenyatta sought to benefit his fellow Kikuyu members and clientelistic relationships continued. The process of Africanization was later on to be informally referred by peripheral groups to as “Kikuyunization”, since most of those who benefited from public service jobs and economic reforms were the Kikuyu (Stewart & O’Sullivan, 1998:10; Miller and Yeager, 1994:39).

Feeling that the government had betrayed the ideals of the independence struggle; mainly anticipation for national unity and fair distribution of resources for all, Oginga Odinga left KANU and formed the Kenya People’s Union (KPU) in 1966 (Muigai, 1995:170-171). Luo support for KANU melted away as the Luo threw their weight behind KPU (ibid.). This highlights a significant relationship between ethnicity and politics in Kenya; the collaboration of the elite leads to the collaboration of their respective ethnic groups and vice versa. KANU and KPU were viewed by the local population as a clash between Kenyatta and Odinga hence and by extension, a clash between the Kikuyu and the Luo (Posner, 2005:262). The two leaders’ ideological differences escaped the attention of many of their followers. Oginga Odinga’s

defection, spurred a series of "little general elections,"[13] whereby KPU won most of its seats (six out of nine seats) in Luo dominated regions, whereas KANU, although widely supported across the country, drew its strongest support from Kikuyu heartlands like Central Province and Nakuru and Naivasha district of the Rift Valley Province (ibid.; Muigai, (1995:171). Salience of ethnicity in the two parties was apparently demonstrated by the fate of two prominent leaders of the time, who lost support for allegedly supporting the wrong party: Bildad Kaggia, a prominent and popular Kikuyu politician who by supporting KPU lost his Parliamentary seat to a relatively unpopular Kikuyu who stood on a KANU ticket; Tom Mboya on the other hand suffered rejection by his Luo tribesmen for supporting KANU (Posner, 2005:263). At the global arena, the above two parties further manifested a strong element of the Cold War ideological competition; KANU was aligned to the capitalist Western bloc, while KPU turned to the communist East (Holmquist et al, 1994:78; Miller and Yeager, 1994:38-39). Indeed China reportedly funded the construction of a hospital in Kisumu, Odinga's home area (ibid.).

Apart from disintegration of the Kikuyu-Luo alliance, Kenyatta faced yet more challenge from discontented indigenous communities in the Rift Valley, who resisted the resettlement of other ethnic groups especially the Kikuyu in the Valley, regarding it as "invasion of their ancestral land" (Oyugi, 2000:7). The Nandi, a sub-group of the Kalenjins were more aggressive in their resistance. After a meeting in Nandi Hills, they issued a declaration famously known as "The Nandi Declaration" in 1969, claiming the whole of Nandi district of the Rift Valley Province for the Nandi people only (ibid.).

To arrest the situation, key leaders from the Kalenjin community, were incorporated in the government in order to silence the local people and amass popular support from the region. Kenyatta appointed Daniel arap Moi as Vice President, hence forging a Kikuyu-Kalenjin alliance and drawing Kalenjin support for the regime. The alliance was aimed at benefiting the two symbiotically; The Kalenjin leaders would cease to resist the movement of the Kikuyu to the Rift Valley and they would in turn gain economic benefits from the state (Muigai, 1995:171).

[13] The little general elections were a series of by-elections triggered by Oginga Odinga and other MP's defection from KANU to KPU. To counter this defection, the KANU dominated Parliament amended the constitution adding a legislation that obliged any MP who joined another party other than the one that he was elected on to resign his/her parliamentary seat and re-contest in a by-election (Posner, 2005:262).

Kenyatta employed patronage mechanisms in his rule. Through co-option of power elites from other ethnic groups, he formed a strong basis of his patron-client politics; these elites were the intermediaries through which patronage resources trickled down to the masses (Muigai, 2004:212, 1995:171). Just as it was the case at independence, the elite in Kenya present their own personal interests as the interests of their entire ethnic group members (ibid.). This is reinforced by the ethnic groups who are usually satisfied with having a leader from their own ethnic group in power since they anticipate benefiting from his position. Such a condition is very conducive for instrumentalization of ethnicity for personal gains.

The constitution of Kenya also was amended to amass power to the presidency; the constitution at independence had a provision for autonomy of the three arms of the Government: the Executive, the Judiciary and the Legislature (Mbai, 2003:51-96). This did not however last. The constitution was soon after manipulated in order to pave way for autocratic rule. Between 1964 and 1970, amendments were made to the constitution which vested sweeping powers to the executive, specifically the presidency (ibid.).[14] The handling of the Nandi recalcitrance discussed above is a prima facie example of how patronage mechanisms were applied to contain discontent by the powerful president, who had enormous power to control the state and resources.

There was limited political pluralism and democracy. The above efforts by Oginga Odinga and some other followers to fight for democracy through their opposition party (KPU) were curtailed as the party was abolished and its leaders detained in1969 (Närm, 1996:115-139; Odhiambo, 2004:169). The banning of KPU came soon after riots erupted during the official opening of the China-funded hospital in Kisumu (Holmquist, et al. 1994:78; Miller and Yeager, 1994:46). Since then, Kenya became a *de-facto* one party state. Opposition and criticism to the ruling party, the government and the president were not condoned. Kenyatta managed to rule authoritatively with all the power centralized on the presidency engendered by constitutional amendments. Patron-client relations prevailed, mainly extended to his fellow Kikuyu, their allied groups and a few loyalists. The Kikuyu thus maintained a

[14] The president enjoyed immense powers; He served as the head of state, government and civil service, the commander in chief of the armed forces and was also the head of the governing party (Miller and Yeager, 1994:41).

political and economic hegemony; a fact that continued to mount tensions among less favoured ethnic groups or those who felt excluded (Miller and Yeager, 1994:47).

The provincial administration was also under the office of the president and was used to enforce law and order as well as to perpetrate the patrimonial controls and to control political dissidence (Klopp, 2001; Widner, 1992). Critiques of the regime such as the churches and the Law Society of Kenya were nevertheless allowed to express their opinion (Widner, 1992; Miller and Yeager, 1994:59). The press enjoyed some relative freedom of expression also, as long as they did not criticize the president (ibid.; Stewart & O'Sullivan, 1998:11).Ethnic welfare organizations were also permitted, which engendered the organization of various associations along tribal lines; for example the GEMA (mentioned above) football clubs like Abaluhya Football Club the Luo Union, and others (Miller and Yeager, 1994:44).

In favouring his own Kikuyu community, Kenyatta and his clique alienated other ethnic groups, as well as other Kikuyu who did not support the regime. More over, the country was divided not only along ethnic but also class lines. Nevertheless, the various ethnic groups coexisted in relative peace and harmony. The provinces which were shaped at independence in 1963 correspond with ethnic divisions in Kenya (Oucho, 2002:44) and so are the constituencies which further leads to an institutionalization of ethnic and sub-cultural divisions in the parliament (Muigai, 1995:162; Miller and Yeager, 1994:77). Although none of the provinces is ethnically homogenous, some distinct ethnic groups form the majorities in various provinces. Table 1 shows the provinces and their ethnic composition. This data does not however, represent all the ethnic groups in the Kenya but only the major ones. The Central Province which is not included in the table below is mainly populated by the Kikuyu.

Table 1: Ethnic Composition in Kenya's Provinces

Province	Ethnic Composition	Comments
Nairobi	47% Kikuyu 16% Luhya 15% Luo 15% Kamba	Kenya's most ethnically diverse region
Coast	Smaller coastal Communities	96% of Kenya's coastal communities live in the Coast
Eastern	55% Kamba 39% Meru/Embu	87% of all Kamba live in Eastern 97% of all Meru/Embu live in Eastern
North-Eastern	96% Somali	95% of all Somali live in North Eastern
Rift Valley	51% Kalenjin 15% Kikuyu 7% Maasai	95% of all Kalenjin live Rift Valley 97% of all Maasai live in Rift Valley
Western	88% Luhya	80% of all Luhya live in Western
Nyanza	63% Luo 31% Kisii	87% of all Luo live in Nyanza 95% of all Kisii live in Nyanza

Source: (Nellis, John (1974:8-14) cited in Elischer, Sebastian (2008:11).

The political economic situation

The political economy during Kenyatta's era was characterised by various dynamics. In the 1960s, Kenya enjoyed strong economic growth which in turn enhanced a significant degree of social stability and earned the regime political legitimacy (Holmquist, et al. 1994: 87).[15] Owing to its embrace of capitalism, Kenya also received aid generously from the Western donors and great support from Western states especially Britain; Kenya was viewed as a stronghold of anti-communism in East and Central Africa (ibid.: 76). The 1960s were referred to as the years of opportunity. Since the state played a central role in economic controls, having capital and state connections were considered one of the good recipes for economic success (ibid.).

In spite of this positive growth, political and ethnic favouritism, coupled with the social stratification of the society into classes hindered equal redistribution of the economic gains. Nevertheless, the state played a key role in providing social amenities to the population such as rural education, health and offering subsidies to peasants (Holmquist et al., 1994). The *harambee* self help movement, established by Kenyatta was a major initiative in enhancing development at the local level, as well as

[15] Most African states also witnessed impressive economic growth in the 1960s (Mbai, 2003).

linking politicians with their people in the rural areas (Holmquist et al, 1994:77-89; Glickman, 1995:18; Miller and Yeager, 1994:44).[16]

In the 1970s however, economic growth was less than in the 1960s. This was partly triggered by international economic shocks, particularly the 1973 oil crisis and growing inflation (Holmquist, et al. 1994:79). Moreover, patronage, ethnic competition and corruption prevailed, leading to a further decline in the economy and deterioration of provision of public services (Mbai, 2003:51)[17]. It was further exacerbated by unequal distribution of income in the country, making Kenya's distribution of income among her population one of the most unequal in the world.

World Bank statistics by 1989 revealed that "in the mid-1970s, while 10 per cent of the population received over 45 per cent of the country's total income (over four and half times the national average), the incomes received by the poorest 20 per cent of the population was less than 15 per cent of the national average" (World Bank 1989, quoted in Holmquist et al, 1994: 85). This skewed distribution continued; the poor becoming poorer especially in the rural areas and urban slums (ibid.). In the late 1970s, foreign private capital in Kenya declined due to recession in the West;[18] owing to the prevailing adverse economic conditions, Kenya as well as most Sub-Saharan African states resorted to heavy borrowing (ibid.: 90).

3.4. Moi era and Kenya as a *de jure* one party state (1978-1991)

Daniel arap Moi took over the presidency after the death of Jomo Kenyatta in 1978 amid resistance from some Kikuyu elite (Muigai, 1994:172). Unlike Kenyatta who was from a majority ethnic group in the country, Moi was a member of a minority ethnic group - the Kalenjin, and he belonged to a further smaller group of Kalenjins: the Tugen. As such, he was perceived to be the ideal leader, who would steer the country without favouritism (Munyae & Adar, 2001). He seemed to prove the perceptions right, when "in December 1978, he set free political detainees from various ethnic group and also assured the people of his determination not to condone

[16] Although *harambees* were initially a significant local mechanism of providing social amenities and extracting resources from the state, they became the focus of rural politics penetrated by pork barrel mechanisms (Holmquist, et al. 1994:89).

[17] Mbai points out that since 1973, the efficient provision of public services has deteriorated and persisted even in the 21st century (Mbai, 2003:51).

[18] Adverse regional economic conditions notably: the collapse of the East African Community and deteriorating neighbouring Ugandan economy under Idi Amin also contributed to some extend to the deterioration of Kenya's economy (Holmquist et al., 1994:90).

tribalism, corruption, smuggling and drunkenness" (ibid.). All these were culminated by his philosophy of *nyayo*, which according to him would be of peace, love and unity.[19] He appeared committed to populism and appeal to the poor, (Stewart and O'Sullivan, 1998:11).

Moi's implied benevolence and populism was very short lived. Within a short period, his regime metamorphosed into a characteristically repressive and irrational one. After an unsuccessfully attempted *coup d'etat* in 1982, Moi's grip against dissidents tightened even more and a constitutional amendment was done to make Kenya a *de jure* one party state with KANU as the sole political party (ibid.:12). Citing the need for national unity, Moi discouraged public ethnic identification or close association with it in the political arena. He banned economic and social organizations that articulated ethnic interests, for example the welfare organizations like GEMA (Gikuyu, Embu, Meru Association), or sports clubs like the Abaluhya and Luo unions (Miller and Yeager, 1994:77; Närm, 1996:115-139; Kanyinga, 2003:96-128). By so doing, he reduced the ethnic basis of political mobilization though not by addressing any issues that would lead to ethnic grievances (distributive injustice for example), but by curtailing opportunities for independent ethnic mobilization and protest.

Just as Kenyatta did, Moi proceeded in acquiring land in the Rift Valley and the coast for himself and cohorts. He systematically reduced Kikuyu dominance that Kenyatta had established in the state and public service; a process of "de-kikuyunization" ensued, in favour of his Kalenjin people (Muigai, 1995:174). Miller and Yeager (1994:76) point out a shift of the ethnic concentration in leading private-sector posts from the central highlands to the Rift Valley. Moi also favoured his former KADU clique. Minority discourses appeared once again and it was alleged that the time had come for the minorities to "bite the national cake" after years of exclusion by the colonial and Kenyatta administration (Muigai, 1995:174). He slowly drew close to himself former KADU supporters incorporating the Kalenjin and Maasai from the Rift Valley and the Luhya from Western province as well as leaders from Coast Province, (ibid.). This was to a great extend reminiscent of KADU at independence. Widner (1992:165-166) points out that radical changes

[19] Ibid. *"Nyayo"* is the Swahili word for *foot steps*. Moi was trying to show to the people his commitment to follow the foot steps of Jomo Kenyatta whom he succeeded.

were also made in the composition of the cabinet whereby key positions were filled with members from the Kalenjin and other smaller communities.

Moi was disdainful of dissidence. Opposition and critique to his party and regime met brutal suppression. In addition to making KANU the only constitutionally authorised party in Kenya, more amendments were also made to abolish the independence of the judiciary (Galaty, 2005:173-195). He therefore obtained the power to control the judiciary. Similarly, his powers of detention were expanded. Secrecy of voting was also abolished in 1987 in favour of queue voting, which involved supporters queuing behind their preferred candidate or an agent appointed to replace him after which they would be counted (Kanyinga, 2003:104). Much criticism and protest notwithstanding, queue voting was applied in the 1988 general elections. This subjected many voters to intimidation by their opponents and consequently low voter turn out was experienced (ibid.; Stewart & O'Sullivan, 1998:12).

The 1980s also saw the outlawing of civil society organizations or groups that would act as avenues of organization to bring people together for a common grievance. The Civil Society Union (CSU) and the University Academic Staff Union (UASU) are some of the organizations that were banned to bar workers and academicians from raising their voices (Adar & Munyae, 2001). Detention without trial served to further curtail overt efforts to oppose the government. With KANU being the only party and the president having full control of the party, loyalty to the president, the government and the party remained a key to political survival.

