ETHNIC CONFLICT AND ITS IMPLICATIONS FOR SOCIAL AND ECONOMIC DEVELOPMENT IN KENYA, 1963-2004

By

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DECLARATION

This is my original work and to the best of my knowledge, it has not been presented for a degree in any other university.

NICHOLAS KARIUKI GITHUKU

This project thesis has been submitted with our approval as university supervisors.

PROFESSOR VINCENT G. SIMIYU 6TH OCT. 2005

PROFESSOR DAVID C. SPERLING 11th October 2005

DEDICATION

This work is dedicated to my family: to my Dad and Mum, Githuku Sr., and Nyambura and my siblings; my sister Eunny and brothers Eddy, Njuguna and Mwangi for their endless love, warmth and support.

Since it was inspired by the love of country and the history of its peoples, I also dedicate it to Kenya and all peace loving Kenyans wherever they might be. Long live Kenya!

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In the course of writing this work, I did not incur a small debt of various kinds of support. It is immense and expansive that makes acknowledgement a daunting task.

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And to Mum and Dad: thank you for your financial and moral support and prayers.
I must also acknowledge God: He who directs and establishes my paths and *without whom I can do nothing* (Proverbs 3:6, John 15:5).

ABBREVIATIONS

NCCK	-	National Council of Churches of Kenya
LSK	-	Law Society of Kenya
KANU	-	Kenya African National Union
New KANU	-	Party formed after KANU's merger with NDP
NDP	-	National Democratic Party
KADU	-	Kenya African Democratic Union.
GEMA	-	Gikuyu, Embu and Meru Association
KAMATUSA	-	Political alliance of the Kalenjin, Maasai, Turkana and Samburu
FORD	-	Forum for the Restoration of Democracy
FORD-K	-	FORD – Kenya
FORD-A	-	FORD – Asili
DP	-	Democratic Party
LDP	-	Liberal Democratic Party
NARC	-	National Rainbow Coalition
NAK	-	National Alliance (Party) of Kenya
SDP	-	Social Democratic Party
IMF	-	International Monetary Fund
DC	-	District Commissioner
DO	-	District Officer
PC	-	Provincial Commissioner
MoU	-	Memorandum of Understanding

ABSTRACT

Surrounded by neighbours, in the Horn of Africa and the Great Lakes region, who have been ravaged by war in recent history, Kenya, which has enjoyed relative peace in its post-independent political history, is often lauded. It is seen as an "island" of peace in a "sea" of political turmoil. However, Kenya has experienced political instability characterized by ethnic conflict that has deep historical roots, which has had negative implications for development. Ethnic conflict in Kenya conceals the struggle for the capture of state power and the exploitation of state resources by small sections of the political elite, which not only negatively affects Kenya's social and economic development, but also perpetually hinders and threatens the country's unity and state cohesion. Kenya, therefore, has historically developed as an unstable, fragile and undeveloped state on the brink of collapse and disintegration. Ironically, the "informal distribution" of resources has ensured unity in spite of ethnic conflict.

Ethnic conflict in Kenya, has affected social and economic development in five ways: The use of state power, by small ethnic elites, to plunder national resources through state patronage while inciting ethnic rivalry; social and economic trickle-down of state patronage from these small cliques at the centre of power to specific groups related to them by blood, regions from which they hail or draw political support leading to unequal distribution of national resources; the "eating" culture is not only among small political elites, but also officials in the bureaucracy, the public and private sectors and society at large leading to uninhibited plunder of the economy; ethno-politicization of development leading to the neglect of the social and economic welfare of ethnic groups that do not offer support to the political elite at the centre of power; the preoccupation with ethnic-based struggle for state power diverts energies, which should be focused on improving the social and economic well being of all Kenyans.

This study relied on primary sources such as the national *censii*, Government publications: *Kenya Economic Surveys, Economic Plans, Annual Budgetary Estimates, Economic Review of the Central Bank* and *Statistical Abstracts*. Personal unpublished papers and secondary sources such as books, journals and newspapers were also used.

PREAMBLE

Writing history is not any more neutral than making history. A history either helps to seal or expose social phenomena. History is a journey of discovery.

-Tara Pepper, "The Power of the Past", in *Newsweek*, August 2, 2004, p.47.

TABLE OF CONTENTS

Declaration....i

Dedication....ii

Acknowledgements....iii

Abbreviations....iv

Abstract....v

Preamble....vi

CHAPTER ONE: INTRODUCTION: THE DEVELOPMENTAL SIGNIFICANCE OF ETHNICITY

1.0 Introduction....1

1.1 The Nature of Conflict In Kenya....3

1.2 Statement of the Research Problem....7

1.3 Objectives of the Study....7

1.4 Justification....8

1.5 Scope and Limitation....8

1.6 Working Definitions....9

1.7 Literature Review....11

1.8 Theoretical Framework....22

1.9 Research Hypotheses....25

1.10 Methodology....25

1.11 Chapter Outline....26

End Notes....27

CHAPTER TWO: THE FOUNDATION OF A FRAGILE STATE, 1963-1978

2.0 INTRODUCTION: From Lancaster To Opposition Politics in a Fragmented State, 1961 – 1969 31

2.1 The Lancaster Constitutional Crisis 31

2.1.1 Political Storm Over Kenya 32

2.2 Radicals Versus Conservatives or Early Succession Positioning?.....37

2.3 The Dissolution of KADU and KANU Factionalism..... 44

2.4 The Kenyatta-Odinga Fall out.....46

2.4.1 The Little General Elections and the Social and Economic Marginalization of the Luo Community..... 47

2.5 The Mboya Assassination 50

2.5.1 Post-Mboya Assassination Crisis 52

2.6 The Kenyatta State: Climax and Decline, 1969-78 53

2.6.1 Macbethan Fears in the Family 53

2.6.2 The Planned Coup of April 8th 1971 54

2.6.3 The Ngala "Accident" 54

2.6.4 The J. M. Kariuki Assassination 55

2.6.5 The GEMA-Moi Succession Debacle: The *Ngoroko* Affair 56

2.7 Conclusion: Reflections on Ethnic Politics in the Kenyatta Era 61

End Notes.....64

CHAPTER THREE: SUPPRESSION OF ETHNIC CONFLICT IN THE AUTOCRATIC ONE-PARTY MOI STATE, 1978-1988

3.0 INTRODUCTION: THE FIRST MOI ERA: An Uncertain Ascendance to Power and an Uncompromising Grip on the Nation 69

3.1 Moi's Ascendance to Power: A Child of Compromise..... 69

3.2 The "Passing cloud" that Stayed..... 72

3.3 Consolidation of Power: The Political Foundations of the Moi State 73

3.4 The Kenyan Economy, 1978-1982: A Presidency Doomed? 76

3.5 The Attempted Coup of 1982 and Moi's Response 78

3.6 Two Coup Attempts in One? 80

3.7 The Njonjo Affair: A Coup Up His Sleeve? 83

3.8 The Dominance of the Mature Moi State Over Ethnic Conflict, 1984-1988..85

3.9 CONCLUSION: Dangers and Challenges to the Moi State..... 90

End Notes..... 92

CHAPTER FOUR: AUTOCRACY AND ETHNIC CONFLICT IN THE MULTIPARTY ERA, 1988-2002

4.0 Introduction

4.1 The Clamour for Multipartyism in Kenya, 1988 –1991 100

4.2 The *Saba Saba* Rally and the Ouko Murder..... 104

4.3 Divorce of the Second Kikuyu-Luo Marriage and the Disintegration of the Opposition..... 108

4.4 Violent *Majimboism*..... 111

4.5 Ethnic Clashes: The Geographical Magnitude of a Self-Fulfilling Prophecy, 1991- 1998..... 114

4.6 Ethnic Conflict in the Post-Moi Era: The Politics of Transition and Succession, 1997-2002 122

4.7 Will the NARC Rainbow Last?..... 128

4.8 CONCLUSION..... 130

End Notes..... 132

CHAPTER FIVE: CONCLUSION: IMPLICATIONS OF ETHNIC CONFLICT IN KENYA

5.0 INTRODUCTION

5.1 Ethnic Conflict and its Implications for Social and Economic Development in Kenya.....139

5.1.1 Blaming the "Hen" along with the "Cat"..... ... 140

5.1.2 I Eat, You Eat: State Patronage in Regional Distribution of Social and Economic Services 146

5.1.3 "Pork-Barreled Development": Politicization of the Development Process 152

5.1.4 "Goats Eat Where they are Tethered".....156

5.1.5 General Neglect of the Development Process and Diversion of Energies 158

5.2 Siege and Collapse of the Kenyan State.....161

5.3 The Challenge of National Unity 164

5.4 Practical Measures That Can be Used to Counter Politicization of Ethnicity in Kenya 168

5.5 Recommendations 176

5.6 CONCLUSION.....177

End Notes..... 178

Appendix..... 183

BIBLIOGRAPHY.....185

CHAPTER ONE

INTRODUCTION : THE DEVELOPMENTAL SIGNIFICANCE OF ETHNICITY

1.0 Introduction

Kenya, compared[*1] with its neighbours in the Horn of Africa and the Great Lakes region who have been ravaged by war in their recent history, has enjoyed relative peace in its post-independent political history. Kenya has thus come to be seen as an island of peace in a sea of political turmoil. This study however, argues that Kenya has experienced political instability characterized by ethnic conflict with deep historical roots. Further, it suggests that this ethnic conflict has not only perpetually hindered and threatened the country's unity but also negatively affected Kenya's social and economic development.

Kenya, like other former colonial states in Africa today, faces the task of national integration. Inter-ethnic diversity in the country has been, and will continue to be, a source of great concern in light of the tension, suspicion and rivalry that characterize Kenya's inter-ethnic history.

In its post-colonial history, Kenya has experienced a mutiny, an attempted coup, inter-ethnic clashes, a secession attempt, perennial cattle rustling, election violence and protests and riots following political assassinations thought to target certain ethnic groups. While these acts in themselves do not constitute a breakdown of the political system or civil war, they are useful in understanding the process involved in such an eventuality. It is interesting to note that these dimensions of ethnic conflict fit the description of political "turmoil" as defined by Stevenson and Morrison (1971). Gurr (1968)[1] classifies civil strife in 114 nations and considers turmoil as one of the indices of civil strife. It is in view of these observations that Kenya is said to suffer political instability of ethnic character and, therefore, not an isolated island of peace in a sea of political turmoil.

This state of affairs can be understood within the historical context of ethnic relations starting with and with, emphasis on the colonial era. Kenya like most states in Africa is

an artificial entity of colonial making. The drawing of arbitrary boundaries by the British amalgamated at least fifty ethnically diverse peoples[2] thus making Kenya an example of African colonial state making. [3] In the historic integrative process of colonialism, there was an unwitting creation of a state on the one hand. On the other hand, however, state creation was simultaneously accompanied by the creation of embryonic nations coterminous with boundaries of the colonial administrative units through the policy of divide and rule.[4] The former, that is lumping of ethnically diverse groups of people within the colonial state, was made possible through the "investment of force"[5] and the development of elaborate institutions of control. Only by so doing did the British, in Kenya and elsewhere, manage to contain the fissures arising out of diversity and fragmentation.

To curb the growth of political consciousness across ethnic lines, the British sowed seeds of discord between the different ethnic groups. As noted by some scholars, for example, Lonsdale (1989) and Muriuki (1969) and other writers of Kenya's pre-colonial history, hostility and cooperation characterized pre-colonial relations between ethnic groups. The British colonist indeed, "solidified and deepened inter-ethnic cleavages and animosities" through the colonial policy of divide and rule.[6] The Christian missionaries in the colony also carved out spheres of influence that assumed a "geo-ethnic"[7] pattern. The colonial policy, however, was the most influential factor driving a wedge of division between the people of Kenya.

Under this policy, the country was divided up into administrative regions that coincided with the geo-ethnic or territorial configuration of ethnic groups. Secondly, the education policy encouraged ethnic consciousness since instructions were given in respective African languages thus accentuating ethnic differences and denying Africans a common language of communication. Thirdly, the British colonizers controlled political associations that were at first restricted to districts as opposed to national-based organizations. [*2] Most of these associations were primarily outfits spearheading ethnic chauvinism even though some of their grievances cut across ethnic barriers. A nation-state had been conceived and born the only weakness being the seeds of ethnic discord

sown during its formation. Ethnic cleavages, sharpened by Kenya's colonial experience continue to be a point of political antagonism in the country especially in the competition for political power and the distribution of economic resources.

At independence, the colonially enforced "harmony" between ethnic groups, it was feared, would shatter in the hands of the new African leadership. It had shattered elsewhere, for example in Rwanda, where civil strife broke out in the late 1950s and early 1960s. Congo also experienced military mutinies and secession attempts. Externally, independent Kenya was a sovereign nation. It was a legal entity recognized by international law. It had attained juridical statehood. Internally, however, it faced the task of engineering inter-ethnic or national consensus necessary for nationhood and national integration. The colonialists had established a state (a heterogeneous nation-state) but not a "nation" within its boundaries The new crop of African leaders therefore, were required to cement the different ethnic groups brought together under colonial rule through the process of nation-building and integration.[8] Most African states failed in the process. Although Kenya did not experience civil war like other African states early in the post- independence period, it had inherited the colonial state with flaws inherent in its invention, construction and ethnic constitution.

It is in view of the foregoing, that this study suggests that present day Kenya as a "conquest" or "defective" state, carries within it seeds of ethnic discord that have had adverse implications for social and economic development.

1.1 The Nature of Conflict In Kenya

Scholars and observers of the nature of conflict in Africa in general and Kenya in particular[9] have noted the prominent role that ethnicity plays. Early political leadership, according to Khadiaghala (1992) was faced with the challenge of providing meaning to the colonially contrived sense of statehood through nation building. De Tocqueville's dictum that "as in the lives of men, the circumstances of the birth of nations deeply affect their development" seems to reflect the reality of Kenya's transition from colonialism to

independence. Leaders of the new African state acknowledged the task of national integration but relied heavily on an authoritarian structure in the same way colonial rule had relied on the use of force to ensure political order in general and ethnic harmony in particular. By strengthening institutional frameworks and hence institutions of state control as opposed to popular participation, [10] they emphasized state-building at the expense of national integration through concensus.[11] Instead of embarking upon schemes such as opening up of political space, political socialization, civic education and campaigns and ensuring equitable distribution of national resources, attention was given to the well being and capability of state apparatus such as the bureaucracy, army and the police force. Thus, the colonial or conquest state that depended on the use of force to ensure cohesion of diverse ethnic groups as earlier noted was perpetuated. [12] As a result, Kenya has, since independence, existed precariously on the verge of internal armed ethnic conflict that has at times manifested itself in election violence, inter-ethnic clashes, inter-ethnic cattle rustling, political assassinations and the Shifta war (1964). However, whereas other countries notably the Sudan, Rwanda, Burundi, the Democratic Republic of Congo to name but a few, have gone to war along ethnic regional and religious fissures crystallized during the colonial era, ethnic conflict experienced in Kenya has been latent in that it has not spiraled into protracted civil war or physical violence. However, Kenya's ethnic diversity constitutes a crisis that "is more than a temporary emergency...."[13] The crisis is embedded in the country's "socio ethnic" make-up.

This underlying conflict is best captured by Nnoli's (1986) concept of social distance that refers to differences arising in social, ethnic, economic, cultural, psychological and political spheres. [14] Broadly, he notes that differences in these spheres can have "adverse consequences for positive communication, mutual understanding and cooperation in" [15] a society. He points out two categories of social distance namely "vertical distance" as a result of inequality (in wealth, education, income) and "horizontal social distance". In the latter, social distance runs along horizontal lines, for example, communal groups, ethnic formation, religions among others.

In Kenya, social distance cuts across the two categories but it is the ethnic dimension that is emphasized in this study. With respect to ethnic segments and the tensions that characterize them, Nnoli (1986) notes that the horizontal cleavages "have a potential for causing a break of the society into splinter groups and formations."[16] This description aptly describes the nature of conflict in Kenya. That is, a society that is politically and socially fragmented. [*3] As observed above, ethnic conflict is deeply rooted in history and is perpetuated by political leadership in Kenya.

The role played by political leadership is pivotal to an understanding of the nature of conflict in Kenya. It plays the ambivalent role of fomenting and fanning ethnic conflict as well as uniting the country. At independence, there was an appreciable measure of inter-ethnic solidarity, which was spearheaded by the Kenya African leadership fighting against British overlords. This solidarity forged in the colonial struggle, however, dissipated [17] after hardly half a decade of independence. At the end of the colonial struggle, a new struggle ensued. As Wanyama (2000) notes, African nationalists had seen and "wished to... enjoy the privileges which the authoritarian colonial administration had exclusively afforded the whites...."[18] To do so, there was need to control or capture state institutions and apparatus thus perpetuating exploitation, discrimination and opportunism.

A new struggle for political control, power and subsequently access to resources therefore, arose among the elite. The state became "a focal point of competition". [19] In this struggle, the new African political elite marshalled and exploited parochial and primordial ethnic sentiments. The Kenyan elite, people from the same social class but from different communal groups, invoked the colonial creation of "tribe" in this struggle. [20] The anti-colonial ideology that had created inter-ethnic solidarity among Africans (nationalism) gave way to the ideology of "tribalism." Where as the colonial authorities used the ideology to perpetuate their rule, political leaders perpetuated the ethnic phenomenon for their own ends (self-enrichment and opportunism by exploiting state apparatus).

Some writers have taken the view that ethnic conflict is associated with the growth of a patron-client system arising out of elite competition. They characterize the politics emergent in such a political environment as "politics of survival", "identity politics", "politics of the belly" or "warlord politics". [21] Individual leaders emerge as segment leaders of their respective ethnic groups from which they derive patronage networks. Thus Kenyatta was the segment leader of the Kikuyu. Around him was the so-called "Kiambu Mafia" which represents the political economic patron-client system. On the other hand Daniel Moi was the patron of the "Kabarnet Syndicate": Oginga Odinga emerged as the Luo political chief at the top of a patron-client system catering for Luo interests: while Ronald Ngala championed the political interest of Coastal minority groups.

From the foregoing description of the nature of conflict in Kenya, it means that as a "defective" state, Kenya faces the following two dangers: since its Government and society are glued together by patronage and patronage networks, it is vulnerable to collapse. This might explain why Demars (2000) sees Kenya as a country that is moving slowly but "not yet irreversibly in the direction of state collapse....". [22] Secondly, politicization of ethnicity as a political strategy "can easily spiral into an all-out-war, or, for a time, out of control of the elite and into mass violence."[23]

There is situational irony when leaders call for inter-ethnic unity while using ethnicity for political mileage. In the immediate dawn of independence, nation- building, social and economic development and democracy were at the core of Kenya's politics championed by the state [24] and supported by political leadership across the ethnic board. However, due to the ambivalence and the noncommittal nature of politicians, nation-building and national integration have been relegated to secondary importance while political survival (using ethnicity as a political strategy) has come to the fore.

This study, therefore, examines the implications of ethnic conflict for social and economic development: attempts to explain why the state in Kenya has remained coherent in spite of ethnic conflict: and assesses the extent of national integration and

unity in Kenya. It is argued: that the capture of state institutions by small ethnic elites has created a predator state that has presided over social and economic deprivation and exploitation: that the patron-client systems accompanying this kind of state have weakened it: and lastly, that the failure of political leadership to negate ethnicity in its quest for political power has not only heightened tension and bred mistrust, frustration, ethnic prejudice and antagonism (divisions) but also diverted attention and energy away from the independence development imperative. [25]

1.2 Statement of the Research Problem

The bias in development literature, that external factors are more important than endogenous factors affecting development, is a gap that constitutes a research problem. This study seeks to address this gap by advancing the argument that: firstly, even where endogenous factors have been analyzed, too much emphasis is placed on economic factors at the expense of political factors such as the politicization of ethnicity. Secondly, the preoccupation of literature on ethnicity with the nature of the phenomenon neglects analysis of its developmental significance. This study, therefore, seeks to address the gap within and between the two types of literature by suggesting that the persistence of ethnic conflict in post-colonial Kenya constitutes a major obstacle of development, and hence, a research problem.

1.3 Objectives of the Study

1. To examine the implications of ethnic conflict for social and economic development in Kenya.
2. To explain the country's survival as a unitary state since independence.
3. To assess the extent of ethnic unity or disunity in post-colonial Kenya

1.4 Justification

In Kenya, the perpetual danger of inter-ethnic clashes on a large scale has been noted. However, little has been done to critically understand the nature and extent of this ethnic conflict and how it can be tamed so as to realize social and economic development. Some writers like Kundu (2000) have noted the "*urgent need* to examine the potential dangers of interethnic animosity that has been fermented in this country" [26] (my emphasis). Others like Nyong'o (1993) and Lijphart (1986) have also called for studies focusing on latent armed conflict and its effects and implications.

(i) This study therefore, justified by the fact that it is a partial response to these calls. In addition, a study of this nature has not been done previously.

(ii) Further, the study is justified by the recognition of the need for a deeper understanding of underlying causes leading to armed conflict that it seeks to explore.

(iii) It is also justified by the need to generate recommendations that can inform Kenya's policy promoting national unity and integration and development.

(iv) The period of study (1963-2002) was selected as a reasonable time unit (covering Kenya's entire post colonial history). It provides the necessary historical background against which a study of this nature can be undertaken comprehensively. Both in the past and in recent times, studies have been done using a similar time frame.

1.5 Scope and Limitation

This study is limited to the examination of the interface between ethnic conflict and social and economic development in Kenya since independence. It is an assessment of the developmental significance of ethnicity in post-colonial Kenya. While appreciating the significance of the international economic factors that have shaped Kenya's social and economic change like plummeting terms of trade, debts burden and lack of market access, these international roots of Kenya's lack of development are not addressed in this study.

1.6 Working Definitions

Ethnicity: Ethnicity is a dynamic, fluid and multifaceted universal phenomenon derived from the conceptualization of "ethnic groups." This refers to groups that share certain objective similarities such as culture and customs, belief, habits, language, kinship, history, values, norms and geographical isolation among others. [27] These affective factors of "ethnicity" foster subjective feelings of "belongness" and existential solidarity within the ethnic group.[28] Thus conceived, ethnicity is a relational – that is, ethnicity is only possible as long as other ethnic groups and categories exist.[29] However, in this study, the term "ethnicity" is used in two other dimensions beyond this universal definition.

It is used to refer to a conflictual psychosocial phenomenon that characterizes ethnically conscious groups competitively involved at the social, economic and political planes. Thus conceived, ethnicity is cognitive and instrumental. That is, it assumes, at different times, contradictory forms[30] that provide a convenient basis for political organization. In this sense, it serves as a political tool for elite domination. This dimension renders the term notorious fluidity and instability as ethnic boundaries vary over time and situationally due to political manipulations. Thus ethnic affirmation or minimalization has been known to be subject to individual or group socio-political and economic interests at any given time or situation. This application of the term, therefore, acknowledges this individual or group situational negotiation of status to reflect an individual's or group's "belongness" to other social units such as political parties, religion or professional organization.

Lastly, the concept of "moral ethnicity"[31] is incorporated within the application of the term in the study. This refers to the intra-ethnic civic virtue debates in which people of the same ethnicity contest the group's collective political, economic and social interest and the manner in which it should be realized. It is also a dispute of who can best "speak for the tribe" in the national political arena. While discussing ethnic conflict in Kenya therefore, the study acknowledges that political differences are not strictly dictated to by ethnicity since people of the same ethnic group do, on the basis of moral ethnicity,

disagree on how best ethnic virtue can be expressed in the political process an in governance.[32] Such differences can lead them to support individuals from other ethnic groups or other groups in their entirety.

Conflict: In the study, conflict refers to a situation in which two or more parties desire goals, have expectations or carry out acts that are mutually inconsistent believing that a favourable condition can only be enjoyed by one or the other at the expense involved parties.

Ethnic Conflict: This term, with regard to this study, refers to the phenomenon that characterizes social interaction where ethnic differences exist. Socially, politically and economically, ethnicity is a highly emotive phenomenon. Ethnic conflict in this study will refer to the tension between groups competing for state resources and power.[33] In Kenya, this phenomenon is attributable to ethnic segment (or political) leaders who struggle for the capture of the state. Ethnic conflict may also arise due to a sense of injustice in resource distribution, economic and political competition or real or perceived discrimination. This explains why entire ethnic groups might view others as, not only rivals, but also enemies.

In this study, therefore, ethnic conflict will refer to social conflict characterized by hostility, suspicion and rivalry that accompany ethnic elite competition for state power; or due to the impact of politicization of ethnicity by political leaders on ethnic relations; it will also refer to various physical manifestations of ethnicity such as election violence, interethnic cattle raids and inter-ethnic clashes.

In Kenya, ethnic conflict has been predominantly latent and non-violent in character. It is embedded in ethnic relations although it has manifested itself physically in various ways (mentioned above). In this study, this physical (violent) dimension of ethnic conflict and its latent (non-violent) dynamic in post-colonial politics in Kenya, are examined.

Development: Development in this study refers to the social and economic welfare of the masses. That is, development as measured by non-economic social indicators such as health conditions and services, schooling and literacy among others (nutrition, mortality, provision of housing). Thus conceived, it is the reduction or elimination of poverty and inequality in the context of a growing economy. This usage de-emphasizes reference to aggregate economic growth measured in terms of gross domestic product and per capita income. Thus, development is viewed as a multidimensional process encompassing popular attitudes, reduction of inequality and absolute poverty. Fundamental to development, therefore, is the satisfaction of basic needs and desires of individuals and social groups within a political system, moving them from a situation or a condition of life perceived as unsatisfactory towards one regarded as materially better.[34]

1.7 Literature Review

The study is cast against two literature categories: development literature and ethnicity literature. Development and ethnicity are issues that have not been exhaustively interrelated, hence this distinction. Political instability and armed conflict have been acknowledged in development literature as factors affecting development. However, ethnicity in general and ethnic conflict in particular, has not been acknowledged adequately. An examination of why this is the case forms the basis upon which development literature is critiqued herein. On the other hand, the critique of "ethnicity" literature is an assessment of the prominent modes of thought and the general themes that characterize this literature. The ultimate aim of these two critiques is to highlight the *developmental significance of ethnicity-gap* between them.

In his *Communist Manifesto* (1848) Karl Marx writes about human progress. He attributes social development to certain determinable laws of nature that govern the movement from one stage or mode of production to the other. He calls the force shaping human history historical materialism. This work is important as it forms the basis of development literature in general. The *Communist Manifesto,* however, is ultra-abstract. Marx, for example, suggests five stages/modes of production, which with the exception

of communist Russia (1917-1989) and capitalism, are not historical facts. Marx does not address himself to social and economic development but the movement of human history in general. Thirdly, he considered the economic base ("matter") as the most important determinant of human progress. Marxists such as Catherine Vidrovich and Paul Baran labeled African and Asian economies "pre-capitalist" and therefore, unwittingly placed relative importance on the superstructure. Marx and his followers in spite of this relative significance of the superstructure, however, believed that "ethnics" or "bearers" of cultures, customs and kinship would gradually disappear as organizational forms. Predicting the extinction of ethnic groups and, therefore, their significance, Marx posed: why would one continue to belong to archaic cultural groupings when one could become a "worker?" Thus, to Marx and Marxists, ethnicity and ethnic conflict mattered less with regard to development. This study while appreciating Marx's views, contradicts his relegation of ethnicity and ethnic conflict in his study of human progress. It focuses on the implications of ethnic conflict on development thus magnifying the superstructure that Marx did not place much emphasis on.

Rostow (1960) is remarkable for pioneering thought on Third World development. In this radical shift from a eurocentric study of development, he deals with the question of how the Third World can replicate the stages of development followed by Europe. The stages identified unlike those by Marx (1946) are drawn from European economic history. He recommends the development path followed by Europe as a model for Third World development. Rostow does not, however, acknowledge the fact that the peripheral insertion of the Third World economy into the international economy (as a source of cheap raw materials and labour) can affect replication of the said stages. The economistic nature of his work gives no consideration to the political environment in which economic growth is meant to occur. Third World development thinking of which Rostow was one of the pioneers cannot ignore the significant role played by the political environment that is determined by ethnic relations, among other factors.

Harris and Harris (1979) and Brookfield (1978) attribute lack of development to a number of internal economic factors such as: the lack of commitment to economic planning: lack

of clear leadership structure: wrong strategic policy thrust: problems of policy implementation: and lastly, the importance placed on the role played by benevolent states which donate foreign aid. Thus unlike Marx's (1963) abstraction or Rostow's (1960) economistic inclination, these two books accord rightful recognition to the role played by internal factors affecting development. There is, however, no mention of internal political factors, ethnic conflict among them.

In his book, *Emergent African States*, Akitonye (1980) captures the internal political factors affecting development. He posits that political instability of African states adversely affects economic growth. He, however, refers to "political stability" in the broad sense of the term: the violent break down of institutionalized patterns of authority in the political system. He broadly writes about disunity and "ethnic diversity" and, therefore, does not adequately discuss specifics such as ethnic conflict, which spark the break down of and discontinuity of the political system. The present study, therefore, seeks to exploit the Akitonye (1980) thesis further by examining how ethnicity: is used as a blanket cover by small ethnic elite to exploit and appropriate state resources: influences the allocation of resources contributing to political tension, creating conditions suitable for economic irregularities (corruption): contributes to the erosion of economic institutions through opportunism or as an avenue for the criminalization of the state thus adversely affecting social and economic development.

Liberal economists like Harriss and Harriss (1979) and Brookfield (1978) above, assume that nations would progress unproblematically towards development if the unfavourable internal factors they point out were corrected. Apter and Rosberg (1994) point out, however, that in spite of such correction, the influence of exogenous factors, for example, plummeting terms of trade, debts burden and lack of market access, would still hinder Third World development. Osvaldo Sunkel (1969) taking note of this omission writes that, "...in the writings of economists, sociologists and political scientists," external "dependence as a subject is remarkably absent." Sunkel (1969), Walter Rodney, A.G Frank and Rui Mauro among others, therefore, focus on "the international roots of

African underdevelopment...." [35] Sunkel (1969) and other dependency writers, however, offer no practical alternative strategy towards realizing development.[36]

Sunkel's work and dependency in general, function to primarily "make the subordination of the Third World to metropolitan capitalism more palatable and permanent."[37] Bayart (1993) calls dependency thinking a "misunderstanding" which forms a "paradigm of the yoke" due to its unnecessary exaggeration of "external periodization." The present study favours this position taken by Bayart (1993) with regard to the dependency school. While acknowledging the significant influence of external factors on development, it is argued that there is need to look at internal political factors as well. Ethnicization of politics in post-colonial Kenya and its implications for development, it is argued, has accentuated the negative effects caused by an unfavourable international environment. Thus, the study assumes the position taken by Barry (1985) that, "whatever the importance of the external phenomenon...it should be regarded only as a partial explanation which can throw some light on internal..." factors such as ethnicity.

Writing in the mid-1980s when the world economy was increasingly becoming integrated, Booth (1985) laments the paucity in development literature. He refers to this paucity as an "impasse" characterized by lack of continuity from the old and new literature (the difference between the two being work written before 1985 and that after 1985 respectively). His work embodies this paucity although he offers hope of new theoretical initiatives. His work is important because it is evidence that the economistic approach to development studies, especially in Africa, has outlived its *raison etré*. It supports the position taken by this study that internal political factors affecting development such as ethnic conflict should be and are increasingly being incorporated into development studies.

Frank's autocritique (1991) offers further evidence that the economistic approach to development studies has outlived its *raison etré*. This article is a reflection of a lifetime of prolific writing as a radical *dependecista* in the 1960s and 1970s. Frank (1991) ironically sinks into academic pessimism. Having expressed hope that the Third World

could skip development stages in his earlier work, he argues that autonomous national development is an illusion under the new world economic dispensation of globalization. He argues that the Third World will experience further dependence, marginalization and decline or what he calls, "development of underdevelopment."[38]

To Leys (1996) laying emphasis on internal political factors affecting development constitutes an "abandonment" of mainstream development literature in favour of "political" re-thinking about development.[39] This position, "political" re-thinking about development, however, should be seen as a logical response to the paucity and disillusionment noted above. Secondly, this "political" analysis of development, or the lack of it, signals the need to look into political dynamics affecting social and economic development. Thirdly, this political perspective should be seen as a mutual reinforcement to the economic approach and not as an alternative approach. In studying political dynamics affecting development in Kenya, this study is not without precedence.

Bayart (1993) and Ayittey (1992/1999) argue that internal political dynamics are to blame for lack of development in Africa. Ayittey (1992/1999) argues that these internal political factors have overtaken the legacies of Western colonialism as causes of African decline. He argues that the African elite has tended to blame all ills on colonialism or its legacy yet their countries have been free for decades. Ayittey (1992/1999) notes that while it is natural to resent the wrongs done to Africa in the past, rage at foreign "wickedness" should not become an excuse for internal political inaction and corruption. Bayart (1993) argues that African history is characterized by "politics of the belly" which persists in contemporary African politics hence the lack of development.

The Bayart (1993) "politics of the belly" paradigm, however, is flawed for two reasons. He argues that the lack of development is embedded in Africa's "historicity". Thus, his analysis is no less a "paradigm of the yoke" than dependency theory. Bayart's position amounts to a prophecy of permanent economic doom for the continent. Secondly, he subtly de-emphasizes the place of ethnicity in his "politics of the belly" analysis of

African politics arguing that it is "a woolly and fluid" entity. This study by concentrating on ethnicity and ethnic conflict posits that a complete analysis of African politics and its implications for development must recognize the potency of ethnic identity in politics. The "politics of the belly" paradigm can aptly explain the lack of development in post-colonial Kenya if ethnic conflict is accorded the significance and strong influence due to it. This is what the proposed study attempts to do. This attempt is cast against the background of considerable literature dealing with ethnicity in general.

Literature on ethnicity is dominated by curiosity about its nature. It is characterized by the debate whether this phenomenon is a reality or not. Four trends of thought are identifiable in this debate in relation to the present study. In some of this literature, the nature of ethnicity is blurred. Isaacs (1975) attributes this to the fact that the feeling of "belongness" and self-esteem are defined in many ways and the needs they serve met in one or many other multiple and secondary group identities acquired in the course of life namely: social, educational or class. Adedeji (1999) attributes "the lack of clarity and consensus as to the exact make-up of the ethnic or tribal phenomenon" to the fact that "ethnicism... is not simply a question of objective data such as language, culture or religion". This explains why Bayart (1993) fails extensively incorporate this "woolly entity" in his analysis of African politics. The nature of ethnicity thus preoccupies ethnicity literature and its conceptual elusiveness about its exact nature subsequently translates to denial of the existence of ethnicization of politics. Such a preoccupation, therefore, implies that one cannot even begin to conceive the developmental significance of the phenomenon. The nature of ethnicity, its influence in postcolonial Kenyan politics and its implications on development in this study is a departure from not only from the trend of exclusively studying the nature of ethnicity, but also its dismissal as an elusive concept with no practical political, social and economic implications.

Chitepo (1970) is an example of literature that denies the existence of ethnicity. He does this on the basis of the emotional charge inherent in the word "tribe." His denial is political since he wrote at the height of African nationalism when inter-ethnic unity was needed to rout colonialism and to bring about nation building. Since then, however,

postcolonial African politics has proved that ethnicity is a political force to be reckoned with. Certainly, politics in Kenya since independence has been influenced by ethnicity and it is important to not only accept this as a historical fact but also to examine its implications on social and economic development.

Thirdly, there are authors like Leys (1975) who acknowledge the pervasiveness of the phenomenon in political life in African countries but then call for self-denial not to explain everything in terms of it. Thus, Leys (1975) opts to explain underdevelopment in Kenya using a class analysis approach within the context of neo-colonial politics. Although he acknowledges "tribalism" as a very real factor in political and economic life, it is subsumed by the salience of class in his analysis. Leys (1975), therefore, succeeds in honouring his view that emphasis should not be placed on ethnicity in explaining politics or underdevelopment. Similarly, Wallerstein (1977) recognizes ethnicity manifested in conflict and civil wars in Africa but assumes that this conflict is class conflict. These two writers argue that tribalism develops out of and feeds on "the real development of antagonistic classes" and "...class conflict." Thus, to Leys, ethnic conflict in post-colonial Kenyan politics reflects the diversion of class antagonism to tribal or clan forms of consciousness.

While one must appreciate the restraint on the part of Wallerstein (1977) and Leys (1975) not to exaggerate the significance of ethnicity, both of them wrongly relegate its role in African politics to second place. While it is true that politicians usually manipulate tribalism as a fall back position where class interests cannot be catered for on the basis of class, at the level of the masses, (the) ethnic feeling is intense. This study argues that if "tribalism" was the creation of class politics in the immediate post-colonial period in Kenya, it has since become an independent political reality equal in significance to class, if not more important. As Murphree (1986) argues, ethnicity, in general, should not continue to be seen as a "subspecies manifestation of class conflict." [40] Thus, "*underdevelopment in Kenya*" should not be explained solely in terms of the politics of neo-colonialism and class as Leys (1975) does. There is need, therefore, to examine the

way in which the persistent reality of ethnic conflict impinges on national development. This, then, is what this study attempts.

Lastly, there are authors who while acknowledging the pervasiveness of ethnicity are attuned to concerns related to its implications on development. Hyden (1983), for example, attempts to bring together three sets of issues: ethnicity, the post-colonial state and development policy. This work is important because it de-emphasizes the importance of attributing underdevelopment to the pervasiveness of capitalism and its marginalizing and alienating effects. He argues that pre-capitalist formations (ethnicity, for example) and the subsequent economy of affection in the postcolonial state explain lack of development. Hyden (1983) posits that reference to familial and communal ties in the informal distribution of resources in an economy of affection is the reason why the postcolonial state has remained cohesive in the face of ethnic conflict.

Hyden's (1983) main aim, however, is how ethnic conflict can be solved through formal structures. Thus, he does not exhaustively exploit how the economy of affection contributes to lack of development. Secondly, while admissible, the argument that the informal management of ethnic conflict (through the economy of affection) is "effective" is wrong. Such management of ethnic conflict and maintenance of state cohesion is not "effective" as it guarantees apparent national unity while ethnic conflict intensifies or thrives underneath the artificially "normal" ethnic relations. Indeed, this study argues that informal management of ethnic conflict through patron-client networks, nepotism and tribalism has weakened the state. Coup attempts, inter-ethnic clashes, violent inter-ethnic cattle raids and political assassinations have characterized Kenya as a weak state.

Bates (1973) notes that ethnic competition for modernity (education, health and political participation) fans ethnic conflict leading to civil war or coups. He demonstrates how ethnic competition for land, jobs, schools and health services among other things has caused armed conflict using illustrations from Africa. He also comprehensively captures the role of the political elite in the whole process. He, however, does not mention the adverse effect that ethnic conflict has on development.

Rothchild (1983) suggests six reasonable group claims characterizing ethnic competition for state resources in Africa. His concentration on one of them: that is, the general public dissatisfactions over distributive issues and the critical role played by the political elite in shaping these dissatisfactions into effective demands for communication is important. It demonstrates how low intensity demands such as enhanced distribution, power sharing or political participation can transform into high intensity demands that can threaten a country's internal cohesion and peace. To Rothchild (1983), however, "scarcity" or lack of development exists independently and is not as a result of ethnic conflict as the present study seeks to argue.

Kundu (2000), like Rothchild above, argues that in postcolonial Kenya, ethnicity has been "the main vehicle through which dominance and preservation of power and resources" has been achieved. His main concern, however, is how ethnicity has been a stumbling block to nationhood in Kenya. He suggests ways through which this trend can be reversed to promote sustainable nationhood. Kundu (2000) notes the urgent need to examine the potential dangers of inter-ethnic animosity fermented in Kenya. In examining the implications of ethnic conflict on development, state cohesion and national unity in Kenya, this study is in part a response to this urgency.

Matanga (2000) is persuaded that not only has political leadership in Kenya been responsible for the mushrooming of ethnicity but also contributed to its increasing importance in the allocation of resources. He captures the manner in which politicians play the ethnic card at the expense of national unity and democracy precisely but fails to do the same when relating political leadership to "socioeconomic development." This failure lies in not showing how politicization of ethnicity contributes to lack of development. Instead, he attributes it to the economic model pursued after independence. While this is a valid argument, there is need to further exploit this unfinished line of thought-that is, how politicization of ethnicity by political leaders in Kenya contributes to lack of development.

Legum (1970) who analyzes the relationship between tribalism and modernization explores the above line of thought better. He notes that political leaders act as guardians of their respective ethnic groups against rivals by expanding and defending ethnic interests and opportunities with regard to the modern sector. According to him, at the centre of ethnic loyalty lies an ethnic-based interest such as tradition, land and opportunities for survival and growth. Legum complicates his study, however, when he states that modernization is capable of destroying tribalism on the one hand while strengthening it in other aspects, on the other. While this might be true, it is contradictory. This study avoids the subsequent debate but seeks to emphasize the latter view. That is, competition for modernity or its symbols intensifies inter-ethnic conflict. This has been the case with regard to Kenya since independence.

Khadiagala (1992) observes that after independence, state building triumphed over national-building and national integration. [41] Thus according to him, state "stability" in Africa has been apparent and artificially enforced using state apparatus. It does not rest on voluntary individual, ethnic and, therefore, national consensus as envisioned at independence. He notes the urgent need to inquire whether this state enforced cohesion characterized by ethnic conflict has adversely affected social and economic development. He observes that nation building and unity remain unfulfilled goals not only in Kenya but also in most African countries. His paper does not venture to explain the questions that it raises, for example, how this lack of national ethnic integration affects social and economic development. He, however acknowledges that the dissensus characteristic of plural societies has significant implications. Khadiagala (1992), therefore, only generalizes that preoccupation with political power occurs at the expense of both national integration and development. Subsequently, he fails to supply specific illustrations of how ethnic hostility or lack of national integration affects social and economic development. This leaves a gap that this study attempts to fill using Kenya's post-colonial history as an example.

