UNIVERSITY OF NAIROBI
INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

Violence in Kenya: An Analysis of the Dimensions of Ethnic Violence associated with Elites, 1991-2008

By

Mutui David Mutemi
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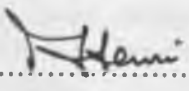
Supervisor: Mr. Ochieng Kamuddhayi

March, 2011
City: Nairobi

DECLARATION

I declare that this is my original work and that it has not been used anywhere in support of the

award of any degree.

Name: Mutui David Mutemi   **Signature**.........................Date........22nd July, 2011

This dissertation has been submitted for examination by approval as university supervisor

Name: Mr. Ochieng Kamudhayi   **Signature**....................... Date........22.7.11.............

ACKNOWLEDGEMENT

DEDICATION

This dissertation is dedicated to the victims of the 2007/2008 post election violence

ABSTRACT

This study examines the dimensions of ethnic violence associated with elites in Kenya and covers the period from 1991 to 2008. The researcher's interest to study the phenomenon was inspired by its recurrence in the country during every subsequent general election since 1992 and the perceived impunity occasioned by the government's reluctance to punish those linked to the violence as evidenced by findings from the various commissions appointed to inquire into the problem. The study is guided in its investigation by the primordial and instrumentalist theories of ethnicity. It employs qualitative research approach where the researcher interacted with the respondents to gather their views and perceptions. Data collection was done through unstructured questionnaire, interview guide, focused group discussions and non-participant observation. The data gathered was subsequently analyzed through thematic data analysis technique. The analysis of the data revealed the violence that occurred between 1991 and 2008 was election related, targeted immigrant ethnic groups, was planned, coordinated and financed by the elites with politicians driving the process and bearing the greatest responsibility. Further, the findings identified the media and in particular the FM vernacular radio stations and political/public rallies as the main instruments used to mobilize and incite ethnic communities into violence. Additionally, the findings revealed the violence was driven by political incitement, where elections were the excuse rather than the cause for violence over land. The study concludes that the entrenchment of the culture of impunity in Kenya is the main reason for the recurrence and escalation of ethnic violence and therefore, makes a host of recommendations including formation of a local mechanism to try perpetrators of ethnic violence and the review of the regulations governing licensing of vernacular radio stations.

LIST OF ACRONYMS

ABACO	Alliance Des Bakongo
ADC	Agricultural Development Co-Operation
CBOs	Community Based Organizations
CIPEV	Commission of Inquiry into Post Election Violence
CONAKAT	Confederation Des Associations Tribales
DP	Democratic Party Of Kenya
DPC	District Peace Committee
DRC	Democratic Republic Of Congo
EAA	East African Association
FORD	Forum For Restoration Of Democracy
GDP	Gross Domestic Product
IBEAC	Imperial British East African Company
ICC	International Criminal Court
IDPs	Internally Displaced Persons
IGAD	Inter Governmental Authority On Development
KADU	Kenya African Democratic Union
KAMATUSA	Kalenjin, Maasai, Turkana And Saboat
KANU	Kenya African Union
KASS FM	A FM radio station that broadcasts in kalenjin language and based in Eldoret town
KBC	Kenya Broadcasting Co-operation
KNCHR	Kenya National Commission on Human Rights
MDC	Movement For Multiparty Democracy
MNC	Movement National Congolaise
MOU	Memorandum Of Understanding
NARC	National Rainbow Coalition
NCIC	National Cohesion and Integration Commission
NDP	National Democratic Party
NESC	National Economic and Social Council

NFD	Northern Frontier District
NGO's	Non Governmental organizations
ODM	Orange Democratic Movement
PLO	Palestinian Liberation Organization
PNU	Party of National Unity
SALWs	Small And Light Weapons
SFT	Settlement Fund Trustees
STI/HIV	Sexually Transmitted Infection/ Human Immunodeficiency Virus
TFG	Transitional Federal Government
TIVET	Technical, Industrial, Vocational And Educational Training
TJRC	Truth, Justice and Reconciliation Commission
ZANUPF	Zimbabwe African National Union Patriotic Front

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CHAPTER ONE

Introduction and background

1.0 Introduction

Violence is a global phenomenal problem that takes many different forms. It is widely pronounced in many developing countries. In Africa some of the countries that have witnessed waves of violence, include Ethiopia, DRC Congo, Uganda, Rwanda, Burundi, Ivory Coast, Togo, Guinea, Sierra Leone, Sudan, Chad, Liberia, Zimbabwe, Somalia and Angola among others. From Latin America there are countries such as Honduras, Cuba, Bolivia, Venezuela and Columbia among others, while from Asia and Middle East there are countries such as India, Pakistan, Iran, Iraq, Yemen, Lebanon, Syria and Indonesia. In Eastern Europe, the former state of Yugoslavia and the former Soviet Union are classic of examples of states that experienced ethnic violence after the Cold War.

Violence was used as part and parcel of the colonial state in colonized countries to ensure control. Upon attainment of independence, most countries particularly in Africa and Asia institutionalized violence in their governance systems. This is particularly so with regard to the arbitrary boundaries imposed by the colonial governments which put together diverse ethnic communities into a single modern state and set the base for ethnic competition and rivalry.

Violence has in recent times been conceptualized by many to mean political violence because of its prevalent occurrence during elections. However, it is important to indicate at the outset that there are different forms of violence. There is physical violence, where human beings are physically hurt, and which can occur in the form of ethnic violence, domestic violence, political violence or even economic violence resulting from relative deprivation. There is also psychological violence which works on the emotion or soul and may include subjecting an

individual or group of people to actions such as brainwashing and indoctrination of various kinds, and threats which reduces mental potentialities.

Since there are many forms of violence, it is difficult to study all the elements and the types of violence either from the global or from the regional perspectives in one academic undertaking. In this study, I have therefore, undertaken to study ethnic violence in Kenya, with specific reference to the analysis of the dimensions of ethnic violence linked to the elites, 1991 to 2008.

Holmquist etal argue that "ethnic violence in Kenya has a historical origin dating back to pre-colonial period. More specifically, it has roots in the colonial policy of divide and rule through ethnically defined administrative jurisdiction."[1] The arbitrary boundaries drawn by the colonial administration and the attempt to unify multi-ethnic areas into a single modern state are both significant forces that have antagonized ethnic relations in the country.The issue of land ownership and particularly in the Rift Valley and the coastal region is yet another divisive factor that fuels the tensions between ethnic groups living in the regions and which has a spill-over effect to the other parts of the country.

Following the 2007/2008 post election violence in the country and the failure by the government to establish a local tribunal to try the suspects of the violence, the ICC has instituted charges against those it considers bore the highest criminal responsibility during the violence. It is therefore, necessary to establish through research the main causes of ethnic violence in Kenya with a specific interest to establish if the violence is linked to elites.