There was also surveillance of the university and consequently, arrest and detention of lecturers. Moi also used tactics of divide and rule, setting various politicians and members of parliament against each other and therefore, controlling them.[20] Furthermore freedom of press was also curtailed especially from 1986 when real crackdown on journalists began. Journalists were arrested and detained (Widner, 1992). Both foreign and domestic editions and publications containing human rights violations in the country were confiscated (ibid.). All through, structures were established to enhance and control political and economic success depending on loyalty to KANU; patron-client relations became strongly entrenched.

[20] For more information about the tactics used to set various Members of Parliament and politicians against each other, hence divide and rule them see Widner (1992:130-143).

The second half of the1980s witnessed more consolidation of power in the already one party state Kenya, (see above). KANU declared itself superior to parliament and also sought to absorb other bodies that had earlier on been independent; Maendeleo ya Wanawake, a women's organization as well as the national confederation of trade unions are some of the bodies absorbed (Widner, 1992:169; Miller and Yeager, 1994:121). The Law Society of Kenya (LSK) was spared after its members resisted KANU's move to absorb it (Widner, 1992: 169). This was happening elsewhere in Africa as well; for example in Zaire, the Mouvement Populare de la Révolution (MPR) in Zaire had absorbed all associations: youth groups, women groups and sports clubs alike (ibid.:162). Politicians disloyal to KANU faced repulsions and freedom of speech was grossly undermined. These measures enabled Moi to establish a core of devoted supporters, mainly based on fear.

The political economic situation

The political economic situation at the time Moi assumed power had started deteriorating, partly due to changes in the international economic arena in the late 1970s, notably the second oil crisis in 1978 and the 1978-1979 recession (Miller and Yeager, 1994:100). Deterioration of the Kenyan economy continued throughout the 1980s (ibid.) Patronage resources were therefore dwindling. The structural adjustment programmes initiated in Africa in the 1980s by the International Financial Institutions (IFIs); the World Bank and the International Monetary Fund to offset the enormous debt and economic stagnation further hit Kenya's population especially the rural peasants, urban slum dwellers and the poor (Riddell, 1992:66).

Budgetary reduction for social services and the introduction of user fees exacerbated the growing economic and social hardships of the citizens (Holmquist, et al. 1994:96). Services such as housing, subsidies, educational opportunities for students decreased significantly and jobs especially for teachers and other civil servants diminished and suffering was deeply felt by a large cross section of the Kenyan citizens (Haugerund, 1995:33). Haugerund further points out that by the early 1990s, the economic situation in Kenya had totally deteriorated; high inflation rate, high foreign debt and, declining world market prices for commodities such as tea, and coffee, low foreign investment, high cost of living, increasing prices of commodities at the domestic arena characterised the period (ibid.). Patronage politics increased

despite severely decreasing patronage resources. All these brought about restlessness in the society.

3.5. Domestic struggle and call for democracy

As political criticism and rebuke of the government was curtailed and repression continued being the modus operandi, civil society organizations especially the churches remained the daredevils of Moi's oppressive and patrimonial regime; clerical critique of the regime's patrimonial absolutism was constantly heard (Lonsdale, 2004:73-95). Combined forces of Protestant and Catholic churches, protests by intellectuals and students at university campuses as well as reformist constitutionalist lawyers, played key roles in the struggle against authoritarian rule especially as from the mid 1980s (Odhiambo, 2004:169).

The National Council of Churches of Kenya (NCCK), the church umbrella organization vehemently opposed and criticized the queue voting system. In August 1986, the organization declared the dissociation of its members from elections which applied queuing system and the Law Society of Kenya (LSK) reiterated similar objections to the queue voting system (Widner, 1992:172). The Anglican Church of the Province of Kenya (CPK) and the Presbyterian Church of East Africa (PCEA) were also vocal in fighting against violation of civil liberties and political space (ibid.: 162-192).

A few politicians such as Charles Rubia, Martin Shikuku, Kenneth Matiba and Masinde Muliro among others however dared to remain vibrant on opposing and criticising the KANU regime (Miller and Yeager, 1994:108; Widner, 1992). The stagnating economy and the resultant poor living conditions, patronage, corruption and repression persisted throughout the 1980s worsening in the later half of the decade and the early 1990s as mentioned above. Growing dissatisfaction among the population implied an inevitable need for political change. Calls for democracy were underway.

Calls for democracy in Kenya had however occurred at different points in Kenya's history, notably during the struggle for independence in the 1940s and 1950s and then again in the mid-1960s when the left-wing populists formed an opposition party KPU (Holmquist et al., 1994:96) (see 29 and 30 above) . The struggle for

democracy towards independence was occasioned by African frustration owing to stonewalled access to the state, coupled with oppression by the colonial state, rising poverty and the resultant frustration of the rural poor and urban working class people; the peoples' desired outcome of this struggle was political inclusion and economic reform (ibid.). KPU proponents in the mid-1960s were struggling for social and economic reforms. What these two struggles for democracy have in common is the dimension of democracy they aspired; the instrumental democracy or democracy of content (ibid.) (discussed in chapter two of this research).

The struggles for democracy that began in the late 1980s, advocated a different dimension of democracy whose focus was on the political process and state structure; this is the procedural democracy (ibid.: 97).[21] Emphasis was on free elections and electoral competition. The bourgeoisie and urban middle class people provided the major social base for this struggle whereas there was a significant absence of the working class and peasants and rural poor (ibid.: 98). Although this struggle met vehement resistance from the ruling regime, changes in the international arena in the early 1990s would reinforce the struggles and hasten the inception of the transition to democracy.

3.6. Global shifts and the inevitable transition

The Cold War period and the superpower competition for global influence had significant influence on Africa and the various foreign policies to Africa. The superpowers; the United States and the Soviet Union together with their allies were preoccupied with their own strategic interests as they competed for global influence; consequently, they embraced many autocratic and repressive leaders in Africa (Makinda, 1996:560; Mbai, 2003:54).[22] International media as well as Western governments turned blind eyes to Human rights violations, occasioned by state repressions of dissidence, corruption, state patronage and clientelistic practices, and generally undemocratic practices carried out by African leaders and governments which supported the West (Makinda, 1996:562; Mbai, 2003:55; Clapham, 2005:28).

[21] For more discussion of procedural democracy refer to chapter two of this research.

[22] Autocratic, one-party government was initially perceived as the appropriate type of leadership necessary to create nation-states in Africa; post independent economic growth in many African states seemed to confirm this, however, economic decline since the 1970s seemed to discredit this type of leadership (Osaghae, 1992:224; Mbai, 2003:54).

Kenya was one of those countries that won favour from the West. Since independence, Kenya enjoyed enormous support from the Western countries. Her embrace of capitalism placed her in a good relationship with the Western donors who generously gave her aid, mainly in the 1960s (Holmquist, 1994:76). The US and Western European countries especially Britain saw Kenya as a stronghold for anti-communist ideologies in the uncertain East and Horn of Africa[23]. Undemocratic practices perpetrated by the post-independence regimes received no criticism from the West. Even when Kenyatta abolished the KPU in 1969 and detained its leaders, the West remained silent. Makinda (1996:563) further reveals that even as Moi constitutionally curtailed political pluralism and weakened judicial autonomy in the 1980s, the Kenya received aid increments from the US.

This trend however, started diminishing in the late 1980s. With the end of the bipolarity following the end of the Cold War, the survival of African authoritarian leaders was greatly threatened as their support by many donors significantly reduced (Brown, 2001:726). Western donors changed their foreign policies to Africa and began to link their aid to the continent with liberal democracy (procedural democracy), rule of law and respect for human rights among other conditions placed under the banner of "good governance" (Clapham, 2005:28). At the domestic arena in Africa, widespread demonstrations against autocratic rulers coincided with the fall of the Berlin Wall in 1989 and the Western donor's call for democracy (ibid.).

Calls for multiparty politics in Kenya developed a soaring momentum in 1990 (Haugerund, 1995:15). Christian churches and some politicians who did not find favour in Moi and KANU as well as groups that operated underground were on the forefront in the struggle for multiparty democracy (Kanyinga, 2003:104).[24] In July 1990, some politicians, notably Oginga Odinga, Charles Rubia and Kenneth Matiba[25] called a conference, in which they openly called for multipartysm; urban violence in Nairobi and other major towns had started mounting (ibid.: 105). The state tightened its oppressive measures heightened by the murder of Robert Ouko, a prominent politician, which raised a lot of resistance both in the country and internationally

[23] Ethiopia for example was declared a socialist state since 1974 (Woldu, 1992:69).

[24] A group that operated underground was *Mwakenya*, whose leadership was mainly from intellectuals both in and outside Kenya and could not operate openly for fear of repression (Kanyinga, 2003:104-105).

[25] All these leaders were non-Kalenjins; Oginga Odinga (Luo), Charles Rubia and Kenneth Matiba (were both Kikuyu). Another prominent leader was Martin Shikuku (Luhya).

(Widner 1992: 190-197). The global arena had undergone a major shift, which called for readjustment at the local arena. Urging Moi to realize and heed the changes that had occurred internationally a clergyman in 1990 publicly called upon him to allow multipartysm in line with what was happening elsewhere in Africa and Eastern Europe after the fall of the Berlin Wall (Kanyinga, 2003:104).

Western donors and states supported the moves for change in Kenya and exerted pressure on Moi. In November 1991, the IMF, World Bank and some Western donors denied aid to Kenya; they demanded major political changes including political liberalization through legalization of multipartysm, and respect for human rights and rule of law as well economic reforms as the preconditions for their change of stance (Holmquist, et al. 1994:99; Makinda, 1996:560). The donors suspended aid amounting to US$350 million (Brown, 2001:726; Klopp, 2002:272). Realising that change was inevitable, Moi ceded in December 1991 and constitutional amendments were made to give way for multipartysm (Holmquist, et al. 1994:99; Brown, 2001:726; Mbai, 2003:67; Brown 2004:326-327; Miller and Yeager, 1994:108).[26] By then, a broad based Forum for the Restoration of Democracy (FORD) comprising mainly of the popular Kikuyu, Luo and Luhya leaders mentioned above had been formed, to spearhead reforms (Makinda, 1996:561; Galaty, 2005:181).

In objection to the re-introduction of multiparty system, Moi had argued that Kenya was not ready for multipartysim and that political pluralism would polarize Kenyans along ethnic lines; sending warnings that multiparty democracy would lead to ethnic conflicts (Närm, 1996:127; Human Rights Watch, June 1997:39; Klopp, 2001:481; Galaty, 2005:186). A careful consideration of such a prognostic was very thought-provoking. First, it implied that autocracy and suppression of self expression is the only way of maintaining harmony in the ethnically diverse Kenya and Africa at large. It also presupposed some extant discontent among the various ethnic groups which the president and his cohorts feared might erupt if freedom of expression was allowed. Further consideration of the statements would also bring about the pre-emption that, in the event that political pluralism was allowed, political competition would lead to instrumentalization of ethnicity. Demystification of the above

[26] Considering the declining patronage resources, suspension of aid would deny Moi the resources he desperately needed to garner support through patronage networks and also to retain control of state institutions (Holmquist et al., 1994:99; Klopp, 2002:272).

presumptions only rested on the future of Kenya's process of transition to multiparty democracy.

3.7. Shifting ethnic alliances and the transition to democracy

In the multiparty competition, ethnic coalitions became important in accessing the state. The FORD movement brought together leaders who felt that their ability to access the state was bottle necked by KANU. The opposition's unity however dwindled afterwards and ethnic fragmentations set in even before the general elections were held. This has been clearly captured by Posner (2005:266), who points out that the reintroduction of multiparty electoral competition in Kenya reinvigorated regional ethnic voting reminiscent of the ethnic alliances during multiparty elections of the mid 1960s.

FORD split into FORD-Kenya headed by Oginga Odinga and FORD-Asili headed by Kenneth Matiba; and at the run-up for the first multi-party elections in 1992, the Democratic Party (DP), headed by Mwai Kibaki and other smaller opposition parties further added to the splintering parties, each party drawing support from its leaders' ethnic groups (Miller and Yeager, 1994:112; Muigai, 1995:182-183; Posner, 2005:266; Elischer, 2008:12-14). Ethno-regionalism prevailed throughout the 1990s with more ethnic parties coming up in the 1997 general elections as well. Due to the fragmented opposition parties, KANU managed to gain electoral victory in both the 1992 and 1997 general elections (Human Rights Watch, December 2002: 5).

Elischer's (2008) analysis of the political parties that have existed in Kenya since the re-introduction of multiparty politics apparently captures the salience of ethnicity in the parties. He therefore argues that all the parties in Kenya's multiparty era have been ethnic parties (ibid.:24). He further highlights three distinct periods in the trajectories of the political parties in Kenya between 1991 and 2007. The first one is a period of fission (1991-1997) characterised by a disintegration of multiethnic alliances, beginning with the disintegration of FORD. Secondly, a period of fusion (1998-2002) typified by mergers of parties into multi-ethnic alliances leading to only two major parties (NARC and KANU) in the 2002 general elections (ibid.:6). The third is a period of fluidity (2003 up to the present), characterised by uncertainty in determining the real political stand and direction taken by various parties; and

whereby alliances are not made of parties but party wings and individuals (ibid.) (see some of the alliances in table 2 and 3. pg 78-79 below).

Elischer (2008:8-10) further discusses two categories of multi-ethnic parties in an effort to classify Kenya's parties: multi-ethnic alliance and multi-ethnic integrative party. A multi-ethnic alliance is formed with the sole motivation of "gaining parliamentary majority and electoral victory by playing the ethnic arithmetic." As such, it is usually unstable, tends to favour the dominant ethnic groups and suffers break ups and mergers either before or after elections. On the other hand, the multi-ethnic integrative party tends to be more stable, more ethnically inclusive; cutting across dominant and less dominant ethnic groups and survives long after elections. It remains united even after suffering electoral defeats; its factions complement each other and members encourage equal representation of all the ethnic communities constituting it.

According to Elischer, Kenya's parties, epitomize the multi-ethnic alliance type; that's why they do not last long after elections; suffer break-ups owing to the individual interests and competition among their constituent factions. He correctly points out a correlation between the prevalent type of party in Kenya and ethnic conflicts. Referring to the recent 2007-2008 post election violence in Kenya, Elischer contends that "the clashes were an outcome of the type of the extant multi-ethnic alliance type of party the country" (ibid.:5).

With the re-introduction of multiparty political pluralism, ethnicity back in the 1990s, ethnicity assumed greater significance in Kenya's politics than it was in the Cold War era. As ethno-regionalism took a centre stage in electoral competition, the same tactics were applied to counter multiparty political pluralism and support for opposition. Autochthony in the form of *majimboism* once more resurged. Referring to the trajectories that Kenya had gone through since independence up to the 1990s, Elischer (2008:18) observes that Kenya's history had come a full circle in that; "in the run-up for independence, Moi and other leaders who had advocated *majimboism* belonged to KADU and during the run-up and struggles for multiparty-democracy in the 1990s, the same groups now dominated KANU from where they once again advocated *majimboism* while those who led KANU during independence were now in the opposition." KANU's strong bases remained in the Kalenjin heartlands at the Rift Valley and smaller minority tribes of the Coast province (ibid.: 17). It is also in these

regions where ethnic violence was concentrated in the 1990s to polarize voters as the KANU regime feared losing power (Posner, 2005:269). Before the re-introduction of multiparty, Moi used to set the elite factions against each other, but during the 1990s, he resulted to setting ethnic groups against each other.