Murphree (1986) urges the need to de-emphasize studying the nature of ethnicity in favour of its relation to "socioeconomic structures" in human relations literature. Studies on

"ethnicity" and "race" according to Murphee (1986) should demonstrate the *development relevance of these phenomena within state contexts*. He suggests the existence of an analytic nexus between ethnicity and development that needs to be studied. Citing Sithole (1986) he notes that ethnicity is perdurably present and not simply a resource of "false consciousness" utilized by manipulative leaders. He, therefore, argues that the masses have no tribal innocence since when they act on ethnic lines, they are rational actors engaged in an "intriguing cost-benefit analysis of many issues affecting them." [42] According to Sithole (1986) the tribe, involved in a cost-benefit analysis of issues affecting it, ceases to be a "tribe-in-itself" and becomes the "tribe-for-itself." Murphee (1986) and Sithole (1986), therefore, question the position taken by Leys (1975) and Wallerstein (1977) above: that is, the relative salience of class over ethnicity. They argue that the exigencies of ethnic salience must be accepted and its impingement on African development studied. This study is in part, therefore, a response to the observation that *the study of ethnicity is developmentally far important than is currently recognized.*

In so doing, the study is not without precedent. In the Pacific, Premdas (1989) undertook a study assessing the developmental importance of ethnicity. He examined whether ethnicity in Papua New Guinea (PNG) had retarded or facilitated desired social and economic goals. Put differently, whether ethnicity is a reactionary and destructive force vis-à-vis the task of nation building. He concluded that ethnic calculations in the problem of political allocation of values and resources central to the political process not only distorted it but also threatened the country with secession. He observed that ordinary economic sense in pubic expenditure was sacrificed at the altar of ethnic accommodation. Ethnicity in PNG according to Premdas (1989) has, therefore, meant waste, duplication and inefficiency in the allocation of scarce resources: "vital time and resources are lost to feed and appease the appetite of the ethnic monster." [43] This study hopes to replicate the Pacific study, albeit using a different methodology being less ambitious. In light of Premdas' (1989) findings, it is argued that the informal distribution principles in the post-colonial economy of affection characterized by the "politics of the belly" inspired by ethnic rivalry and conflict, has led to the retardation of social and economic development in Kenya.

1.8 Theoretical Framework

The study operates within the politico-economic theory of development or political re-thinking about it. As an approach to the study of development, this political perspective or analysis of development gained currency in the 1990s. It deemphasizes the approach taken by scholars who take note of, among other internal economic factors inhibiting development: wrong economic strategies and poor policy implementation. As an alternative or variant of liberal theory, this perspective places emphasis on internal political factors that have overtaken the legacies of Western mercantilism, colonialism and neo-colonialism as causes of African social and economic decline.

One of the proponents of this approach, Bayart (1993) calls this paradigm "politics of the belly". It refers to an analysis of development and African politics that critically looks at the allied or antagonistic actions of political leaders, ethnic groups or political parties. It is an important conceptual framework since it focuses on the interplay of internal political factors affecting development, for example, the struggle for political power and wealth accruing from it and politicization of ethnicity. This framework of analysis not only varies from the liberal approach but also de-emphasizes the radical paradigm that focuses on exogenous factors. That is, the view of underdevelopment as a consequence of historical processes within a structuralist framework of the world capitalist system.

The study also operates within the theory of conflict and war as promulgated by Shipley (1993). His article, "War and Society in the Greek World" is a comprehensive approach to the study of war. He relates war to social conflict. That is, the phenomenon (war) is studied within the wider social context of social conflict. War, according to him "is only a particular kind of social conflict". [44]

Although he does not say so explicitly, Shipley suggests that historians cannot effectively understand war if they study it simply as a phenomenon occurring within a bounded segment of time.[45] Shipley's contribution to the study of war is the shift of emphasis from the study of war as a specific and definite event within bounded time or as a particular

episode to one that sees war as a part of continuing "social violence in general" thus dissolving " the boundaries between particular episodes of peace and war."

Shipley, therefore, distinguishes between "War": meaning a singular event within a bounded segment of time) and: "war" (with lower case "w") his new approach meaning war as a component of a larger spectrum of organized societal violence or structural/latent conflict.[46]

He argues that war in ancient Greek society can only be understood in the latter sense – that is, as "war" or structural conflict. Traditionally, the study of war and conflict, consideres "war" as a phenomenon occurring within a watertight compartment of time with a beginning and an end (which Shipley calls "War"). According to him, there is danger and injustice if historians and other scholars of war straightjacket events into discrete episodes without recognizing existing alternatives.[47] The alternative concept of war/ conflict, therefore, should include not only Wars "as disparate in size and nature as the Falklands War, Gulf War of 1991, the Cold War and the Second World War" but, importantly, prevailing social conflict at any given time and place." [48]

The injustice and danger lies, firstly, in not being able to resolve social conflict before it peaks or reaches its sharp end, that is, War. The second danger lies in treating war as occurring within a definite and short period of time with a beginning and an end, two moments between which the state of war (physical combat) is supposed to pertain. To Shipley, this is misleading because when we talk of the Second World War as such an event, when did it exactly begin and end? Shipley suggests that declarations of war and ceasefire are deceptive. This is because, "nothing objectively changes when war is declared, or officially halted, war may effectively have begun before it is declared or may not begin until months later...." [49]

The First and Second World Wars and the First and Second Gulf Wars are, therefore, better understood if they are thought of as part of a continuum of "war". In this sense, the First and Second World Wars and the First (1991) and Second Gulf Wars (2003) form a continuum of "war". "Peace" in the respective intermediate periods was only apparent as

hostility and tension continued to simmer between the concerned parties. Action or physical combat (violence) was only "suspended" between the years of "peace". The tension between South and North Korea best illustrates this point. Theoretically, it can be suggested the two have been in "war" fifty years after the end of "War" in the 1950s. These examples demonstrate Clausewitz's view that there are "wars" in which physical combat occupies by far the smallest portion of time.[50] Parties involved are in reciprocal inaction in which they are content to wait and not to fight. This then is what it means to be in a state of "war".

Social conflict or "war"degenerates into "War" (actual physical combat /action/violence) within bounded time, when one party in a situation of tension is no longer satisfied with the status quo. This party, in the case of the Second World War was Hitler's Third Reich that decided to disturb the "peace" reached at Versailles in 1919.

Although Kenya has never had a civil war or a protracted "War", ethnic tensions, hostility and rivalry especially with regard to competition for political power and the distribution of resources expressed in the form of "tribalism": latent historical grievances including the emotive land issue and traditions like cattle rustling: and historical events etched in collective ethnic psyches, for example, political assassinations of prominent and promising politicians, secret oaths to ethnic allegiance, violent events like the Kisumu Tragedy and the Wagalla Massacre, Shifta banditry: violent inter and intra political party wrangling and election violence and tribal clashes among other factors of political turmoil constitute a social context conducive for "War". This is what constitutes ethnic conflict ("war"), which, the study suggests, inhibits social and economic development in Kenya.

Waltz's theoretical analysis of war (2001) is also useful in understanding the potential cause of open (violent) conflict in Kenya. Shipley and Clausewitz above, contribute to our understanding of the societal context of War that is found within the structure of the state and the state system. Waltz calls these two levels of the analysis of War (that is, the state and the state system) the Second and Third image, respectively. What he calls the

"First Image" analysis of War, when applied to Kenya's political leadership, helps one to understand the potential conflict "within man." Operating within this conceptualization of the individual causes of War, namely political deceit, cunning, greed, selfishness, hostility and aggressive impulses, enhances our understanding of ethnic conflict that has characterized post-colonial politics in Kenya. Thus, the study argues along Waltz (2001) that "Wars" and "wars" begin in the minds and emotions of men and, therefore, the most significant cause of "War" or "war" is to be found in the nature and behaviour of man.

1.9 Research Hypotheses

The research intends to test the following hypotheses:

a) Ethnic conflict has had adverse implications for social and economic development in Kenya.
b) The informal distribution of resources has ensured unity in spite of ethnic conflict in Kenya.
c) Politicized ethnicity is an obstacle to national unity and integration in post-colonial Kenya.

1.10 Methodology

[A] SOURCES

(i) Primary Sources

a) This included the national *censii*, Government publications from the Central Bureau of Statistics, for example, *Kenya Economic Surveys, Economic Plans, Annual Budgetary Estimates, Economic Review of the Central Bank* and *Statistical Abstracts*.
b) Personal unpublished papers were also relied upon.

(ii) Secondary Sources

Books and materials in journals and newspapers were used.

[B] TESTING OF HYPOTHESES

The hypotheses are tested for relationships between the respective variables in chapter four.

1.11 Chapter Outline

1. Chapter 1: INTRODUCTION: THE DEVELOPMENTAL SIGNIFICANCE OF ETHNICITY
2. Chapter 2: THE FOUNDATION OF A FRAGILE STATE, 1963-1978.
3. Chapter 3: SUPPRESSION OF ETHNIC CONFLICT IN THE AUTOCRATIC ONE-PARTY MOI STATE, 1978-1988
4. Chapter 4: AUTOCRACY AND ETHNIC CONFLICT IN THE MULTIPARTY ERA, 1988-2002
5. Chapter 5: CONCLUSION: IMPLICATIONS OF ETHNIC CONFLICT IN KENYA

END NOTES

*1. This comparison is only relative and it does not suggest that the proposed study is a comparative in nature.

1. Ted Gurr, A casual Model of Civil Strife: A Comparative analysis using new indices; in *American Political Science Review*, 1968, 67 (Dec) pp.1104-24, as quoted by Stevenson and Morrison. "Political Instability In Independent Africa" in *Journal of Conflict Resolution*, vol.15 (1971), p.355.

2. While John Lonsdale (1989) pp.6-8, among other historians prove that these people interacted in the pre-colonial period; it remains true that they did not co-exist within a national state in the strict sense of the term. B.A. Ogot calls Kenya a socio-political amalgam formed by the political merger of "tribes".

3. Khadiagala G.M. " Thoughts On Africa and The New World Order; *Round Table*, October 1992, Issue 324, p.431.

4. Welch C.E., "The Challenge of Change", in Patterns of *Africa Development: Five Comparisons* (Ed). Spiro H.J., Prentice-Hall, New Jersey (1967) p76-77.

5. Lonsdale J, " The Conquest State ", in *A Modern History of Kenya 1895-1980* (Ed) W.R. Ochieng, Evans Brothers, Nairobi (1989) pp.8-26.

6. Kundu N.B., "Ethnicity and the Challenge of Nationhood in Kenya," in *Kenya: The making of a Nation 1895-1995* (Ed) B.A. Ogot and W.R. Ochieng, IRPS, Maseno University (2000) p.171.

7. Ibid, p.173

*2 To date administration regions (provinces and districts) overlaps with the territorial configuration of ethnic groups. Nyanza province is mainly a Luo region; Coast province is dominated by the Mijikenda, Central province by the Gikuyu, Embu and Meru to give but a few examples. This should not be taken to mean that colonial dominaton did not contribute to inter-ethnic cooperation. Western education brought together young people from different communities, for example at Alliance High School. Indeed, missionary-trained elite was eager to transcend "tribalism" but was forced to make ethnic gestures in order to prove their credentials to their communities.

8. Khadiagala G.M, "Thoughts On Africa" Ibid, p431 and P.Kottak in his Chapter titled "Ethnicity and Ethnic Relations".

9 These authors are, for example contributors to the work edited by Anyang Nyong'o, *Arms and Daggers In the Heart of Africa: Studies In Internal Conflicts*, AAS, Nairobi (1993): Kundu N.B. (Ibid), Wanyama F.O., "The Role of The Presidency In Africa Conflicts," in *Conflict in Contemporary Africa*; (Ed) Okoth P.G., JKF, Nairobi (2000) and other contributions to the book by other authors including E. Mogire and M. Munene.

10. Institutions of State control include the police force, the army, the bureaucracy while those of popular participation are political parties, Parliaments, trade unions, independent Judiciary among others.

11. The triumph of Statehood over nationhood according to G.M. Khadiagala meant the triumph of the search and acquisition of political power over the establishment of a new basis for larger scale social integration; Khadiagala, Ibid, p.431.

12. C. F. Ochwada H., " Women and Conflict Resolution in the Great Lakes Region;" in (Ed). Okoth P.G. (Ibid) p.209 who calls the colonial state that has been given a new lease of life the " conquer state ". John Lonsdale, (Ibid) p.1 who calls it "the Conquest state"; (only implicitly does Lonsdale hint at its perpetuation); Richard Jackson, "The State and Internal Conflict " (2001) calls it a "weak state" and Demars W., " War and Mercy in Africa," (2000) who thinks that Kenya is a weak State at the precipice of total collapse.

13. Lijphart A., *Democracy In Plural Societies: A Comparative Exploration*, Yale University (Popular Prakashan) USA (1982) Pp.29-30.

14. Nnoli O, The State and Socio-cultural Development," in *Introduction to Politics*, Longman, England (1986) p..214

15. Ibid, p.214.

16. Ibid, p.218 Kenya's society is deeply and severely divided society with sharp ethnic cleavages. This is what Anyang Nyong'o calls conflicts that hibernates in society, Ibid, p.10.

*3 The nature of conflict or latent conflict in Kenya is further explored in the section that defines the terms used in this paper- "Definition of Terminologies."

17. Khadiagala G.M, "Thoughts On Africa," Ibid, p.431.

18. Wanyama F.O., "The Role of The Presidency In Africa Conflicts," in *Conflict In Contemporary Africa*; (Ed) Okoth P.G., JKF, Nairobi (2000) P.31. Wanyama notes that they wished to control state institutions so as to control the 'national' economy as if it were a private estate.

19. Okoth P.G., in his introduction of the edited publication *Conflict in Contemporary Africa*, Op, Cit, P.3.

20. This is what we will call in the section on definition of terms elite instability that in turn breeds communal instability.

21. Jackson R. " The state and Internal Conflict in *Australian Journal of International Affairs*, April 2001, vol.55, Issue 1, P.65; P.G Okoth, Op. Cit, P.4; and Demars W., " War and Mercy in Africa," Op.Cit.P.1., respectively.

22. Demars W., Ibid., p.1.

23. Jackson R., " The state and Internal Conflict ", Op. Cit. P.65.

24. Matanga F.K. " Leadership and Politics In Kenya", in *Kenya: The Making of a Nation 1895-1995* (Ed) B.A. Ogot.

25. Matanga F.K., Ibid, p.162; and Nnoli O., Op. Cit. p.214.

26. Kundu N. B., Op Cit, Pp. 183.

27. Wairagu F.K, *Ethnicity and the Democratization Process in Contemporary Kenya*, M.A Thesis, Moi University (1997), p.40; also see Premdas R.R, "Ethnicity and Nation Building: The Papua New Guinea Case," in *Ethnicity and Nation-building in the Pacific* (Ed.) Howard M.C, The United Nations University, Tokyo (1989).

28. Aseka M., "The Post-colonial State and the Colonial Legacy" in (Ed.) Ogot B.A and Ochieng W.R., *Kenya: The Making of a Nation 1895-1995*, Maseno University (2000) p.102.

29. Roosens E.E., *Creating Ethnicity: The Process of Ethnogenesis*, Sage, London (1989), p.19

30. Ibid, p.102.

31 Lonsdale J., "Moral Ethnicity and Political Tribalism," in (Eds.) Kaarsholm and Hultin J., *Inventions and Boundaries: Historical and Anthropological Approaches to the Study of Ethnicity and Nationalism*, Roskilde University (1994) Pp133-141.

32. Ibid, p.140.

33. Bates R.H., *Ethnicity in Contemporary Africa,* East African Studies XIV, Syracuse University (1973) p.3.

34 Todaro M.P., *Economic Development in the Third World*, Longman, London (1989), p.88.

35. Bell M., *Contemporary Africa: Development, Culture and the State*, Longman, John Wiley and Son, New York (1986) p.14.

36. Ibid, p.14. and Leys (1975) Pp.20-22.

37. Leys C., *Underdevelopment in Kenya: The Political Economy of Neo-Colonialism*, 1964-1971, EAEP (1975) Pp.20-22

38. Frank A.G., "The Underdevelopment of Development" in *Scandinavian Journal of Development Alternative* 10/3, and p.5 (1991).

39. Leys C., Op. Cit., p.42 (note 46).

40. Murphree M.W., "Ethnicity and Third World Develoipment: Political and Academic Contexts" in *Theories of Race and Ethnic Relations* (Ed.) Rex J & Mason D, Cambridge University Press, Cambridge (1986) p.160.

41 Khadiagala G.M, "Thoughts On Africa", Op.Cit., p.431. He also notes that the

search and acquisition of power was preferred over the establishment of a new basis for large-scale social integration.

42 Murphree M.W, "Ethnicity and Third World Development: Political and Academic Contexts" in *Theories of Race and Ethnic Relations* (Ed.) Rex J & Mason D, Cambridge University Press, Cambridge (1986),p. 158

43. Premdas R.R, "Ethnicity and Nation building: The Papua New Guinea Case," in *Ethnicity and Nation Building in the Pacific* (Ed.) Howard M.C, The United Nations University, Tokyo (1989), p.251

44. Shipley G, " War In Ancient Greek Society," p. 1

45. Ibid, p.4.

46. Ibid, p.8.

47. Ibid, p.8.

48. Ibid, p.8.

49. Ibid, p.5.

50. Clausewitz C., *On War* ----------,----------p. 111-112

CHAPTER TWO

THE FOUNDATION OF A FRAGILE STATE, 1963-1978

2.O INTRODUCTION: From Lancaster to Opposition Politics in a Fragmented State, 1961-1969

This chapter is divided into sections to distinguish between two discernible political periods during Kenyatta's reign. Between 1963-1969, Kenyatta was establishing political power and control over the newly independent country. One of the major tasks in this period of transition from colonialism to independence was to ensure that Kenya continued to be a united state. Having succeeded in establishing a contested but a strong hold on power and maintaining Kenya as a republic, the Kenyatta state reached it zenith in the late 1960s. Up to his death in 1978, the Kenyatta Government enjoyed relative security. By this time, some of the politicians perceived as a threat to Kenyatta or his close associates were politically subdued or deceased.

2.1 The Lancaster Constitutional Crisis

The birth of an independent Kenyan state took place following a long and divisive constitution making process. The intensity of ethno-regional suspicions and rivalry evident in this process would come to characterize the first dozen years of independence, and, ultimately, the entire post-colonial history of Kenya. This would seem to justify De Tocqueville observation that "as in the lives of men, the circumstances of the birth of nations deeply affect their development." This chapter concerns itself with the circumstances surrounding Kenya's independence and the subsequent events in the Kenyatta era which, taken together, form the backdrop for a discussion of the nature, the causes and social as well as economic implications consequences of ethnic conflict.

2.1.1 Political Storm Over Kenya

A political crisis greeted Kanu's 1961 election victory. A political face-off between settlers, the colonial Government, the British Government, Kenya African National Union (KANU) and Kenya African Democratic Union (KADU) characterized the immediate post-election period. Odinga describes this crisis as one that hung over Kenya "like a swelling storm cloud". KANU's victory was seen as spelling doom and stagnation for the country.[1] The political storm played itself out at the deadlocked inter-party constitutional talks between (February-April) 1963 and (September-October) 1963 at Lancaster House, Britain.

The highly tense constitutional conference formed part of three years (1960-1963) of tension generated by the fears of small ethnic groups that formed KADU [2] and demanded regional division of power or *majimboism*. These groups among them the Kalenjin, Maasai, Turkana, Samburu, Luhya, and the Mijikenda, Pokomo, Swahili, Taita and Taveta from the Coast, and the Somali feared domination of the numerically large ethnic groups, the Kikuyu and the Luo, in KANU. The small groups in KADU (about twelve ethnic groups) constituted 33 per cent of the total population against 32.6 per cent- this being the combined total of the two major groups that were supporting KANU (Kikuyu and Luo)-see *Appendix 1*. These groups, at the subtle encouragement of settler politicians such as Wilfred Havelock, Michael Blundell and Reginald S. Alexander [3] thus favoured a federal (*majimbo*) form of government with each region responsible for administration, local resource mobilization and allocation. Under such an arrangement, KADU reasoned, ethnic interest pegged on land, other economic interest and political power would be secure from the land hungry Kikuyu.

KANU opposed KADU's federal stance in favour of a unitary state and Government. The issue of whether or not to adopt a regional form of Government became a bone of contention between the two parties that not only delayed independence and threatened to break up the constitutional conference but also

foreboded the worst for the country. This is evident, for example, in the fact that a group of five Somali Government appointed chiefs brought from Wajir to Nairobi to discuss "the Somali Problem" at inter-party constitutional talks "threatened civil war unless they were allowed to secede at the time of the new constitution." Delegates from the Coast left no doubt that they too would not stop short of fighting it out, if peaceful secession was not granted. Prior to the Lancaster House Conference, the Regional Boundary Commission had gone around the colony receiving suggestions from all who had ethnic or regional grievances. Ethnic groups chose other groups with whom they wanted to live with or share a region. Visiting Garissa, Wajir, Mandera, Moyale, Marsabit and Isiolo, the commission found out that a majority of the Somalis wanted to secede and merge with the Republic of Somalia.[4] Such were the circumstances that characterized Kenya before independence.

Politicians made public statements that worked up ethnic feeling. Masinde Muliro, one of the KADU politicians said that if the party's regional plan was not accepted, its leaders had "a secret master plan." Willam Murgor of KADU went on record as having said that if the federal plan was not accepted, he would "sound a whistle to my people declaring civil war." Thus, as the nation moved towards independence, the Lancaster constitutional crisis seemed to forebode doom as civil war looked inevitable. According to new archival sources, [5] the *majimbo* plan had become an issue of intense contention during the last 51 days before Kenya's independence.

Frustrated, KANU threatened to declare independence on October 20th 1963 while KADU countered that it would dismember the country through *majimbo*. Civil war was imminent. The colonial administration put the police and the army on high alert as tensions mounted.[6] The foreign press captured the situation aptly. *The Guardian* wrote:

> In an exceedingly tense atmosphere, which caused Mr. Duncan Sandys to alter his plans of going to Blackpool, there was grim talk among delegates on both sides of the political fence about possibility of civil war breaking out in Kenya....[7]

Further evidence of potential strife in the colony is a telegram that was sent by Jean Marie Seroney, a key member of the KADU delegation to Moi. He wrote:

> Dishonorable betrayal of *Majimbo* agreement by Britishers.
> Alert Kalenjin and region and Kadu to expect and
> prepare for worst. Partition and Operation Somalia only hope.[8]

Another document was one written by a KANU supporter, Mr. H. J. Onamu who was then a Parliamentary Secretary to the Minister for Home Affairs (Odinga). In a carefully coded and confidential message, he raised suspicions and concern that something ominous was afoot in the country. He said that Mr. Moi and a Mr. Tanui were engaging in "cold war plans." Indeed, Mr. Onamu seemed to have stumbled upon "the master plan" that Muliro was talking about saying that the two (Moi and Tanui) were planning to invade and kill people during Independence Day (KANU's unilateral declaration of independence). *Morans* or warriors who were meant to make this attack were "to get accommodation in Menengai Hill to make offensive weapons of war." The full letter was as follows:

> ... A "master plan" to invade and kill people during the Independence Day Celebrations was arranged. Meetings were held by Messrs Moi and some European settlers and at a meeting on Menengai Hill, even Mr. Ngala, Kalenjin, Kenya African Rifles, Prison and Tribal Police Sergeants attended. The question of Kadu and NFD secessionist parties working hand in hand was discussed and there are arrangements already afoot for NFD to fight together with Kadu should the British Government fail to satisfy their demand.
>
> At a meeting on Menengai Hill it was agreed that enough huts be built on this hill to accommodate "Moran" to be able to organize themselves and to continue making offensive weapons for war i.e. bows and arrows, spears, etc.
>
> It was also agreed that similar preparations should start in Uasin Gishu district, Kipsigis, Baringo and on European farms where there are Kalenjin men...if the farmer himself was willing to support the movement. The manufacturing of these weapons is now going on on [sic] Menengai Hill, on a hill on Barine farm – Kampi ya Moto, eastern part of Kilombe and in two places in Baringo namely Noweit, 7 miles from Mogotio and Radad.[9]

The letter goes on to mention that certain CID officers were aware of these war plans but had not bothered to make official reports since most of them were Kalenjin and were supportive of the planned activities. He concludes the letter by noting that the Kalenjin had been asked to prepare to fight for the sake of keeping Moi in power. It

would seem, therefore, that the various ethnic alliances involved in Lancaster Constitutional conference considered the issue of regionalism to be a matter of life and death.

Determined to achieve independence without further delay, Kenyatta and the KANU delegation in London accepted the regional demands that placed Kenya under a federal constitution that reduced power at the centre and strengthened the regions. Thus, at independence on 12th December 1963, Kenya assumed regionalism which meant that: power was shared with Regional Authorities: trust (African tribal) land was in the control of the counties: and the existence of a bicameral legislature in which the Senate represented district or regional interests. KANU's concession to regionalism was Kenyatta's political strategy meant to:

a. Hasten independence.
b. Leave the Lancaster conference with an achievement to show the Kenyan public that it was not all for nothing.
c. To avert a civil war.
d. Most importantly, lose in the short-term by giving in to regional demands with the prospect of winning in the 1963 elections and thus being in a position to amend the constitution once in power.

Independence under the *majimbo* constitution also meant that Kenya was inherently or structurally a "divided" country. In KANU's view, the constitution inhibited attempts to integrate the various ethnic groups into a single nation-state.

Some ethnic groups had expressed their politico-administrative and economic preferences to the Regional Boundary Commission. That is, to remain exclusive. In spite of this, the Commission report disregarded their wishes and placed ethnic groups in regions they did not want. This heightened tribal jealousy and intensified the call for tribal exclusiveness, part of which found expression in the Lancaster Conference.

Further, after the conference, pre-independence elections of May 1963 - which were to produce an all-African assembly, and which was mainly a contest between KANU and KADU- featured tribal political campaigns between the two dominant African parties. The above circumstances surrounding the founding of the nation set the state for sour and tense inter-ethnic relationships in the future. Put differently, the period between 1960-63 was characterized by tension occasioned by ethnic suspicions and hostility. This is the immediate context within which the nation was born. Accompanying the above tension and ethnic factionalism was a society suffering from an acute lack of development.[11] This circumstances in which the young nation was born have, since, dictated the nature of Kenya's politics that have a tradition of turmoil.

The first in a series of events in the 1960s evidence to ethnic tensions was the Shifta war. This was as a result of at least three reasons: First was the feeling of neglect and exclusion from the colonial development policies of the Northern Frontier District. Secondly, the Somali people felt disappointed by the Regional Boundary Commission and frustration of the *majimbo* system by the Kenyatta Government. Lastly, the Somali identified themselves more with their kin across the border (in Somalia) and thus aspired to be included in a Greater Somali nation carved out of parts of Kenya and Ethiopia. The Somali inhabitants of Northern Kenya demonstrated "by their effective and total boycott of independence elections their desire not to stay in Kenya." [12] After the 1963 elections boycott, they launched a guerilla secessionist war (which explains the term *shifta* due to their constant "shifting" in their semi-desert environment) against the rest of Kenya and the Kenya Government in particular. While the war was countered forcefully by the colonial Government and later by the incoming Kenyatta Government through emergency powers, banditry in the north-eastern part of the country has, from the 1960s to the present, continued in the form of inter-border communal clashes, road ambushes and cattle rustling, which is dealt with in detail in chapter three.

2.2 Radicals Versus Conservatives or Early Succession Positioning?

Competition between the radical and the conservative wings of the ruling party KANU (that cut across ethnic boundaries) and the fear of communist subversion in the country, were other dimensions of political turmoil in the new state. The radicals, among them, Oginga Odinga, Bildad Kaggia, Achieng Oneko, Pio Gama Pinto and Z.A Anyieni, argued that old colonial attitudes persisted in the new African administration led by Kenyatta. They argued that independence had not been followed by nation-wide social and economic programmes, but rather, attention had been shifted to suit "the ambitions of ... self-seeking politicians" that had diverted people from the real aims of freedom. Among other things, they demanded free redistribution of the land formerly occupied by European settlers, free education, nationalization of the civil service and the private sector and the revitalization of KANU.

On the other hand, the conservatives among them Kenyatta and Mboya, differed on the manner in which African repossession of alienated land was to take place. They favoured and embarked on a system of transfer, which emphasized "free" access to *individuals* based on purchase.

The radicals saw this as an opportunity created by the conservatives to amass and own as much private land and property as they wished. Odinga led the attack against this approach, arguing that ministers and civil servants were competing between themselves to see who could buy more farms, acquire directorships and own bigger cars and grander houses. This intra-KANU ideological factionalism later degenerated into intense inter-ethnic (Luo-Kikuyu) rivalry (discussed in section 2.3 below). These differences also assumed another dimension: That is, positioning to succeed Kenyatta that further created rivalry and fragility.

As early as the late 1950s, Odinga had perceived a colonial plot to raise a new crop of younger and more reliable political leaders to replace the radical Kenyatta generation. Macleod, the colonial secretary, suggested James Gichuru and Tom Mboya as such

leaders. Specifically, according to Odinga, "the British and United States strategy seemed to converge on the grooming of Mboya for leadership in the place of Kenyatta, and with the help of Gichuru, Mboya hoped to rally Kikuyu support." [13] Odinga, therefore, made the return of Kenyatta to political life the touchstone of African demands thwarting such plans. This was the beginning of Odinga's personal rivalry with Mboya and, to a lesser extent, with Gichuru.[14]

Odinga won the day when Kenyatta became the first President of the country and subsequently appointed Odinga to be Vice-President. Odinga's foes, however, exploited his radical ideological stance to edge him out of the succession matrix. The attitude adopted by Odinga's rivals in Government had serious implications for the stability of the country.

Branded a dangerous communist, Odinga was allegedly connected with the 1964 army mutiny in Lanet Army Barracks in Nakuru. The mutiny followed Babu's successful Revolution in Zanzibar on 12th January 1964. Besides this Revolution being a cold war scare in East Africa on a large scale, Odinga was known to have close associations with Babu's revolutionary Umma Party. In his book, Odinga confesses that he knew that the Umma party was planning a revolutionary coup.[15] This close association with outside forces and especially John Okello, a Ugandan perpetrator of the Revolution, increased suspicion that Odinga must have been behind the Lanet mutiny. Whether these suspicions were merited or not, Odinga's foes were determined to take advantage of the situation to discredit him in Kenyatta's eyes. It was alleged that a number of Chinese had landed in Kenya and immediately transported to Kisumu where they later vanished. [16]

Increasingly, following such allegations and the January 1964 mutiny that was quickly overcome but not quickly forgotten, [17] Odinga was treated with suspicion even by Kenyatta himself.[18] In the months that followed the mutiny in 1964 and 1965, politics was conducted in an atmosphere of tension. There pervaded in the country a fear of the unknown.

Fear led to talk and suspicion about the existence, in the country, of a "group of people prepared to use force to overthrow the Government." In March 1965, Nairobi was "alive" with rumours of an impending coup, and the existence of a cache of arms in a Government office that were allegedly to be used for that purpose."[19] It is not surprising that these arms were in the basement of the Government building that housed Odinga's Ministry of Home Affairs office.

The above rumours were followed in May by the impounding of a cache of arms in Kisii, which borders on South Nyanza and was seen to be connected with Odinga. It was alleged to be a shipload from Russia, providing further proof that there was a subversive group in the country.[20] The cache, however, belonged to the Ugandan Government that had rerouted the arms through Kenya without Kenya's prior knowledge. This not withstanding, a Ugandan delegation, sent to Kenya to have the arms released, was told by some cabinet members that the arms were Odinga's much to its surprise. This event and other similar rumours caused intense suspicion of subversion in Kenya. These suspicions went back to the Zanzibar Revolution and kept fears of communist interference alive in Kenya. Odinga (1967) notes that Kenyatta had started to doubt his intentions since the revolution in Zanzibar and the army mutinies in the three East African countries around 1964. Goldsworthy (1982) also notes that by mid-1964, stories that Odinga was building a private armory were rife and the police and the Special Branch were told to keep an eye on him.

The assassination of Pio Gama Pinto, who was a radical nationalist associated with Odinga's KANU faction, on the morning of 24th February 1965, generated more fear, as an anonymous letter circulated to Members of Parliament alleged communist complicity in the murder. Since the mutiny, therefore, there pervaded an atmosphere of crisis in Kenyan politics that was readily explained by forces opposed to Odinga to emanate from his known association with Eastern countries. There is no existing evidence to support the argument that these fears were real or perceived or both. However, it is evident that there was a systematic scheme to hold Odinga hostage, silence him and to exclude him from Government. The architect of this political

onslaught was Tom Mboya who unwittingly did so on behalf of politicians around Kenyatta (otherwise referred to as the Family).

The epithets that KANU radicals threw at KANU conservatives, and vice versa, that is, "communists" and "capitalists" respectively, were mere tactics used by the two sides to discredit each other. The conservative branding of Odinga as a communist, for example, was quite effective in undermining him politically and finally eliminating him from power circles. These terms fit the ideological and policy debate between the two KANU factions noted above. The debate masked the battle for future leadership of the party, the independence Government and the state. Most of the time, however, this division is viewed as a struggle between true nationalists on the one hand and conservative forces that stepped into the place of the colonial powers on the other. The former group, led by Odinga, argued that the "independence struggle was ... meant to cast off the yoke of colonialism and of poverty." [21] It was not a question of individuals enriching themselves but of a concerted national effort to fight poverty in the country as a whole.

They perceived themselves as the true nationalists who unswervingly followed the true KANU policy, for example, on land and nationalization, and who opposed the few in Government who wanted to use their positions to accumulate wealth.[22] In spite of the dominance of this perspective of intra-KANU factionalism, it is argued here that both the radical nationalists and conservatives succumbed to power politics and ethnic rivalry characterized by suspicion. Either as a result or as a separate development, the social and economic welfare of the masses that meant reaping the fruits of Uhuru (independence) was neglected.

To fully understand the differences between the two KANU factions, reference has to be made to the rivalry between KANU and KADU. Both parties were a reflection of ethnic-based associations of the 1920s and 1930s such as, the Kikuyu Central Association, Ukambani Members Association, Young Kavirondo Association, Mwambao United Front, and the Taita Hills Association, among others. These parties

were not national or transethnic-oriented. They encouraged the spirit of animosity, suspicion and ignorance that had characterized inter-ethnic relations in the colonial period.[23] Kundu (2000) notes that the formation of KANU and KADU in March and June1960 respectively meant the continuation of ethnic rivalry and conflicts. The ethnic alliance in KADU demanded regionalism for at least two reasons: It seemed to be the only way to safeguard equable distribution of national resources such as health services, education, water, electrification among other services. Secondly, they feared Kikuyu-Luo allied domination.

KADU's worries were proven correct soon after independence. The Kenyatta Government was reluctant to implement the regional plan. The system was deliberately undermined and rendered unworkable through various schemes. For example, the KANU Government denied financial and other provisions to the regions, as required by the constitution. Central Government, therefore, controlled the allocation services and national resources meant to be taken over by the regions. Ostensibly, this was meant to ensure support for a unitary Government and state. This strategy, however, was used to discourage political opposition with disastrous effects on the social and economic well being of geo-ethnic regions.

It became evident to KADU leaders that the regional system, was, after all, not effective in checking the Kikuyu and the Luo, who now encroached on tribal land belonging to minority ethnic groups. Even after KADU had merged with KANU, the Government's settlement scheme favoured Kikuyu immigrants who were allocated land in the Rift Valley. The Kikuyu played a big role both as participants in the official settlement in Nyandarua District, for example, and as private individuals or collective buyers of large farms. The same happened in Nakuru, Uasin Gishu and Trans Nzoia districts. This acquisition of land in the Rift Valley created tensions leading to major conflicts between the Kalenjin and the Kikuyu ethnic groups especially after the Nandi Hills Declaration by the Kalenjin elite.[24] Ethnic clashes in the 1990s, discussed in chapter four, sprang from perceived Kikuyu, Luhya, Luo and

Kisii invasion of ancestral land belonging to the indigenous ethnic peoples in the Rift Valley.

After independence, the numerically large Kikuyu and Luo ethnic groups were able to consolidate the privileged positions they had enjoyed in the colonial bureaucracy. Observing this entrenchment of the Kikuyu-Luo allied interests Gertzel (1970) writes that:

> In 1964 KADU leaders regularly alleged that the Kikuyu and the Luo were given far too much preference in both appointments to the civil service and the allocation of resources, especially loans to farmers and traders. [25]

KADU politicians like Masinde Muliro, who in the Lancaster constitution had spoken of a "master plan" or "operation Somali", argued that KANU's bid to repeal the powers of the regions would only mean, full central Government control in the interest of, not the nation, but the "composite major tribes in the Government." [26]

The Kenyatta Government increasingly came to be viewed as a Kikuyu Government. The Kikuyu, his ethnic group, was seen as more privileged than the rest. Indeed, the Kikuyu dominated key Government and public sector positions in the Kenyatta era. For example, even though they formed 21% of the total population, they constituted 40% of the private sector.[27] In a Government cabinet consisting of fifteen ministers, nine were Kikuyu, not to mention the portfolio held by Mzee Jomo Kenyatta.[28] The domination of Government by one ethnic group was disturbing.

However, only a small clique around the person of the President, referred to as the Family, inner court or kitchen cabinet benefited from Kikuyu Government dominance. As noted in the conclusion below, the enjoyment of modern infrastructure, education and credit facilities and other social amenities by the Kikuyu in general and the Kiambu Kikuyu in particular, was relative and intended to secure ethnic group support. The Kenyatta clique used it as an ethnic base to hold onto political power.

The Gatundu Kikuyu caucus around Kenyatta rendered the cabinet almost irrelevant. It consisted of Mbiyu Koinage (brother-in-law), Njoroge Mungai (nephew), Charles Njonjo, Udi Gecaga and Ngengi Muigai. Its outer core consisted of Kikuyu, Embu and Meru leaders, who between them controlled the bulk of important Government ministries. Also included in the outer core were a few non-Kikuyu who represented their respective ethnic groups in Government among them, Daniel Moi and Ronald Ngala (after the dissolution of KADU). It is this group then, especially the core, which wielded power and enjoyed "matunda ya uhuru" (the fruits of independence).

This state of affairs meant that Kikuyu domination both perceived and real. Perceived because the full benefits of "being" in power did not benefit ordinary Kikuyu, and real because Kikuyu elite enjoyed privileges associated with positions of power. Nevertheless, the Kikuyu came to be seen as the major beneficiaries of independence. Right from the beginning, owing to ethnic suspicions, there was a perception that the Kikuyu were domineering and a land hungry community. Perceived or real, Kikuyu domination was denounced not only by KADU but also KANU members as well. For example, Mr. Okelo-Odongo, then an Assistant Minister for Finance, speaking at a public luncheon felt it necessary to warn that there was no place "for establishing one clan or one tribe as a ruling class in African society."

The inclusion of a few ethnic leaders in the outer core of his kitchen cabinet was Kenyatta's attempt to avoid ethnic discrepancies in the distribution of political power and wealth, and thereby to contain the opposition. This minimal inclusion in the cabinet and power circles has been aptly described by Throup and Hornsby (1998) as the "spoils system." That is, a Government patronage network that spanned the civil service, parastatal appointments and the issuance low-interest loans. More importantly, this system was used to demolish the *majimbo* system as well as undermine KADU's opposition. KADU's tough opposition was eroded with tribal ambassadors such as Moi, Muliro, Ngala and Shikuku joining the ruling party in the few months before Kenya's first Independence Day anniversary. These segment leaders decamped in exchange of "favours, preferment and a better deal for their communities in the

allocation of national development ...." The earlier one crossed over to KANU, the better the terms offered him by Kenyatta, and by extension, the Family.[29]

2.3 The Dissolution of KADU and KANU Factionalism

The dissolution of KADU in December 1964 was a major boost for the country's unity. The newfound unity, however, did not consign ethnic rivalry into the dustbin of history as it was hoped. Rather, it meant the use of political leadership as a channel for the disbursement of token development projects, temporary economic and social privileges and handouts. Political leaders seemed to mind "their own" people who in turn regarded them as "our person." [30]

The dissolution of KADU not only enlarged but also strengthened the conservative wing in Kanu. Led by Mboya, this wing favoured economic liberalism for Kenya's development.

KADU's dissolution left an opposition vacuum while at the same time strengthening the conservative Mboya wing. The vacuum was filled by the radical KANU wing led by Odinga, which now intensified its opposition and criticism of Government policy from within (the party). To KANU leaders such as Odinga, the fact that independence seemed to benefit a few individuals largely drawn from the Kikuyu community was betrayal of the KANU manifesto and of Kenyatta's Independence Day promise that economic and social development would be distributed equitably among the masses without differential treatment based on tribe, race, religion or class. The radical group was angered by the looting and grabbing frenzy of the inner court which was accompanied by the distribution of favours to the chosen few "from my ethnic"group.[31]

The radicals had joined the anti-Kenyatta KADU opposition long before the latter's dissolution as noted above. They disagreed with the Government's policy of allocation and distribution of resources. KANU backbenchers were anxious about the development of their constituencies that they thought neglected. They felt that this was

the case since constituencies represented by cabinet ministers (who were mostly Kikuyu) enjoyed greater social and economic development opportunities compared to those of ordinary members of Parliament. These backbenchers observed that the distribution of development and services was not according to need but as per the wishes of those who controlled Government. Ministerial positions were used to take, to home districts, as much as the office holders could. According to Wamwere (1992) ministers behaved as "warriors who are in Government in order to grab as much as they can." Ministers did not, therefore, belong or minister to the needs of the whole country but to their respective home district, their nationality and ethnic group. They took jobs, roads and hospitals to their ethnic groups for whom they were appointed and, therefore, had to serve. This is the tendancy that was challenged by KANU backbenchers as it implied neglect of their own areas in terms of allocation of resources, services and development projects, and loans to farmers and traders.[32]

As observed earlier, Government neglect was both perceived and real. Actual neglect continued in 1965 in spite of *de facto* end of multiparty politics an year earlier leading to criticism of Government policy on the grounds that it did not spread development and economic benefits evenly. The neglect people of North Eastern Province got from the Government, for example, embittered Mr. Khalif, a Member of Parliament from Wajir North. He would later cross the floor together with other bitter members to join the Kenya People's Union (KPU). [33] It was argued that Kiambu District and Central Province in general, were being given special preference over the rest of the country. However, a few Kanu backbenchers from Central Province were, themselves, critical of the allocation of resources and decisions about development. Nyeri and Murang'a members were particularly critical of the favouritism accorded to Kiambu in contrast to their own districts, which they believed to be the result of the dominance of Kiambu ministers in the cabinet.[34] It is in this way then that these grievances hardened the stance taken by the radicals in response to the strengthened conservative position and the opposition vacuum after KADU's dissolution.

2.4 The Kenyatta – Odinga Fall Out

While the allocation and distribution of resources was a tribally charged debate, it was incorporated within the radical nationalist position in issues like the land question, nationalization and Kenya's foreign policy. It is a fact that Odinga was gradually being excluded from Government: That resettlement covered only a million acres out of a possible eight million: That land was not free or nationalized: That a racial breakdown of land transfers outside resettlement schemes show that Europeans acquired 54% of the total while Africans got 39% and Asians acquired 7%s: Lastly, that wealth and political power was confined to a few privileged people. In light of these realities, the Odinga group argued that it was *Not Yet Uhuru.* To them, the British had been replaced by a largely Kikuyu socio-political class which discriminated against the other ethnic groups in the allocation and distribution of resources. This took place against the background of fear and crisis that characterized Kenyan politics, discussed earlier.