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[1] Holmquist, F. and Michael Ford, "Kenya State and Civil Society the First Year after Election", *Africa Today* (Vol.41, No.4), p.11

1.1 Statement of the research problem.

Since the re-introduction of multi-party democracy in 1991, Kenya has witnessed persistent ethnic violence in every subsequent general election except during the 2002 general elections. Violence occurred in 1991 during the height of agitation for multi-party democracy and subsequently in 1992 during the general elections. The violence was also witnessed during the 1997 general elections. This time around, violence was used to enhance political survival whereby communities particularly in Rift Valley province, were instigated by leaders to forcefully drive out of the province migrant ethnic groups believed to be supporting opposition parties in order to disfranchise them. Violence occurred yet again in 2007 with more ferocity and a larger magnitude compared to the earlier periods. Its enormous magnitude, intensity and destructive impact almost brought the country to the verge of collapse. This time round, the source was said to be the announcement of the disputed presidential election results. Whereas the ODM protested that the presidential election was rigged in favor of President Mwai Kibaki of the PNU, the PNU side maintained that they had won the election fairly. It is important to distinguish at this juncture that, while in 1992 and 1997 the violence preceded the elections, in 2007, the violence occurred after the elections. But critically observing the events that led to the violence and how it was perpetrated in 2007, one may conclude that it had all the hallmarks of the earlier violence and the factors associated with it remained similar and relevant. Indeed, the announcement of the presidential election results only acted as trigger to the violence since tension had been building before the election and reached climax in December, 2007.

The government has appointed several commissions to investigate the causes of ethnic violence namely: the Parliamentary Select Committee to Investigate Ethnic Clashes in Western Province and other parts of Kenya 1992 (The Kiliku Committee). The Judicial Commission

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Appointed to Inquire into Tribal Clashes in Kenya in 1999 (The Akiwumi Commission), and The Commission of Inquiry into Post Election Violence, 2008, CIPEV (the Waki Commission).These commissions have in their recommendations pointed out the possible causes of ethnic violence and the measures to deal with the problem. It is, however, puzzling to note that despite the many commissions appointed to inquire into the problem of ethnic violence, it has persisted and continues to recur in almost every general election. Further, the failure to fully implement the recommendations by the various commissions has led to the perceived problem of the culture of impunity since the reports have implicated certain personalities within the elites but who have gone unpunished.

This study, therefore, seeks to establish why the problem of ethnic violence persists despite the known causal factors and existence of state apparatus to counter it. Since the problem is perceived to be associated with the elites, the study will specifically seek to establish whether the elites play any role in perpetrating ethnic violence and suggest possible corrective measures.

1.2 Study objectives and research questions

The overall goal of this study is to analyze the dimensions of ethnic violence associated with elites in Kenya, 1991- 2008, whereas the specific objectives shall be:-

i) To determine if the elites play any role in perpetrating ethnic violence,

ii) To establish the salient factors responsible for ethnic violence,

iii) To establish whether there is a relationship between ethnic violence and general elections.

The study will attempt to answer the following questions:-

a) Do elites play any role in the perpetration of ethnic violence?

b) What are the salient factors responsible for ethnic violence?

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c) Why does ethnic violence occur mostly during the election periods, is there a
     relationship between the two?

1.3 Literature review

The main purpose of literature review is to familiarize with the work done by others
about the problem being studied. Singleton et al points out that 'Literature review must clearly
capture the theoretical context of the problem under investigation and how it has been studied by
others'[2]. Similarly, Babbie argues that 'every research should be placed in the context of general
body of scientific knowledge by pointing to general agreements and disagreements among
previous researchers'[3] As observed by both Singleton and Babbie, this literature review,
therefore, will identify the contending views among scholars who have previously studied the
subject of violence. It starts with reviewing works of various scholars on the phenomenon of
violence in general before zeroing in on ethnic violence.

1.3.1 Violence: An overview

Violence is a global phenomenon that is widely experienced in many countries in the
world and it takes many different forms. Galtung has argued that, violence is present when
human beings are being influenced so that their actual somatic and mental realizations are below
potential realizations. Galtung has therefore defined violence as, 'the cause of difference between
the potential and the actual, between what could have been and what is.'[4] Thus according to him,
violence is that which increases the distance between the actual and the potential. Potential in
this sense is the realization that is possible with given insight and resources.

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[2] Singleton B & Mashow— *Approaches to social Research*, (Oxford University Press , New York, 1988),
        pp. 475
[3] Babbie E *The practice of Social Research*, 7th edition . (Wads Worth publishing company, Belmont,
        1995), pp. 255
[4] Galtung, J., Violence, "Peace and Peace Research" *Journal of Peace Research*, Vol.3 (1969), pp.168-169

According to Galtung, violence has two dimensions, physical and psychological. In the physical dimension, human beings are hurt somatically (body-wise). Under this category, several forms of violence can be identified such as political violence, domestic violence, and ethnic violence among others. The dimension of psychological violence refers to violence that works on the soul and mind and involves subjecting a person or a group to actions such as brainwashing, and indoctrination of various kinds, and threats all which serves to decrease mental potentialities.

Galtung has further differentiated violence in terms of whether or not there is a subject (person) who acts in causing the violence. This categorization of violence gives rise to two types of violence: direct violence which refers to violence where there is an actor; also referred to as personal violence and indirect or structural violence where there is no identifiable actor. In both cases of direct and indirect violence, people may be killed or hurt. However, whereas in the direct violence the consequences can be traced to concrete persons or actors, in the structural or indirect violence this may not be easily attainable. This is because, in structural violence, there may not be any person who directly harms another person and, therefore, the violence is built into the structure and shows up as unequal power and consequently as unequal life chances.

Similarly, Mwagiru has categorized violence into two: physical or behavioral violence and structural violence. In his view, 'whereas physical conflict is nested on behavioral violence, structural conflict is nested on structural violence. Structural violence is embedded in the structure of relationships and hence the actors might not immediately recognize it'.[5] Mwagiru, therefore, takes a similar position with Lederach[6] and observes that, if there are no relationships in society, then there would never be structural violence or conflict, because the basis of it would

[5] Mwagiru, M. *Conflict in Africa: Theory, Processes and Institutions of Management*. Institute of Diplomacy and International Studies University of Nairobi and Centre for Conflict Research, CCR publications, Nairobi, 2006, p.24

[6] Leaderach, J.P., *Building Peace: Sustainable Reconciliation in Divided Societies*, Washington D.C. United States Institute of Peace press, 1997, p.26

not exist. In other words, there would be no structures to generate violence. He asserts that, while there is a conceptual difference between behavioral and structural violence the two are eventually tied together by existence of violent conflict. That is, both behavioral and structural violence meet at the point of violent conflict.

It is evident from the foregoing overview that, violence is a wide phenomenon which cannot be adequately covered in one academic undertaking. This study therefore, will focus on ethnic violence which is one form of the physical or direct violence and which has become a common feature since the end of the Cold War.