In the post-independence Cold War era, Kenya was characterised by strict control of the political and public space and freedom of expression. Suppressed opposition and violation of human rights dominated this period, especially beginning from 1982. There existed ethnic inequalities as far as access to national resources was concerned. Moreover, once a leader was in power, there was a tendency for him to benefit his fellow ethnic group members more, whereby patronage resources diminished as they trickled down such that the elites ultimately benefited much more than their supporters.

The rural areas occupied a back stage in these struggles. Widner (1992:160) correctly points out that, "in spite of KANU's success in controlling political expression of economic interests among the rich people, urban groups and the petite bourgeoisie, it remained a weak structure of mobilization and representation at the grassroots level in many rural areas". As such, ethnic groups in the rural areas remained politically less involved and economically marginalized. Repression was directed towards top profile individuals considered disloyal to the system, hence the crackdown on musicians, academia, politicians and journalists through confiscation of publications, banning of books, and detention without trials among others (Widner, 1992; Haugerund, 1995:22-32).[27]

Ethnicity at the grassroots level in the rural areas as a source of mobilization for protest and violence was not common before the 1990s. In fact, Moi tried to suppress the use of ethnicity. However, in the early 1990s, international and domestic pressure and the unfavourable political economic situation contributed to this. Haugerund (1995:34) correctly captures the circumstances of that time when she reveals that "A beset ruling regime short of other patronage resources to distribute allowed land in the productive Rift Valley to become the focus of violent ethnic conflict"

[27] Haugerund (1995:22-32) captures clearly how elites, students and university lecturers met vehement resistance in towns, especially Nairobi between 1990 and 1993. Even poor hawkers were suspected of supporting opposition moves. Art and music were key means of creating awareness of the situation and similarly met great resistance from the ruling elite and the government.

The first mention of ethnicity with a destructive aspect was in 1990 by William ole Ntimama, the then minister for local Government, who attributing the struggle for multi-party democracy to the Kikuyu stated that *"a certain ethnic group … should be cut down to size in the same manner in which the Ibo of Nigeria were in the sixties"* (ibid.: 176). This statement which seemed to presage war in lieu of compromise send a huge degree of shock to many Kenyans who apprehended the situation in their war ravaged neighbours such as Sudan and Uganda as well as other countries like Liberia and Nigeria (ibid.). Many called for Ole Ntimama's resignation.

The years between independence and 1991 have been described as years of relative stability in Kenya (Oucho, 2002). This does not mean that the different ethnic communities existed in total absence of disagreements with one another. Conflicts occurred among them but remained non-violent. This research argues that non-violent conflicts are normal in any society. However, violent conflicts are an abnormal phenomenon in a society that always calls for serious decisions, understanding and action to find amicable solutions.

The re-introduction of multiparty politics brought with it a reaffirmation of ethnic identities. Violence was extended from the urban to the rural areas whereby ethnic affiliations came in handy for political mobilization. Neighbours who previously coexisted symbiotically and harmoniously began turning against each other and tearing and slashing each other with machetes, spears and other rudimentary tools. The next chapter explores three major waves of ethnic violence since the re-introduction of multiparty political system in 1991 up to the recent 2007/2008 post-election violence.

Chapter Four

Ethnic conflicts in Kenya (1991-2008)

By early 1991, the group of KANU politicians who were painstakingly stonewalling the re-introduction of multiparty political pluralism devised yet a different counter-strategy to resist democratization; the *majimbo* rhetoric, reminiscent of the pre-independence *majimbo* movements (Klopp, 2002:270-273).Just as it was at independence in t he 1960s, the evocation of majimboism in the 1990s presupposed a renewed need to shield the "minority groups" from the dreaded domination of the state by the "majority groups", primarily the Kikuyu (Klopp, 2002:272).

Through *majimbo*, the "outsiders" in the Rift Valley i.e. Non Kalenjin, Maasai, Turkana and Samburu (KAMATUSA) tribes would be evicted to pave way for regional autonomy of the alleged autochthonous ethnic communities. M*ajimboism* thus as advocated in the 1990s by the KANU politicians resisting multipartysm did not refer to federalism in the real sense, but rather aimed at forcing each community to return to its "ancestral" district or province (Akiwumi Report - Rift Valley Province, 1999:10). The Kalenjin perceived multipartysm as an effort to dislodge president Moi (one of their own) from office in favour of a non-Kalenjin (ibid.). *Majimbo* has ever since been a formidable discourse that has sparked violent ethnic conflicts in Kenya.

4.1. Three waves of ethnic conflicts

4.1.1. First wave: Rift Valley Province (1991-1994)

Rallies were held in the multi-ethnic Rift Valley throughout 1991, in which KAMATUSA leaders who were opposed to multipartism launched a counter-offensive against multiparty advocates who allegedly were the non-Kalenjin residents in the province (Klopp, 2006:62). Most of the rallies were carried out in September, in which Kalenjin politicians threatened to drive away non-Kalenjin failure to their support for KANU (Akiwumi Report - Rift Valley Province, 1999:7).[28] KANU politicians instilled fear among the KAMATUSA ethnic groups, alleging that Kikuyu settlers would expropriate their land in case the Kikuyu won the elections; regarding

[28] Some of the places where the KANU political rallies were held included: Kapsabet in Nandi district, Kapkatet in Kericho district and in Narok district (Akiwumi Report - Rift Valley Province, 1999: 7).

the opposition as a threat, the leaders called upon the ethnic groups to remain united against their common threat (Throup and Hornsby 1998 and Oyugi 1997 cited in Posner, 2005:268).

The first wave of violence consequently, occurred in the Rift Valley Province of Kenya towards the end of 1991. According to Klopp (2001: 473), the initial attacks transpired in Meteitei farm in Nandi district at the end of October 1991 following disputes that had exacerbated over the ownership of the farm in that year.[29] Kalenjins expelled non-Kalenjins from the farm although they jointly owned it. It should be noted that Nandi had been aggressive as far as land issues were concerned even in the 1960s (see chapter three). Non-Kalenjins, particularly the Kikuyu and the Luo were associated with the opposition; and hence considered enemies of the Kalenjins, Maasai and the other groups considered indigenous in the Rift Valley, who supported the ruling party KANU and were against the re-introduction of multipartysm.

Consequently, the main targets of the clashes were the non-Kalenjin and non-Maasai living in the province; in addition to the Kikuyu and Luo, the Kisii, Luhya and Kamba were not spared either (Human Rights Watch/Africa Watch (HRW/AW), November 1993:2). The clashes continued spreading to other farms and other parts of the province.[30] By 1992, the clashes had spread not only to other parts of the province, but also to other neighbouring provinces, particularly the Western and Nyanza Provinces (ibid.) (see the provinces in figure 1 pg. 26 above).

Youths referred to as "Kalenjin warriors" mainly carried out attacks (HRW/AW November 1993:25). They ruthlessly killed, raped and maimed individuals, burnt their farms and houses, and killed or seized their livestock (Stewart and O'Sullivan, 1998:12; Muigai, 1995:179). They used traditional weapons such as spears, bows and arrows, machetes and knifes among other rudimentary weapons (Akiwumi Report-Rift Valley Province, 1999:2; HRW/AW, November 1993:25). The warriors were usually attired in informal red or black shorts and tee-shirts and they mainly attacked at night and when they did so during the day, they concealed their identity by smearing clay on their faces (ibid.).They referred their victims to as "foreigners" or

[29] The Nandi (a subgroup of Kalenjin ethnic group) wanted to get more acres of land in the farm per share than the other non-Kalenjin share holders; For more information concerning the disputes and tensions in Meteitei farm, see, Akiwumi Report - Rift Valley Province (1999:5-9).

[30] According to the Akiwumi Report - Rift Valley Province (1999:2), "the clashes spread to the following parts in early 1992: Molo, Olenguruone, Londiani and Kericho, Trans-Nzoia and Uasin Gishu and in 1993, they spread to Enoosopukia, Naivasha Narok and parts of Trans-Mara District."

"intruders" in the Rift Valley Province and forced them to abandon their land, livestock and belongings (property). By 1993, it was estimated that at least 1500 deaths and 300, 000 displacements had occurred as a sequel of the conflicts (Stewart & O'Sullivan, 1998:13; HRW, June 1997). Although it was hoped that the attacks would cease after the December 1992 general elections, attacks continued throughout 1993 and 1994 (HRW, June 1997:44).

The provincial administration was reported to have had a hand in the clashes and also had a half hearted response to the conflicts (Miller and Yeager, 1994:38). Security officers reluctantly gazed as attacks ensued, without heeding to victims' appeals for protection. Police for example stood by as the warriors looted, burned houses and destroyed houses and in some cases released the arrested perpetrators without charge (Muigai, 1995:179). On the other hand, the judicial apparatus on its part was apathetic and reluctant to bring the attackers to book (HRW/AW November 1993:2; HRW, June 1997:9). Discriminatory application of the law was also cited as part of the half hearted and flawed response of the judiciary. Indeed it was reported that, although most perpetrators were Kalenjins, most of those arrested and charged were non-Kalenjins (HRW/AW, November 1993:72).

Various reasons were given as the motives for the violence that rocked the country in the Rift Valley in the 1990s. First, it was seen as a confirmation of the government's prior assertion that political pluralism would lead to ethnic conflicts (Osamba, 2001:40; HRW/AW 1993:3). Secondly, viewed from the lens of perpetrator vs. victim, it was argued that the violence was aimed at punishing ethnic groups that supported the opposition and the move to multipartysm and democratization (Oucho, 2002). The third motive was to intimidate and scare away non-indigenous ethnic groups in the Rift Valley to vacate the valley and go back to their "ancestral" land (Osamba, 2001:40).

4.1.2. Second wave: Coast Province, 1997/ Rift Valley Province, 1998

The Coast Province, 1997

Prior to the 1997 general elections, ethnic violence was experienced at the Coast province this time far away from the violence torn Rift Valley. The clashes mainly concentrated on the Likoni division in Mombasa (see Mombasa in Coast Province in figure 1. pg 26 above).

The indigenous people of the Coastal region of Kenya are said to be a conglomeration of ethnic groups known as the Miji-kenda and other groups such as the Swahili people. Likoni area where the clashes were concentrated is mainly inhabited by two Mijikenda subgroups, namely: the Duruma and the Digo, with Digo constituting the majority (Akiwumi Report - Coast Province, 1999:2). The rest of the people belong to other ethnic groups such as the Kamba, Luo, Luhya, and Kikuyu, who are commonly known as "upcountry" people (ibid.); a term used by the coastal groups to denote their "foreignness" in the region. In terms of collective identity, Likoni can be termed as consisting of two major groups: the indigenous majority and the upcountry minority and further categorization puts the two into two religious groups: Muslims and Christians respectively (Akiwumi Report – Coast Province, 1999:2).

High rates of unemployment, landlessness and illiteracy prevailed among the Digo, in comparison to the upcountry people who had jobs and owned businesses (Human Rights Watch, May 2002:40). Furthermore, beach properties and valuable land which included Mijikenda's ancestral land was owned by wealthy non-locals and politically connected Kenyans some of whom had acquired the land through land grabbing (ibid.:41).[31] Consequently, relations between the indigenous groups and the immigrant groups especially the so called upcountry people were filled with ethno-nationalist sentiments. The indigenous groups resented the upcountry people, citing their domination in terms of economic opportunities as the main bone of contention (Oyugi, 2000:11; Human Rights Watch, May 2002: 3).

Once multiparty pluralism was re-introduced, the indigenous communities formed political parties, through which they indented to articulate their interests. Two such parties included the Islamic Party of Kenya (IPK); whose main support base was the coastal Muslims and the other party was the National Democratic Union (NADU) (Oyugi, 2000:11). Both parties were denied registration by the government, whose licensing of opposition parties was very selective and also due to fear of fundamentalist extremism (ibid.; Miller and Yeager, 1994:110; Muigai, 1995:185; HRW/AW, November 1993:22).

[31] *Land grabbing* - A process of acquiring land illegally through illegal title deeds.

Just like in the Rift Valley, the ruling party (KANU) politicians played the *majimbo* rhetoric in the coastal region, promising the local people that the land, economic opportunities as well as political autonomy would return to them (Human Rights Watch, May 2002:41).[32] It is also important to note that at independence, Coastal leaders were also among those who advocated *majimbo*, regional federalism. The politicians' promises corresponded well with the local community's wishes; consequently making their local upcountry neighbours the prime focus of resentment.

Owing to the above rays of hope it offered to the local people, KANU carried the day in the Coast province in the 1992 general elections (ibid.). Mombasa area was the exception, especially in Likoni constituency, where an opposition member (FORD-Kenya) won the parliamentary seat; this electoral victory was attributed to the support by upcountry pro-opposition communities, notably the Luo (Oyugi, 2000:11). Another parliamentary seat in the area went to the Democratic Party of Kenya (DP), whose main support was among the Kikuyu (Akiwumi Report – Coast Province, 1999:3). This exacerbated the already prevalent animosity towards the immigrant communities at the Coast. Since the opposition had gained victory in regions highly populated by upcountry people, it was assumed that they would still vote for the opposition come the 1997 general elections (Human Rights Watch, May 2002:42-43).

Moreover, at the national level in the run-up for the December 1997 General Elections, the government was under pressure from civil society and opposition leaders to carry out constitutional reforms which would enhance free and fair electoral competition (ibid.; Brown, 2001). Again the government tried to forestall these efforts, but bilateral donors intervened once more, led by the United States, and urged the government to give dialogue with the opposition a chance (Barkan and Ng'ethe, 1998:37).

Citing poor governance and corruption in Kenya, in July 1997, the IMF, World Bank, the European Union (EU) and other bilateral donors suspended aid amounting to US$400 million; US$50 million more than the aid suspended in 1991 (Brown, 2001:733). Moi gave in once more to international pressure and agreed to hold talks with the opposition concerning the reforms (ibid.). In the context of these events, the

[32] The politicians made the local- coastal people believe that through majimbo, the upcountry people would leave the region and therefore the local people would benefit from the economic opportunities.

Coastal clashes were also thought to constitute the government's strategy to counter the constitutional reform movements (Oyugi, 2000:12).

Rallies were held, in which KANU leaders blamed upcountry people of taking all money from local jobs and tourism hence, being the reason behind the fate of the unemployed coastal people (Human Rights Watch, May 2002:42). These inflammatory arguments, coupled with calls for *majimboism* worsened the already volatile situation of resentment towards the upcountry people.