By 1965 the political isolation of Odinga and his followers was not just a matter of succession politics or sheer ideological antagonism. It was clear by this time that "a decision had been made to force the radicals to retreat or withdraw from KANU." [35] The first salvo targeted towards this end came in the form of a motion moved by Mboya on 15th February 1966 reiterating confidence in Kenyatta and his Government. He also deplored the existence of a rebel group in Government and Parliament. Odinga left the house in protest. The motion was forced through after a rowdy and heated debate in which seven members were removed from the chamber for misconduct.[36]

Mboya also orchestrated the last scheme aimed at containing Odinga politically. He used his position as KANU's Secretary-General to call a sudden party conference in Limuru on the 12th and 13th of March 1966, which ensured the conservative wing's victory. The Mboya group established its ascendancy in the party hierarchy by making amendments in the party constitution that put paid to Odinga's continued existence in

the party. Some of the amendments were, for example, the expansion of the Secretary-General's responsibility from covering "all union correspondence" to "all union affairs." Most important was that eight provincial Vice-Presidents replaced the post of deputy party President, which was held by Odinga. The amendments thus simultaneously weakened Odinga's position while strengthening Mboya's. Odinga resigned from Government and KANU on 14th April 1966, a month after the conference, foreshadowing the formation of KPU, which he officially launched on 26th April. [36]

2.4.1 The "Little General Elections" and the Social and Economic Marginalization of the Luo Community

The resignation of Odinga occasioned massive defection from KANU, which demanded that MPs who joined KPU seek fresh mandate from the electorate. The elections that followed were held in most parts of the country and especially in Nyanza Province hence the term "Little General Elections" of 1966. Following the Kenyatta-Odinga fall out, what was originally an ideological debate and call for equitable distribution of resources, generated into an all out ethnic confrontation. At first, KPU was well represented among the Kikuyu and Luo communities among others. At the time of defection and the formation of the party, Odinga had a fairly representative following of thirty members who included two ministers (Achieng Oneko and Okelo-Odongo). Following Kanu intimidation, however, this number went down to thirteen members, most of whom were Luo. By the end of the "Little General Election," KPU was a "rump" of nine who were all Luos from Nyanza Province. In the elections, ethnicity in the struggle for state power proved more influential than ideology or class in determining political preferences.[38] The election campaigns were an ethnic affair which aptly portrays the manner in which ethnic conflict in the form of the KPU-KANU rivalry would affect the social and economic welfare of the Luo.

Goldsworthy (1982) has noted that KANU's campaign in Central Nyanza was "classic carrot-and-stick campaigning." It promised local development projects (the Kano Irrigation Scheme, for example). At the same time, KANU spokesmen did not "hesitate

to point out that it was the Government which controlled the country's resources and through which development took place". The Luo were categorically told that a vote for the opposition meant that they were not prepared to work with the Government and as such, it "would not listen to their demands." KANU argued that KPU was an opposition party that would have no impact on ethno-regional development. If the Luo supported it, they could not expect Government assistance for development. Supporting KPU, the "enemy" of Government, would have repercussions. No one helped his enemy, KANU argued. Thus, the Luo were left without any illusions that endorsing KPU meant isolation from and neglect by the Government and the rest of the country. They had to expect to be left behind.[39]

Once again to contain Odinga in the context of opposition politics, the Kenyatta Government and KANU relied upon Mboya, a Luo. He spearheaded the campaign trail in Nyanza province. He warned the Luo that they risked being by-passed by Government development efforts if they voted for KPU.[40] KANU campaigners, led by Mboya, echoed Kenyatta's warning that "those who tried to play with the Government would be trampled on like mud."[41] But then, if the Luo would vote for KANU and support the Government, there was the promise of improving the poor condition of health, education and other social services. KANU did not deny the fact that these conditions were already poor in Nyanza. It, however, took the opportunity to make new development gestures. For example, in Ugenya, the KANU team promised to open a new boy's secondary school and gave money for the improvement of Simenya Nursery and Primary Schools, and promised to find some means of aiding the new *Harambee* Secondary School being developed at Sigomere. It was argued that Odinga had done a great disservice to the Luo community by resigning from the second most important office of the land.[42]

KPU candidates, on the other hand, questioned the apparent discrimination against the Luo as an ethnic group. There was talk about discrimination in civil service appointments, for example. It was argued that the Luo were forgotten in social and economic development and had been left behind by the other communities, especially

the Kikuyu, in the allocation of resources such as agricultural credit. The delay of the commencement of major projects proposed for Nyanza (the Kano Irrigation Scheme) was cited as evidence of this Kenyatta-led-Government neglect. KPU used the campaign as an opportunity to explain that poor social and economic conditions existed among the Luo because the Kenyatta Government had failed to meet its independence promises, and had deliberately discriminated against the Luo. Central Nyanza's difficulties of land, education and health services had resulted from the Government's failure and discrimination. KPU used as illustrations, the poor condition of primary schools and the paucity of medical facilities in the region. The party did not find it difficult to explain all this in terms of Government discrimination based on ethnicity. The charge of Government neglect was interpreted in terms of Kikuyu domination in the Government. It was said that the persistence of social and economic hardship among the Luo was attributable to the "Kikuyu domination in the cabinet and the civil service which gave them control over policy." [43]

In this way, therefore, the election campaign became the arena in which a community's livelihood and well-being not only became a political gamble but also a contest that pitted the Kikuyu on the one hand and the Luo on the other. In this ethnic conflict, Jomo Kenyatta not only embodied Kenyan nationalism but also, "the spirit and identity of Kikuyu nationalism." On the other hand, Odinga symbolized the Luo identity. The Luo Union, which had in 1965 elected him as the political leader of the Luo (in East Africa), provided him with a mass base in Nyanza. The campaign and election showed the "inter-connections between personal and ethnic loyalties": That political leadership in Kenya was tied intimately with identity: Lastly, that individual political quest and ethnic welfare "were closely interwoven." [44]

According to Gertzel (1970) the "Little General Elections" also demonstrated the influence of district (ethnic) bosses who determined the political choice of a region. The election results proved this as Odinga and Kenyatta stood as the unrivalled bosses in Nyanza and Central provinces respectively. In the Rift Valley, Moi emerged as the most influential of all the Kalenjin leaders in the Kikuyu-Kalenjin alliance against the

Luo. Kenyatta had, in a stroke of political genius, turned his erstwhile KADU foes into allies. Ngala the Coast Province boss entered the cabinet, while Moi was to later be promoted to the Vice-Presidency.[45] This marked the emergence of ethnic (segment) leaders who acted as political brokers on behalf of their communities at the centre where decisions about the allocation and distribution of the national cake were made.[46]

Lastly, the "Little General Elections" marked the beginning of the politicization of development in Kenya. The elections did not quite present a choice between Kenyatta and Odinga in the political power struggle at the centre. Much as there were Luo cabinet members, the election was a Kikuyu-Luo affair. While both parties denounced appeals to tribalism, neither was able to keep ethnic identity from becoming the important factor it was.

KANU won eight of the ten Senate seats and twelve of the nineteen House seats in a resounding election victory. KPU was left with only nine Members of Parliament six, of whom were from Central Nyanza, two from Machakos and one from Busia. The Luo had revealed their stand. The Kenyatta Government used the "stick" against the rebellious Luo. After the elections, it excluded the Luo from the fruits of independence. They were shut out from the corridors of political power that was accompanied by the suspension of development projects in Nyanza. For example, the idea of a Kenya-Uganda highway passing through Luoland was shelved since the Luo had shown that they were enemies of the Government. Similarly, plans to build the Yala Hydroelectric Plant were put on hold.[47] Thus the generally poor social and economic conditions in Nyanza (that existed even before the Kenyatta-Odinga fall out) were accentuated.

2.5 The Mboya Assassination

The preoccupation with Odinga's containment had overshadowed an ongoing power and succession struggle in the conservative group in KANU. With the successful exclusion of Odinga, designs on who and how to succeed Kenyatta re-emerged forcefully. The

figures involved were politicians in the Family, who allied against Mboya and his supporters (Lawrence Sagini, Ronald Ngala, Jeremiah Nyagah and J.M Kariuki). The exclusion of Odinga in which Mboya had played a crucial role, left him with political sway in Kanu. A naturally flamboyant politician, Mboya was "the most articulate and visible of Kenya's politicians." [48] Politicians such as Mbiyu Koinage, Charles Njonjo and Njoroge Mungai regarded him with much fear and jealousy. To these men, Odinga's exit meant Mboya's increased chances to succeed Kenyatta. He was a threat to the Kikuyu clique's political and socio-economic dominance and an "extremely painful thorn in the flesh ...." [49] The inner clique had fully exploited his political talent to liquidate Odinga but they also knew that by so doing, Mboya had entrenched himself further in power. To them, he had outlived his usefulness and had to be eliminated, or else he would manoeuvre them out of power.

Attempts at containing Mboya constitutionally and politically failed. After Kenyatta had suffered a mild stroke in May of 1968, Njonjo and Moi had tried to raise the minimum age of Presidential candidates from 35 to 40, which would have effectively barred the 37-year-old Mboya. Political attacks included the deportation of his American friends, undermining him as KANU's Secretary-General and finally invading his trade union power base by toppling Lubembe, Mboya's man from leadership. Gradually, Mboya drifted from the inner group and became less willing to do them any more favours. He, for example, failed to lead KANU's campaign (as he had done in the "Little General Elections" of 1966) to defend the Gem KANU seat left vacant after Argwings-Kodhek's decease in 1968. Mboya was aware that his enemies were getting "nervous and desperate" and this left him uncertain of the future.

On July 5th 1969 Mboya was assassinated. According to Goldsworthy (1982) there were riots and demonstrations in the towns and villages along side Lake Victoria and mobs in Kisumu and Nairobi stoned Kikuyu shops. To many Luos, the Kikuyu leadership had eliminated Mboya so as to block him for succeeding Kenyatta. In their view, the Kikuyu had systematically planted obstacles in the way of the Luo to ensure that they did not take

leadership after Kenyatta. Both Odinga's "removal" from KANU and Mboya's assassination were seen as such obstacles.

Scholars of Kenyan history, among them Goldsworthy (1982), Kundu (1992) and Throup and Hornsby (1998), observe that this assassination released pent-up ethnic tensions and hostility in the country especially, between the Luo and the Kikuyu. It intensified ethnic animosity and rivalry between the two communities. This constituted a political crisis that according to Karimi and Ochieng (1980) lasted for six months.

2.5.1 Post-Mboya Assassination Crisis

Goldsworthy (1982) and Karimi and Ochieng (1980) characterize the period following Mboya's murder as one marked by political turbulence. The Kiambu political elite initiated an oath of solidarity in Gatundu, the President's home district. It was meant to foster the Kikuyu unity needed to ensure that "the flag of Kenya shall not leave the House of Mumbi." [51] According to Karimi and Ochieng (1980), this oath whipped up ethnic feeling that benefited Kiambu leaders who were desperate to unite the Kikuyu against, the Luo ethnic paranoia following the socio-political and economic exclusion and the Mboya assassination, as well as any other forces. These two authors observe that this, and other acts of lawlessness, threatened to divide the country right down the middle.

The tension and hostility between the Luo and the Kikuyu was demonstrated during Kenyatta's visit to Luo Nyanza where he was expected to open a new hospital built with funds donated by Russians. The visit proved to be a repeat of what had happened months earlier at Mboya's requiem mass where Kenyatta had been heckled and the Presidential convoy pelted with stones, sticks and shoes. In Kisumu, the Presidential bodyguards opened fire killing over fifty people.[51] The Government later used the Kisumu Tragedy as an opportunity to ban the KPU and to put Odinga and some of his supporters such as Wasonga Sijeyo under house arrest.

In so doing, the Kenyatta clique effectively contained the post-Mboya Odinga front that the assassination of Mboya had produced. With the Luo political giants successfully liquidated, the Kenyatta regime entered its zenith. According to Ochieng (1995) it entered a period of personal rule.

He writes:

> The real institutions of the state were Kenyatta and his court, the civil service and the armed forces machinery of 'technical assistance' and aid. [53]

Thus, after the tensions and crises of the early and mid-1960s: (The constitutional crisis, the Shifta war, the 1964 army mutiny, early succession positioning, the Mboya assassination crisis, and the rivalry and hostility between the Luo and the Kikuyu), the regime and Kenyatta's inner court seemed to enjoy calm. But not for long as new fears and new crises emerged.

2.6 The Kenyatta State: Climax and Decline, 1969-78

2.6.1 Macbethan Fears in the Family

Kenyan historians have argued that the political calm that the Kenyatta regime seemed to enjoy after Mboya's assassination and Odinga's removal from power was only apparent. Ochieng (1995), for example, notes that there was no total calm amidst what he calls "the members of the old court." Karimi and Ochieng (1980) on the other hand observe that regardless of the fact that two of most important candidates for the Presidential seat were out of the way, the political fears of members of the Family were still firm. The two compare these fears with Macbeth's unease:

To be thus is nothing but to be safely thus; our fears in Banquo stick deep .... [54]

The greatest threat to the Family in the Kenyatta succession in the 1970s was Daniel Toroitich arap Moi, the Vice-President. The Family was also concerned that a young Kikuyu politician, J. M. Kariuki, who combined Odinga's radicalism and Mboya's charisma, was attracting their followers.

2.6.2 The Planned Coup of April 8th 1971

In 1970, rumours of a planned coup exacerbated unease. According to Throup and Hornsby (1998), the apparently mature Kenyatta state was shaken by "the discovery of a coup plot" which was being planned by three top Kamba figures, Chief of Defense Staff, Major General J.M Ndolo, the MP for Yatta, Gideon Mutiso and the Chief Justice, Kitili Maluki Mwendwa, together with a few military officers who were mainly Luo. A former army cadet, Joseph Owino, who had been involved in the Kahawa mutiny in 1964, had helped to hatch the coup plot, otherwise called the "infamous conspiracy." In the trial that followed, the court heard that the group had approached President Julius Nyerere of Tanzania who had refused to assist the plan. It also heard that the men planned to kill Kenyatta and Moi thus clearing the way for the Chief Justice, Kitili Mwendwa to become President. Essentially, the plot was to overthrow the Government, a charge to which all the men pleaded guilty. Whether the plot was a Government-sponsored allegation or a real threat to Kenyatta's regime, it proves that the foundations of the post-colonial state rested on a divisive ethnic perception of political power.

2.6.3 The Ngala "Accident"

The death of Ronald Ngala in a fatal road accident on 12th December 1972, exactly eight years after he had led the Kadu opposition to Kanu, is also one of the things that disturbed the calm of the Kenyatta state. Ngala was a highly visible political figure and one of the leading nationalists. His death was, and has continued to be surrounded by political intrigue. In his comprehensive documentation of Ngala's political life, Gona (1990) does not rule out the possibility that the fatal road "accident" could have been planned. He notes that at the time of his death, Ngala had a following at the national level second only to Mboya since those who had supported the latter had thrown their weight behind him.[56] These were politicians such as J.M. Kariuki, Mwai Kibaki, Robert Matano, Francis Tuva, Masinde Muliro, Lawrence Sagini, Ngala Mwendwa and Joseph Kase. This support was not only multi-tribal but also from such party heavy weights as

Kibaki, Sagini and Khasakhala who were Kanu Vice-Presidents in their respective Provinces.

Whether the "accident" was planned or not is a question that is still unresolved. What is known, however, is that Ngala was an ambitious politician. In the mid-1960's, the "Corner Bar" group (some of whose members are mentioned above) proposed him as Jaramogi Odinga's replacement as Vice-President. He would, they projected, eventually take over the country after Kenyatta. Other members of the "Corner Bar" group are Malu, Gachago, G.G. Kariuki and Okwanyo. In light of the above, while Ngala's death might have been an accident, one must appreciate that his demise was at a time when a particular section of Kenyatta's inner court was growing apprehensive of Mzee's advanced age, and, therefore, wary of the question of his succession.

2.6.4 The J. M. Kariuki Assassination

With the demise of Mboya and Ngala, and with Odinga behind bars, J. M Kariuki emerged as the leader of a new "informal opposition" composed of radicals who had once supported Odinga and conservatives who had supported both Mboya and Ngala. Some of them were Martin Shikuku, Masinde Muliro, Lawrence Sagini, Burundi Nabwera, Charles Rubia and J. M.Seroney. According to Throup and Hornsby (1998) this group gave KANU more focused criticism than it had endured under KPU. J. M., as he was popularly known, unlike the KPU socialists, regarded himself as a man of the people who stood for "justice and the equity of man." In and out of Parliament, he championed people's rights to free medical services, education and land.[57]

While he posed no direct threat in the succession and power matrix, he was an irritant in the eyes of Kenyatta's inner circle because he threatened the regime's popularity inside its own ethnic bastion (as opposed to Odinga and Mboya who had questioned the authority of the state from outside the Kikuyu stronghold). Moreover, like Mboya, he had multi-ethnic support. Lastly, and most importantly, he threatened to not only mobilize the

Kikuyu masses but also all the *maskini* (poor people) against a conspicuously wealthy "Kikuyu elite, especially Kenyatta's relatives and close allies." [58]

J. M. openly spoke of a "small but powerful group of greedy, self-seeking elite in the form of politicians, civil servants and businessmen" who had steadily "monopolized the fruits of independence to the exclusion of the majority of the people." He said, "We do not want a Kenya of ten millionaires and ten million beggars". J. M. also criticized the Kenyatta Government for its failure to "forge several tribes into one nation since independence." [59] Such criticism made him unpopular with members of the inner circle. He knew that these people wanted to harm him but he vowed to speak for his brothers and sisters who were less endowed with material wealth. In March 1975, he was found dead having been badly beaten and shot on Ngong Hills. According to Bayart (1993), J.M's economic nationalism and vilification of corruption, and social inequalities was considered as treason as it took place at a decisive time in the division of the spoils of the colonial era. His murder set off " a tremendous furore provoking open attacks on ... state apparatus...." Following Parliamentary committee inquiries into how and why J. M was killed, it was reported that senior members of the regime, including the President's brother-in-law, Mbiyu Koinage, and Ben Gethi, the Commandant of the General Service Unit, might have been involved. [60] Bayart (1993) stops short of seeing State House complicity in the murder. J.M's significance in politics of the Kenyatta era is discussed in the conclusion below.

2.6.5 The GEMA-Moi Succession Debacle: The Ngoroko Affair

By 1976, the Kenyatta inner clique had weathered many political storms and gotten rid of would be opponents and rivals. By then, Kenyatta had entered his late eighties and was deteriorating in health. There was a palpable urgency to ensure that the presidency, and, therefore, the socio-economic political fortunes of the Family, would not slip out of its hands. In the early 1970s, a group of Kiambu politicians had expressed fear that Moi's continued occupancy of the vice-presidency posed a threat to their designs on political power. Since Kenyatta was old and unable to control his Government, this group argued

that there was need to change the constitution and create the position of an executive prime minister to carry out some of the Presidential duties. The premiership was to be occupied by a younger man. The Kiambu group, according to Karimi and Ochieng (1980), had in mind Dr. Njoroge Mungai, one of their own. Kikuyu technocrats such as Kibaki and Njonjo, however, countered that the Kikuyu's socio-economic and political hegemony was safer under a non-Kikuyu President such as Moi. There was, therefore, no need of such an office. The battle between the inner court and the Njonjo-Moi group intensified in 1976. Since Moi could not be dismissed or assassinated, the only way seemed to render him irrelevant in the power-succession matrix was by changing the constitution or through "safer measures" in case of Kenyatta's sudden death. [61]

By 1976, efforts at convincing Kenyatta to retire or to allow the creation of the position of premiership had failed. The Kiambu group, which by this time had consolidated support from the Embu and Meru, devised another scheme to ensure that Moi did not automatically ascend to the presidency upon Kenyatta's death. Originally formed in 1971 to oversee the welfare of the Kikuyu, Embu and Meru alliance, the Gikuyu, Embu and Meru Association (GEMA) led by Njenga Karume, Kihika Kimani, Njoroge Mungai, James Gichuru and Jackson Angaine, now launched a campaign to change the constitution. In this bid, it got support from disaffected politicians from other ethnic groups such as, Paul Ngei John Konchellah, Grace Onyango and, to a limited extend, Odinga.

The GEMA Nyahururu conference and Declaration of April 1977 summarized the aims and the means that the group hoped to use to ensure that power did not slip out of its hands and, in effect, out of the hands of the Family. The meeting stressed the following among other ethno-chauvinist points:

- That GEMA prepare itself for the future leadership of the country.
- That GEMA arm itself against those used by GEMA's enemies to act against it.
- That GEMA raise funds to finance the defense of "uhuru", that is, Kikuyu interests in political leadership. [62]

The BBC dubbed the Nyahururu meeting a " Mau Mau meeting on the slopes of the Aberdares" [63] which was a thinly veiled reference to the Kikuyu rebellion of 1952 against British colonialists. Fears were raised in the country that members of the association intended to liquidate rivals who stood in their way to power. It did not help matters that GEMA's leaders such as Njoroge Mungai talked of people who planned to take the presidency and invite soldiers from outside to support their regime and thus rule the country by force. Another GEMA official said that its members would "defend ... Uhuru from every aggressor either from within or from without by every means available ...." [64]

Shariff Nassir was among the first pro-Njonjo-Moi politicians to speak against the constitution amendment group, calling them greedy and jealous daydreamers. Stanley Oloitiptip who collected ninety-eight signatures in Parliament condemning the proposed amendment as "unethical, immoral, bordering on criminality and very un-African" also challenged GEMA. [65] In total, eleven Cabinet members also signed the condemnation.

In retort to the above effort, a GEMA official was heard to say in a meeting in Meru:

> ...If anyone, whatever his post in Government gives us nonsense, we don't see why we should not crush him....*Tiga gwiciria* (do not think) we are simple. We are very dangerous. We can organize anything .... We are extremely dangerous to anybody who should be against us ... we are not joking .... We can get rid of anybody through the back door. [66]

As tensions between the two camps rose, Kenyatta rebuked members of the GEMA camp. He impressed upon his ministers that Njonjo's position, that changing the constitution was not only a criminal offence, and that "to encompass, imagine, devise, or intend the death or deposition of the President" by any person was seditious and punishable by death, was final. [67] Anybody continuing to make such demands thus faced a serious risk. As a result, the demand for the constitution to be changed ceased to be public. But had the Family given up their bid for the presidency?

Reprimands from the highest office in the land served to force the GEMA bid underground with grave implications for the country. Nightly political meetings were held in the first half of 1978. The participants would hold roast meat sessions meant to

exhort participants not to allow the Government to be headed by anybody else except a Kikuyu after Kenyatta died. Indeed, these night meetings were akin to the oath taken in 1969, which sort to whip up Kikuyu ethnic loyalty to keep the presidency in the community. Karimi and Ochieng (1980) prove this when they record one exhortation repeated in one such session:

> Let those who eat this meat know that (our organization) means *Kuga na gwika* (action upon words). Let them know (it) means that no member (of it) can deviate from this course ....[68]

But what exactly did "action upon words" mean? What "course" were the participants not to "deviate" from?

Evidence that emerged after Moi took over power following Kenyatta's death has it that a private army, the Ngoroko, had been formed in December 1974, ostensibly to deal with the problems of cattle rustling in Rift Valley Province. This squad, otherwise known as the "Rift Valley Operation Team" was drawn from the regular police. It was, however, dubious because:

- It had received specialized training including parachuting. This kind of training was too elaborate for an anti-stock theft unit.
- The unit also had more sophisticated weapons than the cattle rustling menace merited.
- The group was suspect because most of the young police officers were Kikuyu from Kiambu district. It is suspected some of them took the "action upon words" oath described above.
- More worrying, and certain, was that part of the Ngoroko had taken *Muma wa Mai Chania na Mai Mahiu* (the oath of Chania River and Mai Mahiu) administered after J.M's murder in 1975.[69]

The Ngoroko "police" unit, under the Assistant Commissioner of Police in charge of the Rift Valley, Ephantus Mungai, was an unusual squad. It was not unrelated to earlier GEMA remarks with regard to the Kenyatta succession that the leaders of the association were "very dangerous", could "organize anything" and ready "to defend ... Uhuru ... by every means available ...." The existence of such a unit as the Ngoroko was a clear sign

that GEMA leaders, as they said, were not joking or ready to take any nonsense from anyone "whatever his post in Government." They were well prepared and willing to "crush" any opposition to their hold on power, prestige and wealth.

After Kenyatta's death in 1978, GEMA was frantically looking for a Kikuyu to replace Moi. A counter-Moi coup was not ruled out as a necessary step to impose a new Kikuyu successor. Karimi and Ochieng (1980) record that a prominent politician "personally" approached the Commander of the Kenya Army and "prodded" him "to stage a *coup d'etat* against the Moi Government." [70] The minute details of the Ngoroko-succession plot are not known. However, according to Njonjo's address in Parliament in October 1978, the private army was intended to assassinate the constitutionalists, among them himself, Kibaki and Moi. These are the figures that were seen to stand in the way of the self-acclaimed "royal dynasty" and "arch-accumulators" around Kenyatta and the Family.[71] The political tension that characterized the Kenyatta succession, owing to GEMA's desperation, threatened to break into civil war in his last years.

In spite of the predicted violence in the country following Kenyatta's demise, the transition was peaceful and smooth as Daniel Toroitich arap Moi was sworn in to execute functions of the President. The country had, once again, survived political crisis intact. The Ngoroko affair serves to show how political leaders in Kenya fanned ethnic conflict for their own political and economic self-interests. Attention must be given to the following questions:

- What kept Kenyatta's Kenya regime stable in the face of the political turmoil characteristic of his reign?
- What was the social and economic situation in Kenya against the political backdrop of power struggles and the accompanying ethnic rivalry?

2.7 CONCLUSION: Reflections on Ethnic Politics in the Kenyatta Era

Stability in the Kenyatta state was founded on a system of state patronage or spoils. Kenyatta operated a "complex neo-patrimonial system rather than a party-state...." [72] It greatly benefited the Family, constituting of politicians mainly drawn from Kiambu, who are described by Karimi and Ochieng (1980) as "arch-accumulators." As noted in the foregoing discussion, economic spoils were also used to woo ethnic (segment) leaders from other communities such as, Masinde Muliro, Ronald Ngala, Daniel Moi and Tom Mboya, among others, who formed the outer core that gave the regime some form of legitimacy.

This system of spoils also meant that token development projects benefited constituencies from which cabinet ministers hailed. The Kikuyu benefited most during the Kenyatta era, which explains why Central Province became relatively developed compared to other regions in the country. (See Tables 1, 5 and 6 in Chapter Four).

Ethnic leaders and Members of Parliament were judged on the basis of how much "pork" they doled out to their constituents in the form of jobs, loans, development schemes, Government contracts and *Harambee* funds. The higher one was in the patronage system, the better the chances for the trickle-down of spoils. State patronage and clientelism extended beyond the Kikuyu inner circle and created political patrons or district bosses among Kenya's ethnic groups. Only the Luo, after the Kenyatta-Odinga fall out, were left out of this system that perverted development. It is important to examine how the spoils system benefited the Kenyatta clique and whether these spoils benefited the common man.

Kenyatta's independence optimism that the benefits of economic and social development would be distributed equitably was far from the reality during his reign. Odinga was the first politician to criticize "ambitious...self-seeking politicians" who had hijacked the fruits of independence. J. M. Kariuki later spoke of a country of the ten millionaires and ten million beggars. Odinga and Kariuki were referring to unscrupulous businessmen

and politicians close to Kenyatta who grabbed farms and other property. They perpetrated economic thuggery, for example, coffee smuggling contributing to economic squalor in the country. Karimi and Ochieng (1980) observe that farms changed hands and:

> ... Millions of shillings of public money found its way into pockets of individuals in the name of President Kenyatta; ...the Family became directors of wealthy companies in the name of President Kenyatta ....[73]

These same leaders who ran GEMA ostensibly as a "welfare" organization that would consolidate the social and economic fortunes of the involved communities, siphoned the coffers of the association. According to Karimi and Ochieng (1980) there were reports that the directors of GEMA Holdings were ingratiating themselves causing GEMA run companies "to suffer from serious pecuniary embarrassment." Economic mismanagement, ethno-clientelism and nepotism and other forms of opportunism weakened economic structures and Government institutions in the Kenyatta era thus contributing to growing poverty as corrupt elite acquired wealth at the expense of ordinary Kenyan.[74] The loot and plunder of the economy, which Bayart (1993) refers to the "politics of the belly", is what the clique around Kenyatta sought to protect against outsiders, be they from within or without the Kikuyu community. This then was the internal logic of the politics of the Kenyatta era that was characterized by political assassinations, elimination of rivals, ethnic hostility and suspicions fanned by political leaders.

As Wanyama (2002) observes, the patron-client system under Kenyatta was highly insecure and paranoid. Its political uncertainty generated a survival complex that permeated political life. Thus suspected or imagined political opponents were executed or detained.[75] Not only was ethnic tension heightened but the social and economic well being of people sank as political leaders were preoccupied with their politico-economic fortunes.

The Kenyatta state, especially in the last two years of his reign, was fragile. The Government and the state were held together by patronage. As De Mars (2000) observes,

any state glued together by patronage is liable to collapse. The state, with regard to social and economic welfare, belonged to the Family, the outer core of co-opted (ethnic) segment leaders and their respective patron-client systems in society, the civil service and other state institutions. This state of affairs guaranteed limited or apparent stability in which social and economic benefits were distributed outside the official scope of policy. (See the Configuration of State Patronage, Figure I in Chapter Four). Since most ethnic groups were ideally "represented" in the system, they were expected to remain loyal to the regime. Ethnic relations were thus managed at an expensive price carved out of the national economy. As Throup and Hornsby (1998) observe, this system of patronage stretched and outstripped national resources as the effects of the coffee boom of the early 1970s faded and as Kenya experienced a demographic explosion. The two authors pose the question whether the system would survive or disintegrate under the strain of having to satisfy old and new clients under the Moi presidency. This forms part of the issues addressed in the next chapter.

END NOTES

1. Odinga O., *Not Yet Uhuru*, Heinemann, London (1967) pp 205-206.
2. Kadu was an amalgamation/alliance of small ethnic and race-based political parties namely: The Maasai United Front, the Kalenjin Political Alliance, Kenya African People's Party, Coastal African Political Union, Somali National Association, White United Party and the Kenya Coalition Party, among others.
3. These three urged Kadu leaders to form three states that would fall under the party's control namely: The Rift Valley: the Western Region and the Coast: See Odinga, pp 226-227.
4. The quotation and information in this paragraph is taken from Okwemba's article, "How a Constitutional Crisis Nearly Landed Kenya in Anarchy," published in, *Saturday Nation*, March 6th 2004, p6.
5. This information is to be found in the Kenyatta Private Papers, which were preserved by Jomo Kenyatta's private secretary, Robinson Mwangi and presented to Kenya National Archives by Lucy Njeri (his wife). Due to limited time, I was not able to read them myself to confirm this information. Also see further details in Odinga O., Op. Cit, p.227.
6. See Okwemba D., Op. Cit., p5.
7. *The Guardian*, 11th October 1963, p.2 as quoted by Okwemba, Ibid, p.5.
8. Telegram by Marie Seroney as quoted by Okwemba, Ibid, p.5. "Operation Somalia" must have meant forceful *majimbo* (regionalism) or secession.
9. Letter as quoted extensively by David Okwemba in the *Saturday Nation*, Special Report, p.6.
10. Gertzel C., *The Politics of Independent Kenya, 1963-1968*, East African Publishing House, Nairobi (1970), p.12.
11. Aseka M., "The Post-Colonial State and the Colonial Legacy", *Kenya: The Making of A Nation, 1895-1995* (ed.) Ogot B.A. & Ochieng W. R., IRPS, Maseno (2000).
12. See Ochieng W.R., "The Kenyatta Era 1963-1978: Structural and Political Changes" in (ed.) Ochieng W.R. & Ogot B.A., *Decolonization and Independence in Kenya, 1940-93*, Ohio University Press, Athens (1995), p.92; and also Okwemba, Op. Cit, p6.
13. See Odinga O., Op.Cit, pp 198-201.
14. Mboya and Gichuru once tried to have Odinga suspended from the party, a move that was overruled by the Kanu Governing Council; see Odinga, Ibid pp. 201-202.
15. Ibid, p. 279.
16. It should be noted that the Lanet mutiny broke out a few days after these allegations were made, Ibid, pp. 280-281.

17. Gertzel C., Op. Cit, p.67.
18. In his book, Odinga has it that this suspicion emanates from slanted intelligence reports given to Kenyatta from British-trained and British influenced intelligence officers, Odinga, Op. Cit, pp. 281-282. However, the damage had already been done: Odinga had already lost trust with Kenyatta, as future events would prove.
19. Gertzel C., Op. Cit, p.67.
20. The arm cache according to Odinga, Cit. Pp 292-293 and Gertzel, Ibid, p.68 was Ugandan property destined for the Congo nationalist forces of Gbenye and Gaston Soumialot. As for the cache found in the Ministry of Home Affairs office building, the Government of Kenya had ordered for it and Kenyatta was aware of it.
21. Odinga O., Ibid, p.310.
22. Gertzel C., Op.Cit, p.68.
23. See the eloquent analysis of the connection between these early political parties with ethnic bases with Kanu and Kadu in an article by Kundu N.B., "Ethnicity and the Challenge of Nationhood in Kenya", in (ed) Ogot B.A. & Ochieng W.R, *Kenya: The Making of a Nation, 1895-1995*, Maseno University (2000), p.75.
24. Aseka, M., Op cit (end note 11), P. 99.
25. Gertzel, Op. Cit, (end note 10), P. 43.
26. Ibid, p.39.
27. Kanyinga K. & Munguti K, "Ethnic Structure, Inequality and Governance of the Public Sector in Kenya", Draft Report for UNRISD (unpublished) (2003). p.3. These authors note that by 1979, Kikuyu Cabinet positions had grown to 30%, p.20.
28. Kundu N.B., "Ethnicity and the Politics of National Integration in Kenya; Forty Years After Mau Mau," Kisumu Conference, October (1992) – unpublished, pp.14-15.
29. Throup D & Hornsby C, *Multi-Party Politics in Kenya*, James Carrey, Oxford (1998), p.12.
30. See Wairagu F.W, "Ethnicity and the Democratization Process in Contemporary Kenya", M.A. Thesis, Moi University (1997) p.94, for a further excursion of this sort of parochial leadership with no long-term development vision.
31. Ibid, p.95.
32. Gertzel C., Op. Cit P.42
33. Ibid, p.75.
34. Ibid, p.43.
35. Ibid, p.70.

36. Ibid, p.71. Also see Goldsworthy D., *Tom Mboya: The Man Kenya Wanted to Forget*, Heinemann, Nairobi (1982) p.227.
37. Ibid, p.71.
38. Throup D. And Hornsby C., Op.Cit (end note 29), p.14: Gertzel C., Op. Cit., p.73, slightly defers with Throup and Hornsby arguing that the election campaigns reflected or presented intra-party debate characterizing Kanu for the previous eighteen months. She, however, quickly takes the same position that Throup and Hornsby assume – that is, the campaign was an ethnic affair in the main.
39. Cherry Gertzel Op. Cit, (endnote 10), p.92 gives an apt description of this political blackmail and politicization of development by Kanu at the expense of Luo Nyanza. Also see a brief mention of the same in Goldsworthy D., *Tom Mboya: The Man Kenya Wanted to Forget*, Heinemann, Nairobi (1982) p.245. The use of this ethnic economic sanctions/blackmail card was such that it had the effect of overshadowing relevant ideological and other issues that had all along characterized the debate between the radicals and the conservatives such as redistribution of land, nationalization and foreign policy. While they were part of the campaign effort, both parties playing the ethnic card by no means deemed these issues important.
40. Kanyinga and Munguti, Op. Cit (endnote 27) argue that the Kanu campaign effort and subsequent neglect of the predominantly Luo province was a way of punishing the community by withholding development initiatives if they insisted on supporting KPU. Also see Cherry Gertzel, pp. 121-122.
41. Gertzel, Op. Cit., p.92.
42. Ibid, p. 120-122.
43. Ibid, p. 105: pp. 117-120
44. Gertzel, pp.120, 90,93-94, 96,100 and 106.
45. Throup and Hornsby, Op.Cit, p.14.
46. Cherry Gertzel, Op. Cit, p.954 observes that the district political boss pattern that emerged in the colonial period and perpetuated after independence gradually became a pattern in Kenya politics. That is, politics in Kenya is based upon the existence of such "district" leaders and as a result, a pattern of "local-control relations based upon national alliances between such leaders ...."
47. Kundu, Op.Cit (endnote 23) p.11.
48. Goldsworthy D., Tom Mboya: *The Man Kenya Wanted to Forget*, Heinemann, Nairobi (1982) p.268.

49. Karimi J. and Ochieng P., *The Kenyatta succession*, Transafrica, Nairobi, (1980), p.10.
50. Goldsworthy, Op.Cit, pp. 271-275.
51. Ochieng W.R., "The Kenyatta Era, 1963-78: Structural and Political Changes," in *Decolonization and Independence in Kenya, 1940-93* (ed). Ochieng W.R. and Ogot B.A., Ohio University Press, Athens (1995) pp. 101,102. Also see Karimi & Ochieng, Op.Cit, pp. 12, 37.
52. The number of people killed in the Kisumu Tragedy varies from one author to another. According to Karimi and Ochieng (1980) a total of 20 people were killed: Ochieng W.R. (1995) writes of 40 people: while Throup and Hornsby (1998) say a total of 100 people were killed.
53. Ochieng W.R., Op.Cit, p.102.
54. Karimi and Ochieng, Op.Cit, p.15.
55. Throup and Hornsby, Op.Cit, p.17: also see the *Daily Nation* Supplement titled *Mwendwa Resigns*, August 21, 2003, p. 7.
56. Gona G.M., "A Political Biography of Ronald Gideon Ngala," M.A. Thesis, University of Nairobi (1990), pp. 268, 269 and 254.
57. See brief but erudite reflection on J. M. Kariuki's contribution to the politics of the early 1970s in Ochieng W.R., Op.Cit p.103: also see Throup & Hornsby, Op.Cit, pp. 17-20. Also see Goldsworthy, Op.Cit, p.288.
58. Throup and Hornsby, Ibid, p.19. Also see Bayart, J-F., *The State in Africa: Politics of the Belly,* Longman, London/ New York (1993), pp.234.
59. Ochieng W.R., Op.Cit, p.103.
60. Throup and Hornsby, Op.Cit, pp. 19-20. Also see Bayart, J-F., Op Cit. 234.
61. Ochieng W.R., Op. Cit, and p.104: According to Ochieng, Vice-President Daniel arap Moi was a very different sort of person. He was loyal, humble, decent and a popular appointee of Jomo Kenyatta. Detaining, dismissing or assassinating him would have severely alienated domestic and international opinion.
62. Karimi and Ochieng, Op.Cit., pp 61-65.
63. Ibid, p. 61
64. Ibid, pp. 34, 65-66.
65. Ibid, p.24.
66. Ibid, pp. 32-33.
67. Ibid, pp. 35 and 22.
68. Ibid, p. 152.

69. "When the so-called Ngoroko were rounded up in October 1978, out of the 216 men, 80% of them were from Kiambu, a few from Kisii and Ukambani, one from Nyeri and no Luo...." Ibid., p. 132.
70. Ibid, p.171
71. See Karimi and Ochieng Op. Cit., p. 109 and Goldsworthy, Op. Cit, p. 289.
72. Throup and Hornsby, Op.Cit, p. 17.
73. Karimi and Ochieng, pp. 67-68, 155.
74. Ibid, p. 57. Also see Aseka, Op.Cit., (endnote 11) p. 104.
75. Compare this analysis with Wanyama's general examination of how the institution of the presidency contributes to the conflict in Africa, in his article, "The Role of the Presidency in African Conflicts: An Outline" in *Conflict in Contemporary Africa* (ed). Okoth P.G. and Ogot B.A., Jomo Kenyatta Foundation, Nairobi (2002) pp. 33, 34.

CHAPTER THREE

SUPPRESSION OF ETHNIC CONFLICT IN THE AUTOCRATIC ONE-PARTY MOI STATE, 1978-1988

3.0 INTRODUCTION: An Uncertain Ascendance to Power And an Uncompromising Grip on the Nation

Daniel Toroitich arap Moi was installed as the second President of Kenya on 14th October 1978 in what was a peaceful transition. This was an anti-climax of the tense and conspiratorial succession ethno-politics during the last three years of Kenyatta's rule. There was no deluge after Kenyatta, as many had feared. The opposite is what happened, as Karimi and Ochieng (1980) put it: "Après de deluge, Moi!" They were playing on the French word "moi" meaning "me" and the new President's name, "Moi" to imply that President Moi had brought calm in the country after the political deluge of the late 1970s. Other authors, among them Ogot (1995), agree that Moi emerged victorious against a would-be armed gang of assassins (the Ngorokos) to spearhead a peaceful transition.[1] The stability of the Moi state vis-à-vis ethnic conflict, however, should be evaluated across the totality of his twenty-four year rule. This chapter discusses the first ten years of Moi's leadership and concerns itself with; circumstances under which Moi ascended to power, factors and events shaping Moi's style of leadership and its implications on ethnic relations, and the characteristics of the Moi state, which led to the clamour for plural politics, which later proved to be an expression of multi-ethnicism or ethnic-based political parties. This chapter is based on the premise that ethnic conflict, manifest in the struggle for the presidency, was the watershed of Moi's autocracy, which suppressed ethno-politics especially after the 1982 coup attempt.

3.1 Moi's Ascendance to Power: A Child of Compromise

Most scholars are in agreement on one thing: Moi stumbled into the Presidency. The constitution favoured him in the Kenyatta succession ethno-politics and, thus, facilitated his ascendance. He had been the Vice-President for eleven years. However, as Morton (1998) his biographer observes, his hold on the Vice-Presidency had always been

precarious especially towards the end of the Kenyatta era when numerous plots to oust him were hatched. [2]

Moi had been appointed to the position in 1967 by Kenyatta much to the anger of the Kikuyu elite, especially the Kiambu clique, with a few exceptions. [3] They had hoped that Kenyatta would appoint a Vice-President from their ranks to ensure the hegemony of the Kiambu elite and that the Presidency did not leave the House of Mumbi.

For Kenyatta, however, *realpolitik* necessitated the formation of a new strategic ethnic alliance after the demise of the Kikuyu-Luo coalition in the late 1960s. A Moi vice-presidency would assure his regime the support of a community that had hitherto opposed and feared Kikuyu domination. It would also secure the regime a wider ethnic base. Moi's appointment was an indication that Kenyatta did not approve the machinations of the Kiambu elite to secure political power.