1.3.2 Ethnic violence in the post Cold War era.

Although the study of ethnic violence has a long history, genuine interest in ethnic violence beyond the comparative political science and subfield dates from the collapse of the Soviet Union and the disintegration of the former state of Yugoslavia, both of which were followed by ethnic conflicts that escalated to violence and civil war. This scenario is not limited to Soviet Union and Yugoslavia but has been witnessed in many countries in Africa, Asia and Latin America. Thus, Kaplan argues, the end of the Cold War was followed by increased ethnic violence/conflict "fuelled by tribalism, resource scarcity and overpopulation."[7] In some of the countries, the violence degenerated into genocide for example in Rwanda (1994) where an estimated 800,000 people are believed to have been killed.'[8] Agreeing with this position, Young posits that, "genocide has come to include general assaults by one people upon another, with an intention to their physical elimination in the 1990s as it happened in Bosnia, Rwada, Burundi and

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[7] Kaplan, R.D.. The coming of anarchy, *The Atlantic Monthly* 273 (2), 1994. pp.44-76
[8] Mahmood, M., *When Victims Become Killers: Colonialism, Nativism and the Genocide in Rwanda*, Princeton, N.J. Princeton University press, 2001, p.5

Kosovo."[9] In other countries like Somalia, the violence has rendered the country a failed state not to mention Kenya where every successive general election since the re-introduction of multi-party democracy in 1991 has been followed by ethnic violence thereby weakening the state and heightening volatility in the country. In Asia, there are countries like Pakistan which has experienced continued ethnic violence, Afghanistan which almost disintegrated as a state and is hitherto very unstable.

The end of the Cold War thus, sparked interest in two important questions about ethnic violence/conflict: was ethnic violence on the rise; and given that some of the ethnic violence conflicts escalated into serious violence/conflict, what if anything could scholars offer by way of explanation? As regards the prevalence or rise of the ethnic violence, scholars have held a common view that; the scale and salience of the phenomenon of ethnic violence has indeed increased since 1989. Consequently, academics like Huntington after the Cold War predicted a proliferation of ethnic violence fuelled by civilizational clashes. In his prediction, Huntington argued that, 'although the states remained the dominant actors, the fundamental source of ethnic violence in the post Cold War era was not ideological or economic, it was as a result of civilizational clash'.[10] Similarly, Lake and Rothchild though disagreeing with Huntington's idea of clash of civilizations made a similar prediction when they pointed out that 'the optimism that the end of the Cold War was thought to usher in was shattered by a wave of ethnic violence/conflicts that swept across Eastern Europe, the Soviet Union and Africa some of which degenerated into genocide'.[11] In the same vein Regehr points out that, 'in the recent years, the

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[9] Young, C., *Explaining the potential of Ethnicity*, in Darby, J., and R. Macginty, *Contemporary Peacemaking Conflict, Violence and Peace Processes* (London: Palgrave,2003, p.9

[10] Huntington, S. P, The Clash of Civilizations?, *Foreign Affairs journal. Vol* 72. No.3, Summer, 1993, pp.22-49:

[11] Lake D.A. and Rothchild, D. "Containing Fear: The Origins *and* Management of Ethnic *Conflict*", *International security Journal* Vol. 21, No.2, Fall 1966, p.41

explanatory buzzword has become "ethnicity" or some cases religion[12]. Thus, emphasizing the centrality of ethnicity and religion as the basis of ethnic violence in the post Cold War period.

Whereas there has been agreement among scholars as regards the proliferation of ethnic violence during the post Cold War period, differences has marked their explanations as to why the violence has become prevalent. According to Huntington, the prevalence of ethnic violence in the post cold War era was as a result of civilizational clashes. Therefore he argued that 'clash of civilization will dominate global politics and the fault lines between civilizations will be the battle lines of the future'[13] According to Huntington, whereas during the Cold War the struggle between the two super powers was ideological, in the post- cold War period, international relations were going to be dominated by conflicts along the lines of culture and civilizations. Rejecting the idea by Morgenthau, the leading realist thinker of the twentieth century that, "politics is a ceaseless struggle for power between and among states that is universal in time and space",[14] Huntington reasoned that in the post- cold war era, the principal actors are still the nation- states, but they are influenced more by civilization differences rather than just by struggle for power as it was during the Cold War. In his view, international politics had commenced a new phase in which political ideology had been replaced by cultural antipathy as the organizing principle of foreign policy and primary source of conflict.

Huntington's idea of clash of civilizations remains controversial and has attracted a lot of criticism from many scholars. Many have argued the groups Huntington put together as civilizations are not civilizations in the true sense of the word. For example, Hoffmann in criticizing him contests that 'his conception (Huntington's) of what constitutes a civilization was

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[12] Regehr, E., *War After the Cold War: Shaping a Canadian Response, Ploughshares Working. Paper 93-3 (Waterloo, Ontario: Project Ploughshares)*, 1993

[13] Huntington, S. P, *The Clash of Civilizations?, Foreign Affairs journal, Vol.72. No.3 Summer, 1993 p. 22*

[14] Morgenthau, H.J., *Politics Among Nations: The Struggle for power and Peace,* Brief edition,. New York: Knopf, 1985, p.36

not clear and, he overestimated the importance of religion in conflict and was not able to link civilization and the foreign policies of the states'.[15] Further, many scholars have criticized Huntington's methodology in which he classified the world into eight civilizations as arbitrary and lacking logical foundation. Chinua, the Nigerian writer in criticizing him argues that 'to suggest that universal civilization is already in place is to willfully be blind to the present reality.'[16]

Beyond the criticism of Huntington's idea of civilizational clash as the cause for the proliferation of ethnic violence other scholars like Lake and Rothchild have pointed out that, the prevalence of ethnic violence after the Cold War should be explained by structural factors obtaining in most states in the post Cold War period key among them the weakness of the states. According to them, state weakness leads to inability of the state to arbitrate between ethnic groups leading to collective fears of the future, information failures, failure to commit to mutual agreements by ethnic groups, uncontrolled resource competition and power struggles between and among ethnic groups which situations all lead to ethnic violence. Lake et al therefore, reason that, 'ethnic violence/conflicts are not caused by deep rooted inter-group difference, nor the repressive regimes unlocked by the end of the Cold War, but by collective group fears as a result of state weakness'[17] In this respect, when central authority declines ethnic groups become fearful of their survival and prepare for violence thereby making actual violence possible.