It is against the above background created significantly by political leaders that the Likoni ethnic clashes ensued. Local residents were urged to force upcountry people to go back to up-country. All these threats of violence ensued amid reports to the police, who did not take action to prevent the imminent violence (Oyugi, 2000:12). The first attacks were carried out on August 13, 1997, surprisingly on the Likoni police station by Digo youth, who stole armoury, injured many and killed at least 5 policemen (Akiwumi Report – Coast Province, 1999:20). They also burned homes and other property prompting people to flee to a local church in fear of further attacks (Oyugi: 2000:12).

The Digo youths that orchestrated the violence were referred to as raiders who had received military training coupled with traditional oathing that was believed to render them bullet proof and to enhance solidarity among the group members (Akiwumi Report – Coast Province, 1999:19; Human Rights Watch, May 2002:50). The ritual oath was administered by people believed to be spiritual leaders, only to those youths who had been recruited to the raiders. A former recruit interviewed by Human Rights Watch said this concerning the oath: "*The oath is to make you strong: It's for taking action. There were instructions about what to do and what not to do. The oath protects you from being caught. Your enemy can't see you. It also protects you from getting hurt. It lasts until you do things that aren't allowed. You are only safe to do the action you are told to do; for this oath, the action was to evict up-country people*." (ibid.).

The raiders were organized in a military command structure of sorts, with seniors from which they received orders and had traditional weapons as well as sophisticated weapons, some of which they had stolen during their attacks on the police stations (ibid.:55-56). A quick language test was used by the raiders to identify the non-local

people. Going from house to house, the raiders greeted their targets in Digo language; if they were unable to reply, they were taken to be non-locals and were brutally attacked (Human Rights Watch, May 2002:60). The raiders wore uniform which also had cultural symbols.[33]

The major motive of the raiders was to regain their ancestral land, property and jobs while the politicians supported them and manipulated the raiders' cause with the view of retaining and winning electoral seats (ibid:44). According to reports, the raiders had established a hiding place in a nearby forest and caves, from where they launched attacks (Oyugi, 2000:12). Security officers were complacent and unwilling to assist the victims and so the raiders were able to regroup and continue launching sporadic attacks (Human Rights Watch, May 2002:60). The attacks continued sporadically till early 1998.

The Rift Valley Province, 1998

Unlike the 1992 general elections, the 1997 general elections witnessed less violence in the Rift Valley. This did not however, signify that ethnic violence had become a thing of the past. Clashes erupted in 1998 after the elections. They pitted mainly the Pokot, Samburu and Kalenjin against the Kikuyu (Akiwumi Report – Rift Valley Province, 1999:2). This further reflected the alignment of parties during the general elections.

Article 19, (December, 1998:4-5) provides the following electoral facts that might have played a key role igniting in the 1998 Rift Valley conflict: Among the major contesting parties, two of them appeared significantly dominant: the ruling party KANU with the incumbent, Daniel arap Moi as the presidential candidate and an opposition party (Democratic Party (DP), led by Mwai Kibaki. KANU's presidential candidate emerged victorious followed by the DP candidate. While DP won majority of the parliamentary seats in Central Province, KANU won none. In the Rift Valley Province, KANU got the majority seats (38 out of 48 seats) while DP got 7 parliamentary seats in the following districts: Laikipia East, Laikipia West, Nakuru

[33] The raiders' uniform, mainly worn by senior raiders "consisted of a black cape or robe with two bands of fabric, one red and one white, crossing the chest in an "X" pattern and also featured a star and a crescent moon at the front and, in some cases with the words "There is no God but Allah"; This symbolized a mix of Muslim and animist faith among the Digo raiders."(Human Rights Watch, May 2002:62).

Town, Molo, Subukia, Kajiado South and Naivasha. These were also the regions in the Rift Valley that were adversely affected by the clashes.

Mwai Kibaki's declaration to challenge president Moi and the electoral commission in court for alleged irregularities in the electoral process, sparked reactions from Kalenjin leaders, which triggered the conflicts (Klopp, 2002:269). Soon after his declaration, powerful supporters of the incumbent president Moi, alleging that Kibaki's move was an insult to their Kalenjin community held a series of rallies threatening violence against kikuyu migrants in the Rift Valley, especially small holder farmers and traders (ibid.).

On 11th January 1998, members of the Samburu and Pokot ethnic communities armed with fire arms, among other weapons, attacked a Kikuyu widow in Laikipia District in the Rift Valley Province; they raped her and stole her livestock (Article 19, December 1998:5; Akiwumi Report - Rift Valley Province, 1999:63). This was followed by retaliatory acts by Kikuyu men, who followed the raiders and on failing to catch up with them entered a Samburu compound and mutilated livestock (Article 19, December 1998:5). This marked the beginning of attacks and counter attacks. A few days after, on 14th January 1998, a group of Samburu and Pokot men armed not only with the traditional spears, bows and arrows, but also with guns launched attacks on Kikuyu communities in the same district; 50 Kikuyu were killed and over 1000 fled to a nearby Catholic church (ibid.).

Further attacks ensued the same month when on 24th January 1998, a group of Kalenjins attacked Kikuyu in Njoro, prompting them to retaliate on 25th; Three days earlier, the farm belonging to the newly elected DP Member of Parliament, along with other farms had been attacked in the same place (Akiwumi Report – Rift Valley Clashes, 1999:72-73). The attacks left 34 Kikuyu and 48 Kalenjins dead, over 200 houses burned and hundreds of people displaced (Article 19, December 1998:5). The police acted in a complacent manner, were reluctant to react and that's why, it is argued, members of the Kikuyu community organized themselves and retaliated to the attacks.[34]

The attacks continued sporadically in February and March. By February, over 100 people had died and thousands of others displaced (Apollos, 2001:109). According to

[34] Amnesty International, Article 19, and Human Rights Watch, "Kenya: Urgent Need for Action on Human Rights", Press release, April 8, 1998.

police reports, by March 11, 1998, the death toll since January had reached at least 127 (Article 19, December 1998:6). Two versions of explanation were given to the initial attacks by the Kalenjins: “the first was that the Kikuyu were attacked because their traders had refused to supply goods and services to the Kalenjins in response to the attacks that occurred in Laikipia and the second dismissed them as unprovoked attacks of the Kikuyu by local Kalenjin youths” (ibid.: 5).

The above versions are to a great extend implausible. A keen temporal and spatial examination of the above events would dig out deeper political grounds. To start with, the attacks began the month following general elections. The results of the parliamentary elections indicated a dominance of KANU in the Rift Valley province and DP in the Central province. Moreover the Rift Valley regions in which DP won were largely populated by the Kikuyu and the rest of the Rift Valley is dominated by the Kalenjin (ibid.: 6). The contest between KANU and DP was therefore easily conceptualized as a struggle between the Kalenjin and the Kikuyu. The inflammatory statements made by KANU politicians in response to Kibaki’s lodging of a petition to challenge the election results which immediately preceded the attacks further highlight the politics of ethnic manipulation behind the conflict (Akiwumi Report - Rift Valley Province, 1999:22). The ethnic conflicts here are thus proxy struggles between top profile politicians.

4.1.3. Third wave: Post-election violence (2007-2008)

After a few years of relative calm in the Kenya, violence broke out again; just like the above discussed cases the violence was linked to elections and with high ethnic undertones. The 2007-2008 post election violence was reportedly triggered by the announcement of the presidential results, which were said to have fallen below international standards; spontaneous violence occurred immediately in major towns especially Nairobi, Kisumu, Eldoret and Mombasa (International Crisis Group, February 21, 2008:9). Opposition supporters immediately began to vent their anger by unleashing violent attacks on those perceived to be pro-government (Dagne, 2008:5).

The major areas hardest hit by the violence included towns such as Eldoret, Naivasha, Nakuru, Nairobi, Mombasa and Kisumu and the heavily contested Western Province and other areas of the Rift Valley such as Molo, Kuresoi and Mt. Elgon (ICG, February 21, 2008:3). In most of these regions, persistent antagonism over land

among neighbouring communities aggrandized as their leaders aligned themselves within the Party of national Unity (PNU) or range Democratic Movement (ODM) in pursuit of power and youths were mobilized (to a great extend with financial incentives) to create a menace to voters (ibid.). This confirms Galaty's (2005:177) argument that "whereas leaders use local disputes for political purposes, the locals exploit political clashes in pursuit of land, thus blending the intentions and refractions of intentions of the various actors." This implies an interest heterogeneity whereby leaders and their supporters engage in conflict in pursuit of different benefits, thus enhancing a symbiotic relationship between them.

In the Rift Valley province, Kikuyu settlements were the primary targets of the Kalenjin vigilante groups; this was reminiscent of the clashes that ensued in the 1990s (ICG, February 22, 2008:1). Elsewhere, in the major opposition party, Orange Democratic Movement (ODM) strongholds such as the Western and Nyanza provinces, those perceived to be supporters of PNU (Kibaki) and predominantly the Kikuyu became the primary targets (ibid.:10).

In the urban centres, the major battle grounds were the slum areas. Kibera slum in Nairobi which was a major opposition stronghold became the epicentre of much of the violence; gangs of youth armed with clubs, machetes, knives and other rudimentary weapons descended upon their neighbours (ibid.:9). Houses, shops, and other property were set ablaze; women and girls were also raped (ibid.). Concentration and intensity of violence in the slums in urban areas further illustrates the class differences and the prevailing gap between the rich and the poor, whereby the poor are the ones who face more wrath of direct violence often fighting each other.

At the initial stages (30th December 2007 to 10th January 2008), much of the violence was in the North Rift, notably Eldoret as well as villages and trading centres surrounding it like Burnt forest, Timboroa, Matharu, Tarakwi and Cheptiret. Similarly intense fighting was in the regions further south in Molo, the tea-growing district of Kericho and the Kisii Nyanza border (ibid.:10). Elsewhere in the South Rift, the violence was less organized and only took a more opportunistic pattern, whereby Kalenjins attacking their Luo and Kisii neighbours with the aim of taking their cattle and land following a collapse of state authorities in the area (ibid.).

The poor peasant families, small farmers and traders bore the brunt of the conflict (ibid.). Churches, police stations and other government facilities became the places of refuge and internally displaced persons (IDPs) camps were established there as people fled their perpetrators, (ibid.). Another wave of violence erupted in Naivasha and Nakuru (January 24-28, 2008); gangs from Kikuyu, Luo and Kalenjin communities confronted each other, including the infamous outlawed Kikuyu dominated *Mungiki* sect (ibid.; Human Rights Watch, March 2008:43-46).

Although the conflict was initially political, pitting the ruling party PNU and the opposition ODM supporters against each other, a keen ethnic dimension manifests itself, involving apparently three ethnic groups; the Kikuyu on the one hand against the Luo and Kalenjin on the other; the Luo and Kalenjin were also allegedly targeted by the police and the Kikuyu (Dagne, 2008:5). Despite the strong ethnic undertones in the violence, a naïve assumption that the ethnic groups were mere savage social groups who irrationally descended on each other would be a great mistake. Indeed, as Dagne (ibid.) correctly puts it, the political situation that triggered the conflict, as well as underlying social and economic grievances should be clearly examined.

Debates on democracy and its link to elections were once more evoked. The flawed elections were said to have taken Kenya back in terms of democracy, watering down the democratic gains that had been attained since the widely accepted 2002 general elections (Elischer, 2008:5). Alleging that victory was stolen from them, the opposition and their supporters cited that the rationale for their struggle was to prevent the loss of the democratic gains that had been previously made (Dagne, 2008: 6). The violence subsided at the end of February 2008 after successful mediation by a delegation led by Kofi Annan; PNU and ODM agreed to form a grand coalition government with Raila Odinga, the ODM leader as the Prime Minister (The Guardian, February 28, 2008).[35]

[35] The power sharing deal to end the post election violence was signed by both PNU and ODM on Thursday February 28, 2008 (*The Guardian, February 28, 2008*).

4.2. Causes of the conflicts

Unresolved land grievances

All through the 1990s, even when it was outright that violence was politically instigated, land finally came to be cited as the major root cause. The same allegations came up during the post-election violence in 2007-2008.

Land ownership especially in the Rift Valley is a highly emotive issue. It pits the Kalenjin and Maasai, Turkana and Samburu who claim ancestral ownership of the Rift Valley against the other communities who they consider as foreigners or the immigrants in the region. Bitter emotions are usually more against the Kikuyu. The Kalenjin argue that the Kikuyu, backed by big land companies and state bureaucracy during Kenyatta's reign, bought large tracks in the fertile parts of the Rift Valley (ICG, February 21, 2008).

When president Moi, a Kalenjin came into power in 1978, the Kalenjins were hopeful that by virtue of him being the president, they would benefit especially from land redistribution (Klopp, 2002). Disappointingly, he followed Kenyatta's suit, true to his slogan (*Nyayo*, a Swahili word for *footsteps*).[36] He gave land to his loyalists and top profile elite in his government. Many indigenous people ended up remaining landless or being squatters in what they consider as their own land.[37] Similar grievances are also felt at the Coast whereby landlessness reigns among the indigenous people while a few politically well connected people have large chunks of land.[38] They refer to this as a *"Historical injustice"* which they want to put right whenever they take up arms.

The pattern of land distribution further supports the inequalities in the country and fuels even extra bitterness. While thousands have no piece of land to call their own, a few rich people own large tracks of land which lie idle. Land for many Kenyans is a main source of food, wealth and welfare, thus landlessness portends

[36] The Nandi, a subgroup of the Kalenjin particularly were angered about the way Moi benefited his top coterie while many poor people suffered severe landlessness; for more information, see Klopp (2002:276-281).

[37] For more details see, "How State Policy shaped land conflict", *Saturday Nation*, February 9, 2008.

[38] For details on the injustices surrounding land at the Coast and in the Rift Valley see also, Ongwen Oduor, "The Ultimate Solution to Land Crisis in Kenya" *Sunday Standard*, October 6, 2004. And for a detailed report on some high profile political leaders and businessmen who own large tracks of land see, Namwanya Otsieno, "Coast and Rift Valley bore the brunt of land craze," *Sunday Standard*, October 5, 2004.

great incapacity to afford subsistence (HRW, December 2002:19). Apart from being a source of livelihood, land has a cultural value as a source of heritage which further makes land issues emotionally charged. The fact that clashes occurred in the regions that have had a history of disputes (ibid.) illustrates the gravity of land as a root cause of conflicts.

Colonial legacy

Ethnicity in Africa and its salience in politics (hence in conflicts), is said to have taken a strong footing during the colonial period. According to Thomson (2004:62), Africa's ethnic groups are modern social constructions, which can be traced back to the colonial period in Africa. The colonialists recognized tribes in Africa as necessary for colonial administration. Through the system of indirect rule, the British colonial government ethnic groups were strengthened or created where they did not exist.[39] The ethnic groups were organized into regional blocks that could ease economic and political control. Ethnic differences were manipulated and seeds of inter-ethnic exploitation, suspicion and animosity were created (Jonyo, 2003:159). Furthermore, administrative units were like districts and provinces were structured along ethnic lines (ibid.).