But there was another vital dimension of the appointment. Several authors have noted, Wamwere (1992), for example, that Moi was chosen by Kenyatta, not on the basis of strength or political leadership but, rather, of weakness. He observes that Kenyatta had had two strong personalities as his deputies and this left him insecure. For a third Vice-President, he preferred a person without independent political popularity. He found this in Moi. [4] Morton (1998) observes that Moi, unlike Oginga Odinga and Joseph Murumbi before him, Tom Mboya or Paul Ngei, did not pose a threat to Kenyatta personally or ideologically. Hempstone (1997) writes: "... Kenyatta picked Moi as his Vice-President in 1967 precisely because he seemed to lack Presidential qualities – intelligence, sophistication, vision, flair and membership in a large tribe – and thus posed no threat to Kenyatta or his ambitious lieutenants." [5] In spite of their initial discomfort with Kenya's new deputy, the Kiambu faction looked down on Moi as a weak politician who occupied the vice-presidency for strategic reasons.

Members of the Kiambu elite who were his "juniors" in the cabinet constantly frustrated Vice-President Moi. He was more than once the target of a mixture of irritated contempt

and patronizing disdain from the Kikuyu elite. One good illustration of Moi's emasculated position as Vice-President was the wrestling of the police portfolio from him in 1977 by Mbiyu Koinange, a member of the Kiambu clique and Minister in the Office of the President. [6] Subjection to this kind of persecution and mistreatment would leave an indelible mark on Moi's political psyche which would in turn shape not only his autocratic style of leadership but also the destiny of the nation.

Total disregard of the position of the vice-presidency is further evidenced by the fact that the real power in the last three years of the Kenyatta era – when he was feeble, senile and, therefore, ineffectual – was wielded by "an unofficial regency council" composed of Mama Ngina, Peter Mbiyu Koinange and Charles Njonjo. [7] Vice- President Moi, an "outsider", was not party to the kitchen cabinet or the Gatundu clique "affairs of the state." This served to further weaken his position, which the constitution formally gave little power. This explains why the Kiambu Kikuyu politico-economic barons and captains were able to organize the back-stage activities to maintain their political and commercial hegemony.

The constitutional, political and military methods employed by Moi's detractors failed, however. Indeed, in the same way that Napoleon Bonaparte was the child of the French Revolution, Moi was the child of a compromise between feuding factions of the Kikuyu elite. The Kiambu ethnic extremists favoured Dr. Njoroge Mungai's ascendance to power. The moderate group favoured a Kibaki Presidency. The Attorney-General, Charles Njonjo, who haboured presidential ambitions himself, broke ranks with the former group to support a third category aspiring for presidency, the Moi group. This move served to bring the two Kikuyu rival camps to a compromise, thus deciding how the succession would end.

The two groups reasoned that, if they stopped Moi from succeeding Kenyatta, this would have "the unfortunate implication that powerful Kikuyu were not just stopping Moi from becoming President but were also blocking the presidency from all other Kenyan nationalities." [8] In any case, Moi's ascendance was supported by the constitution because

he was the Vice-President. The constitution stipulates that the Vice-President should assume the functions of a President following his or her death for a period of 90 days. This provision is what facilitated Moi's ascendance to power and it also explains why many scholars and observers see his Presidency as an accident. [9]

3.2 The "Passing Cloud" that Stayed

The most significant reason why the two Kikuyu elite factions accepted Moi's ascendance was that they saw him as a mere stop-gap President before a more fitting (Kikuyu) candidate took over. Neither faction thought that the quiet and hesitant Moi, from one of the smallest and most backward ethnic groups, "had either the qualities or the support to last long as the country's second President." [10] He was, therefore, dismissed as a "passing cloud".

To Njonjo, Moi was a political pawn to block powerful rivals within the Kiambu elite from power. Njonjo planned to later take the Presidency from Moi. He believed that he could control Moi, whom, after all, he had helped Kenyatta create politically.[11] In Moi, Njonjo saw a pliant transitional figure that he could manipulate until such a time as he deemed it right and safe to remove him. To Njonjo's rivals, Moi was viewed in more or less the same way.

But Moi, who had suffered and endured an "inherent weakness within the Kenyatta power structure," [12] weathered all political opposition or any doubts that the nation might have haboured about his strength as President. He was acutely aware of his perceived weakness, and he wasted no time to make it clear the he was now the overall chief. He warned political barons who took him for granted that they were not indispensable.[13] He uttered words that left no doubt that he was the ultimate boss who would now call the shots. As the new President and his ministers were sworn in at Uhuru Park, this message was reiterated: "*All Kenyans, including ministers and civil servants are answerable to me, but I am answerable to God.*" [14]

Moi's utterances were, therefore, aimed at dispelling any perceived or real weakness. His political moves, calculated to consolidate political power must be seen in the light of his awareness that his stature was disputed, not only in the eyes of the Kikuyu elite, but also other ethnic elites as well. The success and effectiveness of his efforts to consolidate power are unquestionable. However, it is important to understand the underlying personal motivation in his drive to consolidate power, that is, ethnic suspicion and fear that loomed large in his political psyche since his days in KADU and his precarious Vice-Presidency. This is key to understanding his style of leadership and the autocratic one-party state he built.

In his KADU days, Moi, Ngala and Muliro had feared the political domination of large ethnic groups. In his eleven years as Vice-President and fourteen years in the Kenyatta Cabinet, but more so the former, he had experienced domination by Kikuyu elite at first hand, which validated fears he had as KADU politician. This is what motivated his efforts to secure himself politically once in power. He was determined to build a state where his reign as President was secure and unrivalled. The autocratic Moi state and the Moi era characterized by one political party and intellectual monolithism, human rights abuses, personal rule, rigging of elections, oppression and other political manoeuvres, should be understood within this context. His perceived or real weakness is, therefore, one of the factors that shaped his rule. Once he embarked on consolidating his Presidency, Moi did not stop for the next twenty-four years.

3.3 Consolidation of Power: The Political Foundations of the Moi State

Moi reckoned the obvious: He had to secure his uneasy presidency against his opponents. He was not short of political strategies. His immediate plan was to optimize the opportunity provided by the factionalism within the Kikuyu elite. He sided with the Njonjo-Kibaki – G.G. Kariuki faction to whom he gave a blank check to deal with the Kimani-Njoroge-Karume group. As the veteran Kenyan historian Ogot (1995) observes, Moi teamed up with Njonjo and Kariuki "to form a mighty triumvirate of power never before witnessed in the history of Kenya." [15] With the support of Njonjo, Kariuki and

Kibaki, he was not only able to check other radical Kikuyu politicians such as Waruru Kanja and Koigi Wamwere, as well as old GEMA elite such as Njenga Karume, but also to ensure that influential leaders such as Kibaki and Njonjo did not build a strong rapport with the Kiambu elite (opposed to him) or build a clientele within the Kikuyu business elite. This would be a threat, which, if allowed, would make it "all too attractive" [16] to remove the President. Using divide and rule, Moi was able to enhance his own authority as he clipped the powers of the Kikuyu elite while recruiting new allies among their ranks.

Although Moi encouraged elite Kikuyu factionalism to secure his position, the continued involvement of GEMA among other ethnic associations in national affairs evoked his fear and ire. His other strategy was to ban these associations. Moi's major and single assault on these organizations was at a party conference held at the Kenya Institute of Administration in July 1980. At the meeting which was attended by ministers, their assistants and civil servants, Moi delivered the keynote address "which was on the need for national unity." [17] The major highlight of his address was the need to proscribe ethnic associations that posed a danger to national unity. Among the resolutions passed by the conference was the dissolution of all ethnic organizations. GEMA, the Luo Union (East Africa), the New Akamba Union (NAU), the Abaluhya Association, the Kalenjin Association and the Mijikenda Association were abolished. [18] It was unanimously agreed within a record time of two days that ethnic loyalty and solidarity were irreconcilable with national loyalty and unity. Thus, as Ogot (1995) observes, Moi further consolidated his position by eliminating a major source of potentially well-organized opposition to him in the future. This marked the beginning of Moi's relatively successful management of divisive ethnicity in the country.

Moi's greatest challenge, however, lay in how to undo Kenyatta's essentially Kikuyu patronage network. This task needed surgical precision, as this network "owned" the state. That is, the state had become Kikuyu-centric during in the Kenyatta era. As Hempstone (1997), observes, "although Kikuyus accounted for only about twenty percent of the population, they held forty-one percent of the most important and lucrative

Government and parastatal posts... corruption, nepotism, favoritism and inequity grew like a choking creeper ...."[19]

In the immediate post-Kenyatta period, Moi was under pressure to redistribute these Government and parastatal positions. It was important to loosen Kikuyu dominance in business, commerce, the civil service, the professions and politics (read the state) and recreate the state in his image. That is, he had not only to demolish the patron-client network established by Kenyatta but also establish his own network that would broaden the development base, and reward his allies in the Rift Valley, Western and Coast Provinces. Put differently, he had to, in the Kenyatta, and indeed, African "tradition" of ethno-state centrism, establish a Kalenjin-centric state without undermining the country's political stability.

In a stroke of political genius that saved the country from ethno-political warfare over the state, Moi developed a political strategy that left the Kikuyu-centric state intact for sometime. He knew that given the option between political power at whatever cost and security under him (if he could guarantee peace), the Kikuyu political class that had accumulated a lot of property, would chose the latter. [20] In spite of the knowledge that continued Kikuyu state domination would be to his detriment, Moi undertook to allay both public and political anxieties through his political philosophy of *nyayoism*, that is, to follow in the footsteps of Jomo Kenyatta. From the outset, it was a policy of reconciliation and forgiveness that tactfully avoided, according to Ogot (1995), pitching open battles with his adversaries over the state.

Through this strategy of *nyayo,* he seemed to promise Kikuyu barons that their property was not only secure but that "the same opportunities of grabbing wealth that Kenyatta had allowed them" would continue. [21] To demonstrate the "sincerity" of his philosophy of continuity with Kenyatta's politico-economic legacy, Moi maintained Kenyatta's cabinet for a year. He waited until after the 1979 general elections to make more comprehensive changes in Government.

Primarily, the *nyayo* philosophy was meant to gradually defuse Kikuyu elite opposition while gradually placing Moi's men at the core of the state. Both Hemspstone (1997) and Wamwere (1992), among other authors, observe that as the Kikuyu elite feared, Moi began back-room manoeuvres to cut down Kenyatta's patron-client network at its political and economic knees. While preaching *nyayoism*, he used state power to consolidate his Presidency, destroying the Kikuyu-centric state in the process. By the time the general elections of 1979 were held, Moi had effectively neutralized his opponents, and disarmed the public throughout the country by speaking against tribalism, corruption and bureaucratic inefficiency. No opposition groups tried to oppose his Presidency in these elections. He was given a sweeping mandate when seven of Kenyatta's Ministers, including Mbiyu Koinange and fifteen Assistant Ministers lost their seats. As Ogot (1995) notes, this was the opportunity that Moi had been waiting for: He was able to form a new enlarged *nyayo* cabinet that bore his stamp, and which had a relatively broad ethnic base. While he maintained a few of Kenyatta's supporters, Moi was able to recruit new allies, for example, Elijah Mwangale and Moses Mudavadi from the Luhya community as well as others from the Luo ethnic group. [22] By the early 1980s, Moi was sufficiently entrenched having established his own political network.

3.4 The Kenyan Economy, 1978-1982: A Presidency Doomed?

As a number of authors, among them Throup and Hornsby (1998), Hempstone (1997) and Morton (1998), observe, Moi had ascended to power in far harsher economic circumstances than his predecessor. Kenya's economy in the 1960s and early 1970s had enjoyed a growth rate of about 6-7 %, part of which paid for the provision of education and health services. Spending on education had been one of the highest in the world. But towards the end of the 1970s, the economy started lagging. This lag was occasioned in part by the 1973 world crisis arising from the increase of oil prices by the Organization of Petroleum Exporting Countries. As a result of sluggish economic growth and the doubling of Kenya's oil imports, there was a strain on the country's balance-of-payment deficits. Matters were made worse by the end of the coffee boom in 1978. Coffee and tea prices plummeted, and smallholder producers received diminishing proportion of the

international price for their crops. Land hunger started to bite as the easy economic benefits of land consolidation slowly became exhausted. Following a bomb blast in the Norfolk Hotel, the tourism industry, one of the top earners of foreign exchange in Kenya, started to suffer. There was also virtual paralysis of Kenyan industries around this time. In a bid to stabilize the economy, there was a series of currency devaluations that resulted in the plummeting of the Kenya shilling to an all time low by 1982. Subsequently, the price of commodities such as sugar, rice and meat began to rise putting them beyond the reach of ordinary Kenyans.

The Moi Government, in an attempt to curb the impact of the high cost of petroleum imports, Structural Adjustment Programs, weak balance of payment and economic recession in industrialized countries on the Kenyan economy, adjusted the exchange rate (by devaluating the national currency) in 1981. In addition, the Government, in December 1981, announced price rises for foodstuffs and other agricultural products consumed locally. Instead of having the desired effect, these changes led to a sharp rise in the domestic inflation rate with consumer prices rising by nearly 20%, up from 13% in 1980. As a result, fuels (kerosene, diesel and cooking gas) were in short supply. The price of sugar rose by more than a quarter of the previous price while that of milk rose by almost half. There were also higher prices for tealeaves, meat, maize meal, wheat flour and cooking fats. In April 1982, beer and cigarette prices went up by 0.03 (with pro-rota increases) and 50 cents respectively. As the Minister of Finance, Arthur Magugu noted, the consumer price index combined with the devaluation of the Kenyan shilling had caused an inflation surge.

The country's economic problems were further aggravated by the high population growth. The urban population was growing at a rate of 10% per annum. Between 1969 and 1979, the county's total population experienced a 39.9% growth, which meant a 3.41% growth rate. And as if nature had conspired against the country and its new President, famine and drought struck, and for the first time, Kenya was unable to feed its people. [23]

All the above made the ordinary *mwananchi* (citizen) grumble and criticize the Moi Government. Not only did Moi have to contend with political forces threatening his legitimacy but with economic problems as well. Economic hardship put his Presidency under sharp public scrutiny. This study suggests that these economic circumstances would have a lasting influence on his Presidency, that is, they indirectly affected his style of leadership considering that the 1982 coup attempt occurred against this grim economic background.

3.5 The Attempted Coup of 1982 and Moi's Response

Most scholars attribute the attempted coup by junior officers of the Kenya Air Force to the harsh economic times discussed above. The role played by the above economic conditions cannot be doubted but the coup plotters also cited rampant corruption and nepotism, and the falling of the economy into shambles, the un-affordability of food, housing and transport as some of the reasons for attempting to overthrow the Moi Government. It is important, however, to reflect on some of the political causes or ethnic strains, if any, triggering the attempted overthrow of Government.

Throup and Hornsby (1998) note that 1982 was the year in which tensions of future control of the state reached their height. Moi had, in July 1980, effectively neutralized Kikuyu elite opposition by encouraging factionalism in its ranks and further secured his position by proscribing ethnic welfare societies. His *nyayo* philosophy had met considerable success. All this, however, as Widner (1992) observes, did little to reassure him that his grasp on the country's highest office was assured. State House had not, in his view, been effective in undercutting the power of GEMA and the Luo Union. Widner (1992) writes that Moi feared that:

> The leaders of these societies could salvage
> the financial resources they had accumulated and seek to advance their
> interests in other ways .... His mind turned increasingly to the
> fear of underground opposition, rooted, he believed, in the university
> system but fomented by the former leaders of the welfare unions.[24]

Further, Widner (1992) notes this fear was quite unnecessary as it was extremely difficult at the time to build cross-regional or ethnic alliances due to the constant shift of allegiances and the fact that the wherewithal to manage patron-client networks was in short supply, which explains the opportunism in the alliances. However, the President was increasingly fearful of dissident in any form.

Part of the early dissident that he faced came from political activists such as Koigi wa Wamwere and Masinde Muliro. However, it was George Anyona and the father of opposition politics and respected Luo leader, Oginga Odinga, who unsettled Moi most. In April 1982, these two proposed to launch a new political party-the Kenya African Socialist Alliance. In June 1982, hours after its launch, the Office of the President proposed that Kenya be declared a single party state. Parliament, which was intimated by the Executive, effected this proposal. Thus, Moi was able to forestall a possible GEMA-Odinga alliance, as this would have been the logical end of an opposition party at that time. [25] However, by the same token, he had succeeded in sealing-off an avenue through which peaceful change could be achieved. As the coup attempt would prove later, when public opinion is denied expression through the proper channels, it finds its way by the sewers.

President Moi had also to contend with university dissidence that he had inherited from the Kenyatta regime. However, unlike Kenyatta, he feared that intellectual elements had been infiltrated by ethnic welfare societies. A paranoid President alleged that there was a plot by university lecturers to arm school and university students to cause chaos. He accused them of "intellectual terrorism" saying that they taught the "politics of subversion through books majoring on violence". [26] Most of the lecturers he singled out indicate Moi's ethno-phobia. Most of these lecturers, Mukaru Ng'ang'a, Ngugi wa Thiong'o, Micere Mugo, Atieno Adhiambo, Anyang' Nyong'o, Edward Oyugi and Maina wa Kinyatti among others, were either Kikuyu or Luo.

President Moi cautioned political and intellectual "traitors" that they would receive ruthless treatment. He detained some of them and undertook political measures that

further restricted political space. He, for example, limited press freedom through Parliament thus denying opposition leaders an audience. The university was frequently closed and Government surveillance of public life through the Special Branch was increased. These measures, coupled with the constitutional amendment to make Kenya a *de jure* single-party system, served to further restrict political activity. Public opinion was bound to vent discontent in an unconventional and violent way.

It is not surprising that there was an attempt to overthrow the Government. In addition, the fact that Luo junior officers formed the bulk of the Air Force rebels is not surprising.[27] According to Morton (1998), the attempt was staged by the mainly Luo Cadu Squadron of the Air Force stationed at the Embakasi air base in Nairobi. He further observes that the squadron had teamed up with disaffected Luo civilians and attracted student activists from the University of Nairobi. [28] In the court martial which followed, the involvement of the Luo community was further strengthened when Oginga Odinga's name was frequently named either as having given cash or his blessing to the plotters.[29] It would later emerge that his son, Raila Odinga, was linked to the coup leader, senior private Hezekiah Ochuka for whom he was scheduled to write a Presidential speech. While the coup attempt was seen as an entirely Luo affair, it should be noted that a considerable number of Kikuyu junior officers participated in the coup attempt.

3.6 Two Coup Attempts In One?

Widner (1992), Throup and Hornsby (1998) and Morton (1998) explore the Kikuyu dimension of the 1982 coup attempt. They observe that before the Cadu Squadron Air Force coup attempt, there had been " a plot by Kikuyu officers to overthrow the President when he was attending the Organization of African Unity (OAU) conference in Tripoli over the second week of August." [30] This view is supported by the systematic political purge that followed the attempt. The purge swept Njonjo and his supporters from their high positions of influence. Emerging evidence published in the *Sunday Nation*, 1st August 2004, reveal that two plots had been planned at the same time. A retired Army Major close to the military nerve centre disclosed that the paramilitary General Service

Unit (GSU) personnel had planned the second coup, which explains why top GSU officers were arrested.

According to this plausible theory, there were two, if not three, plots prepared by different military and political groups with possibly different aims and objectives. However, by striking first, the Luo junior officers, pre-empted the other coup plot(s). This explains why there was great confusion in the eleven-day skirmishes in Nairobi. The "two-in-one" coup theorists, above, argue that the second coup involved senior Kikuyu politicians and officers in the army and the police. The major grievances of this group, according to Throup and Hornsby (1998) were; the disbanding of GEMA, promotion of non-Kikuyus in the military and civil service and the withdrawal of Government contracts and loans from Kikuyu businesses and finance houses which had alienated the Kikuyu elite from the state. The present author supports this analysis because it supports the observation that Moi had not been entirely successful in transforming the Kikuyu-centric state into a Kalenjin-centric one without the risk of political instability (or open ethnic confrontation). Both Morton (1998) and Throup and Hornsby (1998) mention Ben Gethi (the Police Commissioner) and the Kenya Air Force commandant, Major-General Peter Kariuki, as having been behind this second plot or a third. Widner (1992) and Ogot (1995) connect Njonjo with this Kikuyu plot. Njonjo's suspected involvement is discussed in the next section.

Hempstone (1997) and Morton (1998) estimate the total damage on property to have been Ksh. 320 million and Ksh. 640 million respectively. According to the *Weekly Review* (13th August, 1982), around one hundred and fifty people lost their lives and thousands of others injured and/or maimed. The coup attempt remains one of the vivid windows through which latent ethnic conflict, characteristic of relations and politics in Kenya, is seen. It portrayed the latent violence, anarchy and primitive animal greed that lurks, in Morton's (1998) words, "so close to the surface of Kenyan society." It was, at the same time, the culmination of explosive forces that had building up before the rebellion was even contemplated. [31] The Kenya Army, which refused to join the coup attempt that had

involved between 600-1,800 mutineers, put it down. However, it had a significant impact on ethnic relations, the county's history and Moi's rule.

The attempted coup is one of the few times in Kenya's history when latent forces underlying the body politic threatened to break into civil war. One of the options Moi considered was to go to the bush in Pokot country, northwest of the country. He planned to rally the "fiercely loyal" Pokot warrior tribe that he believed would have fought "to the bitter end to protect their Kalenjin President." [32] A civil war was, therefore, in the making if the Army had not stemmed the coup.

The coup attempt shaped Moi's political worldview henceforth. Hempstone (1997) notes that he emerged from the coup attempt "profoundly and fatefully changed." His personality was affected. He portrayed new reluctance to delegate authority and the need to dominate; had an overweening concern about his personal stature and frequently unfounded suspicion of those around him.[33] He had become more paranoid. As Throup and Hornsby (1998) observe, he was severely shaken. If his ascendance to power had been uncertain and his fear to some extend unfounded, "his paranoia took a quantum leap, and he became less avuncular and more stern and authoritarian." He became increasingly reliant upon the Army Chief of Staff, Major-General Jackson Mulinge, "who had remained loyal during the confused events" of the attempt. Indeed, for nearly a year, he and other senior Army officers exerted almost as much influence over Government decisions as members of the cabinet. His suspicion and dislike for the Kikuyus and Luos became an obsession.[34]

Moi who had never been master in his own house having inherited a predominantly Kikuyu establishment wasted no time to break with the "political and administrative shackles which had limited his room for manoeuvre." [35] He started taking measures to entrench himself and consolidate political power further. The Kikuyu, who were isolated before the coup, were the object of heightened distrust. The Luo also suffered as Moi moved to put Oginga Odinga under house arrest and detaining Raila Odinga. He systematically removed senior Kikuyu from the officer corps replacing them with his

own Kalenjin. For example, Major-General Joe Musomba, a Kikuyu officer, was sent as ambassador to Pakistan to pave way for Kalenjin officers such as Lieutenant-General John Sawe, who replaced Musomba as Army Commander and Deputy Chief of the General Staff. This process of purging Kikuyu and Luo from the officer corps would continue throughout the 1980s leading the Special Branch to warn that the attempt to *Kalenjinize* the senior levels of the military was creating discontent among the target groups.[36]

Following the coup attempt, Moi stepped up a series of moves to curtail underground movements, both political and academic. Surveillance at the universities was expanded. Lecturers were periodically questioned or detained. State House moved to limit political space beyond the pre-coup attempt restrictions.

3.7 The Njonjo Affair: A Coup Up His Sleeve?

The fall of Njonjo and other ethnic elite in the period following the coup deserves special mention because; firstly, it demonstrates that Moi had become a man of his own; and because, it marked the beginning of Moi's mature autocratic state, which was anti-Kikuyu and Luo. Njonjo was one of the Kenyatta relics that Moi inherited. In the first few years of Moi's presidency, he was the second most powerful politician. As noted above; Njonjo did not mind Moi knowing that he had helped create his presidency. His ambition and arrogance were clear to all and sundry. He was set to sweep away the pliant transitional "passing cloud" that was his creation, or so Moi feared. The power struggle between them was palpable as the two were viewed as joint heads of state. [37]

President Moi feared that Njonjo had played part in the coup attempt, and if he had not, he was plotting to oust him from power. There was enough reason for Moi to be wary of Njonjo and his associates. For seventeen years, Njonjo had been the Government's chief law officer or Kenyatta's "Grand Vizier", according to Morton (1998). In his long service, as authors such as Throup and Hornsby (1998), Widner (1992) and Ogot (1998) note, he had established an elaborate network in the civil service, the police, local and

international business community, the diplomatic corp and the Judiciary. He had, therefore, accumulated sufficient political power that could serve his interests. As Morton (1998), observes, Njonjo was not a man but a system. Thus, Moi looked upon him as a stumbling block to be gotten rid of.

Njonjo's detractors had persuaded Joseph Karugu, his successor as the Attorney General, to prosecute Muthemba, Njonjo's cousin, for illegally importing weapons into the country. [38] Muthemba was also accused of allegedly participating in an attempted coup in Seychelles Island in 1981 in which he sought to restore his friend, James Mancham, to the presidency. [39] Taking advantage of the ongoing case, which had implicated Njonjo and the Air Force Coup attempt, Moi announced that a powerful politician in his cabinet was plotting to overthrow his Government with the assistance of foreign Governments. This was the sign that occasioned a whirlwind of assault led by Lawrence Sifuna (an MP) Elijah Mwangale and Martin Shikuku – Moi's newfound Luhya allies. They called for Njonjo's expulsion from Parliament while Mukasa Mango, another Luhya MP and member of the Cabinet, suggested his expulsion from the Cabinet and his arraignment in court to face treason charges. Njonjo resigned from his position in July 1983. The ruling party, KANU, suspended him two days later. [40]

In June 1983, the Government had announced a commission of inquiry headed by Justice Cecil Miller to investigate Njonjo's treasonous behaviour. It investigated issues ranging from his links to the coup plotters, the importation of weapons by some of his business friends and his involvement in the Muthemba case, all of which were proved with the exception of treason. The commission, however, revealed that he was guilty of having worked out "a two-pronged strategy for ousting President Moi from power." [41]

Although Njonjo received Presidential pardon, the "Njonjo affair" was followed by a far-reaching party purge with the aim of expelling disloyal elements – that is, Njonjo's associates. Politicians such as J.J Kamotho, Justus Oloitiptip, and G.G. Kariuki were the targets. In total, fourteen Njonjo associates were purged from the party thus containing his vast political machinery. Next, Moi called a snap election towards the end of 1983 as

a further measure aimed at sanitizing the political system and to give it a Moi-look. This election was the final blow at Njonjo's power base. However, few of his allies such as Charles Rubia, Oloitiptip and Arthur Magugu survived the onslaught. [42]

The "Njonjo affair" can be seen as an extension of Moi's paranoid response to the 1982 coup attempt. However, it has been observed by among others, Throup and Hornsby (1998) and Morton (1997), that it constituted a phase and a defining moment in Moi's presidency, respectively. Firstly, it marked the beginning of the use of the Judiciary to resolve political problems. Secondly, for the first time, elections were used as an opportunity to eliminate political opponents and to have loyal politicians elected. Suffice it to say to that Njonjo's fall was a strong signal of Moi's new style of leadership across the land. Thirdly, the Affair is significant in that, henceforth, Moi was virtually unchallenged. He would attempt to spread his control to various national organizations and institutions ranging from the party, trade unions, Parliament, the Judiciary, the public service, the women's organization, universities and professional associations (such as the National Council of Churches of Kenya and the Law Society of Kenya). Lastly, the "Njonjo affair" was the final brick that Moi laid in his consolidation of power. It is ironical that Moi's political security through autocracy provided the country political stability vis-à-vis ethnic conflict. His strong determination to manage ethnic opposition to his Presidency curbed politicization of ethnicity.

3.8 Dominance of the Mature Moi State Over Ethnic Conflict, 1984-1988

The period between 1984-1988 was characterized by the consolidation of the one-party system in which the ruling party, KANU, reigned supreme over major institutions including Parliament and the Judiciary. The fusion between the party and the executive was distinct. Subsequently, the party dominated the state. A parallel development was personalization of executive power that replaced the management of demands, including ethno-regional economic and social needs, through institutional mechanisms. These developments, which narrowed political space, also had the effect of managing ethnic conflict while at the same time *Kalenjinizing* the state.

One of the main features of Moi's attempt to construct a one-party state that would ensure his stay in power, management of ethnic conflict and, therefore, national unity, was the KANU disciplinary committee. Individual politicians who criticized Government policy or who fell out favour with the regime were barred from electoral politics by the disciplinary powers of the committee. It wielded discretionary powers, which enabled it to expel party members or to impose sanctions against those who had committed acts considered not in the interests of the party. Some of the casualties of the formal and informal committee disciplinary process were Josephat Karanja, Kimani wa Nyoike, Kenneth Matiba and Charles Rubia. Fearful, politicians were eager to demonstrate their loyalty to the party and the President. Sycophancy became norm. [43]

Secondly, the one-party Moi state was characterized by increased rigging in both KANU and national (general) elections. In the 1985 and 1988 KANU elections, where queue voting (*mlolongo*) was used, Moi was able to remove the last independent district or ethnic bosses of the Kenyatta era. This was a political scheme calculated to further purge the system of Kenyatta's legacy and members of the former regime.

Queue voting was also introduced in the national elections of 1988 as a safeguard against individual or ethnic dissent as well as to recruit loyal supporters for the new regime. Rather than give the party's rank and file a say in the nomination of Parliamentary candidates it discouraged several categories of Kenyan citizens (the clergy, civil servants, the armed forces) to participate in elections. It also introduced the controversial 70% rule in which those who obtained 70% and above of votes "cast" in queue votes were declared elected unopposed. Thirdly, non-KANU members were excluded from exercising their constitutional right (as enshrined in Section 32) to vote their Member of Parliament.

The rules and implications, however, were not as controversial as the 1988 general election *mlolongo* results. According to Throup and Hornsby (1998), President Moi and his "back-room boy", Nicholas Biwott, were able to rig in a Parliament of their choice: "The result in 1988 was a rigged and shambolic contest in which at least one third of the

electoral contest (over sixty seats) were rigged and manipulated blatantly to ensure that the right 'candidate' won." [44] These elections symbolized the end of the National Assembly as any form of watchdog on the Executive. Authors such as Ogot (1995), Widner (1992), Wamwere (1992), Morton (1998) and Throup and Hornsby (1998) have noted this characteristic of the mature Moi state. It is clear that the result of the merger between KANU and the state led to the former emerging constitutionally superior to Parliament. Wamwere (1992) notes that Parliament, which was supposed to echo the voice of the people in national debates, had been captured by the Moi-KANU regime and effectively turned against *wananchi*. The legislature was a little more impotent than a talking shop or simply dead. The extensive damage on the institution meant that the state was concerned with its own interest at the expense of those of the people. Throup and Hornsby (1998) write that:

> Members of Parliament were tools of the centre, not local representatives, because their success was due to state rigging, not popular support. As tools of the centre, their commitment to the patron-client system was severely weakened. Queuing destroyed the confidence of ordinary people in the political process, and popular participation in political plummeted.[45]

Fuelled by the *nyayo* philosophy that now assumed a new meaning, a political personality cult grew around Moi. Being anti-*nyayo* meant being anti-government and anti-party. [46] The personality cult was manifested by a nation-wide patron-client system. It replaced the Kenyatta era system of patronage. The new patron-client system's core was the Rift Valley where the 1988 elections were heavily rigged. Luhya patron-clients such as Mwangale, Shikuku, and from other ethnic groups especially those from marginal pastoral areas, the Kamba and the Gusii, formed the periphery.

Moi *Kalenjinised* the state by placing his people in gate-keeping positions in Government and security apparatus. Widner (1992) provides a detailed analysis of Moi's chosen gate-keeping clientele as follows; the Speaker of the National Assembly was a Kalenjin; the Head of the Civil Service and Secretary to the Cabinet; Deputy Army Commander; Deputy Air Force Commander; Commandant of the Staff Officer at Army Headquarters; Director of the Criminal Investigation Department; Deputy Police Commissioner; and the

Presidential Escort Commander and Aide-de-Camp to the President, among other key posts in the economic sector. [47] Widner observes that:

> Under Moi, Kalenjin gained control of the governorship of the Central Bank, the Ministry for Co-operative Development, the Ministry of Local Government, the post of Commissioner of Co-operative's. The chairs of the Kenya Commercial Bank and Kenya National Insurance were both Kalenjin. Moi's community also gained the directorships of Kenya Posts and Telecommunications, Agricultural Finance Corporation, the Agricultural Development Corporation, Kenya Industrial Estates, the National Cereals and Produce Board ... *Nyayo* Tea Zone, *Nyayo* Bus Company .... [48]

There was, therefore, a disproportionately large number of Kalenjin in different public and private sectors that created the specter of increasingly politicized infrastructural services.

At different times, Moi, in a bid to secure political power as well as to manage ethnic conflict, attempted to incorporate two sets of Kikuyu politicians into his patronage network. After ascending to power, he had relied on the Njonjo-Kibaki moderate Kikuyu faction and also elevated Mau Mau leaders such as Kariuki Chotara and Fred Kubai. In elevating the later, he hoped to appeal to the landless and poor Kikuyu who had been neglected by the Kenyatta regime. He, however, realized that he could not meet the expectations of this group when he noticed that reliance on Chotara, Kubai and Waruru Kanja only served to discredit them in the eyes of their supporters. The Kikuyu masses, according to Throup and Hornsby (1998), once it became clear that few resources would be directed towards, Central Province, and the Kikuyu Diaspora, were not enthusiastic in their support for the Moi-KANU regime and its Kikuyu agents.

Moi, therefore, sought to rekindle the alliance between him and his former opponents in GEMA immediately after he had purged the party and the state. He wanted to incorporate the Kikuyu in his Government and thus restore Kikuyu confidence especially that of Kikuyu businessmen. This did not prove difficult as his once powerful adversaries such as Njoroge Mungai were craving for the President's patronage and political approval. Moi spread his network to other members of the Kenyatta family including Ngengi Muigai and to the former GEMA leader, Njenga Karume. These two emerged "in the mid-1980s, as the key political interlocutors between Moi and the Kiambu elite and the

wider Kikuyu community." [49] These efforts, however, did not yield political dividends, as Ngengi's position was precarious in Thika since Kenyatta family had ceased to exert considerable influence as its control over patronage waned. Indeed, the Kikuyu thought that the Kiambu elite was sacrificing the interests of the Kikuyu community in order to protect their own extensive business interests.

The sixth characteristic of the mature Moi-state, which further curbed ethno-politics, is the two Parliamentary constitutional Amendment Bills of 1986 and 1988 that sought to abolish the security of tenure of the Attorney-General, the Controller and Auditor-General, judges of the High Court and Court of Appeal and members of the Public Service Commission respectively. These bills, given the supremacy of the Executive and the party over Parliament, were passed with limited, if any, opposition in the National Assembly. Subsequently, the rule of law was thus severely undermined. [50]

As part of the Amendment Bill of 1988, the police were empowered to detain capital offense suspects for fourteen days instead of the 24 hours as the case had been. This marked the formal beginning of the police regime that was characteristic of Moi's autocratic state. Under police functions, any criticism directed at the Moi-KANU regime was even less tolerated. As part of the state, the police force came within the ambit of the party. Widner (1992) notes, "As early as 1987, a KANU leader ... announced that the police would receive assistance from members of the party." It was not unusual to see KANU youth-wingers "working" side by side with the police in the latter's operations. [57] There were numerous human rights abuses. This development was part of Moi's endeavour to suppress individual or ethnic dissent, and thus, a further measure limiting ethnic politics.

Another characteristic of the Moi-State was the curtailment of press freedoms. The Government arrested and detained journalists, and confiscated foreign and domestic publications especially those carrying human right stories, for example, *New African*, *The Economist* and *African Confidential*. Academic/intellectual rights were also restricted. Never in Kenya's history was political discourse so constrained as it was at this time.

3.9 CONCLUSION: Dangers and Challenges to the Moi State

The oppressive characteristics of the Moi state, which were a proof of authoritarianism, did not go unchallenged. Indeed, in the long-term, they sharpened ethnic grievances, which found expression in the clamour for political pluralism. Although it was risky to criticize the course that the Moi-KANU regime was taking in Parliament, Charles Rubia and Kenneth Matiba opposed the Government on several issues. [52]

In August 1986, the National Council of Churches of Kenya (NCCK) issued a statement that its member pastors would not participate in elections that used the queuing system. A month later, in September 1986, Anglican clerics Henry Okullu and Alexander Muge, attending a KANU delegates' conference, opposed "African democracy" enshrined in the queuing system of Parliamentary elections. The LSK, in defending the secret ballot, joined the NCCK, Anglican, and other clerics. Three lawyers, Kiraitu Murungi, Paul Muite and Gibson Kamau Kuria, jointly challenged the constitutional amendment bills of 1986 and 1988. They argued that the two bills contravened constitutional principles and were opposed to the objectives of the Kenya society. They also challenged the provision increasing police powers arguing that they offended the basic requirements of the rule of law. [53]

In his paper, Odhiambo-Mbai (2003) lists several characteristics of autocratic states among them the existence of patron-client relationships accompanied by virulent corruption, political purges and rehabilitation, among other characteristics, discussed above. [54] He also notes that characteristic of autocratic states is conspiratorial politics especially when people are denied opportunities to participate in the political process. As noted earlier, when channels of public opinion are plugged, it finds expression by the sewers. This view is also expressed by Wamwere (1992) who writes, "... By precluding all chances of democratic and peaceful struggle against his rule and Government," Moi was calling for war since "those who make peaceful revolution impossible make violent revolution inevitable." [55]

In addition to civil resistance to Moi's autocracy, diffuse underground movements, for example, *Mwakenya*, challenged him. *Mwakenya* was a clandestine organization that emerged between 1987-1988. Although it had no distinct ethnic composition, the manner in which it administered oaths, which resembled the Mau Mau oath of the 1950s, made it, a Kikuyu underground opposition movement. It was leaderless, but it had an urban and rural (especially in Kikuyuland) following and exile components. Throup and Hornsby (1998) observe that its existence might be explained either as a cause or effect of political repression. The present author subscribes to both perspectives. If it was the *cause* of Moi's oppression, this proves that Moi was aware that his misrule was challenged and his legitimacy contested and, therefore, risked violent removal. *Mwakenya* can, however, be more plausibly seen as an *effect* of Moi's mis-rule. Whoever its members were, they must have recognized that the dictatorial Moi regime and the autocratic one-party state had to be forcefully removed. Fortunately or unfortunately, the organization did little to harass the state. Nevertheless, it provided the regime with a convenient excuse to crackdown on independent political activity of the academia, politicians, clergy and other professionals. Repression characterized by abuse of human rights and total disregard of the rule of law was intensified. [56]

Ogot (1995) notes that the above forms of resistance; political, civil and potentially violent failed to dislodge Moi or change his leadership style between 1982-1988 because national and international conditions were not ripe for change. [57] However, with the collapse of the Soviet Union and Berlin Wall, increased repression and oppression, and economic hardships, the struggle for democratization of the state intensified between 1988-1990 bearing fruit in December 1991.

END NOTES

1. The author agrees with Ogot's observation that Moi seemed to be the only political leader who could naturally hold the country together in the transition period. See Ogot B.A, "The Politics of Populism", in (Ed) Ogot B. A. & Ochieng W. R., *Decolonization and Independence in Kenya, 1940-1993*, James Currey, London (1995), and p.190. This was a remarkable fete given the fact the he was Kenyatta's own creation and a compromise candidate as it were. Ogot (p.131, above) observes that the fact that Moi was dismissed as a 'passing cloud' contributed to his two-edged success; peaceful transition and his immediate hold onto power.

2. Morton A., *Moi: The Making of an African Statesman*, Michael O'Mara Books, London (1998), p.31. Morton observes that Moi "was insecure at the table of Kenya's politics."

3. Ibid, p.128; The Kiambu Mafia, with the exception of Njonjo, saw this as Kenyatta's betrayal of the House of Mumbi (giving the presidency away). It should be remembered that the Kikuyu elite had administered the Gatundu oaths in 1969 to ensure that the presidency would not leave Kikuyu-land and Kiambu district in particular.

4. See Wamwere K., *The People's Representative and the Tyrants*, New Concept, Nairobi (1992), Pp.18-19. Wamwere further notes that a surprised Moi, since his appointment, had felt he owed his promotion to "the personal generosity of Kenyatta". The latter hoped that this would make his Vice-President loyal to him. On Moi's own personal account, he proved loyal to Kenyatta to whose tune he sang and danced.

5. Hempstone S., *Rogue Ambassador; An African Memoir*, University of the South Press, Tennessee (1997), p.30; See also Odhiambo-Mbai, "The Rise and Fall of the Autocratic State in Kenya", in (ed). Oyugi W. O. et. al., *The Politics of Transition* in Kenya; From KANU to NARC, Heinrich Boll Foundation, Nairobi (2003), p.64, who observes that Moi, unlike Kenyatta, lacked sophistication in handling pertinent issues thus, "his utterances were often crude and mediocre." Throup and Hornsby (1998) also observe that Moi lacked the education and intellect required to master the civil service and politics to the extent that Kenyatta had, Op. Cit. p.21.

6. See Morton, Op Cit., p.160. The General Service Unit (GSU), Special Branch and Police dockets that had hitherto traditionally been under the Ministry of Home Affairs were transferred to the Minister of State. This left Moi with the inconsequential departments of Prisons and Immigration that did not boast much power.

7. Hempstone, Op Cit, p.30.

8. See Wamwere, Op. Cit., pp 18-20 for a thoroughgoing analysis of the factions vying to inherit the presidency from Kenyatta.

9. Hempstone, Ibid, p.30., calls President Moi an "accidental Big Man", Throup and Hornsby (1998), p.27 also observe that Moi was a comprise candidate who did not pose a threat to the major power blocs behind the throne.

10. Morton, Op.Cit., p.66.

11. Most authors including Moi's biographer (Morton, 1998) acknowledge that Charles Njonjo played a pivotal and influential role in the appointment of Daniel Moi to the Vice-presidency in 1967.

12. Morton, Ibid, p.135.

13. Either Njonjo did not take heed of this warning or he did but was later dispensed with by a shrewd Moi for political expediency in 1983.

14. *Sunday Nation,* September 17th, 1978, pp. 1 & 3.

15. Ogot, Op.Cit, p.191. For an incisive analysis of the manner in which Moi took advantage of the internal squabbling within Kikuyu elite ranks also see, Widner J.A, *The Rise of a Party-State in Kenya: From Harambee to Nyayo*! University of California Press, Los Angeles (1992), pp.137-141. Also see Throup and Hornsby, Op.Cit, p.30, who see this factionalism as a struggle for the vice-presidency.

16. Widner, Ibid, p.138.

17. Ogot, Op.Cit, p.195.

18. While Moi did this for the stated reasons; the welfare and unity of the nation and the unstated ones (to guarantee his security as President); it is important to observe in addition that these associations had become notoriously politicized. See Ogot, Ibid, p. 196 for a brief history of and comments on each of the mentioned ethnic associations. See another account of the same in Throup and Hornsby, Op.Cit, p.30.