When state structures weaken individual ethnic groups within the state(s), develop security concerns and begin to worry that other groups may pose security threats and consequently, they feel compelled to provide for their own security. In taking this step to protect

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[15] Hoffmann S., *Clash of Globalizations*, *Foreign Affairs Journal*, July/August, 2002, p 105
[16] Chinua, A., *New York University Report on Dialogue; Islamic vs. the West: Clash of civilizations or clash of perceptions, 2002*
[17] Lake, D.A & Rothchild, D., Containing Fear;- The Origins *and* Management of Ethnic Conflict, *International security Journal*, Vol.21, No.2, Fall 1996. p. 41

themselves, groups often threaten the security of others. This situation leads to what is referred to in international relations as 'security dilemma'. Posen posits that, security dilemma denotes a situation where, 'What one does to enhance one's own security causes reactions that in the end can make one less secure.'[18] This occurs because the other parties in retaliation arm themselves which in turn diminishes the security of the party who started down this path. Supporting the idea of state weakness as a cause for the proliferation of ethnic violence during the post Cold War era, Kathleen points out that 'when states lose their ability to arbitrate between ethnic groups or provide credible protection for groups, collective fears arise'[19]

While agreeing with Lake and Rothchild and others about state weakness as a factor to the proliferation of ethnic conflicts during the post Cold War era, with specific reference to Africa, Mwagiru takes a historical approach to the issue in which he observes that 'in dividing African territories amongst themselves, the imperial powers paid little heed to, ethnic, cultural geographic or other factors'[20] Thus, Mwagiru posits that the result of the imposed boundaries was artificial states that lacked political legitimacy and ability to exercise meaningful control over the territories placed over them. The boundaries split ethnic communities and placed them in separate countries thereby necessitating protracted ethnic conflicts. According to him, the reality of ethnic communities divided by international borders is a key factor in the internationalization of conflicts in Africa. Asiwaju[21] and others have similarly acknowledged that virtually every border in Africa divides ethnic community, often between more than two states.

[18] Posen, B.R., 'The security Dilemma and Ethnic Conflict', in Michael E. Brown, *Ethnic Conflict and International Security*, pp.103-104 1993, p.104

[19] Kathleen, N., "*Ethnic Conflict and Refugees*" *in* Michael E.Brown, ed. *Ethnic Conflict and International security* (Princeton University Press, 1993, p.161

[20] Mwagiru, M., *Conflict in Africa: Theory, Processes and Institutions of Management*, Institute of Diplomacy and International Studies University of Nairobi and Centre for Conflict Research, CCR publications, Nairobi, 2006, pp.65-66

[21] Asiwaju, A.I., (ed) *Partitioned Africans: Ethnic Relations Across Africa's International Boundaries*, 1884-1984 (Lagos University Press, 1984)

The Somali community for example is found in many states: Somalia itself, in Kenya, Ethiopia and Djibouti

The ideas expressed by the various scholars beforehand indicate there is a general consensus that, state weakness (whether from external or internal sources) is a major factor in explaining increased ethnic violence/conflicts in the post cold war era. However, other scholars have argued that, state weakness only remains an underlying cause, but the actual trigger of the violence is linked directly to the actions of the elites. In this perspective, under conditions of actual or potential state weakness, elites and other activists produce rapid and profound polarization within multi-ethnic societies thereby causing ethnic violence. Kuran asserts that, 'Individuals with especially strong inclination to identify with ethnic kin, can manipulate such desires to produce a process of social polarization that is rapid, spontaneous, and unpredictable'[22] Saideman also notes that 'political entrepreneurs and self-aggrandizing politicians seeking to build constituencies for attaining political power often use ethnicity to polarize societies and in the process lead them into conflict'[23] Reinforcing the argument by Kuran and Saideman, Smith similarly asserts that 'ethnic violence/conflicts result from community leaders using their cultural groups as sites of mass mobilization and as constituencies in competition for power and resources, because they are more effective than social classes'[24]

Arising from the foregoing contending approaches by scholars in explaining the causal factors to the proliferation of ethnic violence/conflicts in the post cold War period, two theories, those of primordialist and instrumentalist/constructivist have emerged. Grosby one of the

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[22] Kuran T., 'Ethnic Dissimilation and its Global Transmission', in Lake and Rothchild: *Ethnic Fears and Global Engagement* p.53

[23] Saideman S., 'Is Pandora's Box Half–Empty or Half-Full? The limited Virulence of Secessionism and the Domestic sources of Disintegration', in Lake and Rothchild: *Ethnic Fears and Global Engagement* p.86

[24] Smith A.., *Nationalism Theory, Ideology, History*, Cambridge: Polity, 2001,pp.54-55

Proponents of primordialist theory argues that, 'Ethnic groups and nationalists exist because there are traditions of belief and action towards primordial objects such as biological features and territorial location.' [25] Horowitz another proponent of this theory, supporting Grosby's sentiments maintains that, 'this kinship makes it possible for ethnic groups to think in terms of family resemblances'.[26] Thus, according to the primordialist theory, ethnic violence/conflicts arise because of the inherent legendary cultural differences between ethnic communities.

On the other hand, proponents of instrumentalist/constructivist theory like Smith explain the persistence of ethnic violence as the result of the actions of community leaders 'who use cultural groups as sites of mass mobilization and constituencies in competition for power and resources because they are more effective than social classes.'[27]Cornel et al, have similarly pointed out that, 'ethnic identification, ethnicity and race are viewed as instrumental identities organized as a means to particular ends.'[28] In this regard, to the instrumentalists, whether ethnicity is a fixed perception is not crucial but what matters are the trigger events perpetrated by elites. The main thrust of the instrumentalist theory is that, ethnic violence is deeply rooted in the calculated economic and political actions of human societies. However, the instrumentalists concur with primordialists about the mechanics of the ethnic identity, particularly the use of common cultural identifiers and the fact that the rise of nationalist ethic identities in the post – Cold War era have resulted to a common desire of people to use ethnicity as a tool for political power.

[25] Grosby S., *The verdict of history: The inexupungeable tie of primordiality* – A response to Eller and Coughlan' *Ethnic and Racial Studies Journal* Vol.17. No.1 1994, pp.164-171: p.168

[26] Horowitz, D., *Ethnic Groups In Conflict*,(Berkley,CA, University of California Press, 1985, p.57

[27] Anthony .S, *Nationalism Theory .Ideology. History*, Cambridge .Polity, 2001, p.54-55

[28] Cornel, S., and Hartman, D., *Ethnicity and Race: Making Identities in a Changing World*, Thousand Oaks, CA: Pine Forge, 1998. p.59

From this literature review, it is clear that there are varying prepositions among scholars about what causes ethnic violence. The possibility of a generalized explanation of ethnic violence seems not to exist, hence my interest in contributing to the subject through this study.

1.3.3 Ethnic violence in Kenya

Ethnic violence in Kenya has a historical origin dating back to pre-colonial period. More specifically, it has roots in the colonial policy of divide and rule through ethnically defined administrative jurisdiction. The arbitrary boundaries drawn by the colonial administration and the attempt to unify multiethnic areas into a single modern state were both significant forces that have antagonized ethnic relations. Ghai observes that, "in the scramble for colonies, the European powers demarcated the boundaries of their overseas possessions with scant respect for the facts of tribal distribution of population, with the result that a colony would be proclaimed over an area with different, often warring tribes; and equally, one particular tribe would find itself divided between two or more colonies."[29] This set a base for obvious internal conflicts as the communities divided by arbitrary boundaries and lumped together competed for political power and other national resources.