Electoral competition and fraud

Holding competitive elections has been cited as an important step in democratization and it is viewed as a vital aspect of the kind of democracy advocated in Africa after the end of the Cold War (Makinda, 1996:556). In Africa though competitive, many elections since the 1990s have often triggered ethnic conflicts. In an effort to gain political control, elections have triggered cycles of ethnic violence in Kenya. In the ethnic clashes that occurred in Kenya in the Rift Valley and Coast provinces in the 1990s, ethnic groups were mobilized and set against each other while flawed elections were the major trigger of the 2007 post-election violence which unfolded along ethnic lines (see 4.1 above for more details).

[39] Historians have however revealed that in pre-colonial Kenya, some ethnic groups or generally a sense of group identity and belonging was prevalent in pre-colonial Kenya which were however fluid; the colonial administration further reinforced and institutionalized ethnic group identity (Haugerund, 1995).

The majimbo rhetoric

Majimbo or regional federalism based on ethnicity re-emerged at the re-introduction of multiparty elections in Kenya in the 1990s and has been a major driving force of ethnic conflicts in the country. In the same period the ethnic violence that rocked the Rift Valley and Coast Province were organized in the name of *majimbo* (ICG, February 21, 2008). Nyukuri (1997) points out that, if taken as a political system in which a union of states or regions retain powers over their internal affairs, while leaving common national issues like foreign policy and defence to the central government, federalism (*majimboism*) might not necessarily be undemocratic and harmful. However, federalism based on ethnicity (as the case is in Kenya) is divisive and a threat to national stability and cohesion (Nyukuri, 1997).

Mainly driven by the ambition of the Kalenjin, Maasai, Turkana and Samburu as well as the coastal populations to gain exclusive control over their respective provinces' natural and economic resources; reclaim land, jobs and property by expelling immigrant communities from the provinces, *majimboism* in Kenya has always played a divisive role in those areas and fuelled ethnic violence (ICG, February 21, 2008:12). It is a rhetoric that occurs mainly during general elections since the 1990s. In the campaigns for the recent 2007 general elections, similar calls for *majimbo* were evoked, this time not by the ruling party, but by the opposition (ODM) who allegedly promised the Rift Valley and the Coast Province autonomy if it gained power; "although the leaders did not explain how the devolution would be carried out, many ordinary people in the provinces perceived it as an opportunity to get rid of their alleged Kikuyu dominance" (ibid.: 13).[40]

Fear of domination

Fear of domination by immigrant groups has mainly been voiced out in the Rift Valley. Kalenjin communities were further angered by renaming of their areas with Kikuyu names (ICG, February 21, 2008:13). They feared that this was the erosion of their cultural heritage and domination by the Kikuyu. Using Kikuyu names for villages and institutions in the Rift Valley is considered by the Kalenjin as cultural domination and loss of identity for their alleged region. Consequently, as part of the process of curbing this perceived domination, Kalenjin elders demanded that Kikuyu

[40] In the 2007 general elections, PNU accused ODM of applying the *majimbo* rhetoric during campaigns which set ethnic groups against each other (ICG, February 21, 2008: 5).

names given to villages and institutions and places in the Rift Valley be replaced with Kalenjin names as a precondition for the resettlement of the Internally Displaced Persons in the region; the Kikuyu had to comply in order to safeguard their security (Daily Nation, May 8, 2008). This highlights the salience of local language as an indicator of collective identity (ethnicity) as well as the prevailing ethno-nationalist sentiments in the region and in politics in Kenya at large.

Impunity

The growing culture of impunity since the first eruption of violence has engendered the recurrence of ethnic violence. Most of the high-ranking politicians who were implicated in organizing violence in the 1990s have never been brought to book and they continue to operate freely and even hold high ranking government positions (HRW, March 2008, HRW, June 1997:11). The prevailing culture of impunity and the extant culture of violence interdependently underpin the recurrence of ethnic conflicts in Kenya (HRW, February 2008).

Poverty and exclusion (marginalization)

Poverty, social, economic and political exclusion form a strong basis for manipulation for political gain. Exclusion renders people vulnerable to propaganda and sentiments against neighbours by masking them as the causes of one's fate. Groups that have suffered exclusion and marginalization have been the targets for manipulation in all the above discussed ethnic conflicts in Kenya. The strong correlation between poverty and political manipulation in Kenya has been candidly captured by Lonsdale (2004:95), who strictly points out that "the votes of the poor are bought at election times."

Spill over effect of regional conflict

Kenya belongs to geopolitical regions which are conflict torn: the Horn of Africa, East Africa and by extension the Great Lakes Region. Her neighbours: Ethiopia, Somalia, Sudan and Uganda have experienced long periods of unrest and armed conflict since the 1970s (Human Rights Watch, May 2002:8). These have enhanced easy availability of small arms and light weapons in Kenya. While this is not a direct cause of ethnic conflicts, it facilitates massive destruction when such conflicts ensue. An ethnic gang at the Kenyan Coast for example declared that they were working towards acquiring automatic weapons from Somalia (discussed in 4.3 below).

4.3. Consequences of the conflicts

As mentioned in the problem statement of this research, ethnic conflicts in Kenya have had far reaching consequences both to the individuals and families affected, to the country at large and also at the international level. Some of them have been short term while others have inflicted indelible scars in people's lives. The following are some of the consequences of the ethnic conflicts in Kenya:

Loss or property

Considering the kind of attacks launched during ethnic violence it is undeniable that insurmountable property is lost in the process. Destruction, looting and razing of property, homes and farms implies that victims are left in a state of destitution and in a state of total dependency. This kind of destruction is further aimed at total eviction of the victims. *"That was a sign that they were to leave and never to come back. If they return, we shall fight them until they leave our land for good." (Daily Nation, May 10, 2008).* This was a comment made by a Kalenjin youth in Eldoret, Rift Valley referring to the way they looted and razed Kikuyu homes during the 2007-2008 post-election violence with the intention of driving them out completely of the Rift Valley.

Death and injuries

While it is possible to recover from loss of property, given time and favourable condition, loss of life is an impact that is cannot be recovered. Children are orphaned or parents left childless by death. Since 1991, ethnic violence has claimed numerous lives in Kenya. By 1993, it was estimated that 1,500 lives had been lost in the Rift Valley ethnic clashes (HRW/AW, November 1993:1)[41] and by 1999 the number was estimated to have risen to 2,500 (Osamba, 2001:47). The 1997 clashes in Mombasa claimed over 100 lives,[42] while the 2007-2008 post-election violence claimed over 1000 lives just within months (HRW, March 2008:2).[43]

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[41] Kenya Human Rights Commission, 1998 p. 1, cited in IDMC and NRC (Norwegian Refugee Council), I am a Refugee in My Own Country," Conflict-Induced Internal Displacement in Kenya, 19 December 2006. http://www.internal-displacement.org/ (accessed, August 6, 2008).

[42] International Federation for Human Rights/Kenya Human Rights Commission. Massive Internal Displacement in Kenya due to Politically Instigated Ethnic Clashes: Absence of Political and Humanitarian Responses, April 2007, No. 471/2. (accessed, August 6, 2008).

[43] Dorina, Bekoe, "Kenya: Setting the Stage for durable peace: United States Institute for Peace (USIPeace Briefing), April 2008. http://www.usip.org/pubs/usipeace_briefings/2008/0415_kenya.html (accessed, August 6, 2008).

Internal Displacement

One of the major consequences of intra-state conflicts is internal displacements. This is a major challenge to Africa, which has been marred by intra-state conflicts and wars resulting in massive displacement of people within the countries. In Kenya, forced internal displacement is a very acute and sensitive issue. Although natural disasters are responsible for some internal displacement, in most cases, much of the internal displacement in Kenya is conflict induced. Kenya ranks 7th in Africa in terms of numbers of Internally Displaced Persons (IDPs), most of the displacement resulting from politically instigated ethnic conflict.[44]

Internal displacement further exacerbates the already large numbers of squatters extant in Kenya and the delicate problem of landlessness. Politically instigated ethnic clashes have been a major cause of internal displacement since the first outbreak of ethnic violence in1991 (FIDH/KHRW, 2007). Besides, in the Rift Valley, IDPs were forced to sell their land and property at very cheap prices (Haugerund, 1995:42). By early 1993, 300 000 people had been displaced, while 1,500 had lost their lives (HRW/AW, November 1993:1).[45] In 1997, the violence at the Kenyan coast displaced over 100,000 others mostly pro-opposition up-country people.[46] In the Coast and the Rift Valley, the clashes also destabilized voters especially those who were perceived to be opposition supporters. The 2007 post election violence displaced more than 600,000 people in various parts of the country.[47] Considering the nature of conflicts and the plethora of reports written, it is not easy to establish an exact or a constant figure of the internally displaced. IDPs are exposed to harsh living conditions, in camps, police stations, churches and any other places that are considered relative safe havens. Squalid conditions characterised by unhygienic situations, poor sanitation and

[44] International Federation for Human Rights/Kenya Human Rights Commission. Massive Internal Displacement in Kenya due to Politically Instigated Ethnic Clashes: Absence of Political and Humanitarian Responses, April 2007, No. 471/2 (accessed, August 6, 2008).

[45] Kenya Human Rights Commission, 1998 p. 1, cited in IDMC and NRC (Norwegian Refugee Council), I am a Refugee in My Own Country," Conflict-Induced Internal Displacement in Kenya, 19 December 2006. http://www.internal-displacement.org/ (accessed, August 6, 2008).

[46] International Federation for Human Rights/Kenya Human Rights Commission. Massive Internal Displacement in Kenya due to Politically Instigated Ethnic Clashes: Absence of Political Humanitarian Responses, April 2007, No. 471/2. http://www.fidh.org/IMG/pdf/Kenya_engNB.pdf (accessed, August 6, 2008).

[47] Dorina, Bekoe, "Kenya: Setting the Stage for durable peace: United States Institute for Peace (USIPeaceBriefing), April 2008. http://www.usip.org/pubs/usipeace_briefings/2008/0415_kenya.html (accessed, August 6, 2008).

malnutrition are conditions they are forced to come to terms with; children, women and old people are usually the most hardly hit (Osamba, 2001:48).

Ethnic tensions and fears of future attacks

Once beaten, twice shy. The attacks that ensued in the 1990s and the inaction of security forces to protect victims prompted members of the target groups in the violence to devise means of protecting themselves in the event of future attacks. Elections began being attributed to eruption of ethnic violence. Since ethnic violence had continued unabated in the first two general elections following the re-introduction of multipartysm, it was widely feared that the 2002 general elections would also instigate violence (Brown, 2004:332).[48] Fearful of this likelihood of fresh attacks, members of ethnic groups that had been culprits in the previous general elections reportedly began organizing and arming local self-defence groups (Human Rights Watch, 2002:8). Although there was relative calm in these elections in Kenya, this fear confirms the deeper psychological anxieties that violent ethnic confrontations leave behind.

Revival of criminal gangs

Deterioration of security during ethnic violence provides a good breeding ground for criminal gangs to organize themselves. They get directly involved in the violence as perpetrators or "protectors" of their own people against attacks. Such groups also allegedly provide security to people where the government has not been keen to do so especially in the slums and in villages in which security officers have limited access to. The gangs in Kenya usually use names such as "*Taliban*, *Jeshi la Mzee*, *Baghdad Boys*, *Kosovo Boys*, not forgetting the infamous *Mungiki"* (HRW, December 2002:12).

Most gangs usually organize themselves along ethnic lines depending on the ethnic groups directly involved in the conflict. In the 2007-2008 post election violence, criminal gangs engaged each other and police in battles in Nairobi's slums (HRW, March 2008:4-5). Later on in February the gangs: *Mungiki* and *Kalenjin warriors* engaged each other and police in running battles in Naivasha and Nakuru regions in the Rift Valley (See Section 4.1 .3 of this chapter for details). At the Coast,

[48] Brown however, points out that it was surprising that in the 2002 general elections, there was relative absence of ethnic violence (Brown, 2004:332).

a militia group composed mainly of the coastal Mijikenda group especially the Digo - who were also involved in the 1997 clashes, was reportedly training and taking oaths of loyalty; the group was allegedly involved in various crimes and attacks on tourists in the region and cited its two aims as: "destroying the tourism industry and raising money to buy weapons from Somalia" (ICG, 21 February 21, 2008:15).Through the gangs, numerous arms proliferate in wrong hands and human security is put in jeopardy.

Economic impact

Ethnic violence has negatively affected both individuals and the Kenya's various economic sectors in general leading to economic deterioration of the whole country. Individuals lose jobs; businesses cease to operate or operate at reduced frequency in fear of looting, economic sectors come to a stand still, etc.

The Rift Valley being the bread basket of the country implies that fighting in the region interrupts food production significantly, whereas at the Coast Province, ethnic violence shakes the tourism industry. The 1990s clashes in the Rift Valley caused great losses to various agricultural sectors; the tea, maize, flowers, milk and other agricultural products produced in the region. Most of these sectors witnessed significant drops in production from 1991 to 1993 during the Rift Valley clashes (Nyukuri, 1997).

In the 2007-2008 post-election violence, daily losses or revenue tax was approximated at Ksh 2 billion, in the initial stages of the violence (Reuters, January 7, 2008, cited in ICG, February 21, 2008). Agricultural production was reduced a great deal as farms were razed, farm workers displaced and transport paralysed. The tourism industry which is the main source of income at the coast province and a major pillar of the economy in Kenya faced great losses due to the ethnic violence at the Coast Province especially in 1997 (Barkan and Ng'ethe, 1998; HRW, May 2002:39). The sector remained hardest hit in the 2007-2008 post election violence, which erupted at a time when tourism was almost at its peak. The violence and scaring images of the riots drew away numerous tourists; the situation was worsened by the cancellation of vacations by Americans and Europeans. [49]

[49] Munene Kilongi, "Conflict threatens Kenya's tourism." McClatchy News Service, January 19, 2008.

While it was not greatly impacted in the ethnic conflicts in the 1990s, Kenya's corporate sector greatly felt the impacts of negative ethnicity in the recent 2007-2008 post election violence. Most companies usually employ people across the ethnic divide in Kenya. During the post-election violence, productivity was affected and the companies were also faced with the challenge of transferring staff to regions where they were accepted on the basis of their ethnic identity (ICG, February 21, 2008).

Regional impact

The Impact of violence in Kenya is not only felt in the country, but also by its landlocked neighbours: Uganda, Burundi, and Rwanda as well as Congo and Southern Sudan, which rely on Kenya for imports and exports (Smith, 2008:2).[50] The Coast and Rift Valley provinces are strategic regions for the transportation of goods to these countries; the major sea transport is through Mombasa port while the Kenya Uganda Railway passes through Kibera slum in Nairobi via the Rift Valley to Uganda. Major road transport connecting Kenya and the above neighbours also passes through the conflict torn Rift Valley (see Kenya's major road connections in Figure 1. pg. 26 above). In the recent 2007-2008 post-election violence, economic crises were felt in the neighbouring countries due to the interruption of port services and the vandalization of the railway which paralysed transport; severe oil shortages were experienced in Uganda, Congo, Rwanda and Burundi and Southern Sudan (Smith, 2008:2).