19. Hempstone, Op.Cit, p.33

20. See Wamwere, Op.Cit, pp.20-21 who also observes that the Kikuyu elite feared, quite correctly, that if they forced themselves on Kenyans, it would lead to an intra and inter tribal strife. They would avoid any risk to their property posed by post-Kenyatta chaos even if it meant embracing Moi's political rule.

21. Wamwere, Ibid, p.21. For an incisive analysis of Moi's populist *Nyayo* stance, see B.A. Ogot's article, "The Politics of Populism", Op.Cit, pp 187-212; for brief references to the same see Hempstone, Op.Cit, p.35 and Widner, Op.Cit, P.130. It should be noted that this philosophy has always meant different things to different people, intellectuals and politicians alike; the most widely accepted meaning is the most obvious, that is, literally, Moi would not undo Kenyatta's legacy. It also meant that Moi expected total loyalty from political leaders and the public. Wamwere (1992) offers a refreshing perspective when he observes that while it wrongly interpreted to mean continuing state privilege to the Kikuyu elite, to their Kalenjin counterparts it meant that Moi "would let them do everything they believed Kenyatta had allowed rich Kikuyus to do: Grab land, steal from public corporations. Take big jobs .... Engage in corruption without being sued .... Develop their areas as much as possible even at the expense of other areas, and practice tribal discrimination and favouritism." With the benefit of hindsight, this view is vindicated by how Moi and his clique ran the state.

22. Kanyinga K. and Munguti K., "Ethnic Structure, Inequality and Governance of the Public Sector in Kenya," Draft Report, UNRISD (2003), pp 21-22, observe that the Luo and Luhya groups abhorred the Kikuyu for dominating the public sector hence their potential usefulness as allies. Moi promised to provide them with equal political opportunities –

that is, Luo, Luhya and Kalenjin police and provincial administration officers would be appointed to fill positions vacated by forcefully retired Kikuyu. As expected, however, Moi's kinsmen, the Kalenjin would form the majority of the new appointments.

23. This economic analysis of fluctuating consumer prices is drawn from, *Daily Nation*, 29th April 1982, p.1., *Weekly Review*, 18th June 1982, pp.26-40, *Weekly Review* 1st October 1982, *Weekly Review* 1st January 1982, pp.49-49 and *Weekly Review* 8th January 1982, p.32. Also see *Compedium to Volume 1 1979 Population Census,* Central Bureau of Statistics, Ministry of Economic Planning and Development (July 1981), p.4. Scholars attribute the coup attempt to these economic hardships but as Throup and Hornsby, Op.Cit, p.31 observe, the precise motivations of those involved remain obscure. Since Moi's exit from power in 2002, however, the press has revisited the issue. One or two accounts of the coup attempt by some of the soldiers who participated in it have been published none of which I was unable to read in time while writing this chapter.

24. See Widner, Op.Cit. (end note 15), p.143.

25. This is a view expressed by Widner, Ibid, p.145 and which authors supports.

26. Verbatim quotation of Moi as cited in Munene, *The Politics of Transition In Kenya*, 1995-1998, Quest and Insight, Nairobi (2001) pp. 9-12.

27. This is according to Morton, Op.Cit (end note, 2); this view is supported by emerging evidence (newspaper articles, for example, *Fathers of the 1982 Attempted Coup: The Genesis of a Mutiny, Sunday East African Standard Series,* March 14th 2004 pp1-95 and *Sunday Nation*, 1 August, 2004, p.13- which show that Luo officers did indeed, form the bulk of the coup plotters.

28. The fact that University students were drawn into the coup attempt can be explained in two ways: firstly, by the fact that the officers had brothers and sisters in the University teaching staff and student community; and secondly, the possibility that the grievances being aired by the air men were not sectional but national.

29. Morton, Op.Cit, pp.191-192. It is interesting to note that he writes about an underground organization in Luo-land that knew that the coup plans were afoot. This is according to an interview given to him by Bill Omamo (see p.193).

30. Quotation from Throup and Hornsby, Op.Cit, p.31.

31. Morton, Op.Cit, pp, 191-192, 196.

32. Morton, Ibid, P. 190. This is supported by emerging evidence (see *Sunday Nation*, 1 August, 2004, p.13).

33. Hempstone, Op.Cit pp 37-38.

34. For more on how the coup attempt impacted Moi's personality and leadership, see Hempstone, Ibid, pp 37-38; Throup and Hornsby, Op.Cit, pp.31, 32 and Morton, Op.Cit, pp 195-196.

35. Morton, Ibid, p. 195.

36. Throup and Hornsby, Op.Cit, p. 32 note that although Moi heeded this advice he only opted to promote representatives of small and politically marginalized pastoralist ethnic groups, for example Lieutenant General Mahmoud Mohammed (a Somali who had helped to crush the Air Force Coup attempt and establish a new reformed 'Air Force '82) and Major General Lengees (a Samburu who took command of the Army). Throup and Hornsby further note that as "creations of the President without an independent political base, Mohammed and Lengees proved reliable surrogates for the complete Kalenjin take-over of the armed forces' command structure". While the Kikuyu and the Kamba continued to form the largest element and in the officer corps, they were systematically removed so as to avoid a coup attempt from their ranks. These changes were repeated in the police and the elite General Service Unit.

37. Throup and Hornsby, Ibid, p.33 observe that in his bid for power, Njonjo had undermined Kibaki's influence within Government and was set to dislodge him from the vice-presidency.

38. Morton, Op.Cit, p.180 notes that the Muthemba case that later embroiled Njonjo was occasioned by the former's alarming information he presented the latter: that "there were people trying to buy arms to overthrow the Government." Njonjo advised him to report the case to the police. Instead, Muthemba was arrested and a trial hastily convened.

39. Morton, Ibid, P. 199.

40. Widner, Op. Cit p.148 explains the motivation with which the Luhya leaders attacked Njonjo by noting that Luhya districts that had previously been neglected by the Government were rewarded with "development". Specifically, Moi visited Butere and raised Ks. 3.1 million for Shikuku's Butere Development Fund. Shikuku and Mwangale were also elevated to full cabinet posts.

41. According to Ogot, Op. Cit., 200, the two strategies were: to get members of Parliament to pass a vote of no confidence in the President: and, influencing Kanu sub-branches and branches, to support him for the party presidency. Also see Throup and Hornsby, Op.Cit,. p. 35.

42. The above failure to completely phase out Njonjo's supporters according to Throup and Hornsby, Op.Cit, p.33 damaged Moi's confidence in his ability to dominate electoral politics without influencing the results (rigging). Henceforth, therefore, "he was to rely more upon the central and district party machinery as key agents of political control." For more on the Njonjo Affair see Morton, Op.Cit, pp.196-200; Widner, Op.Cit, p. 147-149; and Ogot, Ibid, pp 200-201.

43. According to Widner, Op. Cit, p.168, the President and KANU mounted "loyalty demonstrations" in which he reminded Kenyans of his power to destroy the livelihoods of those who criticized the Government. As a result, most politicians and would-be Government critics preferred silence.

44. Throup and Hornsby, Ibid, p.42. The two authors note that the 1988 KANU victory over its real or imagined opponents, ironically also laid the groundwork for its downfall.

45. Throup and Hornsby, Ibid, p.44.

46. Throup and Hornsby, Op.Cit., p.38, note this as the reason why when the time for change came, n*yayo* followers were eager to dump the bogus ideology of *nyayoism*; also see Ogot Op.Cit, p.193.

47. Widner, Op.Cit, p.165.

48. Widner, Ibid, p. 179; also see Wamwere, Op.Cit., p.88 who notes that Moi emulated Kenyatta and his Government by giving the Kalenjin the upper hand in Government business land ownership, parastatals and politics. This not only helped him to perpetuate political power but also ensured the bankrupting of parastatals and loan repayments and general degeneration of the economy. Being a combination of corruption and tribalism, it resulted in dangerous hybrid that generated ethno-regional inequality thus acting as a potential of violent ethnic conflict.

49. Throup and Hornsby, Op. Cit. pp 36-37; also see Widner, Ibid, p.149.

50. For more on this see Ogot, Op.Cit, p.211 and Widner, Ibid, p. 165; it should be noted that in the House, only Charles Rubia was fearless enough to oppose the two bills.

51. The extent of the party's control of the state department is illustrated by the fact that the police were empowered to stop anyone and ask him/her to flash his/her KANU membership card. See Widner, Ibid, pp 169, 170 for more on the control of the police by KANU.

52. Rubia had been a "moderate" and quiet defender of civil liberties in the 1970s. In the mid-1980s, he played a key role in defending political space for public debate. He opposed the debate of a constitutional amendment bill eliminating security of tenure for the office of the Attorney-General and Controller and Auditor General. Four months earlier, in August 1986, he had intervened to defend those in the churches who had objected to the President's insistence on abandoning the secret ballot. For his daring efforts to uphold Parliamentary supremacy over the party and the executive, Rubia succumbed to the 70% preliminary election rule. He lost to an opponent 29% to 71% in a

severely rigged ballot. Later in, 1989, the Nairobi KANU branch suspended him on the ground that he had participated in anti-government demonstrations and recommended his suspension from the party, which was effected. Supporting this decision, Moi promised to hunt down the advocates of multipartism "like rats"; see more in Widner, Ibid, pp 172-173.

53. See Throup and Hornsby, Op.Cit. p.39; Ogot, Op.Cit, pp 211-212. Also see Morton Op.Cit p. 219.

54. Odhiambo-Mbai, "The Rise and Fall of the Autocratic State in Kenya", in (ed.) Oyugi W. O. et. al., *The Politics of Transition In Kenya: From KANU to NARC*, Heinrich Boll Foundation, Nairobi (2003), pp. 53-54.

55. The author is in agreement with these views expressed by Ogot, Op.Cit, p. 196 and Wamwere K., Op. Cit., p. 173.

56. For more on the fluid nature of the Mwakenya resistance see Widner, Op.Cit, pp. 177-178 and Throup and Hornsby, Op.Cit, p.40.

57. This view, which is acceptable, is to be found in his article, "Transition from Single-Party to Multi-Party Political System, 1989-93." in (ed.) Ochieng W. R. and Ogot B.A, *Decolonization and Independence in Kenya, 1940-93*, James Currey, London (1995), p. 124.

CHAPTER FOUR

AUTOCRACY AND ETHNIC CONFLICT IN THE MULTIPARTY ERA, 1988-2002

4.0 INTRODUCTION

Under pressure from local and international forces to re-introduce political pluralism, President Moi gradually ceased to manage ethnic conflict using autocratic suppression. In this chapter, national clamour for multipartyism is viewed not strictly as a demand for the opening up of political space but also an opportunity for the expression of long suppressed ethno-regional loyalty and grievances. Put differently, it was a clamour for "multi-ethnicity" in national politics. This fact is illustrated in the fragmentation of political opposition parties formed to remove President Moi from power. The chapter also extensively discusses how ethnicity was polically manipulated by elements in the Moi government leading to violent ethnic clashes, which demonstrates its potential destructiveness both in terms of social and economic development and with regard to national unity. Ethnicity has continued to be a reference point for politicians, a fact that is discussed in the context of the Moi succession and political transition, which was characterized by shifting ethno-political alliances.

4.1 The Clamour for Multipartyism in Kenya, 1988-1991

In addition to repression, abuse of human rights, restriction of political space, including the suppression of expression of ethnic grievances or "multi-ethnicity", and autocratic personal rule that characterized the first ten years of Moi's rule, this period experienced mounting economic troubles. Kenya's population had grown and was almost three times that of the period following independence (about 26 million people up from 8,365, 942 in 1962*); industrial production stagnated and the Gross Domestic Product (GDP) per capital remained static as a result; foreign earnings dipped as coffee and tea prices fell even further and tourism declined; land consolidation schemes were long a thing of the past, and worse, the Government came under increasing pressure from the World Bank

and the International Monetary Fund (IMF) to implement in full structural adjustment prescriptions. According to Hempstone (1997), between 1989-1991, unemployment had skyrocketed to an estimated 40%, Kenya's trade deficit stood at $1.3 billion, inflation raged at 25% annually and the living standard of the average Kenyan declined by at least 16%.

The *Weekly Review* of 17th Feb. 1989 and 3rd Sep. 1993 aptly described the economic conditions at the time:

> ...Roads were poorly maintained ... supplies in hospitals short, ... Government offices lacked basic requirements ... and health centers in rural areas closed because of lack of medical supplies owing to the recurrent costs financing crisis that had swept through Government ministries. [1]

The Moi Government did little to improve the economy. The civil service was overstaffed with its growth rate standing at 7.4%. Both the Kenyatta and Moi regimes used the civil service as a source of state patronage. As a result, the workforce had shot from 65,932 between 1967-68 to a record 270,000 by 1990. Increased neo-patrimonialism led to inefficiency and corruption in the public sector. [2]

The Moi Government failed to pay higher proportions on international commodity prices to rural producers. The major reason for this economic negligence was the fact that it recognized that this:

> Would have benefited primarily the Kikuyu populated areas, which were main centers of cash crop production, and rewarded those most hostile to the regime. Key figures in the Government, including Nicholas Biwott and Elijah Mwangale, were determined that the influence of the Kikuyu should not be revived. [3]

Thus while Government and private investment was directed to Kalenjin and Abaluhya areas, Central Province was hit hard by the harsh economic conditions and by deliberate shortage of resources orchestrated by the Moi Government. It had effectively reduced the claims of the region while inviting private capital investment in areas neglected under Kenyatta especially Moi's own Baringo district and the wider Kalenjin region. The Kalenjin-centric state, therefore, benefited the precarious Kalenjin-Luhya alliance.

Opposition among the Kikuyu intensified and the regime's support was weakest in Central Province. There was widespread and deep-seated dissatisfaction among not only the Kikuyu but also other large communities like the Luo. The Luo had not, since when Oginga Odinga was Vice-President, been close to the centre of power and had, therefore, been, more or less, neglected. Finding themselves with little or nothing to offer, as they became further removed from the inner circle of the KANU regime, Kikuyu and Luo politicians had little choice other than to oppose Moi.

Kikuyu resentment towards the Moi-KANU regime had started as early as 1983. As Throup and Hornsby (1998) note, it was reflected in the election results of that year. The two authors write:

> ...Kikuyu leaders who won victories in 1983 were far from the pliant figures for whom Moi had hoped. The Kikuyu electorate returned an educated and outspoken cohort of MPs who were willing than their predecessors to defend Kikuyu interests, for example ... Kenneth Matiba...John Michuki who joined Kikuyu ranks to defend the economic position of the community ...John Matere Kiriri ...George Muhoho ....[4]

Moi tried but failed to encourage suspicion of Kenya's other communities towards the Kikuyu. Thus while the years of Kikuyu hegemony had sown seeds of suspicion and resentment among other Kenyans, they were united in the hope of removing Moi's autocratic state. The concentration of the regime's critics in Central Province, however, was an ethnic front that carried the seeds of division in the opposition and its defeat in both 1992 and 1997. Ethnic solidarity was reflected as politicians such as Masinde Muliro, Martin Shikuku, Oginga Odinga, Kimani wa Nyoike, Rubia and Matiba spoke openly against the Moi regime. Ethnic unity against autocracy was, however, exemplified by the role of civil society in the democratization process. [5]

With the silencing of independent political voices by the ruling party, civil society emerged to champion the grievances of Kenyans. The church and professional bodies such as the Law Society of Kenya retained an independent voice and dared to speak out. Kenya being a deeply religious society, "many saw the church leadership as a bastion of moral propriety and principle, willing to criticize the regime and corrupt Ministers ...." [6]

The efforts of clerics towards creating and sustaining an anti-government movement can be referred to as "liberation theology" (a gospel against state oppression).

Veteran Bishops, Henry Okullu and John Gatu, who pioneered "liberation theology," were joined by a younger generation of church leaders who spoke fearlessly against the Moi-KANU regime. Some of them were, Rt. Rev. David Gitari, Rt. Rev. Dr. Alexander Kipsang Muge, the Rev. Dr. Timothy Njoya, the Rt. Rev. Mgr. Ndingi Mwana a' Nzeki. Thus, while the voice of the church was muzzled in 1986, discontent started simmering with new energy. These clerics joined other prominent Kenyans disillusioned with the Moi regime such as Paul Muite, Kiraitu Murungi, Kenneth Matiba, and Gibson Kamau Kuria.

Bishop Okullu had frequently clashed with the powerful Attorney-General, Charles Njonjo, during the Kenyatta era. When the Government had unveiled it democratic African voting system, *mlolongo*, Archbishop Manasses Kuria dismissed it as "unchristian, undemocratic and embarrassing." The role of two other clerics, Bishops Muge and Njoya deserve special mention. The former attracted the attention of Anglican leaders world-wide, including the Archbishop of Canterbury when he declared: " I shall not protest against the violation of human rights in South Africa if I am not allowed to protest the violation of human rights in my own country." [7] He also demanded an end to corruption and land grabbing by powerful Government figures and a two-term limit on Presidential tenure and the restoration of an independent Judiciary. He made many enemies in the process that cast into sharp doubt the fateful road accident in which he died in August 1990. His death served to "shred further what remained of the Government of Kenya's credibility and reputation." [8]

Unlike Muge who favoured democratic change under the one party state, Rev. Njoya became the first voice, in the eve of 1991, to call for the re-introduction of multipartyism. He warned that what had happened in Eastern Europe, the violent overthrow of the Ceausescu regime in Romania, for example, was inevitable in Kenya. Political activists such as Anyona and Imanyara and the veteran politician Odinga supported him. A few

months later, Dr. Henry Okullu produced a program for radical change calling for the repeal of Section 2A of the constitution; the dissolution of the Sixth Parliament which he considered illicit following massive rigging in 1988; limitation of Presidential tenure; and the convening of a national convention to chart out Kenya's political future. [9]

4.2 The *Saba Saba* Rally and the Ouko Murder

The two outspoken Murang'a MPs and former Cabinet Ministers, Charles Rubia and Kenneth Matiba, called a press conference that urged the legalization of opposition parties. Coincidentally on the same day of May 1990, the U.S ambassador, Smith Hempstone, in a speech at a city hotel said:

> ... A strong political tide is flowing in our Congress, which controls the purse strings, to concentrate our economic assistance on those of the world's nations that nourish democratic institutions, defend human rights and practice multiparty politics. [10]

At a second press conference, the two ex-ministers were even more outspoken: They denounced corruption and repression in the ruling circle; blamed the declining economy on the Government; called for greater openness and accountability in the political system; and argued that not only did the one-party stifle criticism through ruthlessness, eliminated human freedoms and infringement on human rights but had also resulted in tribalism and mediocre appointments to public office. They called for a public rally which they set for 7th July 1990 strategically choosing Kamukunji Grounds in the outskirts on the capital city in order to mobilise the Nairobi masses and thus demonstrate to KANU, President Moi and the international community that the opposition had mass support. Through the press conference, Matiba and Rubia had effectively removed debate from Parliament and taken it out of the House. [11] Thus, in a matter of a few weeks, they transformed a repressed underground movement into a mass movement that threatened the Government's control.

As July 7th approached, they consulted with Luo leaders, Oginga Odinga and Achieng Aneko and the Luo-Kikuyu alliance of the 1960s was gradually restored. Before the planned rally materialized, Rubia and Matiba were arrested and detained. This provoked

large-scale violence in Nairobi and several other Kenyan towns that began on 7th July or *Saba Saba* as the day came to be known.

Before the material day, people flocked to banks to withdraw savings to buy and stock food in bulk or travel to the rural areas. The events of this day, which continued for at least four days, in Nairobi, Nakuru, Murang'a, Nyeri, Thika, Narok, Nyandarua and Kiambu, proved that Kenya was neither an 'oasis' of peace and security in a 'desert' of despair and turmoil nor had it been in its history. Riots and looting gripped the above towns and their environs. In Kikuyu strongholds, which many of these towns were, KANU branch offices were burnt down by masses of people who were "predominantly Kikuyu." [12] A replay of these events would occur in November 1991 in another multiparty and anti-Moi rally that was cancelled. Such ethno-political violence is evidence of political turmoil that characterized the clamor for multipartyism and multiparty politics in Kenya. As Hempstone (1997) observes, "Moi seemed aware that he and Kenya were in trouble ...." Commenting on the turmoil that gripped the country, Oginga Odinga remarked: "Not all is peace, but we must pretend it is peace." [13]

The *Saba Saba* events came three months after the assassination of Dr. Robert Ouko, a "senior Luo" Cabinet Minister. He had not been in Moi's inner circle, but despite being an "outsider," he was emerging as a leading Luo leader in the cabinet and a non-partisan administrator and anti-corruption investigator who had widespread national admiration. Although he was not particularly popular, he was "widely acknowledged" as "one of the Government's most capable administrators, and, therefore, a natural political figure that might have emerged as a serious contender for the succession, free from the stigma attached to a Kikuyu candidate." Morton (1998) and Hempstone (1997) draw parallels between the murder of Ouko and that of J. M. Kariuki fifteen years earlier. He had been shot, his body severely burned and dumped near Koru Hill.[14] The fact that he was murdered following a recent visit to the U.S. in the company of the President fuelled rumour, especially among the Luo that Moi had ordered his elimination because Ouko had been received more warmly by Bush's administration than himself. As a result, there was substantial grass-root outrage "especially in the Luo community, which rioted for

several days, cutting Nyanza District off from the rest of the country." As Morton (1998) observes, the Ouko murder alienated a substantial tranche of the Luo from the Moi-KANU regime. [15]

Beyond the murder providing an embarrassing backdrop to domestic unrest, authors such as Kanyinga and Munguti (2003) and Throup and Hornsby (1998) observe that the inconsistencies of subsequent police and judicial inquiries were crucial drivers that fuelled the campaign for multi-party democracy. The political unrest was compounded by Government fear that an anti-Moi rug-tag army, allegedly trained in Uganda and posing as hawkers, was in existence and waiting for the right moment to launch an attack. Acting on information in subversive song cassettes and on other sources of rumour, the Government bulldozed and razed shanty village towns of Muoroto and Kibage, further alienating itself from the people. [16]

The local political developments were equally informed by international transformation that attended the collapse of the Soviet Union and it's satellite states in Eastern Europe. For example, the activities of the Civic Forum Movement in East Germany and Vaclav Havel's Velvet Revolution in the Czech Republic, and the adoption of multipartyism in some African states influenced events in Kenya. In 1991, Benin, Sao Tome, Mauritania, Madagascar, Rwanda and Zambia among others moved toward plural politics. This inspired those who were advocating for change in Kenya, politicians and civic leaders.

Another international influence on events was the pressure applied by the World Bank, the IMF and bilateral donors. The U.S Congress wrote to President George Bush (Sr.) on November 22, 1991 urging him to freeze military and economic aid pending effective change in Kenya's Government policy. It further advised him to rally donor consensus in an upcoming Donor Consultative Meeting in Paris. Prior to this donor club meeting on 25-26 November, the international press had carried on a month-long campaign against corruption, and specifically, the holding of money by Kenyan politicians estimated by the IMF to stand at U.S $ 2.62 billion. At the Paris Group meeting of bilateral donors among them Canada, Denmark, Finland, France, Germany, the United Kingdom, Netherlands,

Japan, Sweden, the U.S., Italy and Belgium, the decision to suspend balance of payments and other rapid disbursement and for six months, was made. The group stressed that "future aid levels would depend on clear progress in implementation of economic and social reforms." It was the first time that such action was being taken by the international community against Kenya.[17]

The confluence of the above international factors with domestic pressure and events such as; the Ouko and Muge murders; blatant rigging of the 1988 elections; economic hardships characterized by food shortage; growing corruption among senior Government ministers; mounting inflation; and intensified calls for political liberalization, shook the Moi Government. Signs that the Moi-KANU regime had started to cave in had started in December 1990 when the Saitoti Reforms were unveiled and adopted at a KANU conference. They were an attempt to preempt political change championed by domestic and international forces. The Reforms included, the scrapping of the queue system; dropping of expulsion as a means of maintaining party discipline; the 70% rule was abolished; tenure of service was restored in the Judiciary; a tough new Prevention of Corruption Act was put into place; and the 8-4-4 educational system was to be reviewed. It also recommended the removal of Section 2A of the constitution to allow multipartyism.[18] This, however, was not to be until December 3, 1991, exactly one year later. On this date, the President announced that Kenya would legalize opposition parties.

The Forum of the Restoration of Democracy (FORD) that had existed as a Civic Forum (styled after similar organizations in Eastern Europe and South Africa) since August 1991 transformed itself into a party. It was under the founding leadership of among others, Odinga, Muliro, Shikuku, George Nthenge, Philip Gachoka and Ahmed Bamahriz. It should be noted that the Matiba-Rubia campaign in mid-1990 and Oginga Odinga's FORD campaign in 1991 were, according to Throup and Hornsby (1998), part of a "carefully considered strategy." The two sides revived the old Kikuyu-Luo alliance, which attracted a cross-section of leaders from other ethnic groups. Moi feared this Kikuyu-Luo alliance that had brought Kenya to independence. By early 1991, FORD

was a party "on the crest of a wave" and it seemed to all to be a Government in waiting in a seemingly certain victory in elections, which had been set for December 1992. [19]

The Moi regime, and the country in general, weathered the violent storm that loomed over Kenya between 1988-1991. Although the political climate in the early 1990s was a recipe for disaster, the Moi-KANU regime's gradual but reluctant acceptance of change was a positive response to the wishes of the people. The Saitoti Report though too little, a little too late, saved Kenya from violent change. The Moi-KANU regime must, therefore, be credited for ensuring a peaceful transition to plural politics. But would it hold or was Kenya headed for division along ethnic lines and ethnic violence as a result of multipartyism as Moi had warned? Would the Kikuyu-Luo alliance in FORD endure delivering democracy to a country that had suffered years of political oppression?

4.3 Divorce of the Second Kikuyu-Luo Marriage and Disintegration of the Opposition

The possibility of rebuilding the Kikuyu-Luo alliance of the early 1960s was, from the start, marked by suspicion and anxiety. Odinga complained that: "The 'first marriage' had brought few rewards for the Luo and wondered what he would get for a 'second marriage.' " Matiba and Rubia "agreed ... he should be opposition's future Presidential candidate, a key concession which was to have enormous repercussions two years later." [20]

With the formation of FORD, many people's hopes were raised as they felt that suppression of the single-party was about to be brought to an end. The hope of a "second liberation" was pegged on FORD, which had grassroots support in all provinces with the exception of North Eastern, parts of Coast and Rift Valley Provinces. The transition to multipartyism, as Moi had warned, however, brought to the surface divisions between ethnic groups as well as generational and/or personal conflicts between politicians. No sooner had multiparty politics been legalized than the opposition began to fragment. By August 1992, FORD was on the verge of a major split.

In spite of its widespread and growing support, FORD, was, as Ogot (1995) observes, an assortment of people with different agenda united in their determination to get rid of the Moi Government and KANU. From its inception, it was faced with endemic factionalism. Among the major differences were disagreements on aims or views of policy, methods and generational/personal differences. However, ethnicity proved to be the most serious cause of its final demise.

Cracks along ethnic lines had begun when various FORD politicians declared their Presidential candidacy as elections drew near. Odinga's declaration that he was a candidate for the Presidential race despite his age, forced the Kikuyu to reconsider their alignment with the party. It should be recalled that, both Matiba and Rubia, had conceded to Odinga's aspiration. Nevertheless, Kikuyu leaders realized that high positions in the party would not translate to political power and, therefore, began to express their concerns publicly a week after Odinga's announcement on 29th January 1992. On 1st February 1992, in a rally in Kikuyu, Kiambu District, the Kikuyu crowned Matiba as their Presidential candidate. In this, and another meeting in Kiharu, Matiba's constituency, the Kikuyu reiterated that they could not afford to be sidelined in politics. Some of the speakers at these meetings suggested the revival of the banned ethnic association GEMA stressing the need for Kikuyu, Embu and Meru unity. This caused widespread suspicion of a Kikuyu plot to take over the country.

By the end of February 1992, FORD was far from the image of unity (with nothing but victory almost assured) that it had been in its first heady months. Odinga's premature declaration of interest in the presidency and Matiba's quick counter-declaration threw the opposition into turmoil and disarray. A rift was growing between the two ethnic factions as FORD leaders squabbled over perquisites of power rather than enhance debate and acceptance of democratic norms. The party, which featured elements of the *ancien regime*, was not expected to respond to genuine social and economic needs of the people. Riven by ethnic and other rivalries, the party was headed for disaster. [21]

The division within FORD intensified in mid-1992. It reached a climax in late July when Matiba announced that he was not only eying the party's Presidential candidacy but also the party chairmanship held by Odinga. Subsequently, two distinct FORD factions, Muthithi House and Agip House emerged led by Matiba and Odinga, respectively. Martin Shikuku's State House visit in which he was allegedly given Ksh. 30 million as an incentive for him to vie for FORD's Presidential nomination did not ease tensions.

The rift widened further when Agip House announced and proceeded to hold party elections, which Muthithi House boycotted. The elite rivalry between Odinga and Matiba took a deeper ethnic hue when cultural stereotypes started being used freely. The Kikuyu rejected the idea of voting for or being ruled by 'an uncircumcised Luo'. On the other hand, the Luo, who had suffered during Kenyatta's rule, found it easier to live under Moi than to be under another Kikuyu President. In the months of August and September 1992, Kikuyu and Luo politicians traded bitter words. George Nyanja and Stephen Ndichu were quite outspoken in their attacks: The Kikuyu would never tolerate Luo leadership. Raila Odinga, in a *Guardian* interview, responded by saying that "the country is not ready for another Kikuyu President so they won't vote for Matiba." The intensity of the ethnic division was captured aptly by the *Weekly Review*, 29th May 1992, which likened the rivalry in FORD to an internal party civil war.[22] Masinde Muliro's death in August 1992 further complicated the matrix. Throup and Hornsby (1998) note that as the Kikuyu-Luo rift widened, Muliro stood out as an honest broker not committed to either side and an elder statesman who might heal the party's divisions. Before his decease, he had announced his bid for FORD's Presidential nomination as a compromise candidate.

The two groups finally developed into two separate parties. This proved that politicians in the opposition were not interested in the "second liberation but in the right for the occupation of state house." Ethnic chauvinism and personal ambition had triumphed over nationalism and patriotism. FORD had failed to unite Kenya's largest ethnic groups- the Kikuyu, Luo and the Luhya. It was clear that none of its respective (segment/ethnic bloc) leaders had made serious inroads into the ethnic base of his opponents. This proves that in Kenya politics, ethnic loyalties and personalities are

central. Ethnic Kikuyu-Luo elite rivalry also exhibited deeper social antagonism inherent in Kenya's body politic. Put differently, ethnicity was proved to be the most powerful force in Kenyan politics. [23]

In the meantime, Mwai Kibaki's defection from Government on 25th December 1991 to form the Democratic Party (DP) further complicated the fissures in FORD. Two Kikuyu Cabinet Ministers and three Assistant Ministers and a host of Kikuyu MP's had followed him. He deprived FORD essential Kikuyu support by failing to join it. DP had the support of Nyeri Kikuyu, Kibaki's home District. The party, however, had less support than KANU, let alone FORD because of its Kikuyu power elite orientation. [24]

4.4 Violent *Majimboism*

Meanwhile, KANU took advantage of the ethnic rivalry in FORD. KANU politicians observed KANU had been right about the effect plural politics would have on ethnic relations. While the animosity between the Luo and the Kikuyu tore FORD apart, the wider political environment was dominated by rivalry between the Moi-KANU regime and the opposition. The ruling party carved out regions most of which were in the Rift Valley, North Eastern and Coast Provinces and labeled them "KANU zones." This meant that they were no-go areas for the opposition. An attempt by Raila Odinga and Wambui Otieno to open a FORD branch at Ngong in George Saitoti's Kajiado North constituency turned violent when Maasai m*orans*/warriors attacked them. Similarly, efforts to organize political rallies in Gusii and Nandi in Nyanza Province provoked violence. Pelted with stones in a visit to North Eastern Province, Oginga Odinga expressed fear that political thuggery would deteriorate into civil war.

Between 1991 and 1998, KANU's violent response to demands for multipartyism and the fear that it would be swept out of power threatened the country's political stability. KANU politicians countered the call for democratization with an extremely illiberal and violent form of ethnic nationalism called *majimboism.* This political rhetoric became the justification for state-organized violence in all, but two, provinces in the country. [25] This

regionally scattered violence pitted pro-regime ethnic groups against those perceived to be pro-opposition.

These intermittent clashes that occurred between 1991-1998 were not different from "civil war" experiences in terms of:

a. The number of people killed.
b. The number of internally displaced people (IDPs).
c. The number of people involved as combatants/warriors.
d. The territorial magnitude of the clashes.

In the light of the above, it is hereby suggested that the ethnic clashes were in every sense a "civil war" but by name.

Threatened, elements in the Kalenjin-centric state sought to secure their personal political survival by identifying it with their respective ethnic group interests. Nicholas Biwott, for example, beleaguered by accusations ranging from economic crimes/corruption to investigations that linked him with the Ouko murder, united Kalenjin politicians behind him urging them to secure an ethnically pure Rift Valley state into which the Kalenjin-KANU regime could retreat *in extremis*. [26]

Biwott, not surprisingly, was at the forefront of renewed calls for *majimbois*m. [27] In a series of meetings, Biwott and his allies urged the Kalenjin of Rift Valley Province and its other indigenous peoples to take control of the region and to silence the Kikuyu, Luo and Luhya who were "immigrants" or "foreigners" (*madoadoa*) and opposition supporters. Politicians from the Kalenjin, Maasai, Pokot and other pastoral communities warned that if multiparty democracy was established "non-natives" of the Rift Valley would be forcefully ejected from the province. Three KANU political rallies, otherwise referred to as the "*majimbo* rallies," held in 1991, inflated ethnic tensions leading to the outbreak of the clashes.

At one of the rallies, at Kaptatet, a Cabinet Minister, Timothy Mibei, was quoted by the *Daily Nation*, 22nd September 1991 as having: "... Instructed *wananchi* in the province

to visit beer halls and 'crush any Government critic and later make reports to the police that they had finished them.' " At the same rally, the late politician Paul Chepkok " ... urged the people of the province to arm themselves with *rungus*, bows and arrows and 'destroy any FORD member on sight.' " Willy Kamuren said that " ... the Kalenjin, Maasai, Samburu and West Pokot ... were ready to protect their Government 'using any weapon at their disposal.' " [28] KANU politicians, therefore, behaved like GEMA politicians before them, who considered themselves to be dangerous, able to organize anything and saw no reason not to crush anybody who gave them "nonsense" regardless of his position in Government.

The Minister for Local Government, William Ole Ntimama who, at the height of the clamour for multipartism, had threatened that " ' a certain ethnic group' " – the Kikuyu apparently – " ... should be cut down to size in the same manner in which the Ibo of Nigeria were in the sixties,' " hosted a *majimbo* rally in Narok. [29] At the rally, he issued a similarly violent warning saying:

> We have now buried the FORD, multiparty politics and the NDP. All the Ministers and KANU leaders you see here have resolved to fight together and follow President Moi together .... *Majimbo* was here at the time of independence and was done away with; if *Majimbo* ended, multiparty politics should end or else ... we will use *rungus* if this will be the effective way of ending talk about multiparty. This I have said on this platform and I am repeating it: The violence of Saba Saba was not a milk drinking party. [30]

While presenting his nomination papers for the 1992 general elections, Ntimama issued a statement to the effect that "if the alien communities did not respect the wishes of the Maasai who are their hosts, then the community will have to think twice about continuing to host other tribes in the District after the general elections ...." [31]

Such irresponsible remarks coming from political leaders politicized ethnicity and thus foreshadowed the ethnic violence that would break between October and November in 1991. In spite of the fact that multiparty politics would have flourished with limited political turmoil and chaos, leaders choose not to refrain themselves from violent talk, abusive remarks and unsubstantiated allegations. Although President Moi instructed leaders not to encourage violence, he reiterated his position that political pluralism was

bound to result in ethnic clashes. [32] The ethnic clashes were, therefore, a self-fulfilling prophecy.

4.5 Ethnic Clashes: The Geographical Magnitude and Nature of a Self Fulfilling Prophecy

Ethno-political turmoil that set in at the introduction of political pluralism leading to intermittent ethnic clashes which continued up to October 1998, has not been comprehensively studied in Kenya. Two documents, the *Kiliku Report* (September, 1993) and the *Akiwumi Report* (July, 1999) remain the only authoritative and factual records of the phenomenon. [33]

Of the two Reports, the *Akiwumi Report* (1999) is more authoritative. A total of 300 witnesses, who were either victims or alleged perpetrators of the clashes, testified to the Judicial Commission. They included, Provincial Administration Officers; clerics and research and non-governmental organizations; and other professionals. According to estimates based on this Report, over 100,000 people were displaced; thousands killed and property worth billions of shillings looted or destroyed. [34]

The clashes involved at least 27 ethnic groups in 19 Districts. Six different Provinces were affected by the ethnic clashes between October 1991 and October 1998. According to the present author's modest estimate based on the Report, over 4,500 ethnic "warriors" were involved in the clashes. On the basis of the above, and with reference to the four variables used by Russell (1974) to measure violent political upheavals namely; the socio-geographical area involved; duration of conflict; the number of active combatants involved; and number of deaths; [35] the level of violence experienced during the ethnic clashes was considerable. As noted earlier, considering these variables, it was a "civil war". It is unfortunate that it has only been thought of as a build up to civil war. [36]

As all the clashes in the affected regions, in Table 1 below, cannot be comprehensively studied case-by-case, a selected few are discussed. The cases discussed have been selected so as to demonstrate; that the Government sponsored the low-intensity violence

(considering the reluctance of Government Officers to curb the clashes); the connection between political incitement and the outbreak of the clashes; spill over or the inter-connectedness and spread of the ethnic clashes from the epicentre (where they first started); and lastly, how latent historical and traditional factors such as the emotive land issue and cattle rustling contributed to the clashes.

Table 1: Ethnic Groups Involved in Ethnic Clashes Between 1991-1998

DISTRICT	**AREA** RIFT VALLEY	**ETHNIC GROUPS**
Nakuru	Molo	Kipsigis, Ogiek vs. Kikuyu and Kisii
	Njoro	Kisii, Kipsigis, Ogiek vs. Kikuyu
	Olenguruone	Kipsigis, Ogiek vs. Kikuyu and Kisii
Kericho	Londiani	Kipsigis vs. Kikuyu, Kisii Luo, Kamba and Luhya
	Fort Tenan	Kipsigis vs. Kikuyu, Kisii, Luhya, Kamba and Luo.
	Kipkelion	Kipsigis vs. Kikuyu, Kisii, Luo Kamba and Luhya
	Thessalia	Kipsigis vs. Luo
	Kunyak	Kipsigis vs. Luo
	Sondu	Kipsigis vs. Luo
Narok	Enoosupukia	Maasai vs. Kikuyu
Laikipia	Ol Moran	Samburu, Turkana, Pokot vs. Kikuyu.
Nandi	Mireitei	Nandi vs. Kikuyu, Luhya and Kisii
	Kamasai	Nandi vs. Luhya
	Owiro	Nandi vs. Luo
	Songhor	Nandi vs. Luo
Uasin Gishu	Burnt Forest	Nandi vs. Kikuyu
	Turbo	Nandi vs. Luhya
Trans Nzoia	Saboti	Sabaot vs. Bukusu, Pokot vs. Luhya
Trans Mara	Nyangusu	Kisii vs. Maasai
	NYANZA PROVINCE	
Kisumu	Sondu	Kipsigis vs. Luo
	Ochodororo	Kisii vs. Luo
	Nyangusu	Kisii vs. Maasai

	WESTERN PROVINCE	
Bungoma	Mt. Elgon	Sabaot vs. Bukusu, Teso and Kikuyu
	COAST PROVINCE	
Mombasa	Likoni	Digo vs. Luo, Kikuyu and other upcountry people.
	Matuga	Digo vs. Luo, Kikuyu and other upcountry people
Tana River	Bangale	Degodia vs. Orma
	Garsen	Orma vs. Galjael
	Itola-Garsen	Wardei vs. Pokomo
	Saka	Ogaden vs. Monyoyaya
	Nandi	Degodia vs. Orma
	Boka	Degodia vs. Ogaden
	NORTH EASTERN	
Garissa	Benane	Ogaden vs. Borana
	Saka	Ogaden vs. Monyoyaya
	Masalani	Ogaden vs. Pokomo
	Grufti	Degodia vs. Ajuran
	Hadado	Degodia vs. Ajuran
	Bute	Degodia vs. Ajuran
	Habeswrin	Degodia vs. Ogaden
Mandera	Bagalla	Degodia vs. Borana and Gabra
	Kotulo	Garre vs. Degodia
	Korofa Harer	Garre vs. Degodia
	Mansa	Garre vs. Degodia
	EASTERN PROVINCE	
Isiolo	Garbatulla	Borana vs. Degodia
	Benane	Borana vs. Ogaden
	Budhudha	Borana vs. Degodia
Moyale	Moyale Town	Borana vs. Degodia
Marsabit	Archers Post	Borana vs. Degodia

Source: The Akiwumi Report (1999)

In the Rift Valley, the ethnic clashes first broke out in Nandi District on 29th October 1991 at Miteitei Farm in Tinderet Division, which was the epicentre of the ethnic clashes. The clashes followed the three *majimbo* rallies held earlier in the year in Kapsabet, Kapkatet and Narok in which KANU politicians issued threats against "foreigners" living in the Rift Valley. This political incitement ignited a simmering land dispute between the Miteitei rival groups that had existed for eleven years albeit without any violence. The

Kalenjin attacked their neighbors (the Kikuyu, Luo, Luhya and Kamba) who they considered "foreigners". The Kalenjin forcefully ejected "foreigners" from their land an simultaneously defended the KAMATUSA dominated Moi-KANU regime. In what amounted to Government complicity, Provincial Administrators below the DC who were all Nandi (with the exception of the DO) did not act decisively to restore peace and order. [37] The Mitetei clashes spread to Kericho District where the Kipsigis attacked the Kisii, Luo, Kikuyu, Luhya and Kamba. It is important to note that clashes in both Kericho and Nandi Districts started a month and a half after the three *majimbo* rallies.