In the case of Kenya and as it is in many other countries in Africa and Asia, the arbitrary boundaries put together diverse ethnic communities into a single modern state and set the base for ethnic competition and rivalry. This posed challenges in terms of development and democratization because of the multiethnic nature of the population in the country. In this regard, ethnic integration and nation building hitherto remains a challenge. Furthermore, the policy of divide and rule applied by the colonial government encouraged tribal associations and highly

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[29] Ghai, Y. P.. and J.P.W.B. Mc Auslan. *Public Law and Political Change in Kenya: A study of the legal framework of government from colonial times to the present.* Oxford University press, East Africa Ltd, Nairobi, Kenya, 1970, (revised in 2001), p.183

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discouraged national movements. Holmquist et al posits that ethnic' tensions were built upon the uneven development of the colonial Kenya with its predominantly ethnically defined administrative districts and provinces'.[30] Mahmood giving Rwanda as example has pointed out that the policy of divide and rule also crated disparities as it privileged some communities and marginalized others. As he explains, 'Rwandans were divided into three castes by the colonial government: Tutsi (the rulers) Hutu (the ruled) and a tiny minority of Twa'[31]. This deliberate and segregative policy entrenched ethnic consciousness which became institutionalized and posed challenges in the post colonial state of Rwanda as well as in many other countries in post colonial Africa Kenya included.

Another factor that has contributed to the continuing ethnic violence in Kenya is the colonial settlement policies that left strong feelings of unfair treatment among some communities. Prior to colonialism, the pastoral Kalenjin and Masai inhabited the Rift Valley. In the early 1900s, the colonial government forcefully removed the pastoral groups to create the white highlands. Further, it coerced the Kikuyu, Kisii, Luhya and Luo (all farming communities) to move to Rift Valley to work as labours in coffee and tea plantations. Thus, Ghai observes that, 'some settlers had adopted as early as 1904, the practice of 'Kafir farming' where Africans were allowed to squat on the farm on a crop-sharing basis, contributing to their labour to that part of the farm which the settler was cultivating.'[32] In the case of Rift Valley those recruited in the sharecroppers system were mostly Kikuyus, Luhyas and Kisii. Therefore, at independence these non native Rift Valley dwellers had settled in Rift Valley in large numbers. This shift in

[30] Holmquist, F. Weaver, F. and Ford M., 'The Structural Development of Kenyans Political Economy' in African Studies Review; Journal of African Studies Association Vol. 37..No1.1994

[31] Mahmood, M., When Victims Become Killers: Colonialism, Nativism and the Genocide in Rwanda, Princeton, N.J. Princeton University press, 2001, p. 102

[32] Ghai, Y. P., and J.P.W.B. Mc Auslan, Public Law and Political Change in Kenya: A study of the legal framework of government from colonial times to the present, Oxford University press, East Africa Ltd, Nairobi, Kenya, 1970, (revised in 2001), p. 83

ownership of Kenya's most fertile land is and has been a key factor in causing ethnic violence in the province. Kanyinga states that 'the Kalenjin and Masai communities for example feel they were cheated out their ancestral land in Central, North and South Rift Valley and a similar feeling is shared by the coastal people who for a long time have felt they have been deprived of their rights to own land by the colonial and independence land policies.'[33] Early waves of ethnic violence as a result of Africans resistance to colonial rule recoded in Kenya include the Nandi uprising of 1905 following the colonial government's decision to disallow Africans to own land in the fertile Rift Valley. The 1952-1956 Mau Mau insurrection is yet another resistance movement that brought about pre-independence ethnic violence. Essentially, Mau Mau was a Kikuyu civil war against the white settlers and therefore, an attack on the colonial government.

As observed by *Africa Confidential*, (October 22nd 1993), "after independence in 1963 the ethnic communities in Kenya co-existed harmoniously until the outbreak of violence in 1991."[34] This is because in the 1990s the scale and salience of ethnic violence escalated with the agitation for multi-party democracy when violence became politicized. Many people thought that the introduction of multi party democracy would solve some of the long standing ethnic differences revolving around political power, but this was not the case. Kanyinga et al, assert that, in many African countries Kenya included "multiparty party politics was fallaciously equated with democracy, in spite of lack of a strong relationship between the two."[35] Consequently, in most of the countries, multiparty politics was adopted in the early 1990s without comprehensive adjustment of the constitutions and institutional frameworks on which

[33] Kanyinga, K., *The land question in Kenya struggles, accumulation and changing politics*. PhD thesis, 1998
[34] "Kenya: *A murderous Majimboism*" *Africa Confidential* 22 October 1993, p.5
[35] Kanyinga K, D. Okello and A. Akech., (edts) *Contradictions of Transition to Democracy in Fragmented Societies*: The Kenya 2007 General Elections in Perspective, in *Tensions and Reversals in democratic Transitions; the Kenya 2007 General Elections*, Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p.5

politics is practiced. As a result, the actualities of creating a functioning democracy were far from easy. In Kenya for instance, the descent to electoral-induced violence occurred in the aftermath of failed national constitutional review project.

It can be argued from the foregoing analysis that, the cyclic ethnic violence witnessed in Kenya has been primordial in nature more so during the early years of independence; but it became instrumental (constructed) in the 1990s following the re-introduction of multiparty politics. Thus, the Commission of Inquiry into Post Election Violence (CIPEV) observes that, 'since 1990s, the deliberate use of violence by politicians to obtain power and the perceived decision not to punish perpetrators of violence has led to the culture of impunity and a constant escalation of violence.'[36] The violence of the early 1990s predominantly pitied the Kikuyu and the Kalenjins but also some other communities such as the Luo, Kisii, Maasai and the Luhyas were also involved. However, it will be an oversimplification to state that ethnic violence has been one tribe victimizing another since there is evidence of perpetrators and victims from all ethnic groups as witnessed during the waves of ethnic violence that have rocked the country since 1991 and which have coincided with the general elections.

The question which begs for an answer is what really caused ethnic communities in Kenya who had for a long time since independence coexisted peacefully to turn against each other in the 1990s? What role did the establishment and in particular the elites play in causing the violence? Was the clashes a product of primordialism or was it a result of calculated schemes by the elites? Several commissions have been established by the government over the last two decades to investigate and unearth the causes of ethnic violence in Kenya. The commissions have made crucial recommendations on how to address the phenomenon but, the problem still

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[36] *Report of the Commission of Inquiry into Post Election Violence, October, 2008,* Government Printers, Nairobi p. 24

persists. It is therefore, critical to establish why ethnic violence persists despite all the efforts made and at the same time suggest corrective measures to address the menace.

This literature review has clearly shown that ethnic violence has become a common feature globally, regionally as well as locally in the county of focus. However, different arguments have been advanced by scholars regarding what causes ethnic violence. There is need, therefore, to develop a theoretical framework which will guide the study in its investigation to establish whether elites play a role in perpetrating ethnic violence in Kenya.