4.4. Principal actors involved in the conflicts

Ethnic groups

Although, as argued in this research, ethnicity per se does not cause conflict, the use of the term implies its involvement in the conflicts. Consequently, ethnic groups themselves are actors in the conflicts. Although Kenya consists of forty two ethnic groups (Oucho, 2002:38), only a few of them are actively involved in the above conflicts. The various ethnic groups further depict shifting alliances and roles in the conflicts. In the Rift Valley, the Kalenjin, Turkana and Maasai (KAMATUSA) were

[50] Kenya also forms a strong base for UN and other humanitarian operations and supply of relief to Southern Sudan and Somalia, therefore ethnic conflicts in Kenya disrupt these operations (Smith, 2008:2).

the main perpetrators; their targets being the non-KAMATUSA ethnic groups: Kikuyu, Kamba, Luhya and Luo (see section 4.1 of this research).

The above ethnic groups were further primarily targeted by coastal communities predominantly the Digo in the 1997 clashes at the Kenyan coast. In the recent 2007-2008 post-election violence, the Kikuyu, this time dubbed pro-government (PNU) became the victims of angry pro-opposition (ODM) supporters, mainly the Luo and the Kalenjin. Although other ethnic groups feature variously in the ethnic conflicts, it is the Kikuyu, Luo and Kalenjin that have been predominant actors in all the above discussed conflicts in Kenya.

The elite (political/economic) and local leaders

Political machinations have been at the heart of many ethnic conflicts in Africa since the beginning of the transition process in the continent in the early 1990s. In this process, political elites play a key role of ethnic outbidding and mobilization in order to gain local support and thus access power (Oyugi, 2000:6). This is done either through promises of hope and rewards to the ethnic groups once a certain party or certain elites get in to power or through or arousing of ethnic sentiments and fear. At the local level, local leaders such as chiefs and even traditional elders complement politicians in garnering support.

Apart from fuelling ethnic conflict, political elites may also facilitate conflict by failing to take action to stop it once it erupts. In the ethnic violence that rocked the Rift Valley and the Coast province, in the 1990s, political and economic elites in collaboration with local community leaders fomented violence against ethnic groups that were not supportive of them (HRW/AW, November 1993; HRW, May 2002). In the recent 2007-2008 post-election violence, although the flawed election was a major factor triggering the violence, it was also pointed out that community leaders and local politicians especially in the Rift Valley, to a significant extend fuelled and planned and funded the violence while national leaders from both the ruling party and the opposition did little to intervene.[51]

[51] Human Rights Watch. Kenya: Justice Key to Securing Lasting Peace, (Nairobi, February 17, 2008). http://hrw.org/english/docs/2008/02/15/kenya18082.htm (accessed, August 2, 2008).

The state

The state plays various roles in the conflict. The state may foment conflict through acts of omission or commission. Omission in this case involves failing to act or acting too late to protect its citizens and to provide policies conducive for the subsistence of the citizens, whereas commission involves monopoly of violence against its own citizens (Klopp, 2006:60). The Kenyan state under KANU leadership was greatly accused of instigating conflict in the Rift Valley and the Coast Province.

Security officers, who are usually under the command of the state were reported to have behaved elusively and did not do much to rescue the victims from their perpetrators or to reconcile warring groups. This was the case in the Rift Valley and Coast clashes in the 1990s. In the 2007-2008 post-election violence however, the police were alleged to have been very brutal especially on the opposition demonstrators.

The Youth

The youth consist of an important social group and actors in the conflicts. They are mainly the ones who carry out the attacks. This is reminiscent of the organization of the social roles among different social groups in the traditional societies in Kenya, whereby young men were charged with the responsibility of protecting their communities. In the Rift Valley, groups of youth know as “Kalenjin warriors” have been the main perpetrators who launched attacks on the targeted victims (Muigai, 1995:179; ICG, February 21, 2008:11). Warriors represent a certain age group among the Kalenjin and pastoral societies which is composed of the young men who have successfully undergone initiation ceremonies.

In the coastal clashes, the perpetrators were young men in their twenties and thirties who were recruited as raiders and trained in warfare so as to evict upcountry people (Human Rights Watch, May 2002: 46-48). Similarly, in the 2007-2008 post election violence the youth were predominantly the ones actively involved in violent acts. Another characteristic of these youths is that they are landless and jobless with hopes of getting land left by their evictees and are easily lured with little monetary rewards. The case in 1997 at the coast, whereby some youth were easily manipulated by a businessman who gave them some money (Ksh. 500 about US$8.50) after which

they joined the raiders group, clearly illustrates the vulnerability of poor, idle and jobless youth to mobilization (ibid.).

4.5. Dimensions of the conflicts

Ethnic conflicts in Kenya and in Africa in general are not conflicts between different ethnic groups who savagely and irrationally turn against each other due to their differences per se. They are rather expressions of underlying political, economic and many other struggles. As such, a closer analysis of ethnic conflicts unearths various dimensions. This section highlights the various dimensions manifested in ethnic conflicts in Kenya.

Political dimension

The ethnic conflicts discussed above were to a great extend highly motivated by desired political gains. In the Rift Valley in 1992, they were used to destabilize opposition supporters; and hence reduce their votes and enhance victory of the KANU politicians. Similarly, this was the case in the Coast province, whereby upcountry people were targeted due to the assumption that they would vote for the opposition. Indeed, a prominent KANU politician from the coast commented that "the matter was political and would only end after elections were over" (Akiwumi Report – Coast Province, 1999:4). It was further KANU's strategy to maintain geopolitical control of the regions affected. In the recent 2007-2008 post-election violence, people attacked members of ethnic groups perceived as supporters of their opponents. The reportedly flawed election results that triggered the violence further confirm the political dimension of ethnically expressed conflicts.

Cultural dimension

A real or imagined possession of a common culture is a key indicator of ethnic identity that forges solidarity among group members (see chapter two (section 2.3) of this research on definition of ethnicity). Similarly cultural practices have been applied as a mechanism of enhancing group loyalty and cooperation among combatants in ethnic violence. The presence of youth groups known as "warriors" among the Kalenjin and pastoral communities, who have been the main perpetrators in the ethnic violence in the Rift Valley, signifies a traditional cultural setting of division of roles that prevailed in the communities' traditional society. Oathing is yet another cultural

practice that has widely been applied as a mechanism of forging group solidarity and organizing political violence. At the Coast, oaths were administered by traditional religious leaders to those recruited as raiders after which they allegedly felt emboldened and ready to act (Human Rights Watch, 2002:31).

Oathing is also common among the Mungiki, the predominantly Kikuyu sect, which was reported to have organized retaliatory attacks against the Kalenjin and the Luo in Nakuru and Naivasha in the Rift Valley during the post-election violence (ICG, February 21, 2008:13). Use of traditional weapons (such as bows, arrows, spears and machetes) as well as traditional uniforms and decorations further indicate the cultural dimension of the conflicts. The clay markings smeared on the faces of the Kalenjin warriors during their attacks (discussed in section 4.1 of this research) are usually used during initiation ceremonies that make the young men full members of the community (HRW/AW, 1993:21). The use of cultural symbols in such conflicts could conceal the political nature of the conflicts, dismissing them as mere clashes among different cultural groups.

Class dimension

A quick labelling of the above conflicts as "ethnic conflicts" is likely to fall under the trap of collectivising all members of the ethnic groups as merely equal groups of people in conflicts. The so called ethnic conflicts in Kenya have yet a class dimension which manifests further differences and strata in these ethnic groups. It is depicted by the level of operation of the different actors in the conflict. While the rich politicians and business people demonize other communities, it is the ordinary poor who kill each other and end up bearing the consequences thereof. In the Rift Valley, small holder farmers and traders were the prime targets while the large farmers remained relatively unscathed (Stewart and O'Sullivan, 1998:12).

Similarly at the Coast, whereas land and wealth were cited as some of the grievances fuelling the conflict, those who were attacked were poor upcountry people as well as people who had no influence on land ownership (Akiwumi Report-Coast Province, 1999; Apollos, 2001:111). Although the 2007-2008 post election violence affected the Kenyan population across the economic and class divide, it was ultimately the poor who suffered more, especially in the urban slums (ICG, February 21, 2008:10). This implies economic disparities which create vertical inequalities

within different ethnic groups and further illuminates the class dimension of the conflict. Class differences within the different ethnic groups are however not invoked during mobilization, rather ethnic differences dominate. This lends credence to the observation that "when Kenyan politicians invoke local or ethno regional identities, they can make connections with lower classes without raising class based issues" (Ford and Holmquist, 1998, quoted in Haugerund, 1995:41).

Minority-majority autochthones vs. Majority-minority immigrants

This is a dimension that reveals itself in ethnic conflicts at the Rift Valley and the Coast province. The perpetrators are numerically minority in the country and majority in their regions, and they claim to be the autochthones, for example, the Digo at the Coast, and the Kalenjin or KAMATUSA in the Rift Valley. On the other hand are the victims, who are numerically the majority in the country compared to other ethnic groups but their numbers are small in their regions of residence where they are considered "immigrants or foreigners"; for example the Kikuyu, Luo and Luhya in the Rift Valley and the Coast.

4.6. Efforts in addressing the conflicts

4.6.1. Efforts of the Government of Kenya

The responsibility of protecting citizens lies within the government. What then should happen or to whom should citizens turn when the government is part of the forces causing their insecurity? These are major questions that lingered in the minds of the victims of the Rift Valley and Coast Province clashes in the 1990s. Top KANU politicians and government officials reportedly organized the conflicts with impunity by planting the seed of enmity among the various ethnic groups who had earlier lived harmoniously together (Osamba, 2001; Brown, 2004). Accusations and counter-accusations went on, in which members of the opposition pointed accusing fingers at the KANU government for being behind the conflicts, while KANU and the government accused the opposition instead and termed the clashes as a confirmation of Moi's prophesy that ethnicity would lead to ethnic conflicts (Haugerund, 1995:38-39). Against this background, the government did little to resolve the conflicts (Oyugi, 2000).

Security officers and government administrative offices such as the provincial and district commissioners offices did not do much either. In fact, security officers responded too late when called upon to quell the chaos or responded with complacency (Osamba, 2000:45). The government displayed some little effort in resolving the conflicts when "in September 1993 Moi declared some parts of the Rift Valley: Molo, Elburgon, Londiani and Burnt forest, where fighting was intense, "security zones", banned possession of all kinds of weapons and movement of livestock at night" (Oyugi, 2000:10). This however, had paradoxical impacts as well, since journalists and opposition MPs were denied access to the region; consequently, material assistance to victims was stonewalled (ibid.). The KANU government also undermined efforts of the UNDP to resettle and re-integrate the internally displaced between 1993 and 1995 (discussed below).

Commissions of Inquiry

The government also formed commissions of enquiry. The first one was the Parliamentary Select Committee of Inquiry in 1993 after the 1991/1992 clashes in the Rift Valley, which was chaired by Honourable Kennedy Kiliku, a former Member of Parliament. It was popularly known as the Kiliku Commission and its task was to investigate the causes and perpetrators of violence. The report of the inquiry exposed the government and high ranking state officials for instigating and perpetrating violence in the country (Apollos, 2001:111). Earlier reports by the mainstream churches and Non-Governmental Organizations had also pointed out the role played by the government/state in the violence. This implied that land was not the prime moving force for conflicts as they had earlier been dubbed "Rift Valley land clashes", rather political struggles (ibid.). Similarly at the Coast, it was revealed that those who bore the brunt of violence in 1997 were poor Kiosk owners who had no influence on land grabbing as it was alleged (ibid.).

In 1998, a Judicial Commission of inquiry was appointed by the government. The commission was chaired by Justice Akiwumi hence, the name "Akiwumi Commission". Its task was to inquire about ethnic clashes in all parts of Kenya. Just like the Kiliku Commission, the land issue featured again in the report and political instigation of the violence was cited (IDMC, December 19, 2006:15). In spite of the findings of both reports, impunity still prevailed to date and the recommendations of the commissions were not appropriately acted upon.

Acknowledging land grievances as a key issue in ethnic conflicts in the country, the NARC government that came into power in 2003 set out to deal with it and formed the Ndung'u Commission. The commission's task was to investigate illegal and irregular allocation of public land. The commission's findings indicated large tracks of land that had been illegally acquired. Furthermore, in spite of the NARC government's commitment to help ethnic clash victims, evictions of people settled in forests caused further displacement and inter-community tensions (ibid.).

Following the 2007 post election violence that threatened to tear the country apart, the Kenyan government together with the opposition (ODM) agreed on power sharing by forming a grand coalition; this eased the tensions and violence among the warring ethnic groups (ICG, February 21, 2008). Currently, resettling of the IDPs continues in the Rift Valley amid resistance by the local Kalenjin groups, who threaten to attack the IDPs being resettled (Saturday Nation, May 10, 2008).

Another major effort to resolve the conflicts includes the establishment of the Kenya National Dialogue and Reconciliation, under which the following commissions of inquiry have been formed: "Independent Review Committee on the 2007 General Elections, the Truth, Justice and Reconciliation Commission and the Commission of Inquiry on Post-Election Violence" (HRW, March 2008:68). Considering the experience that Kenya has had with the other commissions of inquiry formed in the 1990s, whereby recommendations were not appropriately acted upon, it can only be hoped that these newly formed commissions will receive adequate response and produce positive effects.

4.6.2. Efforts of Non-Governmental Organizations and Civil Society

Non Governmental Organization (NGOs) and civil society play a key role in peace activities. Klopp (2006), points out the role of civil society in protecting people or citizens from state violence. She highlights the important role played by civil society in establishing ethnic cohesion where politicians have preached ethnic hatred.

Civil Society Organizations (CSO's) especially the churches, predominantly the Catholic Church and the National Council of Churches of Kenya (NCCK) as well as the Kenya Human Rights Commission (KHRC) have played key roles in conflict resolution both at local and international level. When ethnic violence broke out in the Rift Valley in the 1991, the church played a commendable role of speaking on behalf

of the victims amid the Kenyan government's intolerance of criticism; the church pointed out the political nature and dynamics of the conflict (Oyugi, 2000:9). Throughout the decade of the conflicts, the church played a key role of offering relief, catering for the internally displaced as well as making attempts of reconciling the antagonistic ethnic groups and resisting political propaganda (Klopp, 2006:65).

Many NGOs were also formed, most of which were based in urban centres. Together, they formed the "Ethnic Clashes Network" in August 1993 under the National Council of NGOs (ibid.:67). According to Klopp, these NGOs have had constraints in addressing ethnic conflicts due to uncoordinated local linkages. This left much of the task to the church and locally based civil society organizations.