Ethnic clashes in Nakuru District are significant because the region was the hardest hit. The Nakuru clashes were the most prolonged occurring intermittently between 1991-1998. This can be explained by the fact that the District has the highest number of Kikuyu immigrants in the Province. The Nandi and Kipsigis had co-existed peacefully with the Kikuyu in the District prior to independence although latent conflict characterized their relations. The Kalenjin detested Kikuyu politico-economic control in their ancestral land. This structural conflict was activated by political events preceding the 1992 elections, which were calculated to achieve selfish political interests. For example, the clashes in Njoro and Ol Moran in January 1998 were targeted at the DP candidate for Molo Constituency, Kihika Kimani and his supporters. They were a punishment his constituents who had elected him to Parliament in 1992 and 1997. [38]

In Narok District, ethnic clashes coincided with the Presidential and Parliamentary election in December 1992, which means they were meant to disrupt the process. The fact that they continued up to early 1994, however, also suggests that the Kikuyu were being punished for sympathizing with and supporting the opposition FORD-Asili party. To ole Ntimama, the Kikuyu had provoked the Maasai who had now "thought twice about continuing to host other tribes in the District." Over 20 people were killed in the clashes and hundreds of others displaced. [39]

In Nyanza Province, the clashes were in Sondu Division, which neighbours the Rift Valley. The clashes in Sondu nearly caused a split in KANU. Kalenjin fighters attacked

Luo homes and shops and those of other groups leaving at least 25 dead. While the violence lasted a day in Sondu Township, it was followed by prolonged clashes in the hinterland that involved at least 500 Kipsigis and 200 armed Luo youths. In Parliament, the Luo minister for Manpower and Development and Employment, Stephen Ondiek, accused Kalenjin leaders of encouraging the violence. Another Luo politician, the Assistant Minister for Environment and Natural Resources, Ojwang K'Ombudo was, however, more emphatic in his reaction. He urged the Luo to defend themselves against their Kipsigis attackers. Banging the debating table in Parliament with his shoe he protested, " 'You are killing my people ... I don't want murderers to interrupt me on a point of order .... My people are being killed by KANU ... and the police and Provincial Administration in the Rift Valley just watch when my people are being killed.' " [40] He concluded by warning that if the attacks did not end, the Luo would march into Kericho District.

In Western Province, ethnic clashes occurred in old Bungoma District. The District's population was 80% Bukusu, 10% Sabaot and Dorobo-Kalenjin subgroups, 5% Teso and the rest were either Kikuyu or Luo. Like in the Rift Valley, cattle rustling had been a longstanding tradition practiced by the pastoral Sabaot. Land had also been an unresolved problem since colonial days. The indigenous Sabaot wanted the region reserved for them. These two latent conflict issues had, however, not occasioned any violent clashes before the advent of pluralism. Between 1991 and 1993, the Sabaots responding to violent political ideology of *majimboism,* attacked "foreigners" around Mt. Elgon and Trans Nzoia. The Sabaots considered themselves members of the ruling ethnic group and saw the introduction of multipartyism as a threat to the Presidency that had to be defended.

The Bukusu who were supporters of Masinde Muliro, a respected elderly Bukusu politician, were the major target. Muliro and his Bukusu supporters were warned to leave the region, and neighbouring Trans Nzoia District, by KANU *majimbo* politicians attending the Kapsabet and Kaptatet rallies. Christopher Lomada, the Assistant Minister for Culture and Social Services, speaking at the Kaptatet rally, warned Masinde Muliro

that if he did not change heart and support KANU, and dared set foot in any part of Trans Nzoia, the Pokot would deal with him. The Teso and Kikuyu were also attacked alongside the Bukusu. In Kapsokwony Division, a total of 5,000 Bukusu and Teso were displaced into Kimilili trading centre in December 1991. Another 1,000 IDPs joined them from Cheptais. [41]

In Coast Province, the area most affected by the ethnic clashes was Likoni Division and the adjacent Kwale District. In Likoni the Kikuyu, Kamba, Luo and Luhya, who are predominantly Christians from up country (*Watu wa Bara*), are economically developed and prefer employing their own ethnic compatriots as opposed to the native Coast Digo and Duruma (Mijikenda). Thus the indigenous groups, especially Digo youths, were bitter due to their poverty compared to the fortunes of *Watu wa Bara*. This constituted a fertile ground that politicians exploited. The Digo also claimed that up country people owned the large and profitable beach plots at their expense.

KANU, which had won only one seat out of a possible total of four seats in Mombasa in 1992, wanted to ensure that this would not happen in the 1997 elections. The measure deemed "appropriate" by KANU was polarization of politics along ethnic lines in the Likoni-Kwale area. The clashes were meant to flush out upcountry people to keep them from voting their preferred opposition parties. It was easy for Coast politicians to explore the above noted latent Mijikenda grievances, which had hitherto, however, not led to any violence.

A few months before the clashes broke out, a secret oathing ceremony and military training of "about seven thousand, seven hundred and sixty three" Digo youths, who included some eight hundred service and ex-servicemen, was carried out. The clashes started with a bold attack on Likoni Police Station, which left six policemen dead and another twelve injured. At the end of the clashes, over 70 people had lost their lives. In total, 3,500 upcountry people were uprooted from their homes. [42]

On the basis of a bold statement by one of the Digo youths published in the *East African Standard*, 18th January 1998, the Likoni clashes might have had a more ambitious aspiration beside the desire for *majimboism*. A Digo spokesman:

> ... Warned that his men were ready to champion for the independence of the Coast Province from the rest of the country if the Government ignores their demands. He said that they will [sic] strike again if the Government ignored their demands.[43]

Ethnic clashes experienced in North Eastern, Eastern Provinces and the North Rift part of the Rift Valley between 1991 and 1998 cannot be clearly distinguished with the perennial or general insecurity, endemic cattle rustling and intra and inter-clan clashes characteristic of these regions. The two Provinces and the North Rift (West Pokot and Samburu Districts; some parts of Baringo and Marakwet; and Tana River Districts) have suffered due to the "classical retreat of the state and the superficiality of ... its existence and its lack of penetration" in these areas.[44] The *Akiwumi Report* (1999) observes that due to state retreat, pastoral communities in these regions regard themselves as a neglected and forgotten people. As such "traditional warrior" life is still undisturbed. Due to state neglect, these regions have since colonial times experienced perennial intra-tribal and inter-tribal violent conflict (see *Appendix 2*).

Pastoral communities in these areas – the Pokot, Samburu, Somali clans, Orma, Burji, Garre, Turkana, Marakwet, Borana and Degodia- traditionally maintain "traditional warrior groups" who are heavily armed with modern weapons. Since time immemorial, these "traditional militias" or "warrior age-groups" have engaged in tribal clashes and cattle rustling as a part of cultural practice meant to show bravery and manhood. These traditional regiments are also called upon to defend tribal pasture, water-points, territory or regional hegemony. [45]

In recent times, however, the traditional life of the above pastoral people has been criminalized and politicized. It has also been revolutionalized due to the influx of firearms and ammunition from warring nations that border Kenya (Somalia, Sudan, Northern Uganda and Ethiopia). The significance of political exploitation of the criminalized tradition of cattle rustling should not be overlooked.

With regard to the North Rift Districts, Nangulu (2004) notes that violent conflict pits the Pokot and the Turkana on the one hand and the former and the Marakwet on the other. These conflicts were on the increase in the 1970s and 1980s due to drought. By the 1990s, however, they had not only escalated but also become more destructive due to commercialization, criminalization and politicization of cattle rustling. As a result, cattle raiding in the mid-1990s had degenerated into thuggery, murder and chaos. Pokot raiders invaded the Turkana more than three times between November and December 1995 at Nadome, Lomelo and Napeitum leaving at least 44 people dead. This was repeated once again in 1999 when about 1,000 Pokot raiders attacked the Marakwet in Tot, Marakwet-District. [46]

In North Eastern and Eastern Provinces, politicization of traditional ethnic conflict transformed inter-communal conflicts profoundly. Intra and inter-tribal clashes over pastures, water, hegemony, cattle rustling and homicide acquired a complicated and serious political dimension between 1991 and 1998. This was the case in the skirmishes between the Borana of Isiolo and the Degodia from Wajir. The Borana accused the Degodia of proposing their own candidates for Parliamentary seats yet they were being hosted (by the Borana) in Isiolo District.

In Tana River District, where the Degodia are the majority, they were drawn into a conflict with the Orma over a similar issue – that is, Parliamentary representation. In Wajir, the Degodia were involved in five year long skirmishes with the Ajuran (1991-1996). This conflict stemmed from the Degodia winning the only two Parliamentary seats in the District. [47]

4.6 Ethnic Conflict in the Post-Moi Era: The Politics of Succession and Transition, 1997-2002

In spite of the euphoria that greeted the introduction of plural politics in the early 1990s, Moi remained in power after being re-elected both in 1992 and 1997. As Odhiambo-Mbai (2003) observes, Moi's autocratic state that had come into being between 1982-1988 was perpetuated in the era of multiparty politics. A divided opposition had let the people down.

After the general elections of 1992 and 1997, which took place against the background of ethno-political violence, Moi established a fairly representative Government. The Luo and the Kikuyu who formed the bulk of the opposition had a few representatives in the Cabinet. However, slavish personal and ethnic loyalty to Moi, and not merit, was the requirement for high office. To smother the fledgling opposition, the Moi Government denied development funds and famine relief to opposition strongholds and the Provincial Administration and the police also frequently harassed it. [48]

Further evidence of Moi's governance of Kenya as an autocratic state even after the country's politics had reverted to pluralism is that; personal rule continued; looting and corruption in public life continued, for example, the Goldenberg Scandal and clientelism perpetuated; President Moi continued to pronounce decrees even when they were in conflict with the constitution and the law; and lastly, ethnic rivalry and conflict (warlordism) continued. [49] Although Kenyans enjoyed certain civil liberties, life continued to be brutish and nasty for most of them.

Odhiambo-Mbai (2003) attributes the above state of affairs to the fact that; the constitution still bore fundamental flaws; and secondly, the opposition political parties had proved ineffective. The failure of the opposition to unite to dislodge Moi disillusioned *wananchi*. By 1997, the opposition was more fragmented than it was when the predominantly Luo FORD-Kenya and FORD-Asili split FORD. As Throup and Hornsby (1998) observe, "Kenya's opposition leaders had let the country down by their personal rivalries and conflicting ambitions."

Opposition parties proved not to be different from KANU in two ways. First, because of their personal and ethnic castigations and counter-castigations and general bickering. Personal differences, ethnicity, generational conflict as well as party policy differences, led to proliferation of political parties. By 2002, there were at least fifty political parties in Kenya. FORD-Asili, a faction of FORD that was predominantly Kikuyu, split further into FORD-People and *Saba Saba* Asili. Intra FORD-Kenya power struggles ensued between Raila Odinga and Kijana Wamalwa after Oginga Odinga's demise. Wamalwa, who had taken over from Odinga, led the Luhya faction while Raila led the Luo faction out of the party to form the National Democratic Party (NDP). Paul Muite left FORD-K to form his own party, Safina. Some adherents of DP, led by Charity Ngilu left the party to form the Social Democratic Party.[113] This splitting of parties ensured that the pattern of voting in both 1992 and 1997 was tribal with people voting Presidential candidates from their own ethnic regions. [50]

It is important to observe that intra-party political strife within the opposition diverted the attention and energies of political leaders from the social and economic needs of ordinary Kenyans. As Throup and Hornsby (1998) observe, political bickering left no room for the outlining of party policies and thus, there was "apparently little vision of the future or understanding of people's frustration and eagerness ...." The second way in which the opposition resembled KANU was that it devoted too much time attacking President Moi and KANU instead of providing alternative leadership and laying out a new vision for the country. [51] This created public apathy as the euphoria that had greeted the re-introduction of multipartyism fizzled out.

As Munene (2001,2002) observes, by 1997, the political class (political leaders in both the opposition and KANU) had failed to rise up to public expectations. Political parties appeared to be political clubs through which political leaders promoted their individual political agenda (read the pursuit of state power) at the expense of politico-economic reforms. The failure of the political class created a leadership vacuum that was filled by

civil society, which emerged to champion political reforms and transition. [52] This is what the disillusioned masses in Kenya desired most after 1997.

Between 1997 and 2002, national and/or ethno-regional politics in Kenya were shaped by the imminent departure of President Moi at the end of his second year term. After serving for two terms, he was not expected to run for the presidency in 2002. His successor could either come from his party KANU or the opposition. The predominant question in this period was whether he would stand down or hand over power peacefully. Kenyans and other observers feared that a refusal to cede power or the emergence of violent elements following his departure, would lead to civil disturbance and anarchy. [53]

These fears were not unfounded. Munene (2002) and Morton (1998) note that when Moi "went missing" from the public limelight for a week in February 1996, people, worried that he might be sick or dead, frantically sought refuge in their remote rural homes. People were anxious over who would take over Government in case Moi was dead as they considered some elements in his Cabinet to be lawless. Children were taken out of school; workers left their office early and businessmen made hasty airline bookings. The mood of the country was reminiscent of the days following the attempted coup of 1982. Morton (1998) observes, "The country feared the worst ...." Further, he observes, "That a wildfire rumour can grip the nation so quickly indicates the uncertainty and nervousness that underlies the body politic ..." signifying " a nation whose sense of togetherness is ... less than skin deep." [54]

The major actors in the politics of succession and transition were political parties and their respective ethnic group following. The ruling party, for example, was clearly dominated by the Kalenjin, Maasai, Turkana, Samburu (KAMATUSA) and the Somali among other pastoral groups. The upper tiers of the party were dominated by politicians from the Rift Valley: Daniel Moi was Chairman, Biwott, the Organizing Secretary, Julius Sunkuli the acting Secretary-General and Kipng'eno arap Ngeny the Deputy Treasurer. The Democratic Party was perceived to be as a Kikuyu party as most of its MPs were from the ethnic group. The Social Democratic Party (SDP) had a few seats in Parliament

and local councils held by the Kamba. The National Democratic Party got support form the Luo. FORD-People under Simeon Nyachae had a firm base among the Kisii. [55]

As Jonyo (2003) observes the Moi succession struggle played itself out almost, but not exclusively, in the ruling party, KANU. This was especially so when Raila Odinga's NDP merged with KANU in an unexpected political shift in March 2002. [56] This represented a strategic calculation on both Odinga's and Moi's part. For the NDP, it was a chance for him to succeed Moi while to the latter, the resultant Luo-KAMATUSA alliance would boost the chances of a successor from KANU. Odinga's confidence that the President might ordain him his successor, thus crowing the KANU-NDP merger was raised when he was appointed to the Cabinet together with a few of his close Luo supporters.

Alarmed by the close NDP-KANU alliance, Mwai Kibaki's DP, Charity Ngilu's SDP, Kijana Wamalwa's FORD-K and a dozen or so other ethno-regional parties started a broad-based ethno-political alliance. It was not only calculated to counter the Luo-KAMATUSA alignment but also to win the 2002 Presidential bid. The long-winded process to unite the parties and their corresponding ethnic bases came to fruition when they merged to form the National Alliance (Party) of Kenya (NAK) five months before the 2002 general elections.

In the meantime, President Moi was determined to bring back the Kikuyu to KANU. In addition to strengthening the Luo-KAMATUSA alliance ahead of the elections, he considered this effort to be giving KANU back to its owners, apparently, the Kikuyu. But in giving it back, however, it would seem that Moi had overlooked the fact that he was handing the Kikuyu the wrong party. New KANU, as the NDP-KANU merger had been christened, proved to be incompatible with Moi's endeavour. It should be noted that Moi's attempt to bring in the Luo and the Kikuyu back to KANU in alliance with the KAMATUSA groups went beyond strategizing to win the 2002. This bid can be interpreted as a genuine effort to ensure political order in Kenya in the post-Moi period.

Thus, Moi was committed to the country's unity through political management of ethnic conflict.

In Moi's scheme of things, returning KANU to the Kikuyu entailed ordaining Uhuru-Kenyatta, the son of the first President of the Republic, as his preferred successor, and thus, New KANU's Presidential candidate. In so doing, Moi hoped to not only win Kikuyu support of the party but also to succeed himself. That is, if the inexperienced Kenyatta won the 2002 Presidential elections, Moi would be able to bear on him and, therefore, rule by proxy. He would continue to be a political influence while in retirement. By choosing a political novice, his political security was also guaranteed.

This strategy, however, antagonized Moi from leading New KANU lights among them Raila Odinga (who was the party's Organizing Secretary); Kalonzo Musyoka (a party Vice-Chairman representing Eastern Province; George Saitoti (the national Vice Chairman and Presidential hopeful); and Musalia Mudavadi (party Vice-Chairman representing Western Province). Wrangles and rifts lead to the emergence of two factions in the party.

One faction, allied to Odinga, consisted his supporters from NDP and New KANU politicians such as Musyoka, Saitoti, Ole Ntimama and Joseph Kamotho. They protested against Moi's choice of his preferred successor and called for a democratic nomination process of the party's Presidential candidate. It should be noted that they had themselves been, more or less, elected through popular acclamation at a party delegates' conference in 2002. In spite of this, Raila Odinga led this faction to form the rebellious Rainbow Coalition wing of New KANU. The other New KANU faction was the Moi-Uhuru wing that was an alliance of Kiambu/Thika Kikuyu and the KAMATUSA groups.

The Rainbow Coalition faction boycotted the national delegates' conference in October 2002 in which the party's Presidential candidate was to be elected. Instead, it took over a hitherto nondescript party, the Liberal Democratic Party. Shortly thereafter, the Rainbow Coalition KANU rebels attended a large public rally that had been convened by the NAK

alliance to announce its Presidential candidate, Mwai Kibaki. At the rally, Odinga and other members of the rebellious New KANU wing, joined Charity Ngilu and Kijana Wamalwa of NAK in declaring "Kibaki *tosha*". That is, the unanimous confirmation of NAK's Mwai Kibaki as the united opposition Presidential candidate. Thus the Odinga New KANU faction endorsed Kibaki's nomination, which had been agreed on by NAK affiliated parties by consensus. It is interesting to note that the breakaway KANU faction did not demand for a democratic party election as they had in New KANU yet it had left the party because Uhuru's candidacy had been through "declaration."

Nevertheless, Kibaki's nomination heralded the beginning of a new political alliance between the Rainbow Coalition and NAK. Barkan (2004) refers to this alliance as a "coalition of two coalitions", which came together ten weeks before the 2002 elections. On 22nd October 2002, NAK and the Rainbow Coalition (LDP) signed a Memorandum of Understanding (MoU) creating the National Rainbow Coalition (NARC). This, of course, meant that the NDP-KANU merger and the Luo-KAMATUSA ethnic alliance had ended. NARC captured the imagination of previously disillusioned Kenyans who greeted the coalition with euphoria comparable only to the attainment of independence or the formation of FORD in the early 1990s. At last here was a united opposition, which commanded a wide ethnic appeal from most parts of the country.

Both the results of the Parliamentary and Presidential elections were, therefore, a foregone conclusion. NARC's Presidential candidate Mwai Kibaki beat Moi's designated successor, Uhuru Kenyatta, 62.2% to 31.3% vote. NARC garnered 132 Parliamentary seats over KANU's 67. [57] NARC won the elections with a resounding victory on the basis of widespread ethnic goodwill. Ethnic segment (political) leaders had composed a team that was national. NARC became the symbol of the hopes of Kenyans from all walks of life.

On 30th December 2002 President Moi handed over power gracefully, in spite of the hostility of the crowd, at an inaugural ceremony held at Uhuru Park in Nairobi. There was a peaceful transition that dispelled fears that people had harboured for the previous

five years. There was no civil unrest or anarchy after Moi. Instead, after the feared storm, a rainbow formed over Kenya's political landscape.

4.7 Will the NARC Rainbow Last?

Most scholars and analysts among them Oyugi (2003), Odhiambo-Mbai (2003) and Barkan (2004) are critical of the stability of the NARC coalition and, by extension, that of the country. It should be noted that NARC was formed ten weeks before the 2002 elections. As Barkan (2004) observes, typical of the weakness of political parties across Africa, NARC remains a coalition of convenience. This renders the party, the Government and the country fragile due to ethnic factionalism that revolves around individual (ethnic) segment leaders. NARC also lacks centralized leadership and is threatened by mounting economic and security pressures. This fragility is further compounded by President Kibaki's poor health and his laid-back style of leadership. This has encouraged influential coalition members in the new Government to pursue their own goals, not unlike the individual political pursuits that oversaw the fragmentation of FORD in the early 1990s into multiple parties.

The greatest obstacle to the party's unity during the first few months in power was the division of political and state spoils. The former revolved around the NARC MoU signed between the Rainbow (LDP) Coalition and NAK. According to this agreement, the NARC Government was to be team ran. To share power and Government responsibilities equally, several posts were to be created and distributed between members of the two coalitions. The fact that two vice-presidential, premier, two deputy premier and chief minister positions have not been created has caused considerable bickering, and plots and counter-plots.

There has also been hue and cry, especially in LDP ranks, about the distribution of cabinet and civil service posts. The LDP has argued that, the President's ethnic community, the Kikuyu and its cousin communities, the Meru and Embu, all who hail from the Mt. Kenya region, are favoured by Government appointments. According to

Kanyinga and Munguti (2003), Kibaki's DP has about half (48%) or 24 Cabinet positions; FORD-Kenya got 3 posts or 12%; Ngilu's got 1 post or 4%; while LDP got 9 or 36%. From the outset, Cabinet and civil service positions appear to favour the so-called Mt. Kenya Mafia who represent GEMA ethnic groups. For example, out of 25 Permanent Secretary positions, 11 belong to the GEMA bloc. LDP and FORD-K have interpreted this as the beginning of a process of marginalization of other ethnic groups. They have contested these appointments and accused Kibaki of favouring friends, although the major ethnic groups are represented in the NARC Government. [58]

Barkan (2004), Oyugi (2003) and Odhiambo-Mbai (2003) have adopted the view that uncertainty and the potential for violence and instability in Kenya still lingers. This is a realistic analysis of the versatile and fluid political situation in Kenya. Specifically, Oyugi (2003) notes that the plots and counter-plots characteristic of the NARC Government is what usually ends up in some factions "knocking at the barracks". [59]

According to Barkan (2004), four NARC factions are discernible: the old guard: - this is a group of elder politicians from the Mt. Kenya region who served as politicians or civil servants in the Kenyatta era. They are close to Kibaki and see the current Government as the return of the golden Kenyatta years. The second group is composed of young GEMA politicians, professionals and businessmen. It has coalesced around Kiraitu Murungi the Minister of Justice and Constitutional Affairs. It views the old guard as incompetent to modernize Kenya and gear the economy into a competitive one, in the region and the world. They are also opposed to a return of Kikuyu hegemony.

The third faction is led by Raila Odinga and includes at least 20 Luo MPs. It detests the fact that Odinga who was the Prime Minister designate under the NARC MoU was given a raw deal. The fact that he harbours "barely concealed ambitions to lead Kenya one day" has elicited hostility from both the old guard and Murungi factions. The fourth faction is amorphous and includes all neutral or independent politicians from NAK and LDP but mostly from FORD-K. They are Vice-President, Moody Awori, FORD-K leader Musikari Kombo and Mukhisa Kituyi. [60]

The political bickering in NARC has meant diversion of energy from important social and economic issues. Energy and time spent in political bickering, would be better suited if it were directed to the Government's ability to deal with major challenges that face the country. As this has not been the case, the closing of ranks between political leaders and their corresponding ethnic following, between 1997-2002, must have been out of political expedience. As such, NARC emerged as the lucky coalition with the right ethno-political combination that unlocked voter support. While it was able to consolidate the wide ethnic appeal it generated to win the 2002 elections, it has neglected the task of national integration in the long term. The ultimate result will be the postponement of the social and economic hopes of Kenyans as the touted "second liberation" proves to be a political mirage.

4.8 CONCLUSION

Ethnicity was one of the most powerful forces that shaped the mature Moi state between 1984-1988. Using electoral politics, the party, patron-clientelism and constitutional amendments to secure his position, President Moi limited political space and, by extension, was able to manage ethnic conflict efficiently.

The clamour for multipartyism between 1988-1991 should, therefore, be seen as a struggle for the expression of ethnic pluralism or diverse ethno-political interests. Threatened by multipartyism, KANU politicians and the state instigated low-key ethnic clashes. This was calculated to meet practical objectives relating to the 1992 and 1997 elections. Equally important was that the clashes were meant to prove that multipartism and ethno-political pluralism would threaten the country's unity.

From the foregoing, this KANU thesis has been proved to be a political lie. However, it is fact that with the onset of multipartism, ethnicity emerged as the single most powerful political force in Kenya. Alongside personal and generational differences, ethnicity was responsible for the divisions in FORD and the subsequent split of the opposition into over forty-five political parties between 1992-2002.

The shifting ethno-political alliances characteristic of succession politics between 1997-2002 prove that ethnicity in Kenya is a political ideology. However, ethnicity took a back seat with the spontaneous formation of NARC. Political bickering and factionalism, which has characterized the NARC Government, however, proves that the party was formed out of political expedience. Political leaders in Kenya continue to promote their individual or collective interests using ethnicity at the expense of social and political concerns. As a result, ethno-regional social and economic differences, as well as the growing gap between the rich and the poor in Kenya, remain unaddressed. By perpetuating ethnic suspicions and fear, which have the potential to unleash latent group grievance such as the emotive land issue and the distribution of national resources, political leaders jeopardize peace in Kenya. Ethnicity as a powerful political ideology, therefore, threatens national unity in Kenya since no efforts are being made to harness it constructively.

END NOTES

*26 million people is the author's estimate while the 1962 total population is derived from the *Kenya Population Census: African Population, 1962,* Vol. III, Statistics Division, Ministry of Economic Planning and Development, October (1966).

1. The *Weekly Review,* 17 Feb 1989, p.12; 3 September 1993, as quoted in Throup and Hornsby, Op.Cit, p. 48.

2. Throup and Hornsby, Ibid, p. 48.

3. Throup and Hornsby, pp. 49-51: Wamwere K., Op.Cit., 22; note that soon after ascending to power and promising to follow in Kenyatta's footsteps, Moi reneged, consolidated his presidency and began to systematically destroy the Kikuyu economic system. This was meant to ensure that the Kikuyu politico-economic elite could not mobilize its economic resources to rebel or organize against his political supremacy. In the late 1980s, however, to this initial aim, economic negligence calculated to punish the community for challenging his leadership, was added. Recognizing this shift in the redistribution of economic "goods" and social services, Morton Op.Cit, p. 210, argues that this was under the District Focus Strategy for Rural Development in which Moi attempted "to diffuse power from Nairobi and so involve the grassroots in decisions affecting their districts". According to Morton (1998), therefore, Moi was not diverting resources from Central Province to the Rift Valley and, therefore, from the Kikuyu to his own ethnic group, the Kalenjin.

4. Throup and Hornsby, Ibid, p.33.

5. Hempstone, Op.Cit, p.119 writing about the motivation of clerics such as Archbishop Manasses Kuria, Bishops Okullu and David Gitari, notes that given the "fortunes of their tribes under Moi, their position was almost to be expected." One cannot, therefore, completely rule out the role of ethnicity even within the activities of civil society with regard to the oppressive Moi-Kanu regime. The Moi Government, therefore, viewed "civil society" as a cloak that hid ethnic sentiments. Morton, Op. Cit, p.235 argues that advocacy for multipartyism and constitutional reforms was mere expression of Kikuyu

dissatisfaction which manifested itself as "mute civil dissent and tribal unrest." This while not entirely true, cannot be discounted.

6. Throup and Hornsby, Op.Cit, p.55.

7. Morton, Op.Cit, p. 219.

8. Bishops Muge and Okullu had been warned by the Labour Minister Peter Okundi that neither would "return alive" if they visited the legislator's Busia constituency. Muge did and he did not "return alive" but died when his car plowed into a milk truck; see Hempstone, Op. Cit, pp. 117-119; also see Throup and Hornsby, Op.Cit pp. 66-67.

9. See Ogot, Op.Cit (end note 57), p. 241; Kanyinga and Munguti, "Ethnic structure, inequality and Governance of the Public Sector in Kenya", unpublished paper, (2003) p.23; Throup and Hornsby, Op.Cit, p.57. Kanu reacted violently to this call arguing that multipartyism would generate ethnic tensions and threaten political stability.

10. Hempstone, *Rogue Ambassador*, p. 92; Widner, Op.Cit, p. 174, also notes the coincidence of the politicians' and Hempstone's speech both of which referred to the need to re-introduce multiparty politics. This coincidence symbolizes the convergence of the ideal international and domestic conditions for change.

11. See Throup and Hornsby, Op. Cit, pp. 60-61; also see Widner, Op.Cit., p.174. The two also criticized state interference with organizations outside the political arena, for example, the disbanded Kenya Farmer's Association and the 8-4-4 system of education.

12. Throup and Hornsby, Op.Cit, pp. 63; also see Widner, Op.Cit, p.176; Hempstone, Op.Cit, pp 244-249, 106. According to Throup and Hornsby and Widner, at least 15-20 people lost their lives.

13. Odinga was responding to Hempstone on the reason he no longer wore his trademark round beaded cap (to which he responded: " I only wear that in time of war"), Hempstone, Ibid, p. 122.

14. Compare with "The J. M. Kariuki Assassination" in Chapter two; J.M.'s body was found severely mutilated in the Ngong Hills in the outskirts of Nairobi after he had gone missing for several days. Both politicians appear to have been abducted, tortured and then murdered.

15. For more on the Ouko murder see; Hempstone, Op.Cit, p.65-71; Throup and Hornsby, Op. Cit, pp 58-59; Kanyinga and Munguti, Op. Cit, p.23; and Widner, Op. Cit, pp. 193,196.

16. After this acts, the Government proceeded to open up real estate for distribution to loyal adherents of the *nyayo* philosophy in these two areas, see Widner, Ibid, pp. 193-194.

17. On the suspension of financial aid, see Throup and Hornsby, Op.Cit, pp. 54,84-86, 582-3; Ogot, Op.Cit. (End note 66) p. 245; Hempstone Op.Cit, pp 254, 255; Widner, Ibid, p. 196; and Kanyinga and Munguti, Op.Cit p. 23.

18. Morton, Op.Cit., pp. 241-243; also see Ogot, Op.Cit, (end note 66), pp. 65-66.

19. Throup and Hornsby, Op.Cit, pp. 64-65,92.

20. Throup and Hornsby, Ibid, 65.

21. See Ogot, Op. Cit (end note 66), pp. 247-248: also see Throup and Hornsby, Ibid, pp. 106-109, 123.

22. Throup and Hornsby, Ibid, pp. 139, 142; also see Ogot, Op.Cit, 249; and Hempstone, Op.Cit, p. 260.

23. For more on the disintegration of FORD see, Throup and Hornsby, Ibid, pp. 108 and 126; and Ogot, Ibid, pp. 248-249.

24. Hempstone, Op. Cit. p.160; and Throup and Hornsby, Ibid, p. 96. It should be noted that the Democratic Party also had the support in Kiambu from individuals related to

Kenyatta or who had been close to him. It had the tacit support of two of his sons, a nephew, George Muhoho and Njenga Karume.

25. Klopp, J. M., "Can Moral Ethnicity Trump Political Tribalism? The Struggle for Land and Nation in Kenya," in *African Studies*, 61,2 (2002). p. 270; also see Kanyinga and Munguti, Op. Cit, p.24 and Hempstone, *Rogue Ambassador*, p. 262.

26. Throup and Hornsby, Op.Cit, P.80.

27. In the 1960s, the *majimbo* constitution had been designed to protect the interests of the smaller ethnic groups; see "Lancaster Constitutional Crisis" in chapter two and Throup and Hornsby, Ibid p.80. While KADU's call for *majimboism* might have been inspired by genuine minority group fear, the brand of *majimboism* that was championed by Rift Valley and Coast Province politicians in the 1990s was inspired by their need for personal political survival.

28. The *Daily Nation*, 22nd September 1991, as quoted in the "report of the Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya", Akiwumi A. M., presented to President D. T. Arap Moi, 31st July (1999), Government Printer (Nairobi), p.50.

29. As quoted in Widner, Op.Cit, p. 176.

30. Ole Ntimama as quoted in the *Akiwumi Report*, Op. Cit., pp. 50-51. The report notes that he "was the chief host and most vociferous *majimbo* crusader at the Narok rally in September, 1991 ...."

31. Ole Ntimama as quoted in the *East African Standard*, 15th November 1992, cited in the *Akiwumi Report*, p.166.

32. It is clear to most writers among them the President's biographer, Morton, Op Cit., pp. 246-247, that the state was behind the ethnic clashes in order to prove that multipartyism was unworkable in Kenya. Morton observes that, "there was a degree of political organization and planning to some of the ... conflicts. A common denominator was that

the Kalenjin, either from the Nandi, Kipsigis, or Elgeyo tribes were involved in every dispute ...." Also see Attorney General Amos Wako's warning that irresponsible political remarks were the cause of the clashes and not anything inherently violent in multiparyism in Throup and Hornsby, Op. Cit, pp 190-191.

33. See criticism leveled against the report by Ogot B.A. in his paper, "Transition from Single-party to Multiparty Political System", in (ed.) Ogot B. A. & Ochieng W. R., Op. Cit., p.250. He observes that the *Kiliku Report* carries a list of witnesses whom it seems, the Parliamentary committee did not make use of. He also argues that the Report is limited in that; first, much of the evidence is superficial and full of hearsay and unsubstantiated allegations. Secondly, the key members of the Commission were politicians inclined towards the opposition and, therefore, biased against the Moi regime. Lastly, it is limited to the clashes in the Rift Valley that occurred between 1991 and 1992. Quoting this report, Morton, *Moi*, p.253, observes that eight hundred people died; 56,000 others displaced and property with Ksh. 210 million destroyed.

34. In *Akiwumi Report*, p20.

35. In his study, Russell D. E. H., *Rebellion, Revolution and Armed Force*, Academic Press, New York (1974), he deals with violent rebellions threatening the legitimacy of Government or separatist movements and not violent ethnic conflict as such. His study however, is useful as it furnishes researchers with parameters through which other violent upheavals, including tribal clashes, can be measured.

36. The President's biographer, Morton., *Moi: The Making of an African Statesman*, p.246, concedes that "the inter-tribal fighting polarized Kenyan society as never before bringing the country within an ace of civil war."

37. See the *Akiwumi Report* for more details on exactly how the clashes started at Miteitei Farm in Tinderet division of Nandi district, pp. 77,40,83 (59-83).

38. *Akiwumi Report*, pp.118-122, 126, 147, 138, 160. Morton, Op.Cit., 249 agrees that the Nakuru district tribal clashes were the longest-lasting and most brutal.

39. Akiwu*mi Report,* pp 163-174.
40. Throup and Hornsby, *Multi-Party Politics in Kenya*, pp 190-192.
41. Akiwu*mi Report,* pp. 191-193, 197-198,209, 211-212,219.
42. Ibid, pp 233, 31, 33, 265.
43. *The East African Standard*, 18 January 1998 as quoted in the *Akiwumi Report*, p.51.
44. Kamenju et. al., *Terrorized Citizens: Profiling Small Arms and Insecurity in the North Rift Region of Kenya*, SRIC, Nairobi (2003) p.5; also see the *Akiwumi Report*, p.282.
45. See Kamenju et. al. Ibid., pp. 5-6; *Akiwumi Report*, pp. 279-280 and Nangulu A., "Ethnicity and Ethnic Conflicts in Independent Kenya: With Special Reference to Boarder Clashes and Cattle Raids Between the Pokot and Their Neighbours in North West Kenya, 1963-2000," Unpublished Conference Paper (2004) pp. 6-7.
46. Nangulu A., Ibid, pp. 8-10. She, however, does not explore the political dimension of these conflicts.
47. The *Akiwumi Report*, pp 281-282.
48. Hempstone S., *Rogue Ambassador*, pp. 312,324.
49. See Odhiambo-Mbai, Op.Cit., (end note 54), pp. 54, 66-68. Also see Munene, M., Op.Cit (end note 26) p. 13 and his article, "Crisis and The State in Kenya, 1995-1997; An Appraisal,"(2002) pp.152-173.
50. See Kanyinga and Munguti, Op. Cit, pp. 25-29 for a detailed analysis of opposition factionalism; also see Throup and Hornsby, Op.Cit pp. 101, 102 and 163.

* As cited in Nangulu A., "Ethnicity and Ethnic Conflicts in Independent Kenya: With Special Reference to Boarder Clashes and Cattle Raids Between the Pokot and their Neighbours in North West Kenya, 1963-2000."

51. Throup and Hornsby, Ibid., p. 102.
52. Munene, M., Op.Cit (end note 5), pp. 13, 14, and in his article (2002) pp. 160-169
53. It should be noted that as the 1992 elections approached, Pokot politician, Lotodo, urged his community to be ready for 'war' when Moi left office; also see Munene M., "Crisis and the State in Kenya" (2002) p. 165.

54. Morton, A. Op.Cit., 277-278.. According to Morton (1998) Moi had been advised to rest for one week by his doctor after suffering from Achilles Tendonitis in his left ankle that made walking difficult. Also see a brief account of the fear that gripped the country by Munene, Ibid, p.254.

55. Jonyo, F. "The Centrality of Ethnicity in Kenya's Political Transition," in (ed.) Oyugi W. O., et. al., Heinrich Boll Foundation, Nairobi (2003), pp 161-162.

56. The alliance between KANU and NDP had started in Mid-1998 when the two parties started to cooperate in Parliament. By 2000, according to Kanyinga and Munguti, Op.Cit, p. 36, relations between the two parties had consolidated to an extent that NDP now attracted hostility from other opposition parties. It was considered an unofficial appendage of KANU.

57. See other works detailing the shifting ethnic alliances that characterized political parties' and individuals' position in the bid to succeed Moi among them Kanyinga and Munguti, Op.Cit, pp. 32-37; Jonyo F., Op.Cit, pp. 160-165; Odhiambo-Mbai C., Op. Cit., pp.72-92; and Oyugi W.O., "The Politics of Transition in Kenya, 1992-2003; Democratic Consolidation or Deconsolidation?" in Oyugi et al, Op. Cit., pp. 374-375. The book provides an all rounded analysis of the dynamics of the succession and transitional politics between 1997 and 2002.

58. See the authoritative analysis of the distribution of cabinet and civil service positions in the NARC Government and in the Kenyatta and Moi regimes in the work by Kanyinga and Munguti, Op.Cit, pp. 38,55,60.

59. Oyugi W. O., Op. Cit., p.374.

60. Barkan J. D, "Kenya After Moi," *Foreign Affairs*, January/February 2004, Vol. 83, Issue 1, p.87, 14pp.

CHAPTER FIVE

IMPLICATIONS OF POLITICIZATION OF ETHNICITY IN KENYA

5.0 INTRODUCTION

On the basis of the foregoing discussion, in chapters two, three and four, on politicization of ethnicity by the political elite and the accompanying historical events, this chapter seeks to:

a. Examine the social and economic implications of politicization of ethnicity in Kenya.
b. Assess the impact of politicization of ethnicity on state cohesion.
c. Evaluate the impact that politicization of ethnicity has had on national unity.
d. Propose recommendations to remedy continuing appropriation of state resources by small cliques of the political elite, redress regional social and economic disparities and reduce the divisive ethnicisation of politics.

5.1 The Social and Economic Implications of Politicization of Ethnicity in Kenya

The politicization of ethnicity has adversely affected social and economic development in Kenya in at least five ways, namely:

i. The use of state power to plunder national resources by small ethnic elite through state patronage. The Family around Kenyatta and the Kabarnet Syndicate around Moi * are cases in point.
ii. The trickle-down of state patronage from small cliques at the centre of power to specific groups related to them by blood or to regions from which they hail or from which they draw political support. This has led to unequal distribution of national resources in Kenya.
iii. Officials in the bureaucracy and other public and private sectors and society at large have emulated the abuse of state power and authority by small political elites, leading to unhindered plunder of the economy.
iv. Ethno-politicization of development has led to the neglect of the social and economic welfare of ethnic groups that do not offer their support to the political elite at the centre of power. In some regions of the country, however,

neglect is also as a result of the classic retreat of the state and the superficiality of its existence.

v. Preoccupation with ethnic-based struggle for state power has meant diversion of energies, which could be focused on promoting the social and economic well being of all citizens.

5.1.1 Blaming the "Hen" along with the "Cat"

At the time of independence, Kenya, like many other African states, made political reforms, for example, the early constitutional reforms of 1964 and 1966, which produced a centralized bureaucratic political system. This meant that laws and institutions that checked the exploitation of state resources by the political elite were removed. Political leaders in the Kenyatta and Moi Governments, the Family and the Kabarnet Syndicate had unlimited power not only to intervene in private exchange but also to engage in opportunism and economic plunder. Secondly, this state of affairs was characterized by the politics of spoils and its attendant patronage–client systems that extended to the bureaucracy and other sectors of the economy.

By controlling institutions and other state apparatus, the respective Kenyatta and Moi patron-client systems were, in effect, in control of the so-called "national cake". This became the source of riches and wealth for the individuals forming these cliques. Put differently, control of land registration, sources of credit, taxation, marketing boards, public investments and negotiations with private capital and import, enabled the Family and the Kabarnet Syndicate to amass wealth in great proportions. For their clients in the bureaucratic system, doors of opportunity opened when the Philip Ndegwa Commission recommended allowing the participation of civil servants in private business. According to Bayart (1993) the Family launched itself into business with a level of enthusiasm that soon alarmed the Chamber of Commerce by investing in all conceivable sectors including agriculture, transport and property. This led to the neglect of ministerial departments in favour of personal businesses.[1] Like the *"debrouillez-vous"* or "look after yourself" policy included in the Zairean constitution by Albert Kaloyi the country's premier in the

early 1960s, the Ndegwa Report marked the beginning of institutionalized corruption in Kenya.

By the end of the 1960s, according to Bayart (1993), businesses belonging to the Family were flourishing and represented the most powerful and most efficient group of private interests in East Africa. The Family also engaged in less visible forms of economic opportunism. Bayart (1993) contends that there were links between political power and crime. The ensemble of configurations and the texture of relationships based on kinship and ethnicity, blood ties (belonging to the Kenyatta family) or being Kikuyu respectively, helped to legitimize the criminalization of the state in Kenya.[2]

Karimi and Ochieng (1980), who observe that the last years of the Kenyatta era were characterized by blatant criminalization of the state, validate the above argument. They note that farms changed hands, millions of shillings of public money was looted, men robbed of their wives, property stolen and other forms of rapacity and graft occurred, all in the name of Kenyatta. * These two authors observe that many robbers, especially of banks, were protégés of the police system and, by extension, the political regime. Well – known criminals would never be arraigned in court. They would brag about whom they were related to or knew in Government. They would boast that they had both the courts of law and the police force in their pockets. There was also rampant coffee smuggling of Ugandan coffee through Kenya. Hempstone (1997) notes that between 1975 and 1978, corruption rose to a degree previously unknown in Kenya. He notes that elephant poaching was controlled by the Kenyatta family while members of the "regency council" and their friends forcibly acquired both urban and rural property. These aspects in this study, however, have not been fully explored and hence the need for verification, which calls for further investigative research in related studies in the future.