1.4 Theoretical framework

The prevailing view that emerges from this literature review is that, there are two contending views as to why the scale and salience of ethnic violence has increased in the post Cold War period. On the one hand, there is the view that the proliferation of the violence is due to the deep rooted cultural differences that exist between and among ethnic groups and which have made conflicts inherent. On the other hand, there is the view that sees the proliferation as having been brought about by the instigation and polarization of the ethnic groups by the elites for political and other gains. In order to collect data on the two contending views this study will be guided by the two theories of primordiaist and instrumentalist.

The primordialist theory of ethnicity focuses on the inherent tendency of humans to identify themselves as members of a group. Ethnic identity is therefore, reinforced by histories, myths, religion and other forms of human culture. This theory assumes that ethnic violence/conflicts arise out of deep rooted differences and beliefs that differentiate the ethnic groups. According to this theory, the essence of people-hood forms the basis of identity and defines the fault lines of ethnic violence/conflicts. On the other hand, the Instrumentalist theory argues that ethnic identities are largely stirred up by the elites, usually for their own benefit. For

the instrumentalists, the rise of nationalist ethnic identities in the post-cold War era has been as a result of common desire to use ethnicity as a tool for political power. In the view of this theory therefore, the preponderance of ethnic conflicts during the post cold War period is seen to result from the actions of the elites who use ethnic groups as constituencies in competition for power and resources.

The focus of this study is to examine the role played by elites in perpetrating ethnic violence as they take advantage of causal factors that produce ethnic conflicts in Kenya. In this regard, the theories of primordialist and instrumentalist are best suited to guide the study since they will enable the researcher to look at the contending views of deep rooted cultural differences between ethnic groups and the role the elites play as divergent causes of ethnic conflict.

1.5 Justification of the study

The literature review has shown clearly there is a raging debate as to whether ethnic violence arises from primordialist or instrumentalist factors. This study will be useful in adding ideas as to what causes ethnic violence in Kenya.

Secondly, in terms of policy, the findings of the study may be used by government and non-governmental agencies in planning, budgeting, policy formulation and decision making to address the problem of ethnic violence in the country.

Thirdly, the findings of this study may be useful in determining preventive or deterrence measures to combat ethnic violence.

1.6 Operationalization of key terms

For the purposes of this study, the following terms have been operationally defined in the context of the subject under study as follows;-

Violence – the term will be used to mean any harm inflicted on someone or a group of people physically, emotionally, psychologically, socially, economically or in any other form which may result to un necessary or uncalled for suffering.

Ethnic group – this will mean any group of people who share a common ancestry, cultural elements or similar tribal or ethnic or cultural characteristic trends. They may share or not share same geographical space but they are interrelated.

Ethnic violence – the term will be used to refer to any form of harm which has been caused or perpetuated by one ethnic group or tribe against another for whatever reasons. The term will also be used to mean ethnic conflict.

Elite(s) – the operational context and meaning of this word is any person or group of persons within the society or within any ethnic group who by virtue of their status or position within that society or ethnic group, wield or posses a lot of power to influence situations to work towards their favour or interests. This person or group of persons may be a professional(s), religious leader(s), politician(s), community leader(s), a business man (men), a security agent(s) or an academician(s).This person or group of persons command a lot of following or use their available resources either to buy or manipulate situations in order to serve or safe guard their own vested interests.

Perpetrate – this term will be used to mean causing or influencing something to happen or participating in a happening or occurrence of an event or a situation.

Impunity – this word is a commonly used term in the current debate on violence in Kenya, however for the purposes of this study, the term will be used to mean protecting someone or providing sanctuary to someone who has committed a mistake or an offence instead of punishing that person for the mistake or for the offence committed.

Culture – sociologically this term means the society's or the peoples way of life, traditions or customs but in this study, the term will be used to mean introducing or accepting a given way of life and may it be good or bad but that serves the interests of the few even if it harms the majority within the society.

Culture of impunity – the term will be used to mean 'protection' protecting those who are known to have contributed significantly to ethnic violence. It will also mean the act of failing to punish those who are known to have committed certain offences. It is noted that several high ranking personalities within the government and others within the society have been and recommended for further investigations by the four famous commissions.

Power – this term will be used to mean authority, control, influence, supremacy, command or rule which is conferred to an individual by virtue of an occupation of a given office within the society.

Multiethnic – means a mix of various ethnic groups living in a given geographical area but without sharing common cultural practices and traditions. Simply means several tribes living in one geographical space.

Perpetrators – this word will be used to refer to those persons who are responsible for or the persons behind the commission of ethnic violence. It will further mean those people who were responsible for execution of ethnic violence either directly or indirectly.

1.7 Methodology

This study will employ qualitative research approach where by the researcher will interact with the researched (respondents) through unstructured questionnaire in order to collect the primary data. Further, in-depth interviews, focus group discussions and non-participant observation[37] will be used for in-depth analysis as complementary tools for data collection. The collected data will mainly be non-numerical and is envisaged to measure the attitudes, feelings and perception of the respondents on the unit of analysis of the study.

1.7.1 Scope and limitation of the study

The scope of this study is violence in Kenya. The researcher appreciates the subject of violence is extremely wide and cannot be covered in totality in this study. Therefore, the scope will be limited to ethnic violence. The study will not deal with all waves of ethnic violence that have taken place in the country, but will be limited to ethnic violence which occurred between 1991 and 2008. Further, the study appreciates the fact that ethnic violence occurred in almost all parts of the country during the period under study and it is not practical to focus on every region that was affected by the violence. Therefore; the scope will be limited to Rift Valley province. This region was the epicenter of all the violence waves and the most affected compared to the other regions of the country, hence its choice. The study also recognizes there are different players who perpetrate or have been instrumental in perpetrating ethnic violence. This study will not focus on all the players but will seek to determine whether the elites play any role in perpetrating ethnic violence.

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[37] In this observation, the researcher takes the position of an onlooker and does not intentionally interact or affect the object of the observation. This observation helps understand behaviour patterns in their physical or social context. Data is collected in the form of descriptive accounts.

1.7.2 Instruments of data collection

Data will be collected using open ended questionnaire to be administered to the sampled respondents. The questionnaire will form the main method for collecting primary data. However, it will be complemented by in-depth interviews of key informants, focus group discussions[38] and non-participant observation. The Literature review done will be the main source of secondary data.

The questionnaire will target members of the community and victims of ethnic violence. Key informants for in-depth interviews will be sampled from religious leaders, leaders of Community Based Organizations (CBOs), leaders of NGOs, opinion leaders and Provincial administrative Officers. Focus group discussions will target small groups of eight to ten victims and similar groups of members of the community. Victims of ethnic violence will be mapped through the help of provincial administrative officers particularly chiefs and managers of the Internally Displaced Persons (IDPs) Camps in the sampled arrears.