Churches are perceived as safe sanctuaries and they usually receive numerous victims during attacks. The fact that churches bring inter-ethnic groups together enhances their credibility as safe places during ethnic conflicts. They have therefore played a key role in providing the initial aid and shelter to victims of ethnic violence. Their efforts were buttressed by the UNDP resettlement program which began in 1993 and unfortunately collapsed only two years later in 1995 (Klopp, 2006:68) (discussed below). With the KANU government proving unreliable in guaranteeing security, the churches embarked on peace building as an indispensable condition for reconciliation and eventual acceptance of the clash victims by the local community (ibid.). The NCCK's "Peace and Reconciliation Programme", established in 1992 continued throughout the 1990s; similarly, from 1996-1999, numerous "Good Neighbourliness Workshops", were held, that also assimilated local government officials and aimed at reconciliation (ibid.).

In the recent 2007-2008 post-election violence, the churches once again acted as save havens for most of the victims (ICG, February 21, 2008) and were on the forefront in encouraging the government and the opposition to cooperate to resolve the conflict as well as preaching peace among the warring ethnic groups.

4.6.3. International actors' efforts

Intra-state conflicts put international organizations in an ambiguous situation regarding the level and mechanism of intervention due to issues surrounding respect for state sovereignty. They have therefore responded in various ways to the ethnic conflicts in Kenya.

Responding to the ethnic violence and displacement that was triggered by the clashes that began in 1991 in the Rift Valley, the United Nations Development Programme (UNDP) initiated a programme to resettle IDPs in the Rift Valley in 1993. This was a commendable initiative through with the UNDP aimed at enhancing "reconciliation and re-integration of those who had been displaced by the Rift Valley ethnic clashes with the local communities and to mitigate chances of further resurgence of such conflicts" (Klopp, 2006:67; HRW, June 1997:10). The US$20 million program was to be jointly implemented by the UNDP and the government of Kenya, but the government was reluctant to cooperate, and only complied after international pressure was applied on it (ibid.: 47; Brown, 2003:78).

The programme supported by bilateral donors such as "Austria, Finland, Denmark, Japan, the Netherlands, Sweden, the United Kingdom and the United States, as well as the European Union" (Brown, 2003:78). In order to win support from the government, the UNDP remained neutral and tended to turn a blind eye to the Kenyan government's complicity in the conflicts and harassment of the local actors assisting in the program (Klopp, 2006:68). Eventually, due to lack of the government's will, cooperation and commitment, coupled by local and international criticism for its neutrality, the UNDP pulled out and the program collapsed 1995 (Oyugi, 2000:10; HRW, June 1997; Klopp 2006:69). Brown (2003:79) points out that the "UNDP did not respond to the 1997 Coastal clashes."

Bilateral donors and the EU also continued cooperating with various NGOs and church groups to help the victims and resolve the conflicts (Brown, 2003:80). Donor organizations have applied aid conditionality to pressure the government to resolve the ethnic violence and restore peace. The United States, Germany and the Dutch governments are some of the key donors who applied notable pressure on the government in the 1990s (Oyugi 2000:10).

Due to its intensity, the 2007-2008 post-election violence attracted a lot of foreign attention. The African Union, the United Nations, the European Union as well as various foreign governments manifested significant involvement in the search for a solution to Kenya's political impasse. They applied considerable diplomatic pressure on the Kenyan government and the opposition to cooperate towards resolving the conflicts and maintaining political stability in Kenya (HRW, March 2008:67).

Initial efforts by Mr. John Kufuor, president of Ghana and the then chairman of the African Union (AU) did not succeed in resolving the conflict. Afterwards the AU mandated a mediation team headed by Kofi Annan (former UN Secretary General) to try to diplomatically and amicably resolve the situation (ibid.). These efforts were also backed by the US and the EU among other international actors who encouraged power sharing as a viable solution (ICG February 21, 2008:24). Aid conditionality and threats of asset freezes and personal sanctions to uncooperative political leaders were also applied by the international community to pressure political leaders to find an amicable solution and end the violence and human rights violations (ibid.).

Since 1991, aid conditionality has been used as a tool for applying pressure on the Kenyan government as well as elsewhere in Africa. As earlier mentioned, the same aid conditionality was applied to pressure Moi's government to allow for political liberalization in Kenya in 1991 and to allow dialogue with opposition parties in 1997. Although it has to some extend helped leaders to take some measures, conditionality has not been very effective in resolving ethnic conflicts in Kenya. Besides, as Brown (2003:90) correctly points out, it is hard to monitor implementation of agreements arrived at through conditionality, since the government could accept the agreements in order to bow down to pressure, and then change later after receiving aid.

Chapter Five

Recurrence of ethnic conflicts in Kenya (1991-2008)

5.1. A comprehensive analysis

Exploring the recurrence of violent ethnic conflicts in Kenya in the era of democratization is quite an ambitious endeavour. It required diving into the Kenyan society and understanding the various forces; economic, social, and political, both at the domestic and global or international level which come into play in impelling such conflicts. Such an exercise no doubt invites multifaceted approaches in research. The type or dimension of democracy envisaged here is also worthy understanding as well as the role ethnicity plays.

Data contained this research especially chapter three and four digs out various historical and structural contingencies that underpin the recurrence of ethnic conflicts. Various institutions further shape the temporal and spatial choices of actors in the ethnic conflicts and further influences the dynamics of the conflicts. Why, for example did ethnic conflicts occur on the eave of multiparty politics in the Rift Valley Province and not in Central Province in the 1990s? Why at the Coast Province in 1997? Institutions such as provinces, constituencies and political parties and their relationship with ethnic identity have come into play in predicting answers to such questions.

Chapter three has highlighted two major struggles for democracy in Kenya's history, even before the third wave of democratization in African in the 1990s. The first attempt was during the fight for independence and the second, in 1966 with the formation of the opposition party KPU. Both attempts aimed at democracy of content or instrumental democracy and desired economic reform and restoration of the whole society. KPU was banned in 1969 and the ruling party KANU remained the only party. The fall of the Berlin Wall and thus end of Cold War, brought dramatic changes in various parts of the world, Kenya included. Western donors and International Financial Institutions supported domestic efforts and applied pressure on incumbent authoritarian KANU government to accept the procedural form of democracy in Kenya. This was also the trend in the other countries in Africa. Multiparty political pluralism was a main feature of this type of democracy.

Fear of losing power and patronage resources among incumbent leaders and their supporters reigned in the air. Ethnicity has since then been a major instrumental force to access the state and power in competitive elections. The central issue surrounding the three cases of ethnic violence discussed in this research is the struggle to access the state. People want resources from the state. They believe that having someone from their ethnic group in a position of power would be a gate way to accessing resources. They therefore join forces to put their fellow ethnic member into power.

Concerning the timing of the conflicts, the research has identified a correlation between ethnic violence and general elections in all the three waves of violence discussed; ethnic violence occurred either before or immediately after general elections. This is motivated by the fact that in the current process of democratization, general elections provide the major opportunity for people to place their leaders into echelons of power through the ballot box. Ethnicity has been a salient force in electoral competition in Kenya. Various institutional contingencies bespeak this, for example electoral constituencies which are conterminous with ethnicity. The state is however the main institution affecting choice. At the centre of electoral competition is the desire to access the state hence, power and a resultant trickle down of patronage. This is a fact that can be deciphered by a historical retrospect into the state-society relationship since Kenya's colonial history.

Since the coming of the British and white settlers to Kenya, state-society relationship has centred along ethnicity. The British favoured the white settlers, and thereafter, during Kenyatta's time, the Kikuyu enjoyed more privileges and so did the Kalenjin during Moi's time. Kenyatta and Moi had also used prominent leaders from the various ethnic communities to extend patronage resources and consequently garner local support. As a result, as various authors have highlighted political representatives are viewed by their people as sources of patronage; therefore, having a fellow ethnic group member in a position of power is viewed as a gateway to accessing state resources (Hyden & Leys 1972; Haugerund 1995; Barkan 1976, 1979, all cited in Posner, 2005:260).

5.2. Political parties, ethnicity and ethnic conflicts in Kenya

Comparing Kenya to Zambia, Posner (2005:262), pointed out that just like in Zambia, political leaders in Kenya are viewed as symbols of ethnic identity. This consequently leads to association of political parties with ethnic groups hence, the anticipation of support from ethnic groups' strongholds. It further explains the choice of various ethnic groups as targets in ethnic violence. Thus, political parties have also been key institutions determining the choice of ethnic groups for cooperation or conflict in the multiparty era in Kenya. Electoral competition between or among different political parties is therefore viewed as competition between or among the ethnic groups of their leaders. This explains why in the 1990s, as the ruling party KANU and its coterie, sought to violently stonewall multipartysm, the ethnic groups of the leaders of the major opposition parties bore the brunt of the violence unleashed by mobilized KANU supporters in the Rift Valley and Coast Province. Table 2 highlights the major opposition parties, their leaders and their ethnic groups in the 1992 and 1997 general elections.

Table 2: Major opposition parties and their leaders in Kenya in 1992 and 1997

1992	**Party Leader**	**Ethnic group**	**1997**	**Party Leader**	**Ethnic group**
FORD-Kenya	Oginga Odinga	Luo	FORD-Kenya	Kijana Wamalwa	Luhya
FORD-Asili	Kenneth Matiba	Kikuyu			
DP	Mwai Kibaki	Kikuyu	DP	Mwai Kibaki	Kikuyu
			NDP	Raila Odinga	Luo
			SDP	Charity Ngilu	Kamba
Ruling Party KANU	Daniel arap Moi	Kalenjin	KANU	Daniel arap Moi	Kalenjin

Source: Author's compilation with information from Posner (2005:267) and Elischer (2008:17-18).

According to the above table, most of the opposition parties were headed by non-Kalenjins. This to a great extend explains why it was easy for the KANU politicians to depict non-Kalenjins ethnic groups and predominantly Kikuyu and Luo as pro-opposition; and hence convince their followers that they were threats (enemies) who wanted to get the presidency from them. The above relationship between ethnicity and

political parties to a great extend also explains the shifting nature of antagonistic parties and actors in the conflicts. For example, whereas in the 1990s, both the Luo and the Kikuyu were the main targets in the clashes in the Rift Valley and the Coast province, in the 2007 general election, they were the major antagonistic parties in the conflict. The Luo and the Kalenjin appeared to cooperate this time round in the 2007 general elections and were aligned together in the post-election violence. The change in political party alliances also changed their corresponding ethnic cleavages. Table 3 below provides a summary of the alliances and ethnic cleavages in the 2007 general elections.

Table 3: Main alliances in the 2007 General Elections in Kenya.

Presidential Candidate	Mwai Kibaki (Kikuyu)	Raila Odinga (Luo)
Party	Party of National Unity (PNU)	Orange Democratic Movement (ODM)
Main Member Parties	DP, FORD-K, FORD-P, KANU (Kenyatta/Moi), New KANU (Biwot)	LDP, KANU (Ruto)
Influential figures	Moody Awori (Luhya) Musikari Kombo (Luhya) Nicolas Biwott (Kalenjin) Simeon Nyachae (Kisii) *Martha Karua (Kikuyu)*	Musalia Mudavadi (Luhya) William Ruto (Kalenjin) Charity Ngilu (Kamba) Najib Balala (Coastal) *Joseph Nyaga (Kikuyu)*

Source: Elischer (2008:24); the names highlighted names were added by the author.

The ethnic alliances depicted in the above data impeccably highlight the ethnic representativeness of the two parties in the 2007 general elections and bespeak the intense competitiveness of the elections. Nevertheless, the elections were widely viewed as a Kikuyu – Luo issue on the basis of the presidential candidates. This study points out such parallels in the 1960s between Jomo Kenyatta and Oginga Odinga in KANU and KPU respectively. The violence that erupted owing to the disputed election results; the attacks and retaliatory attacks that ensued confirms not only to the salience and instrumental nature of ethnicity in Kenya's politics and elections but also

to the extend to which the association of party leaders and ethnicity influenced the choices made by the actors in the conflicts concerning their ethnic groups of conflict or cooperation.

Although the contest was mainly between the government and the opposition, ethnic undertones could not be overemphasized. Attacks on members of the Kikuyu community especially in the Rift Valley, Nyanza and Western Provinces and their retaliatory attacks mainly directed on the Luo and the Kalenjin and the Luhya in Kikuyu dominated areas bespeak the ethnic symbolism of parties and leaders. Although other ethnic groups also featured in the violence, the Kikuyu, Kalenjin and Luo featured more predominantly. The relative inter-ethnic peace experienced during the 2002 General Elections could also be explained along the same lines. Both presidential candidates for the dominant parties were Kikuyu (KANU – Jomo Kenyatta and NARC – Mwai Kibaki); hence inter-ethnic competition and violence was minimal.

5.3. Autochthony and Kenya's provincial administrative structure

Since the start of Kenya's transition to democracy in the 1990s, claims of autochthony which underline the territorial aspect of ethnic identity have been on the foreground in fomenting ethnic confrontations. Cameroon, DRC and Ivory Coast are some of the African countries mentioned in this research where such strategy has been applied to the detriment of the ethnic cohesion of the various ethnic groups. This is further triggered by the shifting ethnic alliances in electoral competition in the multiparty system: ethnic and regional alliances, have taken the centre stage as opposed to intra-ethnic competition during the one-party elections that dominated the Cold War era in Africa.

In Kenya, autochthonous claims have taken the form of *majimbo* discourses, closely related to provincial administrative structure. The relationship between ethnicity and the provincial administrative structure thus underpins the spatial trajectories of the ethnic violence in Kenya since the 1990s. The provincial administrative structure to a great extend bespeaks the ethnic segregations in Kenya (as indicated in chapter 3), such that some ethnic groups claim majority in some provinces. This is further reinforced by myths of indigenousness and territorial claims of various ethnic groups. For example majority of the Kalenjin and Maasai and their

related pastoral tribes Pokot and Samburu and Turkana (the KAMATUSA coalition) live in the Rift Valley province. Similarly in the Coast province, smaller coastal groups form the majority. The above groups also claim to be autochthons (indigenous) in their respective provinces just as others like the Kikuyu claim autochthony in Central Province.

As leaders from both the opposition and the ruling party KANU played ethnic cards calling for ethnic unity so as to gain political victory in the multiparty competition, claims of autochthony, land and economic grievances which had existed in history, and whose solution had been forestalled during the post-independence-Cold War era (and which those advocating *majimbo* had done little to address during their time in power) were invoked. The re-invocation of *majimbo* during the multiparty era has depicted non-KAMATUSA in the Rift Valley, and upcountry people in the Coast as minorities in foreign provinces. These were tactics applied so as to maintain these two provinces as KANU strongholds and win victory against opposition by displacing the so called "immigrants" hence destabilizing their votes.