While plunder took place in his shadow through nepotism, kinship ties and ethnicity, President Kenyatta used cultural repertoires, for example, Kikuyu traditional songs or proverbs, to tacitly acknowledge it. According to Wamwere (1992) he did so by reciting

one specific Kikuyu childhood play song to tell corrupt officials that as long as they were "careful" not to get caught, he did not mind what they did:

> *Kanyoni gakwa wihithahithe*
> *Na wonwo, nduri wakwa*
> *(My little bird, conceal yourself*
> *and if you allow yourself to get caught*
> *you are not mine).*

In a similar move that led to rampant corruption and looting in Zaire, President Mobutu Sese Seko, in 1976, warned people in Kinshasa that brazen stealing was bad. Mobutu, like Kenyatta, urged them to "bana mayele" or "steal cleverly" instead.

Caught up between tradition and modernity, Kenyatta's perception of what was or not corrupt was hazy. Indeed, his perception was culturally oriented. To Kenyatta, there was no difference between corruption and gratitude. This explains why he frequently tended to encourage corruption by referring to a Kikuyu traditional proverb: "Ngoima ya gitooka ndigaathira" – that is, "The ram for (given as a gift to) border-markers will never vanish." In Kikuyu tradition, the community appreciated voluntary border-markers for their unpaid time and work by being feted with goat meat. By suggesting that this tradition was welcome in post-colonial Kenya, Kenyatta unwittingly encouraged corruption at all levels of Government operation. [3] This observation (Kenyatta's use of Kikuyu traditional childhood play song and proverb) is in agreement with Bayart's (1999) argument that cultural repertoires are a necessary element for the construction of the felonious or predator state.

As Atieno-Odhiambo (2000) observes:

> The Kenyatta state was both a clan-state with his immediate entourage playing the role of first family with Udi Gecaga and Ngengi Muigai at the mastheads, and also a class state pampering those who had a grasp at the fruits of uhuru-*matunda ya uhuru*. Most of all, it paid to be consenting elite from the House of Mumbi.[4]

Members of "the clan" who controlled the Kenyatta state formed a politico-economic enterprise that, like the pre-colonial clan, wielded rights over wealth, prestige and influence, women and genealogical convention. The ultimate result was an ethnicized state founded on nepotism, kinship and ethnicity. To protect the status quo, this clique was willing to do anything, hence the violent liquidation or elimination of real or

perceived threats to continued patronage of the state that sprang from the Presidency. This then explains the politicization of ethnicity that ordered the historical events in the Kenyatta era (see Figure I, p.151). It also shows how indifferent the political and bureaucratic elite controlling the state was to the efficient functioning and running of the administration for maximum social and economic benefit of all.

After the struggle that threatened to spiral into an intra-Kikuyu and inter-ethnic civil war in the late 1970s, Moi ascended to power and gradually established his own ethnic clique which took charge of state patronage. Following the 1979 elections and the opportunity following the attempted coup in 1982, Moi was able to purge the military and political forces thus establishing a Kalenjinised administrative bureaucracy. Unlike the Family, however, the Kabarnet Syndicate was relatively weak economically. As such, Moi had to construct a capital base for it. He, therefore, turned a blind eye to the looting of the economy that his embryonic accumulators engaged in. Accumulation of wealth was through appropriation from the old Kenyatta clan or by dissolving the already entrenched Kikuyu capital. According to Ajulu (2002) there was pure predation through the transfer of agricultural surpluses to favoured regions especially the Rift Valley and sections of Western Province. Clearly, the capture of state power had enabled "Moi to shift the distribution of patronage away from the Kikuyu to the 'disadvantaged ethnic groups' previously marginalized under the Kenyatta coalition ...." [5]

Moi followed in the footsteps of his predecessor fully living up to his political philosophy of *nyayo* (footsteps). Within a few years, he became involved with the main Asian and coastal business concerns in the country and invested in virtually all sectors of the economy – land, transport, oil distribution, films and food, banking, the tyre industry and civil engineering. The Karbanet Syndicate, however, perfected the ethnicized and predator state due to its economic weakness. [6] Predicated on a more authoritarian control than Kenyatta's, primitive accumulation in the Kalenjin-centric state, "fostered a kleptocratic bourgeoisie whose existence and survival depended ... on its continued access to and control of this type of ... state." [7] According to Ajulu (2002), therefore, if

the Kabarnet Syndicate lost state power, it would render the clique immediate paupers since their property remained mortgaged to financial institutions.

A good example is Nicholas Biwott to whom "political banks" in the 1990s lent a total of 24 million Sterling Pounds. Similar banks had given bad (unsecured) loans to powerful figures in the Moi Government. The Central Bank of Kenya was reluctant to regulate the business of such banks due to their powerful patrons, for example, Biwott, George Saitoti, President Moi and his sons. Also notable is the fact that millions of dollars disappeared as kickbacks in the Turkwell Hydroelectric Project in which Biwott had been involved as Minister of Energy. [8]

The Goldenberg Scandal symbolizes politico-economic thuggery and public looting in the Moi state in the 1990s. It revolved around a gold exporting company founded by an Asian, Kamlesh Pattni, and involved not only Moi's Kabarnet Syndicate members but many other individuals, politicians, professional, and bureaucrats alike. [9] According to Morton (1998) it was Kenya's biggest financial scandal symbolizing "the cancer at the heart of Government and confirmed ... fears ... that the country's elite were out of control lining their pockets at the expense of the public." The President's biographer concedes that the scam was carried out with breathtaking audacity because it had the President's personal approval and was undertaken by people in the President's circle. [10] However, like forms of predation in the Kenyatta era, specific economic crimes in the Moi era, for example, the Goldenberg Scandal, are yet to be studied in detail. As such, future studies should be dedicated to documenting forms of economic opportunism in the Kenyatta and Moi eras.

The above need to promote individual economic interest by patronizing the state and its resources explain Moi's uncompromising grip on power as well as his reaction, and that of his lieutenants, to any form of opposition and, specifically, the call for multipartyism. Moi, and the Syndicate, recognized that the opening up of the political system would mean the subjection of state institutions and apparatus to public scrutiny and accountability. Perceiving loss of power to be not only a threat to permanent access to

state resources and accumulation of wealth but also to economic survival, the Syndicate was ready to defend the Kalenjin-centric state at all costs even if it meant endemic violence and civil war.

To defend its politico-economic power base, therefore, members of the Syndicate, including Biwott and Ole Ntimama, mobilized ethnicity. In essence, the Moi clique turned to KAMATUSA just as Kenyatta had turned to the House of Mumbi and GEMA. It is for this reason that the return of multipartyism was marked by the return of violence in the Rift Valley meted out by KAMATUSA groups. In three different political rallies, political leaders in the Syndicate publicly called on their communities to engage in violence against ethnic groups opposed to KANU. [11]

On the basis of the above it is observed that:

a. Politicians have politicized ethnicity in the struggle for state power since one's position in relation to state institutions and apparatus determines one's social status. That is, the closer one is to political power the more likelihood of wealth accumulation.
b. The capture of the state in the Kenyatta and Moi eras benefited the respective political cliques who plundered the economy at the expense of ordinary citizens.
c. The political elite in post-colonial Kenya has been preoccupied with the struggle for, seizure, consolidation and maintenance of state power.
d. Lastly, running the ethnicized state has involved control of state resources and the appeasement of competitive ethnic and social cleavages in order to maintain a semblance of political stability. [12]

In view of the above, and as Hempstone (1997) and Ochieng (2004) observe, the lack of social and economic development in addition to other woes, among them the decline of economic growth, stagnation of foreign investments, outstripping of agricultural production by population growth, decline of foreign trade and increase of internal and external debts in Kenya, and Africa in general, should be blamed upon "criminally inept,

corrupt and venal leadership that has held sway ... for ... decades of... independence." [13] Continued exploitation of state resources by small cliques of political elite, therefore, has been, and will continue to be, one of the greatest internal obstacles to development in Africa, and Kenya in particular. Ochieng (2004) observes that while it would be a mistake to dismiss the dependency theory propounded by, among others, Walter Rodney, Samir Amin, Arghiri Emmanuel and Andre Gunda Frank, which claimed that the poverty of poor countries is caused, and maintained, by their relationships with rich developed countries, the rise of the ethnicized state casts this theory of lack of development into doubt. He argues that while one must agree with the view that the historical integration of African economies into the world capitalist system as exploited and dominated peripheries has caused African poverty, the failure of the state, closely associated with the politicization of ethnicity, in the post-independence period makes subsequent lack of development almost an entirely African affair.

Ochieng (2004) uses an African traditional analogy to relate how the two factors, exogenous and endogenous exploitation, have contributed to the lack of development in Africa. The Luo of Kenya, he observes, say that when a hen strays into the wilderness and is killed and eaten by a wild cat, you should "blame the cat, but blame the hen also for straying into the wilderness." The "hen", the African elite, therefore, must be blamed for forging "mega-eating" patron-client networks which benefited them and their kinsmen, ethnic groups, promoted corruption, selfishness, the poor management of the economy and contributed to short-sightedness and lack of vision. These eating clubs played spoils politics or politics of the belly and made little effort to promote development. In the long run, they accentuated the already serious damage caused by European imperialism and colonialism. [14]

5.1.2 I Eat, You Eat: State Patronage in Regional Distribution of Social and Economic Services

As Bayart (1993) notes, it is not enough for the state elite to stuff themselves up with accumulated state wealth. The cramps left from elite state patronage at the top are distributed; first, to their elite allies who form the outer core of the state; then to the

immediate ethnic base of the clique and to close ethnic-bloc allies. Only then do the other ethnic groups receive social and economic goods if they do at all [see Figures II and I below, p.151]. This then is what causes ethno-regional disparities in the distribution of social and economic resources. Making the same observation, Simiyu (2004) notes that the control of the state by small cliques of political elite characterized by the misappropriation of state (finance) capital has an ethnic angle to it. He writes:

> The ethnic group of the Head of State is the one poised to be the nearest to the National Finance Grid, * and, therefore, to have access to State Finance Capital.[15]

During the Kenyatta regime the Kikuyu, especially from Kiambu District, are the ones who benefited most. [See Figure I below]. According to Morton (1998) the role of the ruling clique, and especially the President, as the dispenser of social and economic favours to its/his own ethnic community was thinly veiled. He observes:

> Kenyatta made his personal priorities clear to non-Kikuyu ministers when he briefed them about their duties. He was given to saying: 'My people have milk in the morning, your tribes the milk in the afternoon'; in other words, the Kikuyu were to receive first the best and most abundant of whatever there was to offer.[16]

This state of affairs is what Michael Blundell referred to when he remarked; "the honey from the economic barrel was largely spread among the Gikuyu people." [17] Kundu (1992) also observes that ethnic groups close to the centre of power appear to enjoy good modern infrastructure, education facilities, health services and piped water. The Kikuyu, for example, enjoyed easy access to loans and licenses and dominated commerce, for example, retailing, small-scale transportation, distribution and agency contracting.

The confiscation of the fruits of independence by the Family, and the Kikuyu to a limited extent can be demonstrated by the domination of senior cabinet and other Government positions by the Kikuyu. As Kanyinga and Munguti (2003) observe, inclusion or non-inclusion of ethnic groups from a political regime in Kenya is calculated on the basis of the share of cabinet and other public service positions. In the Kenyatta era, positions in the cabinet and the bureaucracy were biased in favour of the Kikuyu and their GEMA cousins.[18] These groups had the biggest share of ambassadorial and Permanent Secretary appointments. Hempstone (1997) writes that: "Although the Kikuyu accounted for only

about twenty percent of the population, they held forty-one percent of the most important and lucrative Government and parastatal posts" in the Kenyatta era. The opposition Luo ethnic group in the same period in contrast, with eighteen per cent of the population, held fewer than five percent of such jobs. [19]

In the Moi era, the state became Kalenjin-centric as the President and the Syndicate systematically brought patronage and resources to serve the Kalenjin, and the Tugen in particular. Ajulu (2002) observes that the allocation of public and private investment, roads, educational infrastructure and agricultural investment were now directed towards Kabarnet in Baringo, Moi's constituency. This change was also reflected in Moi's cabinet and parastatal appointments. These positions were filled by people from Moi's ethnic group, the Kalenjin and their KAMATUSA cousins and a few Luhya and Luo allies. Thus while the Kikuyu formed 31% of the Kenyatta's cabinet in 1968 and in Moi's first Government, between September 1978 and the 1979 general elections, they decreased to about 20% in the middle of Moi's era; dropped to 14% in 1988 when he had consolidated power and to an all time low of 3% in 1998.

Table 1: Composition of the Cabinet by Ethnic Groups During the Kenyatta Regime, 1963-1978 (in absolute figures/per centage)

Ethnic Group	1966 Figure/%	1967 Figure/%	1968 Figure/%	1970 Figure/%	1978 Figure/%
Kikuyu	6 (28.57%)	6 (28.57%)	8 (31.57%)	6 (28.72%)	6 (28.57%)
Luhya	2 (9.52%)	2 (9.52%)	1 (5.26%)	2 (9.52%)	1 (4.76%)
Luo	3 (14.28%)	3 (14.28%)	3 (15.78%)	2 (9.52%)	3 (14.28%)
Kalenjin	1 (4.72%)	1 (4.76%)	1 (5.26%)	2 (9.52%)	1 (4.76%)
Kamba	1 (4.76%)	2 (9.52%)	2 (10.52%)	2 (9.52%)	2 (9.52%)
Kisii	2 (9.2%)	2 (9.52%)	1 (5.26%)	2 (9.52%)	2 (9.52%)
Meru	1 (4.76%)	1 (4.76%)	1 (5.26%)	1 (4.76%)	1 (4.76%)
Mijikenda	2 (9.25%)	2 (9.52%)	2 (10.52%)	2 (9.52%)	3 (14.28%)
Other	3 (14.28%)	2 (9.52%)	1 (10.52%)	2 (9.52%)	2 (9.52%)

Table 2: Ministerial Representation of Ethnic Groups in the Moi Era (1979 – 2001)

Ethnic Group	1979	198	1985	1987	1994	1998	2001
Kikuyu	8 (30%)	7 (25%)	5 (20%)	4 (14.2%)	1 (4.16%)	1 (4%)	1 (4%)
Luhya	3 (11%)	3 (11%)	2 (8%)	3 (10.7%)	4 (17%)	5 (19%)	4 (14%)
Luo	3 (11%)	3 (11%)	4 (16%)	5 (17.8%)	1 (4.16%)	0 (0)	2 (7%)
Kalenjin	3 (11%)	3 (11%)	3 (12%)	2 (7.1%)	4 (17%)	6 (22%)	5 (17%)
Kamba	2 (7.6%)	2 (7.4%)	2 (8%)	3 (10.7%)	4 (17%)	4(14.8%)	4(14.28%)
Kisii	2 (7.6%)	2 (7.4%)	1 (4%)	2 (7.1%)	2 (8.3%)	2 (7.4%)	2 (7.14%)
Meru	1 (3.8%)	2 (7.4%)	1 (40%)	1 (3.5%)	2 (8.3%)	1 (3.7%)	1 (3.57%)
Mijikenda	2 (7.6%)	2 (7.4%)	2 (8%)	2 (7.1%)	2 (8.3%)	2(7.4%)	2 (7.14%)
Other	2 (7.6%)	3 (11%)	5 (20%)	6 (21.2%)	4 (17%)	6 (22 %)	7 (25%)

Source: Kanyinga and Munguti (2003)

By the end of Moi's regime, the Kalenjin were 17% of the cabinet compared to 4.76% at the time of Kenyatta's death.

From the foregoing, the fact that decisions of national development and those concerning the allocation of resources in particular had an ethnic bias cannot be disputed. Tables 3 and 4 below are an attempt to approximate this bias in the Kenyatta and Moi eras.

Table 3: Health Institutions by Province

Province	1979	1985	1990	1995	2000	2001
Nairobi	140	158	198	359	419	481
Central	242	271	324	441	494	76
Coast	178	189	220	426	475	501
N. Eastern	27	21	40	59	74	825
Western	98	101	123	248	330	340
Nyanza	191	224	245	446	519	1238
Rift Valley	434	447	583	1140	1225	530
Eastern	247	272	308	683	819	427

Source: Karuti and Munguti (2003)

Ethno-regional social and economic bias in the allocation of national resources, however, is best illustrated by the inequalities in the living standards in different provinces in Kenya (see tables 5 and 6 below) as they stand today.

TABLE 4: Regional Disparities of Primary School Enrolment (Actual Figures [1965-1970] and % [1975-2001])

Year/ Province	1965	1966	1967	1968	1969	1970	1975 %	1980 %	1985 %	1990 %	1995 %	2000 %	2001 %
Central	238,001	251,305	273,558	296,863	311,970	348,750	19.4	17.7	17.6	16.3	17.2	15	13.3
Coast	57,523	59,631	65,719	71,642	76,805	87,715	5.4	5.9	6.4	6.7	6.4	6.5	6.9
Eastern	199,107	204,462	226,687	242,059	269,652	283,030	18.9	19.1	18	18.9	18.4	19	18.5
Nairobi	45,096	49,728	52,977	55,060	60,944	61,880	209	2.5	2.6	2.7	2.8	2.8	2.8
Nyanza	162,299	191,337	221,138	206,462	206,462	225,365	20.9	20.2	19.3	18.1	17.9	17.1	18.5
Rift-Valley	161,272	144,902	174,597	183,233	183,233	204,820	17.2	19.3	21.7	22.9	22.8	25.6	26.1
Western	104,679	139,961	145,932	169,930	169,930	182,850	15	14.5	13.9	13.8	14.1	13.1	13.2
North Eastern	912	2090	2,389	3,301	3301	4340	0.2	0.3	0.4	0.6	0.5	0.8	0.7

Sources: *Statistical Abstracts* (1965,1966,1967-1970); Kanyinga and Munguti (2003)

Table 5: Overall Poverty in Absolute Numbers (1997)

Province	Adult Equivalents Below Poverty	Individuals Below Poverty Level
Central (Rural)	915,150	1,126,826
Coast (Rural)	689,240	883,667
Eastern (Rural)	1,791,240	2,280,334
Nyanza (Rural)	2,106,269	2,678,518
Rift Valley (Rural)	2,066,441	2,691,909
Western (Rural)	1,339,152	1,739,131

Source: *Poverty in Kenya*, Vol., Ministry of Finance (2003)

Table 6: Human Development Index by Region

	Human Development Index			
Province	**Life expectancy of region**	**Education Index**	**Human Development Index**	**GDP Index**
Overall Country Index	0.495	0.642	0.539	0.482
Nairobi	0.610	0.756	0.783	0.983
Central	0.645	0.829	0.604	0.339
Coast	0.408	0.595	0.467	0.363
Eastern	0.443	0.687	0.525	0.268
Rift Valley	0.558	0.652	0.51	0.271
Nyanza	0.345	0.736	0.44	0.239
Western	0.457	0.753	0.449	0.137
North Eastern	0.457	0.46	0.413	0.324

Source: Karuti and Munguti (2003)

It should be noted, however, that the predominance of poverty or the relatively high quality of life in specific regions can be attributed to other factors including prevailing ecological condition and the selective penetration of capitalism in the colonial and post colonial period in the respective regions. The ecological situation in Northeastern Province, for example, accounts for the region's social and economic marginalization. This region did not benefit from the penetration of capital in the colonial era, as it was not deemed productive by British interests. Compared to Central Province, Nyanza and Western Provinces benefited less from the penetration of capital during colonialism.

In spite of the above, ethnic favouritism in the distribution of state resources cannot be discounted as a factor contributing to, not only region inequalities, but also poverty and social and economic deprivation. The state, under both Kenyatta and Moi, was either unable or unwilling to make its presence felt in terms of security and social and economic welfare in the North Rift Districts (Turkana, Marakwet and parts of Baringo) and Northeastern Province. As a result, these regions are the poorest and register the lowest human development index. To ethnic groups in these regions, the state is irrelevant.

While registering the least incidence of rural poverty (see tables 5 and 6 above) over the years, it should be noted that Central Province has quite a considerable number of people living under the poverty line. This means that state patronage perceived to benefit a specific group does not reach everyone. As Karimi and Ochieng (1980) observe, not all the Kikuyu and GEMA masses benefited under Kenyatta's rule. The two observe that:

> ...The people of Kiambu ... and other GEMA tribes in general ...often suffered ...more than other Kenyans – economically as well as culturally .... One Kiambu resident writing to the editor of *Nation* (November 24,1978) noted that it was a "ridiculous myth that ... (the people of Kiambu) were the sole benefactors of matunda ya uhuru (the fruits of freedom)'." [20]

While state bias in the distribution of resources was evident in the Kenyatta and Moi eras, it did not benefit the ethnic communities upon which the two regimes were based in their entirety. As Karimi and Ochieng (1980) argue, the Kikuyu supported the Kenyatta regime out of ignorance, which selfish leaders exploited in their designs on Kenya. Thus, ethnic identity was used to conceal personal ambition and greed for power and wealth. In return the Kikuyu and GEMA were promised development that proved not only elusive but also illusory. The same can be said of the Kalenjin in the Moi period. Kundu (1992) makes a similar observation and cautions that many of the people from ethnic groups with seeming proximity to state patronage suffer with those far removed from the centre of power. This not withstanding, Figures II and I below, approximate the manner in which state patronage benefited small interest groups and how it served to produce ethno-regional disparities and social differentiation in the post-colonial period.

5.1.3 "Pork-Barreled Development": Politicization of the Development Process

When taken a step further, ethnic prejudice and favoritism in the Kenyatta and Moi era became politicization of development with far-reaching implications. Put differently, through a deliberate policy of social and economical marginalization or punishment of-ethnic groups that were opposed to their hold onto political power, the two regimes were effective agents of stagnation and poverty. [21]

Figure(s) I & II: Configuration of State Patronage / National Finance Grid (NFG)*

Figure I: The Kikuyu-centric Kenyatta State, 1963-1978

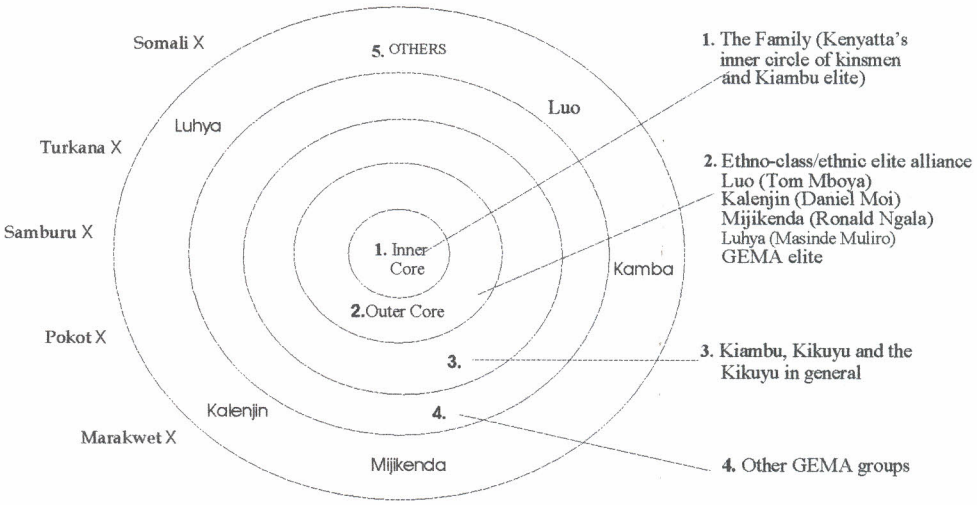
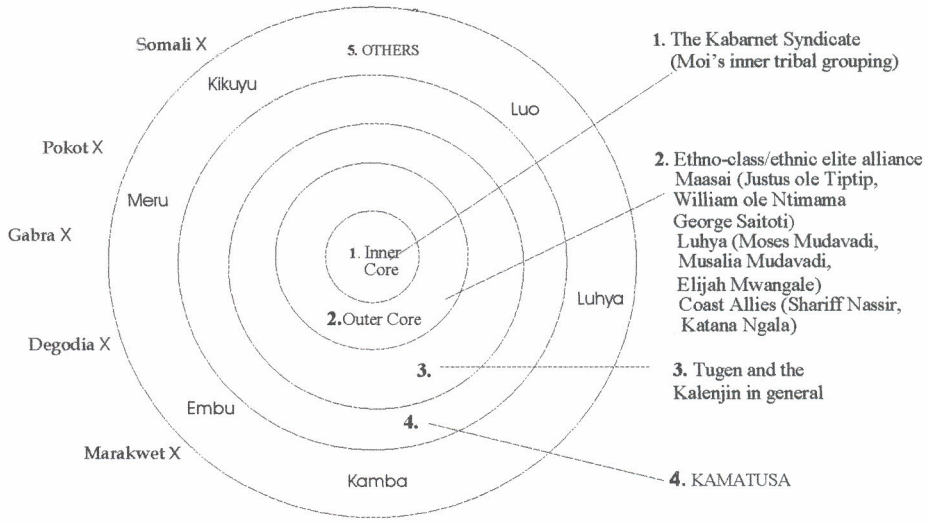


Figure II: The Kalenjin-centric Moi state, 1978-2002



Code: X- Ethnic groups for whom the state is irrelevant due to its retreat, superficiality and lack of penetration in their ethno-regions of habitation.

Further, favoured regions received token "development" which was often illusory. Thirdly, this political approach to development took place outside the official development channel as laid out in development plans or ministerial policy documents.

The development prerogative in post-colonial Kenya has rested on the President and the clique around him. After the abolition of the *majimbo* constitution, the President and Central Government as Odhiambo-Mbai (2003) observes, were in a position to distribute national resources in a manner that effectively facilitated the patron-client relationship that perpetuated political power. Regions and ethnic groups considered not loyal enough to the ruling elite could now be easily punished through economic sanctions from the centre while others that were loyal, in addition to ethnic bases of power, were rewarded.[22]

Kenyatta employed reward and punishment by strategically manipulating the constitution during the first few years of independence. In the absence of coercive force, and faced with the dual task of consolidating the state through the process of national integration

and political power, he saw selective distribution of health care, education and roads among other Government services as an effective strategy of enhancing national unity. He used the new array of resources administered selectively to secure political support from big ethnic groups. He assembled spokesmen of important ethnic segments among them Tom Mboya, Daniel Moi, Masinde Muliro and Ronald Ngala and guaranteed them a stake in the system. In so doing, Kenyatta was successful in constructing a nationwide base of support that bound spokesmen with divergent personal and ethnic interests to an overarching loyalty to him as *Mzee*, the father, and the Kenyan state.[23] Kundu (1992) observes that after Odinga's fall from grace, and the subsequent shutting out of the Luo from the corridors of power, development ventures in Nyanza Province were frozen. For example, the idea of the Kenya-Uganda highway passing through Luo-land was shelved as were plans to build the Yala hydroelectric plant, which were put on hold. Politicization of development in the light of this illustration can be seen as a perversion of the official social and economic policy.

Since development was a Presidential favour bestowed on the basis of loyalty to the seat of power, opposition to it meant willingness to forego it. Kenyatta, and later Moi, could "withhold development or even famine relief aid from constituencies with MPs who dare champion the true interests of their voters." As such, the distribution of development and welfare services was not according to need but as per the wishes of those who controlled state apparatus and institutions. Thus development ceased to be a right of the people but a gift from the President. Regions and ethnic groups had to be politically correct to deserve the "gift". In a system where the state was the President and the President the state, the President willed hospitals and roads, and "he could easily have ordered it to be taken elsewhere." [24]

Wamwere (1992) and Widner (1992) note that under these circumstances, the bureaucracy found it impossible to implement official Government policy, as it would violate Presidential decree. If a certain ethnic region had not received Presidential favour it was a risk for ministries and the civil service to initiate social and economic activities in the same areas. Using this strategy of economic denial, Moi would warn ethnic groups

opposed to his rule, especially the Kikuyu and the Luo in the multiparty era: "Siasa mbaya, maisha mbaya" (support of the opposition will mean withholding of state resources). However, once areas and their ethnic inhabitants supported the regime of the day through economic coercion and enticement, or once this strategy of economic sanctions was successful in perpetuating the consolidation and maintenance of power, token development initiatives were withdrawn. After all, they had achieved their intended objective. [25]

Where development initiatives were deployed, they amounted to nothing more than "charity". This is because, firstly, the institution of the Presidency in Kenya is not fashioned or well suited to deal with the problems of the people ranging from the need of schools, roads, health clinics and employment. As Morton (1998) records, even President Moi himself conceded that he could not do everything by himself. Thus, most Presidential pet development projects floundered. Once capital had been raised to start them up, the Government was either unable or unwilling to keep them running. [26] This, therefore, amounted to what Widner (1992) calls "pork-barrel benefits" which did not last long.

"Pork-barreled development" was exemplified in the electoral process. As Bayart (1993) notes, the electoral process in societies where politics of the belly holds sway, individual politicians, political organizations and administrations pursue the struggle for influence in order to maintain themselves in positions of responsibility, install themselves in power or consolidate it. If successful, this guarantees continued accumulation of wealth and prestige in the future. In light of this analysis, the electoral process in Kenya is characterized by the sacrifice of huge sums of money [27] in the name of "development". Under the single-party system in the Kenyatta and Moi eras, the public or constituents judged politicians on the basis of their material contributions under the *Harambee* system. These were equated to nation-building and "development". The proliferation of short-term development projects and under-utilization of *harambee*-funded facilities generated enormous financial burdens for communities, which were increasingly hard pressed to support "pork-barreled" social and economic "projects" from politicians. [28]

5.1.4 "Goats Eat Where they are Tethered"

The fourth way in which politicization of ethnicity has contributed to lack of social and economic development in Kenya is the emergence of a predator economy due to:

a. The fact that the discriminatory, criminal and corruption instincts of the authorities themselves pervade the society and all sectors of the economy.
b. The fact that poor remuneration, a poor incentive system due to nepotism and ethnicity and other social frustrations caused by the economy of survival forces "little men" serving in the bureaucracy or the private sector to seize what they deserve through merit or what society denies them via legitimate means. They do this through corruption, vandalism or violent crime.
c. As noted earlier, the resources of state patronage are often not enough to go around. As a result, the "politics of the belly" is practiced by the hungry and poor masses that are shut out of the National Finance Grid/state patronage system.
d. That those shut out from plunder can engage in economic sabotage cannot be ruled out.

With reference to the above, Bayart (1993) argues that the social struggles, which make up the quest for hegemony and the production of the state bear the hallmarks of the rush for spoils in which all the actors – rich and poor – participate in the world of networks. Put differently, this is the internal logic and dictate that follows from the fact that "not everybody 'eats' equally". That is, working people, like goats, eat from where they are "tethered" or use the nature of their work to look after themselves. Because of the need to alleviate their living conditions, professionals find it necessary to exploit their professions or their workplace. In this way, therefore, the strategies adopted for survival by school principals, the military and the police and other civil servants, people in the private sector, ethnic communities (read cattle rustling pastoral communities) and criminals are the same adopted by leaders to accumulate wealth and power. Thus, the popular image of the innocent masses is shattered, as corruption and predatoriness are not found exclusively among the very powerful. "Rather", Bayart (1993) writes, "they are

modes of social and political behaviour shared by a plurality of actors on a more or less great scale." [29]

In the civil service, the Judiciary and the police force, for example, opportunities for extortion present themselves in the line of duty in the administration of birth, death and marriage certificates or "justice" and the collection of taxes. In Kenya, the prebends collected go by many words, for example, *chai* (tea) or *kitu kidogo* (something small). Such an economy, characterized by predatoriness, calls for survival at all costs, hence the civil servant and other officers who are poorly remunerated make their living from the people they serve rather than from the official salary. As such, Government departments and public enterprises become "virtually bottomless financial reservoirs for those who manage them and for the political authorities, which head them." [30] Head teachers charge exorbitantly and illegally to admit students while in the hospitals, basic necessities like mattresses and bed-sheets are sold-off by poorly paid staff. At times, members of the police force, politicians and other authorities, are forced to collude with the criminal underworld. Hunted by uncompromising police, faced by harsh laws or the lynch mob, young criminals have no choice but 'to kill or be killed' unleashing a veritable balance of urban terror. [31] This can also be interpreted as an unlawful effort at re-distribution of resources, which are hoarded by the rich in society.

In the rural areas and townships, local people engage in all sorts of vandalism of public service installations and petty theft. In other remote localities, traditional raiding or cattle rustling, for example, in the North Rift region and North Eastern Province under this survival economy, translates into a form of political action.

In general, the above brief outline of the predator economy describes the state under Kenyatta and more Moi, which was characterized by plunder and greed from the top to the bottom further accentuating social or economic hardships or as a result. This is what Morton (1998) describes as latent or structural violence characterized by dark emotions, anarchy and primitive animal greed that lurks so close to the surface of Kenyan society, [32]

which lends credence to the view that Kenya is not, after all, an island of peace in a sea of political turmoil. It is an aspect that should be further explored in future studies.

5.1.5 General Neglect of the Development Process and Diversion of Energies

Lastly, politicization of ethnicity has adversely affected development indirectly. That is, the preoccupation with the struggle for state power has meant diversion of energy and general neglect of the citizen's social and economic welfare. As Mbaku (1999) observes, the preoccupation with the maintenance of power, control of the allocations of resources, the plunder of the economy for the benefit of the ruling class, and the appeasement of competitive ethnic and social cleavages and the general management of associated crises ensures that the state and political leaders are unable to serve as engines of social, political and economic transformation. As such, most post-independent African states, among them Kenya, "have been so preoccupied with survival that they have not been able to devote adequate effort to economic development and the elimination of mass poverty." [33]

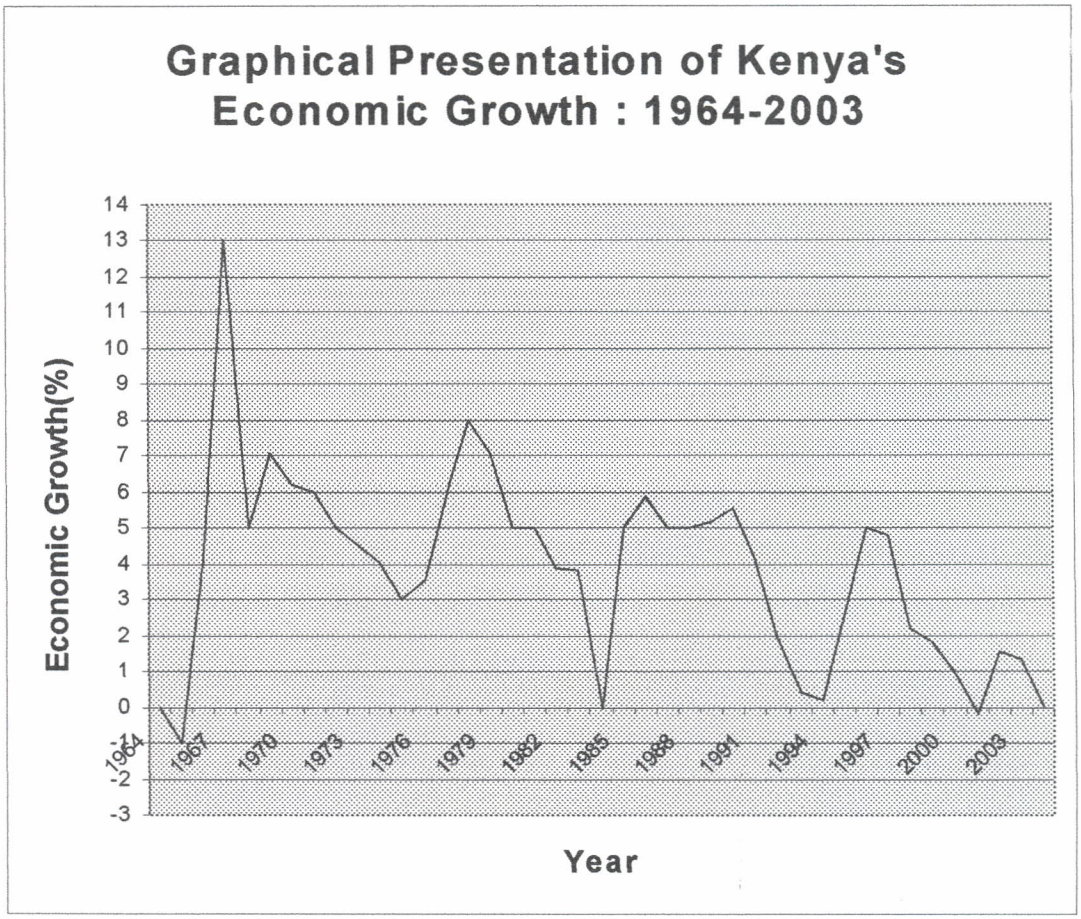
This diversion of energy that would be better if directed to the improvement of welfare is a characteristic shared by the entire political class and not the ruling class only. Kenyans, for example, registered dismay when FORD's leading lights offered no alternative vision for the country even after its registration. Its leaders as Throup and Hornsby (1998) observe:

> Had devoted too much time attacking President Moi and KANU, rather than outlining the party's policies or explaining what people could do to help the party. Many were disappointed that FORD seemed to be simply a different clique of old-style political leaders, castigating their opponents, with apparently little vision of the future or understanding of people's frustration and eagerness to become involved in the political process.[34]

Furthermore, political bickering and mudslinging was not only inter-party but also intra-party. FORD, which drew support from different ethnic groups crumbled due to, among other reasons, ethnicity and personal ambitions. Personal rivalries and factional struggles that were characteristic of FORD were replicated in the political parties formed after its dissolution. Political leadership in Kenya has become vituperative and characterized by

factional struggles that have recently come to haunt NARC the nationwide acclaimed party that took over power from KANU in 2002. As such, a political order conducive to finding solutions of the nation's social and economic problems has been elusive. Subsequently, the masses have become disillusioned and hanker for the fruits of independence that have not been forthcoming.

In addition to what has been said about the social and economic deprivation occasioned by politicization of ethnicity, national economic growth, as approximated in the graph below, appears to have been affected by ethnicization of politics. Apart from purely economic structural breaks or shock effects affecting economic growth, for example, the coffee boom in the early 1970s, and especially between 1976-1978 and 1986, the oil crisis (1973,1979), structural adjustment programmes-SAPs, stabilization and liberalization policies throughout the 1980s and the 1990s, political crises and upheavals (discussed in chapter two and three) had adverse implications on economic growth. For-example, in the immediate pot-independent period, economic growth was low thus reflecting the political uncertainty at the time. The best indicator of how latent and violent ethnic conflict affects economic growth would, however, be considering agricultural production levels overtime. *



Source: Various *Economic Surveys* (1963-2002); *Monthly Economic Review* of the Central Bank of Kenya (2004).

Political transition and the passing of the Kenyatta era might explain the slight dip between 1978-1979: the fall of economic growth from 8 % in 1978 to about 5 % - 3 % between 1980-1983 can be explained by not only famine and other economic hardships, but also the attempted coup in August 1982: the poor growth in the early 1990s can be explained by the political upheavals that accompanied the clamour for multi-partyism: while continued stagnation between 1993-2002 can be attributed to general political turmoil, ethnic clashes [1992-1998], corruption, succession and transition politics [1997-2002] and state collapse.

5.2 Siege and Collapse of the Kenyan State

The tranquility and political order that Kenya has enjoyed since independence has been "apparent" and skin deep. The political glue of patronage that is liable to collapse into warlordism is what has held the state and Government together. Demars (2000) argues that in its political history, Kenya has gradually moved, and yet not irreversibly, in the direction of state collapse.[35] This study, however, argues that the Kenyan state, having endured intense siege in its history, exhibits politico-economic and social symptoms characteristic of collapsed states. Among the factors characteristic of Kenya as a state under siege are: severe ethnic and other social cleavages (for example, the widening gap between the rich and the poor); politics of conspiracy; the construction of elaborate patronage systems to secure control of the unstable and volatile political environment; extreme conditions of poverty; institutional weaknesses; the proliferation of cheap small arms (by June 2003, there were at least 700,000 illegal arms 500,000 of which were believed to be in the North Rift region); prevalence of societal violence (crime and banditry); general contraction of the economy and decline of the infrastructure; and lastly, the emergence of a predator or second economy (smuggling, corruption and drug trading). [36]

In the face of the above realities, however, Kenya has remained precariously united as a nation and has not experienced civil war. The inherent weaknesses in the Kenyan state have been held in check by the use of instruments of control among them the bureaucracy, the police force and the army. As both, Khadiaghala (1992) and Widner (1992) observe, post independence Governments, like their colonial predecessor have contained ethnic fissures, political pluralism and fragmentation through the maintenance and elaboration of these colonial institutions of control. Thus one pillar of political order in both the Kenyatta and Moi periods was political repression. This, however, was at the expense of national integration, for example, through the formulation of policy designed to build inter-ethnic cooperation, consensus and conciliation.

Political order in Kenya can also be attributed to the management of ethnic relations through patron-client networks to avoid the disintegration of the state. As noted above, perceiving the *majimbo* system to be divisive, Kenyatta destroyed it. In its place, he chose the patronage strategy of state cohesion through which he gave ethnic segments, through their spokesmen, a stake in the Republic. This network was founded on strong Kiambu Kikuyu interests and solidified the whole nation behind a fairly representative coalition. The political irony of this strategy, however, is that while it guaranteed state cohesion and political stability, it was simultaneously a major threat to it. It was akin to solving the ethnic challenge to national integration by sweeping it under the carpet. Hyden (1983) aptly calls it the management of ethnic conflict through informal redistribution rather than formal or constitutional means thus sweeping the challenge under the rug. Widner (1992) notes that even Kenyatta understood that "these kinds of patronage relationships do not suffice to maintain order over the long run." [37] Patronage networks guarantee apparent political stability that is a semblance of unity and the legitimacy of the state and Government.

As a threat to state cohesion, the patron-client strategy was a serious stumbling block in the Moi era than Kenyatta's. Kenyatta's patronage network was more stable because he worked with and helped develop bottom-up style of political activity. He would co-opt leaders who had already secured local or ethnic political legitimacy by giving them a place at the national table. These were men like Paul Ngei, Ronald Ngala, Jackson Angaine, Daniel Moi and Masinde Muliro among others.