After construction, the instruments will be pre-tested on a small sample population to establish their validity and reliability. If need be, necessary adjustments will be made after piloting.

1.7.3 Site selection

The site selected for this study is Rift Valley province. This site has been chosen owing to its past history of ethnic violence. The Province is the epicenter of all the waves of ethnic violence witnessed between 1991 and 2008. Further it is the province (site) which bore the highest responsibility of ethnic violence in the country compared to the other provinces. The site has also been selected because of its multiethnic representation. Further, all the Commissions

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[18] These are homogeneous groups of 6-8 individuals who share certain characteristics relevant to the study.

appointed by the government to look into the problem of ethnic violence have focused on this site because of the magnitude of violence which occurred there. Lastly, the site has been selected because of its convenience to the researcher as it is considered cost effective in terms of time, accessibility and proximity.

1.7.4 Target population

According to Borg, "a target population refers to all members of a real or hypothetical set of people, events or objects to which the researcher wishes to generalize the results of study."[39] The target population for this study is therefore, the   community and the victims of ethnic violence. In this respect, those viewed to have substantial information about the subject matter under study, the community leaders, opinion leaders, faith leaders, leaders of CBOs, NGOs leaders, provincial administrative officers, and victims of ethnic violence will be targeted as possible population for study. This focus will give the researcher a wider view of the problem and will be used as a basis of collaborating part of the information generated from the literature review.

1.7.5 Units of analysis and observation

According to Schult, "unit of analysis refers to the level of social life on which the research questions is focused".[40] The unit of analysis for this study will be ethnic violence linked or connected to the elites during the period 1991 to 2008. On the other hand, the units of observation shall be the members of the community, victims of violence, key informants and the participants of the focused group discussions. In the interaction with the units of observation, the

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[39] Borg.G, *Educational Research - An introduction*, New York 1983, p. 241
[40] Schult.R.K, *Investigating the Social World;- The Process and Practice of Research*, Pine Forge Press. Thousand Oaks .1996 p. 593

researcher will seek to understand their attitudes, feelings and perceptions as regards the role of the elites in perpetrating ethnic violence.

1.7.6 Sampling design

There are different sampling designs which inform any study; therefore any researcher chooses among the various designs the one which is applicable to his or her study. This study will employ the non-probability method of purposive sampling. According to Kombo et al, this is a sampling method 'where the researcher purposely targets a group of people believed to be reliable for the study'[41]. The power of this method lies in selecting information rich cases for in-depth analysis related to central issues being studied.

Since Rift Valley province is expansive in terms of geographical coverage, the study will not focus on the entire province but only three (3No) districts will be sampled purposively for this study. From the sampled three districts one (1No) division within each district will be chosen again using purposive sampling method. From the three sampled divisions two (2NO) locations will be sampled similarly using purposive sampling from each division for data collection.

1.7.7 Sampling size

The researcher will administer the tools of data collection through one-on one interview. In this regard, a small sample is considered most suitable. Therefore, ten (10 NO) respondents will sampled from each unit of observation in the six locations sampled giving a total of one hundred and eighty (180) respondents excluding those to be interacted with through focus group discussions (FGDs).

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[41] Kombo, D.K., and Tromp D.L.A., *Proposal and Thesis Writing An Introduction*, Paulines Publications Africa, 2006, p. 82

1.7.8 Methods of data analysis, presentation and interpretation

Data analysis is the process of bringing order, structure and meaning to information collected. It involves scrutinizing the acquired information and making inferences. Since this study employs qualitative approach, data collected will mainly be non statistical and therefore, in the form of text (responses from sampled respondents), materials, photographs among others, all which describe events and occurrences.

The steps to be followed in analyzing data are as follows: first, data will be organized through editing in order to correct any errors and omissions that may have occurred during data collection. Second, the organized data will be categorized into themes or topics and the relationship between the categories clearly identified. This process is referred to as coding. Codes can be assigned manually or through the use of computer. Third, the coded or the categorized data will be placed under the major themes or topics identified. Fourth the categorized data will then be evaluated and analyzed mainly through thematic analysis technique in order to determine its adequacy, usefulness and consistency in answering the research questions. However, a bit of mixed approach will also be applied in analyzing the data in some instances. Data will be presented in bar graphs, tables and direct quotations from the respondents in order to make inferences, deductions and conclusions.

1.8 Chapter outline

The final study will comprise of the following chapters:

Chapter one: Introduction and background

Introduces the topic of the research study by contextualizing the research problem and proceeds to provide the justification for the study. It also presents the literature review, the theoretical framework and ends by giving the methodology of the study.

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Chapter two: An overview of ethnic violence

This chapter provides an overview of ethnic violence as the researched problem by highlighting the global, regional and national trends. In particular, the chapter discusses through relevant examples the factors that lead to ethnic violence and the forms in which it has manifested itself in the post Cold War era.

Chapter three: Ethnic violence in Kenya

The chapter traces the problem of ethnic violence in Kenya chronologically in three phases: the colonial, post-independence and at the advent of multi-party democracy in the 1990s. It identifies the salient factors that created fertile ground for ethnic violence during the three phases and further discusses the ways in which the violence exhibited itself.

Chapter four: A critical analysis of the dimensions of ethnic violence associated with Elites

Deals with critical analysis, interpretation and presentation of data collected in accordance with the theoretical framework and methodology of the study. Data will mainly be analysed through the use of thematic analysis technique, where the collected data will be categorized into themes or topics for ease of analysis.

Chapter five: Findings and conclusion

The chapter provides the findings of the study and suggests areas of further study. It also identifies the methodological problems encountered during the study.

CHAPTER TWO

An overview of ethnic violence

2.0.   Introduction

This chapter provides an overview of ethnic violence as the researched problem in the Study. The chapter opens with the definitions of the terms ethnic group and ethnic violence and proceeds to discuss in detail the factors that lead to ethnic violence and simultaneously gives examples where such factors have created fertile conditions for the outbreak of ethnic violence. Finally, the chapter analyzes the various forms through which ethnic violence has manifested itself and at the same time gives examples where such manifestations have occurred. In summary, the chapter presents a framework for understanding the origins of ethnic violence and how it has manifested itself particularly in the post Cold War era. Most of the cases cited in this chapter as examples will focus on countries in Africa, Asia and Eastern Europe where most of the violence has been concentrated. As indicated in the operationalization of terms in chapter one of this study, the terms ethnic conflict and ethnic violence are used interchangeably to mean one and the same thing.

2.1.   Definition of ethnic community and ethnic violence

Ethnic groups are identity groupings that have existed since the beginning of human race and which are differentiated by attributes such as kinship, ancestry, culture, religion, values and language among others. Taking into consideration these attributes, Smith has defined ethnic group or community as, 'a population with a myth of common ancestry, shared memories and cultural elements, a link with a historic territory or homeland and a measure of solidarity.'[42] In

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[42] Smith, A., *Nationalism: Theory, Ideology, History, Cambridge*: Polity, 2001

line with this definition, six criteria must therefore, be met before a group can be called an ethnic group.