Majimboism has featured in the recent 2007-2008 post-election violence as opposition and ruling party supporters vented their anger on each other. Although majimboism was initially applied in the ethnically heterogeneous Rift Valley and Coast Provinces, eviction of other ethnic groups especially Luo, Kalenjin and Luhya from Kikuyu, dominated areas of Central Province in last year's post-election violence further indicates a changing dynamic of the ethnic conflicts as regards "autochthony". It points out that various actors can choose to invoke the discourses of autochthony anywhere in the country when there is a perceived need for it. Considering the inevitable internal migration for economic, academic, professional and various purposes among the Kenyan population, such a discourse can prove very detrimental to Kenya's national cohesion, stability and development.

5.4. Politically relevant ethnic groups (PREG)

This research owes the above concept to Posner (2004), who takes a keen observation to relevance of ethnic groups in analysing ethnic fragmentation. A keen look at the major ethnic groups that have been predominantly involved in the three cases of ethnic conflicts in Kenya either as victims or perpetrators points to three main ethnic groups: The Kikuyu, the Kalenjin and the Luo and to some extend the Luhya.

This lends support to their political relevance which features lucidly in Kenya's history and underlines the role of politically relevant ethnic groups in the occurrence and recurrence of ethnic violence that accompanies electoral competition. The Luo and the Kikuyu were much visible in politics in the 1960s and 1970s; first of all their party (KANU) having won over KADU in the early 1960. The opposition party (KPU) was mainly dominated by the Luo. The Kikuyu also dominated both the political and economic sector mainly during Kenyatta's time. When Moi became the president in 1978, the Kalenjin became visible in the political arena. The three have remained politically active to date.

5.5. Structural factors and actors' interest heterogeneity

Concerning actors directly involved in the violence whether as victims or perpetrators, this research discovered a correlation between poverty and direct involvement in mass ethnic violence. This is further underpinned by the social stratification of the society into classes as a sequel of unequal distribution and access to resources. Such stratification puts the various classes within the society and among the ethnic groups at a different footing when it comes to the kind of competition inherent in procedural democracy. At the top or the organizational level are the elite (political and economic), while at the base are the poor masses (peasants, landless, jobless, slum dwellers). They perceive their benefits and costs of involvement in competition and by extension violence in different ways and this heterogeneous perception creates interdependence between the groups. While the elite pursue individual interests, their followers pursue collective benefits.

In the Rift Valley and Coast provinces in the 1990s the perpetrators aspired to gain land, jobs and resources left by the "foreigners" after driving them away, but the elite were pursuing access to the state and power which then leads to access to wealth. The acceptance of financial incentives for example (as low as Ksh. 500 – about US$8.50) by raiders at the coast underscores how easy it is for the elites to get financially challenged followers to bow down to their demands. In the recent 2007-2008 post- election violence, although it is still too early to make such conclusions for the post election violence, the concentration of intense violence in the urban slum areas reinforces this stratification phenomenon and the interest heterogeneity theory.

Democratization in Africa since the end of the Cold War, which focuses more on the political dimension (mainly elections) and less on the socio-economic dimension to a significant extend exacerbates the inequalities. Its focus on competitive and "fair" elections as a major measure of democracy downplays the aspect of democracy that is supposed to lead to the improvement of the wellbeing of the masses in the society, which would in turn lay the basis for fair and justly competitive elections. Such a focus on elections thus only acts as a double-edged sword of promoting democracy on the one hand, while laying ground for undemocratic acts.

The youth have featured in all the conflicts discussed in this research as the main actors directly involved in ethnic violence in Kenya. However, it is only a section of the youth who actively participate: the idle and jobless that come in handy for mobilization. Furthermore, the youth are hardly hit by the extant structural unemployment; a situation whereby there are more skilled and qualified people than the available employment opportunities. Unemployment leads to frustration resulting from feelings of unrewarded educational efforts. Scarcity of land has meant that there is little or no land for the youth to inherit from their kinship as it traditionally was. This in addition puts the youth in a precarious situation, in which they have neither access to resources of modernization (jobs in the modern sector) nor traditional resources (land). This intensifies frustration. Frustration is a major factor in mobilization whenever an opportunity avails itself. Competitive politics provide such opportunities for mobilization, in the form of promises for better opportunities in life (like jobs and economic improvement) as well as manipulation of ethnic differences and resentment, mainly during campaigns. The youth thus fall prey in such mobilizations, which have served to underpin recurrent violent ethnic conflicts in Kenya.

5.6. Efforts to resolve the conflicts and inherent gaps

The nature of the Kenya's ethnic conflicts discussed in this research, the major actors involved and the various claims advanced indicates the complexity of the ethnic conflicts. Consequently the efforts have varied as well. They range from inaction and complacency, on the part of the government (especially in the 1990s) to alleged use of excessive force by security forces (particularly in the recent 2007-2008 post-election violence); peace initiatives (especially by civil society) as well as

international responses and pressures. This research acknowledged that the efforts that have been applied so far, to some extend reduce direct confrontation or violent conflict but do not establish lasting peaceful solutions.

Some gaps do exist in the various efforts that have so far been applied. First, there exists a justice gap. The various commissions formed: the Kiliku and Akiwumi Commissions uncovered the various actors involved in instigating the conflicts, but impunity prevailed nevertheless. The Ndung'u Commission which uncovered injustices concerning land allocation was also not well acted upon. These elusive responses have contributed to a pile-up of both historical injustices concerning allocation of resources as well as injustices concerning victims and perpetrators in the ethnic conflicts in the 1990s; these prior failures could have had a major influence in the 2007-2008 post-election violence.

Conditionality that donors have applied on the government of Kenya to accept reforms and to resolve conflicts and promote human rights has its pitfalls as well. It falls short of establishing a lasting solution. The fact that pressure is applied from outside implies an unwillingness on the side of the government to act to instil peace among its citizens further questioning the legitimacy of the state and the effectiveness of external pressure in effectively influencing a state that claims sovereignty.

There exists also an interdependency gap in the efforts that have been pursued to resolve the conflicts. Considering that political elite and their followers are interdependently directly or indirectly involved in the conflicts, an appropriate solution calls for their interdependence in establishing peace as well. This has rarely been the case in Kenya though. The elite settle down issues among themselves while their supporters at the local level are brought together by local leaders and Civil Society Organizations (CSOs), NGOs and the church. This gap only leads to partial solutions. Although the mediation efforts after the 2007-2008 post-election violence suppressed violent confrontation and satisfied the leaders by enhancing sharing of power, Tension existed on the ground, whereby IDPs being resettled continued receiving threats from the local people in the Rift Valley.

The recurrence of violent ethnic conflict in Kenya and its quinquennial occurrence leaves a lot to be desired about the process of transition to democracy not only in Kenya, but also in Africa at large. The multifaceted forces behind the conflicts

underscore the fact that the conflicts do not occur due to ethnic differences, but due to the instrumentalization thereof, based on various institutional choices influenced by political, economic and social forces.

Ethnic conflicts in Kenya are thus a manifestation of underlying political, economic and social grievances between and among different groups in the society. The recurrent ethnic violence has yielded suspicion and tension and negative attitudes among ethnic groups who are mainly involved in direct confrontations with each other at the local level. Measures should therefore be sought, which enhance change of behaviour and positive attitude towards one another. The national cohesion of Kenya as well as its successful transition to democracy is wholly dependent on the cohesion of her ethnic groups.

Chapter Six
Conclusion and Recommendations

6.1. Conclusion

The process of transition to democracy in Africa in the 1990s can be visualized as an outcome of the changing world order and the inevitability of the African states to welcome the changes. The fall of the Berlin Wall and the resultant end of the Cold War marked the end of the East West competition for global influence and the triumph of the West. Authoritarian regimes in Africa that had been tolerated during the Cold War era came face to face with the changing order, which precluded their unabated existence. Various authoritarian regimes started accepting multiparty political pluralism one by one; the transition had begun.

This research looked at ethnic violence and transition to democracy in Africa at a theoretical and conceptual level and took an in depth focus on Kenya. In an effort to highlight the factors behind the recurrence of ethnic conflicts in Kenya, the research was guided by two mutually inclusive hypotheses: First, that transition to democracy or the process of democratization is likely to trigger ethnic conflicts in a country where ethnicity assumes a high salience in political competition. The second hypothesis was that; historical, institutional, economic, behavioural and global factors interdependently play a key role in ethnic conflicts in Kenya. The study applied three main approaches: the historical approach, rational choice institutionalism approach and the structural approach, all of which are interdependent.

Through a retrospect into Kenya's history, the study established that ethnic identity has been a salient force for political mobilization and access to the state and power, since Kenya's colonial period. Once leaders got into power, they have tended to favour their own ethnic group members through persistent patronage mechanisms; hence fuelling ethnic tensions. Consequently, ethnic groups are motivated to combine forces to put one of their own into power. During the one-party system in Kenya's post-independence-Cold War era, this was not easy to achieve; intra-ethnic competition was more prevalent. Moreover, authoritarian regimes could manipulate ethnic groups by manipulating their prominent leaders.

However, since multiparty electoral system was legalized in 1991, which is concordant with the current wave of democratization, ethno-regional alliances have taken the centre stage. Most leaders mobilize support from their fellow ethnic group members, who reciprocate due to their desire to have one of their own in a position of power, since they believe that it would enhance a trickle down of patronage resources from the state. Therefore, electoral competition inherently reflects ethnic competition. Nevertheless, electoral competition does not necessarily have to lead to violent inter-ethnic conflicts if it occurs fairly. Ethnic conflicts in Kenya discussed in this research occur due to unfair electoral competition, whereby ethnic groups are mobilized to fight each other for perceived economic and political goals. Myths of indigenousness and unresolved land and economic grievances have remained hot issues that have been underpinning ethnic mobilization in Kenya; hence fuelling violent ethnic confrontations during elections in Kenya. The above have found expression in form of advocacy for *majimbo* federalism and claims of autochthony by some ethnic groups which only gain momentum during general elections.

A very strong correlation between the political relevance of ethnic groups and involvement in ethnic conflicts was manifested in the research. The clashes have mainly involved three ethnic groups, either as victims or perpetrators, notably the Kikuyu, Kalenjin, and Luo. These groups have been on the political foreground especially in post colonial Kenya as well as in the multi-party era in the 1990s. Referring these three groups as politically relevant ethnic groups (PREG) does not however brush aside the fact that other ethnic groups are also involved in Kenya's politics.

The research confirms a connection between the structure of the Kenyan society and the ethnic conflicts in the period of transition to democracy: the stratification of the society into various classes, based on economic disparities between and within the various ethnic groups enhances heterogeneity of interests among the actors and also determines the involvement of the different classes in the ethnic conflicts. The rich and the elite are motivated by power struggles while the poor are motivated by a desire for collective restoration of their ethnic groups. This is further underpinned by the fact that the current era of democratization concentrates more on the political (procedural) dimension of democracy, mainly competitive election. There is less

focus on the social-economic (instrumental) dimension of democracy that would enhance an improvement of the welfare of the people on the ground.

On the other hand, efforts to resolve ethnic conflicts since 1991 have been quite wanting. To start with, the government of Kenya, especially in the 1990s was greatly reluctant in resolving the ethnic conflict and was reportedly implicated in triggering the conflicts. Moreover, the research identified various gaps inherent in the resolution of the conflicts; there is a justice gap, whereby the various grievances between the conflicting ethnic groups are not addressed and the perpetrators have not been brought to book. A culture of impunity therefore prevails. An interdependence gap also prevails. The leaders and their supporters do not work interdependently in resolving conflicts, rather independently. The international community on its part has offered various sticks and carrots in the form of aid conditionality to force the government to resolve the conflicts. Conditionality does not however lead to a lasting solution, but rather to suppress the conflicts. The conflicts are therefore put on ice until at some point (notably, during general elections) they re-erupt.

6.2. Recommendations

In spite of the various challenges that ethnic conflicts pose to the current transition to democracy, this study maintains that there is no alternative to democracy in Kenya and Africa at large. Furthermore, ethnicity as a source of identity in Kenya and in Africa at large cannot be wished away. Successful transition to democracy therefore calls for a reconsideration of democracy itself and for management of ethnicity. Historical factors, institutions and structural and global factors notwithstanding, the role of human agency in the ethnic conflicts and in the democratic transition in Kenya is undeniable. This implies that it is also through human choices and actions of both leaders and their supporters who can determine the mitigation of violent ethnic conflicts and a successful transition to democracy in Kenya.

Concerning the relationship between political parties and ethnicity, this study recommends that, efforts should be made to enhance positive attitudes among the various ethnic groups. On the other hand, leaders should enhance credibility of the leadership structure. Strong relationship between ethnicity and political parties and their leadership, has also underpinned recurrence of ethnic conflicts. Moreover, study

found out that most of the parties that have been formed in Kenya's multi-party era have been ethnic parties. Multi-ethnic alliances have also been prevalent; being motivated by the need to win majority, these alliances have been unstable and have often suffered disintegration. In addressing this Kenya's political leaders could form multi-ethnic-integrative parties which include ethnic groups across the ethnic divide (dominant as well as less dominant) and offer them opportunities for participation. Although the current grand coalition in Kenya was formed mainly to resolve the political stalemate due to the 2007-2008 post-election violence, this study views the coalition as a good chance for the leaders to cultivate ethnic cohesion in Kenya and enhance democracy in the country.

Claims of autochthony are closely linked to the provincial administrative structure. This research does not view an overhaul of the provincial structure as the panacea to this problem, but rather proposes the application of efforts to enhance a peaceful coexistence of the various ethnic groups. Although federalism could perhaps be a viable solution to the alleged state-patronage mechanisms in the central state, this research is reluctant to recommend it for Kenya owing to the chaos and misunderstandings it has caused in the country due to the wrong way in which it was advocated since the 1990s So far *majimbo* federalism advocated during election campaigns in Kenya has only served to foment ethnic conflicts. This research maintains that a successful adoption of a federal system in Kenya requires very careful planning, awareness, appropriate timing and great efforts in advocacy to change the negative image and attitudes that such a system has acquired in the country.

The problems of landlessness, internal displacement and regional economic disparities also need to be addressed. Furthermore, International actors and development agencies can play a key role in resolving conflicts through development projects and economic empowerment, thus curtailing the structural underpinnings of ethnic mobilization and conflict.

The Kenyan experience indicates how hard it is to manage democracy in multiethnic societies. Nevertheless, as this research has confirmed, ethnicity per se is not a cause of the turmoil that are prevalent in the current democratization process. Human agency is greatly to blame for this. This sheds some hope that human agency

(human actions, choices and decisions) can still be applied towards achieving harmonious coexistence of the various ethnic groups.

Although this research focused on Africa in general, more focus on Kenya made it more case specific. Therefore, some of the factors underpinning ethnic conflicts in Kenya may not be wholly generalized for Africa. Nevertheless, as indicated in chapter two, some parallels can be drawn on some cases. Therefore, there is much that African states can learn from one another. This study therefore proposes further case specific and comparative studies on recurrence of ethnic conflicts in the era of democratization in Africa with the purpose of drawing more parallels and difference; and hence enhance learning from one another.

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