Moi, however, preferred the reverse. He co-opted politicians by giving them ministerial posts even when they were not powerful or respected political bosses in their home turf. Mass support for them had to be secured and maintained through the flow of patronage to their constituent ethnic or local clients. This created a crisis in the governing structure as the traditional role of ethno-regional bosses collapsed. [38]

Over and above the threat and siege presented by the patron-client strategy, the state under Kenyatta and Moi can be said to have faced collapse since it failed in its twin

principal objectives. That is, it failed to perform its productive and protective functions. The maintenance of expensive patron-client networks made the state predatory. As Wamwere (1992) observes, loyalty to the state and the regime through cooptation involved a lot of money. To sustain the system of patronage, money was siphoned from state corporations, raised through *Harambee* or the diversion of foreign aid. The maintenance of state cohesion, therefore, ate heavily into available funds for development. Thus while patronage-clientelism helped to manage ethnic relations, it at the same time consumed considerable public resources thus holding back opportunities for economic development. Ethnicity in Kenya, like in Papua New Guinea, as discussed in the study of ethnicity and nation building in that country by Premdas (1980), has meant waste, duplication and inefficiency in the allocation of resources, the sacrifice of ordinary economic sense in pubic expenditure at the altar of ethnic accommodation and the loss vital time and resources "to feed and appease the appetite of the ethnic monster." [39]

Importantly, *"moneyocracy"* (the promotion of state cohesion through state patronage or by using state finance and resources) has inhibited the growth of patriotism, nationalism and the development of a democratic method of ethnic conflict management in Kenya. The use of money to buy legitimacy for and loyalty to the Kenyatta and Moi regimes, and country, even that of senior military officers, means that it is not only the survival of the regimes that was hinged on the availability and flow of money. The country's existence and state cohesion was also dependent on the fluidity of money. [40]

Violent crime and security, as features of a besieged state have been referred to above. It is important to emphasize banditry as a form of societal violence that has, over the years, exposed the vulnerability of the state in Kenya. While the state is not contested in the North Rift region, and while it has been challenged only twice in Northeastern Province (between 1963-1964 and the late 1970s), rampant banditry in these areas has demonstrated that the state's spatial hold of the country is incomplete. This is further proof of Kenya's fragility as a state. The relationship between the state and communities in these regions is that of mutual ignorance and exclusiveness. As earlier noted, to the ethnic groups in these regions, the state is irrelevant, which serves as further evidence of-

politicization of ethnicity. Kenya, therefore, upholds judicial integrity and statehood piously in the international arena while there exists internal weaknesses and challenges to state cohesion. [41]

5.3 The Challenge of National Unity

As Wairagu (1997) observes, the absence of violent ethnic conflict in Kenya does not mean that ethnic accommodation and harmonious co-existence have been achieved. Other authors, for example, Throup and Hornsby (1998) have observed that ethnicity is the most powerful force in Kenyan politics due to manipulation by the political elite. Kenyan politics, they note, is about ethnic loyalties and about personalities. They argue that elite political rivalry is a reflection of deeper social antagonisms of which ethnicity is the most potent. [42] This study assumes the same stance taken by these scholars.

While absolute peaceful and harmonious ethnic co-existence is only possible in *nirvana*, Kenya's history, as recast in this study, is replete with evidence that the desired sense of national unity is still unachieved. Some of the historical events and circumstances that have poisoned ethnic relations thus affecting national unity in Kenya are, for example, the murder of Tom Mboya and Robert Ouko, acts of ethnic chauvinism, for example, the Kikuyu oath of 1969 and the Digo oath of 1997, the deliberate and perverse "policy" of economic marginalizing as a political strategy against the Luo and the Kikuyu and minority pastoral communities in the Kenyatta and Moi eras, and the tendency or perception of the Kikuyu and the Kalenjin to dominate the country's political and economic life at different periods of Kenyan history, and lastly, ethno-regional social and economic inequalities. The tribal clashes that rocked the country between 1991 and 1998, however, standout as the single most important factor polarizing Kenyan society along ethnic lines since they threatened the country's unity more than any other event in Kenya's history. As such, ethnic polarization or the use of ethnicity as a political strategy in post-colonial Kenya has challenged societal harmony and national unity. As Ajulu (2002) observes, as a strategy deployed and orchestrated by the political class to acquire

control and to extract concessions from the centre, political ethnicity, if unchecked, can lead to warlordism and, therefore, national disintegration.

It is difficult, however, to measure the strength of ethnic sub-nationalisms that work against national unity and the extent to which it is undermined or to give a definite and acceptable level of national consciousness to which the country should aspire. For this reason, the election-voting patterns as illustrated in Tables 7 (a) and (b) and 8 below, are used to estimate ethnicity as a force in Kenyan politics, which challenges national consciousness and unity. While the 2002 election-voting pattern reflected a radical shift from the two previous elections, it is not referred to here since it exhibited little discernible ethnic block voting. This interesting observation is discussed in chapter three (p.122) but there is need for future studies to focus on the implications of ethnic unity exhibited in the 2002 Presidential elections on national unity. As noted earlier, however, it is clear that "ethnic unity" in the 2002 Presidential election was contrived out of elite political expedience since it has not been translated to national unity in the long term.

Table 7(a) and (b): Results of the 1992 and 1997 Presidential Elections by Region

VOTE OF CANDIDATE BY % (PER CENT)					
Province	**Moi**	**Kibaki**	**Oginga Odinga**	**Matiba**	**Others**
Nairobi	17	19	20	44	0.5
Central	2	35	1	62	0.7
Eastern	38	50	1.6	11	0.8
Rift Valley	68	8	6	19	0.2
Coast	64	11	17	8	0.8
Western	40	3	18	39	0.3
Nyanza	14	6	75	3.3	1.7
North Eastern	78	4	7	10	1.0

Table 7(b): 1997 (%)

Province	Moi	Kibaki	Raila Odinga	Wamalwa	Ngilu	Others
Nairobi	21	44	17	6	11	0.7
Central	6	90	0.7	0.3	3	0.7
Eastern	35	27	0.8	0.8	37	0.6
Rift Valley	72	20	1.6	6	0.7	0.3
Coast	63	14	8	3	11	0.5
Western	45	1.3	2	50	0.5	1.2
Nyanza	24	16	55	2	1.7	1.3
North Eastern	7873	19	0.3	7	0.6	0.2

Source: Cowen and Kanyinga (2002)

Table 8: Presidential Election Results-Absolute Figures- (1992) by Province and Candidate

Province	Moi	Matiba	Kibaki	Odinga	Total vote
Nairobi	62,401 (16.6%)	165,533 (44.1%)	69,715 (18.6%)	75,898 (20.2%)	375,574
Central	21,882 (2.1%)	621,368 (60.1%)	372,937 (36.1%)	10,765 (1.0%)	1,034,016
Eastern	290,494 (36.8%)	80,515 (10.2%)	398,727 (50.5%)	13,064 (1.7%)	789,233
North Eastern	57,400 (78.1%)	7,440 (10.1%)	3,297 (4.5%)	5,237 (7.1%)	73,460
Coast	200,596 (64.1%)	35,598 (11.4%)	23,766 (7.6%)	50,516 (16.1%)	312,993
Rift Valley	994,844 (67.8%)	274,011 (18.7%)	111,098 (7.6%)	83,945 (5.7%)	1,467,503
Western	217,375 (40.9%)	192,859 (36.3%)	19,115 (3.6%)	94,851 (17.9%)	531,159
Nyanza	111,873 (14.4%)	26,922 (3.3%)	51,962 (6.4%)	609,921 (74.7%)	816,387
Total	1,962,866	1,404,266	1,050,617	944,197	5,400,324

Source: *Daily Nation*, 5th January (1993)

From the above tables, the following observations supporting the argument that the ethnic strategy in politics is a challenge to the realization of national unity in Kenya can be made:

i) That the contending Presidential candidates, in both elections, won overwhelmingly in their respective home Provinces.

ii) Mwai Kibaki, who came third, overall in the 1992 elections, beat Moi in his home Central Province by over 350,000 votes.

iii) That the combined Kikuyu vote (Matiba's and Kibaki's) in Central Province dwarfed the votes gathered by the two major contenders *thirty times* over in Central Province, in the 1992 elections (994,305: 32,647).

iv) Odinga's total vote in his home Nyanza Province dwarfed the combined vote of all the three other contenders in the same province even when *tripled* (609,921:190,757).

v) Moi's total vote in the Rift Valley, in spite of the presence of a Kikuyu Diaspora in the region, was more than *double* the combined vote of his three opponents in 1992 (994,844: 469,054).

It is important to note that the votes in Western (a swing-vote region in 1992), Eastern, Coast and North Eastern Provinces can be explained by the alliances forged by the 1992 Presidential contenders with ethnic groups leaders in these regions.

Clearly, the voting pattern in both elections was influenced by ethnic allegiance to the contending political parties. Kanyinga and Munguti (2003) argue that the voting pattern implies that the candidates, and their respective parties, mobilized political support on the basis of ethnic grievances. According to Kanyinga and Munguti (2003), ethnic coalitions were forged on the understanding that once power was seized, the different ethnic groups would share power and control of the state and its resources between them. Discussing party politics, the perception of the development process in Africa and voting patterns in Kenya, Ogot (1995) buttresses this view. He notes that:

> ...Victory in...elections ensures the leader and his supporters of a dominant position in the country; ...a bigger share of the national cake is guaranteed to his ethnic group. It is widely believed by Kenyans that the ethnic group from which the President of the country comes is likely to benefit more by being given more access to employment and other financial resources. This would explain why there was so much campaigning for the presidency in Kenya to rotate among the different groups so that each might have an opportunity to loot....Political and economic goals are thus viewed not in terms of individual welfare and happiness but in terms of collective ethnic security and welfare.

> Each ethnic group tries to ally itself with a Presidential candidate who is likely to promote its interests and any member of the group who prefers to support a different Presidential candidate is regarded as a traitor by the group. Basic human rights are thus sacrificed at the altar of ethnic solidarity. [43]

It is important to note that the voting pattern illustrated in the above tables was accompanied by mutual ethnic intimidation and violence, which is discussed in chapter 3.

Equally important is the fact that most multi-ethnic opposition parties had fragmented along ethnic lines by 1997. This explains why the Kikuyu candidate, Mwai Kibaki, got fewer votes in Eastern Province in 1997 than he had in 1992. In 1992, Eastern Province, which was in a coalition with Kikuyu dominated Democratic Party, voted for Kibaki. However, in 1997, the Kamba had a party, the Social Democratic Party headed by a Presidential candidate, Charity Kaluki Ngilu, who they considered their own. The fact that there was a Luhya leader, Michael Kijana Wamalwa, vying explains why the voters who had cast their votes for Moi or Matiba in 1992, failed to vote for the other Presidential candidates as they had done in 1992.

In light of the above, the intensity of ethnic loyalty, as approximated in the voting pattern in the 1992 and 1997 general elections, can be said to be a considerable challenge facing the task of national unity in Kenya.

5.4 Practical Measures That Can be Used to Counter Politicization of Ethnicity in Kenya

From the foregoing discussion above, it can be observed that political leadership in Kenya is characterized by the preoccupation with the struggle for state power and its attendant bickering and castigations and counter-castigations. There is need in Kenya, therefore, today of a leadership that captures development aspirations that Kenyans habour and hanker after. Political leadership in Kenya today ought to read the times to understand the different sets of needs and challenges of society. This then is a call to transformational leadership that means the assumption of a teaching role by leaders.

At this historical moment, Kenya needs men and women who can elevate, motivate, define values, offer vision and creatively produce reform. Such transformational leadership is not only capable of crisis management but also renewal. It would also cultivate trust as a key element in the relationship between the rulers and the governed. One of the needs in Kenya is to decentralize authority and developmental responsibility. Transformational leadership should initiate and oversee such a process. The Roosevelts (Theodore and Franklin Delano) and Ronald Reagan, all former Presidents in the United States, are illustrations of transformational leadership, which centralized and decentralized power, respectively by correctly discerning the needs of the country at historical turning points. [44]

Kenya needs leadership that will reach across barriers be they ethnic, racial, ideological, religious, generational or regional. Transformational leadership builds broad coalitions of teamwork. Such collaboration between political leaders and across ethnic barriers is needed to meet the challenges facing Kenya today among them, the high rate of illiteracy, lack of adequate healthcare, food insecurity, agro-ecological degradation, crumbling economic infrastructure and general politico-economic underdevelopment and an imaginative remedial strategy to make-up for the country's lack of a mineral resource base. It is difficult to make recommendations that specifically remedy the style of leadership that Kenya has had in the past or the current crop of leadership. However, there are several practical measures that can be taken to stop the culture of politicization of ethnicity in Kenya and hence bringing about desired political leadership and social and economic well-being.

Public Civic Education: One such measure is public education to enlighten Kenyans to be wary of unscrupulous political leaders who organize and mobilize ethnic groups for narrow political interests, for example, abusive control of the state institutions and resources. One of the central objectives of public education, among others, for example, teaching about the nature of Government, how it works and political and human rights, should be sensitizing *wananchi* on the dangers of political ethnicity. Civic education can

be incorporated in the primary and secondary school curriculums. Civic, religious and non-governmental bodies should also be allowed to educate the masses.

In this task, the chief aim would be to temper ethnic consciousness with some measure of national consciousness. Kenyans across the ethnic divide should be enlightened to see that they share social and economic inadequacies or prospects of economic prosperity. In addition, ordinary Kenyans come to the realization that they have more in common than their respective political elite who form the political class. This is the only way to ensure that unscrupulous politicians do not divide them along narrow sectional, ethnic or clan lines. As Karimi and Ochieng (1980) note, *wananchi* should be enabled to see with their own eyes that it is they, the masses, who suffer be they in Kiambu, Mandera, in Narok or Kitui, in Kwale or Siaya. [45] Secondly, this would have the effect of bringing social and economic issues to the fore in national debates and in election campaigns thus compelling politicians to address them and take these concerns more seriously.

Further, Kenyans irrespective of their ethnicity need to realize that the improvement of their standard of living does not lie with their politico-ethnic chief or their MPs. Public education should be aimed at making them understand that development lies in collective public scrutiny against greedy "tribalistic" political leaders who exploit ethnicity for their own politico-economic ends. [46] The belief or idea that it is better to be exploited or "eaten" by the hyena you know (a politician from your own ethnic group) than one that you do not know (a politician from another ethnic group) illustrates the kind of ignorance that must be dispelled. Secondly, the public should be taught how to become self-reliant rather than waiting for the Government or their MP to "bring" development (which makes the public vulnerable to manipulation which hinges on dependence).

The Role of Moral Ethnicity: In her article, Klopp (2002) argues that moral ethnicity can trump political tribalism in Kenya. She observes how moral ethnicity or the moral debate that surrounded the issue of land in the 1990s within the Kalenjin community helped to counter the violent *majimbo* ideology (political ethnicity) that was being touted by the Kalenjin elite that was in power. She explores how at the heart of President Moi's

ethno-regional basis of support, there emerged a local (Nandi) nationalist movement to challenge his top patronage hierarchy of accumulation and, by extension, its violent *majimboist* onslaught on "outsiders".

She, therefore, argues that class dynamics which are often at the heart of debates and struggles within communities ("moral ethnicity") can counter political ethnicity if and when opened onto the national public arena thereby drawing national attention to themselves and subsequently arousing common or multi-ethnic enterprise to fight wanton accumulation at the centre. [47] Moral ethnicity as discussed by Klopp (2002) is, therefore, an antidote to politico-economic exploitation by the political class and the ethnicisation of politics. It is also a key step towards creating national consciousness and unity. The potential of this strategy, however, is dependent on public sensitization and dissemination of information through civic education discussed above.

Consociational Democracy: The centrifugal and divisive tendencies inherent in Kenya's plural or multi-ethnic society can also be countered through co-operative attitudes and behaviour of leaders of the different ethnic segments in what Lijphart (1982) calls consociational democracy. This form of democratic management of competing ethnic interests and conflict is based on cognizance of the fact that it is impossible and dangerous to attempt to replace or eradicate segmental or ethnic loyalties in favour of national consciousness. Lijphart (1982) notes that such attempts may be counter-productive and may stimulate segmental cohesion. She, therefore, advocates consociational democracy that rallies ethnic groups around values and beliefs at the centre (national political arena) that may or may not be completely and purely consensual.

This central value and belief system, however, should always elicit a sense of affinity based on a common relationship thus uniting ethnic segments. It is important not to misconstrue consociational democracy as a device for communal or ethnic representation as this impairs social will and encourages division and not unity. It is a device for

achieving both democracy and a considerable degree of national unity. Elements of consociational democracy as they would apply in Kenya include:

(i) Government by a grand coalition of political leaders from all significant politico-ethnic elements, which means the inclusion and representation of most, if not all, ethnic groups in Kenya. It should, however, be noted that this should not mean sacrificing merit, effectiveness and efficiency on the altar of ethnic accommodation.

(ii) It also demands proportionality as the principal standard of political representation, civil appointments and allocation of public funds.

(iii) Lastly, it calls for a high degree of autonomy. That is, each segment or ethno-region running its own internal affairs including development initiatives. [48]

Decentralization: The last point on regional autonomy, in [iii] above, deserves to be expounded further. Contrary to the wisdom of Jomo Kenyatta in the 1960s, political scientists and historians have argued that if African states are going to weather fissiparous sub-nationalism and ethnic diversity, they have to decentralize authority and responsibility regionally. This study arrives at this view because, while it might have been prudent to suppress ethno-regional interests and centralize power and economic resources to promote integration and national consciousness in the new state at independence, it is no longer wise to do so. In Africa today, the high road to national unity as Ogot (1995) observes, lies in proportional ethnic representation and regionalism. Michael Chege, a practicing political scientist argues that:

> African states may ... have to try a formula for stability and equity that disaggregates centralized power, allows freedom of association, including ethnic organization, and in particular promotes federalism.
> Federalism may ironically strengthen national loyalty. By diffusing autocratic power and providing cultural autonomy and control over local resources, it may satisfy varied and sometimes highly idiosyncratic provincial demands. Strengthening the parts could then provide solidarity for the whole.[49]

While appreciating the importance such views, however, it should be noted that federalism is not a panacea for ethnic animosity. While it might foster unity across ethnic boundaries, there is need for it to be undertaken together with a systematic strategy aimed at eliciting and promoting national consciousness. At the centre of *majimboism* there

should be a program calculated to win the hearts and minds of Kenyans for a united nation. In other words, *majimboism* should be accompanied by a commonly shared and vigorously inculcated ethical code of conduct or philosophy for all Kenyans across the board. Such a code or philosophy would be guided by the need to bridge the gap between Government and the people. The latter should be made to feel that they are part of important decisions affecting their lives intimately. As Ogot (1995) observes, history testifies that when public affairs is in the hands of a powerful, distant, central government, citizens lose interest in public matters. An ethical code of conduct and philosophy is thus effective in eliciting public spiritedness or civic virtue by bringing the government close to the people. Citizens feel they are part of a genuine community in which members have a mutual concern of the other's welfare. Gross inequalities in wealth can also be avoided and the problem of greed, selfishness, tribalism and corruption undermining national unity eradicated. [50]

Regionalism aimed at making local authorities responsible for health care, education, community development and local infrastructure would ensure that political leaders at the centre of power do not politicize welfare. This would also be a step towards shifting national unity premised on nation-wide patron-client relationships.

The decentralization of development under the District Focus for Rural Development in the 1980s was a good attempt at addressing ethno-regional inequalities. However, as Kanyinga and Munguti (2003) and Widner (1992) observe, it was Moi's subtle way of channeling state resources away from the Kikuyu, and GEMA in general, to minority pastoral groups that supported his regime. This program, therefore, became an avenue of state patronage for the benefit of the Kalenjin, the Maasai, Turkana and the Samburu. As Ogot (1995) observes, it failed because it lacked a code of ethics. A depoliticized program or rehabilitating the DFRD would be an avenue of creating developmental autonomy.

Deconstruction and Reconstruction of the Post-colonial State: It should be noted that while it is important to have honest, competent and well-informed leadership, transformation in the economic and social, and by extension, political spheres is impossible without far-reaching institutional reforms or a sound institutional framework. That is, constitutional, institutional and legal reforms. Part of the problem in Kenya, and Africa in general, is that the colonial state was given a new lease of life as independence leaders legitimized it by inheriting institutions that encouraged opportunism and exploitation. Where a few gains were made, post-independence reforms, for example, the 1964 and 1966 constitutional amendments that produced a centralized political system, ensured retrogression.

There is need, therefore, to formulate laws and establish institutions that will fortify the state against leaders motivated by self-aggrandizement. Such measures would minimize the tendency of leaders to wield unlimited power to intervene in private exchange or their ability to engage in opportunism and corruption. Secondly, small political elites and their group of supporters would be constrained from seizing and using Government apparatus, structures and institutions as instruments of plunder. They would also promote the emergence of an entrepreneurial class independent of the state. They would also facilitate the enforcement of rules against theft and fraud and the provision of goods effectively, efficiently and equitably. This, then, is what deconstruction of the post-colonial state and reconstruction of relevant government entails.

One such measure to achieve the above desired effects is suggested by Mbaku (1999). That is, having a government that is constitutionally limited. Such a government checks against fiscal or general economic and social discrimination or perversion of official policy and minimizes opportunism and rent seeking through institutionalization.

The objective of a constitutionally limited government is to limit the authority of the state to power assigned to it as elaborated by the constitution. This is effected either by assigning the Supreme Court of the land the duty of acting as a counteracting agency enforcing compliance and maintaining the social contract. Alternatively, the constitution

should be designed to be self-enforcing. This involves the establishment of political institutions, laws and procedures reducing the likelihood of the use of government institutions as instruments of plunder at the public's expense.

For optimum operation of an effective constitution, there is need to introduce competitive economic and political markets. For the latter, this means devolution of power in favour of regional and local jurisdictions as noted above. However, there is need to emphasize that the model of regionalism adopted should be flexible enough to facilitate free migration or movement of citizens and ownership of property anywhere in the country. On the other hand, a competitive market entails the protection of private property, the freedom of exchange and personal choice. This would facilitate the emergence of an entrepreneurial class and alternative employers and creators of national wealth other than government. Secondly, it would ensure the existence of an acceptable incentive system that is not ethnically or politically biased. Lastly, it would check against the politicization of welfare, that is, food provision, health care, education and incomes.

The second measure, as suggested by Mbaku (1999), is constraining legislative power. This means that membership to the legislature being determined by proportional representation. It also involves the subjection of legislators to the rule of "approximate unanimity" as opposed to majoritarianism. This means that lawmakers must obtain a consensual majority in important decisions. This ensures that laws passed do not cater for special interest or promote the use of state structures as instruments of plunder. The above, then, are some of the measures that should guide the reconstruction of the state in Kenya to enable it to fulfill its twin obligations of production and the provision of security. [51]

Other Generic Measures: Kenyans should be encouraged to form horizontal linkages other than ethnicity. As such, small groups of actors be they peasants or working men, should be allowed to join hands in popular movements created under a unifying banner other than ethnic identity. Class-based and/or professional organizations, therefore, need to be nurtured. As Hyden (1983) notes, these are, in the long run, better guarantors of

greater state coherence. Secondly, they provide the best base for effective development. [52] In addition to the above, such organizations, especially if they attract the support of professionals such as lawyers and clerics, for example, would check the government to ensure that it acts in the interest of the public.

The state should also be more "self-contained." Put differently, it should elevate itself from the pressures of ethnic groups, which in Kenya's history has meant appeasement of ethnic loyalties and sacrifice of ordinary economic sense in pubic expenditure at the altar of ethnic accommodation. The state, therefore, should do less to appease competitive ethnic and social cleavages. This is conceivable and possible only if it delegates the control and allocation of resources to regional authorities as noted above. By so doing, it would facilitate a greater role in the distribution of resources by market forces.[53]

5.5 Recommendations

This study, in view of the foregoing, makes the following policy and academic recommendations:

a) As noted above, there is urgent need for future studies to focus on or document the specific manner in which the Kenyatta and Moi Governments institutionalized and encouraged corruption, for example, the blatant economic crimes between 1975-1978 and the Goldenberg Scandal respectively. This will enhance the understanding of how politicization of ethnicity has been used by political leaders for their own politico-economic ends. It will also facilitate the development legal and institutional measures to curb economic exploitation in the future.

b) There is also need to answer the question whether the 2002 Presidential election results marked the end of exploitation of ethnicity by political leaders. The specific question to be answered is: How can similar ethnic unity, as exhibited in the 2002 Presidential election results or at the advent of multipartyism in 1991, be translated into national unity in the long term?

c) This study focuses on the politicization of ethnicity by individual politicians or individual party members. As such, it does not analyze party politics. Therefore, it

recommends an exclusive study of ethnic politics within and between political parties in the struggle for party positions and state power in Kenya respectively.

d) As far as government policy is concerned, this study supports the legal and administrative changes proposed in the The Draft Constitution of Kenya (2004), for example, devolution of government with the District as the principal level of devolution. It is encouraging that policy measures are being taken to establish laws and institutions to check against corruption, for example, the Kenya Anti-Corruption Act and the Kenya Anti-Corruption Commission. If implemented effectively, such laws, constitutional provisions and institutions will check against the abuse of office by political leaders and also remedy ethno-regional disparities.

5.6 CONCLUSION

As this study has shown, Kenya has a long way to go to realize an acceptable standard of living for most of its people. Its present and future crop of leaders is faced with formidable challenges that call for exceptional and extraordinary leadership based on solid character. National unity and integration is one such challenge that will preoccupy Kenyan leadership in the future. While ethnic conflict has not threatened the country in the manner it has in Rwanda, Somalia and Burundi among other nations in the region, there is need to manage it more effectively and efficiently if Kenya is going to be a shinning hegemonic example in Eastern Africa and the Great Lakes region. Kenyans in general are willing and the country, therefore, capable of becoming one large family. With abated breath until then, the country awaits leadership that will right the wrongs of the past, take up challenges with zest and vigor, bridge the gap between citizen expectations and government performance and birth a true politico-economic and social liberation and transformation. This study is a humble contribution towards the recognition of the needs of the country as Kenya stands at the threshold of the 21st century characterized by globalization and other challenges.

END NOTES

* These two terms, "the Family" and the "Kabarnet Syndicate", have been used by Karimi and Ochieng (1980) and Ajulu (2002), respectively. The term "the Family" refers to the small clique of hegemonic elite Kikuyu around Kenyatta, for example, Peter Mbiu Koinange, Njoroge Muigai, Udi Gecaga and Charles Mugane Njonjo. The "Kabarnet Syndicate" on the other hand, refers to the group of politicians from President Moi's inner ethnic grouping such as, Nicholas Biwott, Taita arap Towett and Ezekiel-Barg'etuny. Unlike in the Family, membership to the Kabarnet Syndicate kept changing due to President Moi's tendancy to "recycle" politicians including those close to him.

1. See Bayart J-F., *The State in Africa: The Politics of the Belly*, Longman, London/New York (1993) pp.88, 74-81 on the methods used to exploit the state by the political elite at the centre of power. The Ndegwa Report like the Zairian example left the class in power and the bureaucracy to its own devices within the general framework of the principle: "Look after yourself". At the time, the principle was innocent since civil servants were poorly paid and in the Zairian case, were expected to get along without salaries at all. See D.J Gould's paper, "Local Administration in Zaire and Underdevelopment," in *Journal of Modern African Studies*, 15, 3 (1977).

2. Bayart J.F, Ibid, pp. 88,77; also see Bayart J-F. et. al., *The Criminalization of the State in Africa*, James Currey, Oxford (1999) p.73.

* Karimi and Ochieng (1984), Op Cit., pp. 67-68, 155. Compare with footnote 73 in Chapter one.

3. See Karimi J. and Ochieng P., *The Kenyatta Succession*, Transafrica, Nairobi (1980) pp. 68,69,111,115. Also see Hempstone S., *Rogue Ambassador: An African Memoir*, University of South Press, Tennessee (1997) pp. 32-33; and Wamwere K., *The People's Representative and the Tyrants*, New Concept, Nairobi 1992 pp. 86-88; Gould D.J., Op Cit. Also see the use of cultural repertoires and other social elements used for social capital in an article by Bayart J-F., "The Social Capital of the Felonious State," in *The Criminalization of the State in Africa*, Op. Cit, pp. 32-47.
4. Atieno-Odhiambo, E.S., "The Kenya Elite: Historical Anthropology and Political Sociology of an African Formation," in *Kenya: The Making of a Nation 1895-1995*, (ed.) Ogot B.A. and Ochieng W.R, IRPS, Maseno (2000) p. 145.

5. Ajulu, R., "Politicized Ethnicity, Competitive Politics and Conflict in Kenya: A Historical Perspective", in *African Studies*, 61, 2, Carfax (2002).

6. Ajulu R, Op. Cit., observes that members of the Kenyatta clique had been prominent members in the pre-colonial and colonial primitive accumulation systems.

7. Ajulu R., Ibid, p263.

8. See Throup D. and Hornsby C, *Multiparty Politics in Kenya*, James Currey, Oxford (1998) pp. 83-84; these two authors, quoting the *Financial Times*, note that the Turkwell hydroelectric project cost more than double the amount the Kenyan Government would have to pay for it if it had been subjected to international competitive tendering.

9. The scandal involved paying millions or billions of shillings from Central Bank of Kenya as export compensation to Pattni's Goldenberg International.

10. See Morton A., *Moi: The Making of an African Statesman*, Michael O'Mara Books, London (1998) p.263. Also see Munene M., "Crisis and the State in Kenya, 1995-1997: An Appraisal," in (ed.) Okoth P.G and Ogot B.A, *Conflict in Contemporary Africa,* Jomo Kenyatta Foundation, Nairobi (2002) p. 154; Simiyu V.G., "Social Differentiation in Kenya, 1963-2003," an unpublished conference paper, (2004) p. 9; and Ochieng W.R., "The Betrayal of Independence: And the Rise of Poverty in Post-Colonial Kenya," unpublished conference paper (2004) p.8.

11. Also see Ajulu R., Op. Cit., p.263-264; Allen C, "Warfare, Endemic Violence and State Collapse in Africa," in *Review of African Political Economy*, September 1999, Vol. 26, Issue 81.

12. Also see Mbaku J. M., "The Relevance of the State in African Development: Preparing for the New Century," in *Journal of Asian and African Studies (Brill)*, August 1999, vol. 34 Issue 3, p. 298, 23p.

13. Hempstone S., Op. Cit., p.331.

14. Ochieng W.R., Op. Cit., pp.10, 2, 1; also see Simiyu V.G., Op. Cit., p.9, who observes that the predator state which seized the National Finance Grid had a leadership without vision beyond the misappropriation of state capital.

* This is the term Simiyu (2004) gives to state-based avenues of accumulation among them senior cabinet and parastatal positions, credit facilities and bank loans, land and other sources of Government revenue. The sum total of all this is what he calls "State Finance Capital".

15. Simiyu V.G. Op. Cit., p.7.

16. Morton A., Op. Cit., p. 136.

17. Michael Blundell as quoted in Morton A., Ibid. p. 137. Also see Kundu N.B., p.15 "Ethnicity and the Politics of National Integration in Kenya Forty Years after Mau Mau," Unpublished Seminar Paper, Kisumu (1992).

18. Kanyinga K. and Munguti K., "Ethnic Structure, Inequality and Governance of the Public Sector in Kenya," Draft Report (unpublished), UNRISD (2003) p.57-58.

19. Hemspstone S., Op. Cit., p.33.

20. Karimi J. and Ochieng P., Op. Cit., pp ix-x (in the introduction of the book). Kundu, Op Cit., pp.9-10 notes that whereas it might be assumed that some Kikuyus enjoyed during the Kenyatta regime, there are some who were severely marginalized. In the Moi regime, the common notion is that the Kalenjins benefited more than any other ethnic group. While this might be true, it is also in many ways not correct because there are some who were marginalized

21. Also see Wairagu F.K., *Ethnicity and the Democratic Process of Contemporary Kenya*, M.A. Thesis, Moi University (1997) pp. 174-175.

* The concept of graphic illustration of state patronage or the distribution of the National Finance Grid was developed on the basis of an interesting discussion between the present author and Professor V.G Simiyu, the first supervisor of this work, who drew concentric circles to capture the unequal distribution of national wealth between ethnic groups.

22. Odhiambo-Mbai C., "The Rise and Fall of the Autocratic State in Kenya," (ed.) Oyugi W.O et. al., *The Politics of Transition in Kenya: From KANU to NARC*, Heinrich Boll Foundation, Nairobi (2003) p.63.

23. Widner J.A., *The Rise of a Party-State in Kenya: From Harambee to Nyayo!* University of California Press, Los Angeles (1992) pp. 47,55,60-61.

24. Wamwere K., Op. Cit., pp. 41,77-78, 98-99.

25. Wamwere, ibid, p.78.

26. Morton A., Op. Cit., pp 207-208; also see Wamwere K., Ibid p.99.

27. Bayart J-F., *The State in Africa*, pp. 229-232.

28. Widner J.A, Op. Cit., pp. 62-66.

29. See Bayart J-F, Op. Cit., pp. 235-241 for this insightful analysis of the economy of a predator state.

30. Bayart, Ibid, pp. 78-79.

31. Bayart, Ibid, p.240; also see *Sunday Nation* 1 Feb 1980 quoted by Bayart (1993).

32. Morton A., Op. Cit., pp. 191, 192.

33. Mbaku J. M., Op. Cit., p. 298.

34. Throup D. and Hornsby C., Op. Cit., p.102.

* How ethnic conflict has affected agricultural production has not been pursued in this study for two reasons: It is wide enough to merit a study on its own and secondly, data available is inconsistent, and has numerous gaps due to missing information. These hindrances can only be tackled by a comprehensive study specifically focusing on the effect of conflict on agricultural production in Kenya.

35. See Demars W., "War and Mercy in Africa," *World Policy Journal,* Summer 2002, Vol. 17, Issue 2, p.1, 10p.

36. See Jackson, R., "The State and Internal Conflict," in *Australian Journal of International Affairs*, April 2001, Vol. 55, Issue 1, p.65 (17p); also Demars W. Ibid, p. 1; Allen C., in his article, "Warfare, Endemic Violence and State Collapse in Africa", in *Review of African Political Economy*, September 1999, Vol. 26, Issue 81; and Bayart, *The State in*

Africa, Op. Cit., p.258. The figures on the proliferation of small of arms are based on the authoritative research by Security Research Information and Centre-SRIC (whose executive director Jan Kamenju is quoted in the *East African Standard*, June 9th 2003, p.6).

37. Widner J. A, Op. Cit., p. 55.

38. See Throup D. and Hornsby C., Op. Cit., pp. 45-47. Examples of such politicians who were "made" or who were Moi's political creations are, for example, Joseph Kamotho, George Saitoti, Josephat Karanja, Kariuki Chotara and Uhuru Kenyatta, towards the end of his reign. While they were all public figures in their own right, they lacked political "accreditation" not only from their ethnic groups but also as illustrated by failure to capture Parliamentary seats and thus were without favour from their constituents.

39. See Wamwere K., Op Cit., pp. 98-100; Hyden G., "Problems and Prospects of State Coherence", in *State Versus Ethnic Claims: African Policy Dilemmas* (ed.) Rothchild D. and Olorunsola V.A, Westview Press, Colorado (1983) pp. 71, 81; Premdas .R. R., "Ethnicity and Nation Building: The Papua New Guinea Case," in *Ethnicity and Nation Building in the Pacific* (ed.) Howard M.C., The United Nations University, Tokyo (1989), p. 251.

40. This might explain why the Moi Government was reluctant when challenged by the World Bank and IMF to liberalize the economy. This would obviously mean the reduction of the central economic role played by the state. At the same time, according to Throup and Hornsby, Op. Cit., p. 122, it would undermine the neo-patrimonial and the patron-client system ties that held the state together. Over the years, the Moi regime committed to modest economic reforms to satisfy the World Bank and the IMF while leaving its patronage network intact. Only enough was done, therefore, to keep these institutions satisfied and to keep the Kenyan economy afloat and indeed, the country stable by not disrupting the neo-patrimonial relationships that sustained the regime and the state politically.

41. Specific areas in these two regions were, and still are, no go zones for even the Kenyan police although they have not officially abdicated or declared the intention to do so. See Bayart J-F., Op. Cit., pp. 254-259.

42. Throup and Hornsby, Op. Cit., pp. 135, 127, 141.

43. See Kanyinga and Munguti, Op. Cit., p.27 and Ogot B.A., "Transition from Single-Party to Multi-Party Political System, 1989-1993," (1995), pp.248-251: He argues that as a result, there were virtually no competitive elections in 1992 as ethnic groups voted their own Presidential candidate.
44. See speech by Abshire D. M., "A Call for Transformational Leadership," in *Vital Speeches of the Day*, January 5th 2001, Vol. 67, Issue 4, p. 432, 4p. "Transformational leadership" is a term that was coined by Prof. James McGregor Burns, an American Presidential historian. According to Abshire, he used the term in contrast to transactional leadership (which means good management of what is in hand and making limited incremental progress on modest goals and making best use of given resources).

45. See Karimi and Ochieng, Op. Cit., p. xi.
46. Also see Karimi and Ochieng, Ibid, p. x.

47. See Klopp J. M., "Can Moral Ethnicity Trump Political Tribalism? The Struggle for Land and Nation in Kenya," in *African Studies*, 61,2, (2002). It should be noted that there have been numerous instances in Kenya's history where moral ethnicity has countered political tribalism. The championing of social justice and the cause of the poor by the later J. M. Kariuki in the early 1970s is a good case in point. The triumph against colonialism and the fight for the reintroduction of multipartyism (early 1990s) and the push for political reforms in the late 1990s spearheaded by civil society are other examples. Further studies of the force inherent in moral tribalism in Kenya will be vital towards unlocking and harnessing the positive energy inherent in ethnicity.

48. See Lijphart A., *Democracy in Plural Societies: A Comparative Exploration*, Yale University, Popular Prakashan (1982) pp. 1-24.

49. Michael Chege as quoted in Ogot B.A., "Transition from Single-Party System, 1989-93," in *Decolonization and Independence in Kenya, 1940-93* (ed.) Ogot B.A and Ochieng W.R., James Currey, London (1995), p. 259.

50. Ogot B.A., "The Politics of Populism," in (ed.) Ogot B.A. and Ochieng W.R. Ibid, pp. 209-210.

51. For a more detailed analysis of the challenge and ways or options for the deconstruction and reconstruction of the post-colonial state in Africa see, Mbaku J. M., "The Relevance of the State in Africa Development", Op. Cit p. 298.

52. Hyden G., Op. Cit., p. 80-81.

53. Also see Hyden G., Ibid, p. 81.

Appendices

Appendix 1: Distribution of Each Ethnic Group and Outside "Home Districts"

Ethnic Group	TOTAL		HOME DISTRICT		OUTSIDE HOME DISTRICTS		HOME DISTRICTS
	Number	Percentage	Number	Percentage	Number	Percentage	
Kikuyu	1,645,065	100.0	1,140,164	69.4	501,901	30.6	Kiambu, Fort Hall, Nyeri, Embu.
Embu	95,647	100.0	89,334	93.4	6,313	6.6	Embu
Meru	439,921	100.0	431,489	98.1	8,432	1.9	Meru
Mbere	38,172	100.0	36,870	96.6	1,302	3.4	Embu
Kamba	933,219	100.0	817,361	87.6	115,858	12.4	Machakos, Kitui.
Tharaka	38,4747	100.0	37,298	96.9	1,176	3.1	Meru, Kitui
Luhya	1,086,409	100.0	899,541	82.8	186,868	17.2	North, Elgon & Central Nyanza
Kisii	538,343	100.0	511,688	95.0	26,655	5.0	Kisii
Kuria	41,885	100.0	38,471	91.8	3,414	8.2	South Nyanza
Mijikenda	414,887	100.0	370,354	89.3	44,533	10.7	Kilifi-Malindi, Kwale, Lamu
Pokomo/Riverine	30,350	100.0	28,288	93.2	2,062	6.8	Tana River, Garissa.
Taveta	4,855	100.0	4,658	95.9	197	4.1	Taita
Taita	83,613	100.0	71,631	85.7	11,982	14.3	Taita
Swahili/Shirazi	8,657	100.0	6,775	78.3	1,882	21.7	Kilifi-Malindi, Kwale, Mombasa Lamu
Bajun	11,280	100.0	9,041	80.2	2,239	19.8	Lamu
Boni/Sanye	4,797	100.0	4,274	89.1	523	10.9	Kilifi-Malindi, Lamu, Tana River, Garissa
Luo	1,148,335	100.0	1,025,039	89.3	123,296	10.7	Central, South, North and Elgon Nyanza
Nandi	170,085	100.0	129,537	76.2	40,548	23.8	Nandi, North Nyanza, Kericho
Kipsigis	341,771	100.0	285,364	83.5	56,407	16.5	Kericho
Elgeyo	100,871	100.0	90,966	90.2	9,905	9.8	Elgeyo-Marakwet
Marakwet	66,965	100.0	65,052	97.1	1,913	2.9	Elgeyo-Marakwet
Pokot	76,537	100.0	73,474	96.0	3,063	4.0	West Pokot, Baringo.
Saboat	28,012	100.0	22,553	80.5	5,459	19.5	Elgon Nyanza.
Tugen	109,691	100.0	103,190	94.1	6,501	5.9	Baringo
Masai	154,079	100.0	139,691	90.7	14,388	9.3	Kajiado, Narok
Samburu	48,750	100.0	47,055	96.5	1,695	5.9	Samburu
Turkana	181,387	100.0	167,498	92.3	13,889	7.7	Turkana, Samburu
Iteso	72,357	100.0	62,686	86.6	9,671	13.4	Elgon Nyanza
Nderobo	14,378	100.0	12,255	85.2	2,123	14.8	Nanyuki, Nakuru
Njemps	4,681	100.0	4,192	89.6	489	10.4	Baringo
Rendille	13,724	100.0	13,638	99.4	86	0.6	Marsabit
Boran	58,346	100.0	56,822	97.4	1,524	2.6	Marsabit, Isiolo,

							Moyale
Gabbra	11,478	100.0	10,734	93.5	744	6.5	Marsabit
Sakuye	1,681	100.0	1,404	83.5	277	16.5	Moyale
Orma	11,646	100.0	10,767	92.5	879	7.5	Tana River, Garissa.
Gosha	7,257	100.0	7,251	99.9	6	0.1	Mandera
Hawiyah	84,371	100.0	84,091	99.7	280	0.3	Mandera, Wajir
Ogaden	121,645	100.0	121,211	99.6	434	0.4	Garissa, Wajir
Ajuran	19,919	100.0	19,678	98.8	241	1.2	Wajir, Moyale
Gurreh	34,603	100.0	34,365	99.3	238	0.7	Mandera

Source: *Kenya Population Census: African Population, 1962,* Vol. III, Statistics Division, Ministry of Economic Planning and Development, October (1966).

Appendix 2: Incidents of Cattle Raids Between the Pokot and their Neighbours, 1969

RAIDERS	**DATE**	**PLACE**	**ANIMALS STOLEN**	**LIVES LOST**
Turkana	1 Feb 1969	Sarmai	200 cattle	-
Sigor				
Turkana	11 Feb 1969	Sarmai	Unknown	8 Pokot
Turkana	13 Mar 1969	Lotong'ot	Unknown	4 Pokot (juveniles) in Masol 2 Turkana
Pokot	30 Jun 1969	Kotopur	600 Goats/Sheep	4 Turkana
South Turkana				
Pokot/Marakwet	23 Sept 1969	Chesogon		

Source: *Compiled from WPDAR, 1969**

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