First, the group must have a name for itself, lack of which would indicate insufficient development of collective identity. Second, the people in the group must believe in a common ancestry. The shared ancestry makes the group have the social boundary that demarcates their origin as opposed to other groups. The key issue here is the belief the people in the group carry about their ancestry. Third, the members of the group must believe that they have shared historical experiences. This believe often comes in the form of myths and legends and is passed from generation to generation by word of mouth. Thus, for instance, the Jews share the historical experience of the holocaust and this shared experience binds them together as an ethnic group. Fourth, the group must have a shared culture which is generally based on a combination of language, religion, laws, customs, institutions, dress, and music crafts among others. The common cultural practices and symbols help define group identity. The shared culture further gives the group collective consciousness. In this case, the group achieves consciousness not only in terms of the culture they share, but also whom they are not. Young posits that, "common cultural practices and symbols help define group identity and sometimes the group is defined by particular economic and social niche."[43] Language and religion are especially powerful makers of ethnic groups but this is not always the case with language. For example, in the case of Hutu and Tutsi in Rwanda and Burundi who share same language but happen to be two different ethnic groups. Fifth, the group must have attachment to a specific piece of territory, which it may or may not inhabit or occupy. Young argues that, "the metaphor of fictive kinship is usually

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[43] Young, C., *Explaining the potential of Ethnicity*, in Darby, J., and R. Macginty, *Contemporary Peacemaking Conflict, Violence and Peace Processes* (London: Palgrave,2003, p. 10

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[43] Young, C., *Explaining the potential of Ethnicity*, in Darby, J., and R. Macginty, *Contemporary Peacemaking Conflict, Violence and Peace Processes* (London: Palgrave,2003, p. 10

present, joined to a mythology of shared ancestry."[44] For example, Jews (Israelites) regarded Palestine as their homeland even when they lived in Europe and this belief gave them collective identity even though they did not occupy Palestine at that time. Thus, Wolf posits that, "the main cause underlining the Israeli-Palestinian conflict is statehood"[45] Lastly, the people in the group must think of themselves as a group in order to qualify as an ethnic group, that is, they must have a sense of awareness of themselves as an ethnic group. Barth argues that, 'an ethnic group achieves consciousness not only in terms of the culture they share, but whom they are not; the boundary which demarcates 'we' and 'they' is critical in giving social meaning to the collective self.'[46]

   Having defined what an ethnic group is, it becomes necessary also to conceptualize what ethnic conflict/ ethnic violence is all about. Most countries in the world are multi-ethnic and because of the differences that exist between and among the different ethnic groups, ethnic conflicts often occur. More often than not such conflicts result in widespread violence. Many scholars acknowledge that ethnic violence has become a common feature in most countries and more so after the Cold War. For example, Lake et al observe that 'a wave of ethnic violence has swept across parts of Europe, the former Soviet Union, and Africa since the end of the cold war.'[47] It is therefore crucial to understand what ethnic conflicts are, and the factors that lead to them. Wolff posits that, ethnic conflicts 'are about political, social cultural and economic grievances of disadvantaged ethnic groups.'[48] It is consequently correct to conclude that, ethnic conflicts occur because of the competing or incompatible interests pursued by ethnic groups over

[44] Young, C., *Explaining the potential of Ethnicity*, in Darby, J., and R. Macginty, *Contemporary Peacemaking Conflict, Violence and Peace Processes* (London: Palgrave.2003, p . p.10
[45] Wolff, S., *Ethnic Conflict: A Global Perspective*, Oxford University press, 2006, p. 64
[46] Barth. A.D., *The Ethnic Origin of Nations* (Oxford: Basil Blackwell, 1986)
[47] Lake, D.A. and D. Rothchild., Containing Fear: "*The origins and Management of Ethnic conflict*", *International Security Journal*, Vol.21, No.2 (fall 1996), p. 41
[48] Wolff, S., *Ethnic Conflict: A Global Perspective*, Oxford University press, 2006, p. 5-6

time. Secondly, ethnic conflicts occur because ethnic groups at one time or the other consider themselves as deprived relative to the others. In this regard, two issues need to be kept in mind when discussing ethnic conflicts: First, ethnic conflicts are inherent in multi-ethnic communities as often groups disagree about political, economic and social issues and consequently fault-lines are defined in ethnic terms. Ethnic conflicts therefore, cannot be eradicated in multi-ethnic communities as ethnic group disagreements are inherent. Second, ethnic conflicts can generate into considerable violence as it did in Rwanda during the 1994 genocide and also in the former state of Yugoslavia in the 1990s, where ethno-nationalism in the various republics forming the then Yugoslav state led to widespread violence that resulted in the disintegration of the state. It is therefore, of great importance for any student of conflict management to seek to understand what factors lead to ethnic violence.

2.2. Ethnicity and nationalism

In order to grasp ethnic violence potential in multi-ethnic communities, it is important to appreciate the relationship between ethnicity and nationalism. Ethnicity and nationalism are not identical terms. The most crucial distinction between the two terms lies in the nature of the political claims; advanced by each. Young distinguishes the two terms by asserting that, 'while nationalism claims for popular sovereignty and doctrine of self determination, ethnicity in most cases asserts ethnic group consciousnesses.'[49] In this respect, nationalism is therefore grounded in the shared political values (Civic nationalism), a given territory or shared history of colonial oppression. Thus, in most African and Asian countries, nationalism that was displayed during the decolonization period was devoid of ethnic attachments as it comprised of diverse cultural

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[49] Young, C., *Explaining the potential of Ethnicity*, in Darby, J., and R. Macginty, *Contemporary Peacemaking Conflict, Violence and Peace Processes* (London: Palgrave,2003, p.1 0

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communities. Nationalism can therefore be defined as an ideology that puts the nation first before all other forms of social and political organizations. However, Wolff has pointed out that, 'when nationalism defines nation in ethnic terms and excludes others who are not members of the same ethnic group, it becomes separatist or secessionist and can lead to ethnic conflict.'[50] Some of the examples where this happened include in Nigeria between 1966 and 1976, when Ibo nationalism led to a civil war in the country with the Ibo claiming for independent state of Biafra; also in Pakistan in 1971 where the Bengalis seceded from Pakistan after a bitter civil war to form the new state of Bangladesh; in Ethiopia where the Tigre seceded and formed an independent state of Eritrea, as well as in ex-Yugoslavia where the various republics became independent states after a protracted civil war in the 1990s; similarly in Rwanda where Hutu nationalism generated into a genocide among others.

On the other hand, Nationalism based on shared political values (civic nationalism) in contrast finds its expression in definition of the nation on a territorial basis. In this sense, everyone is a citizen of that territory, for instance everyone living in Kenya becomes a citizen irrespective of its ethnic affiliation. It is however important to appreciate that, although civic nationalism is not always prone to ethnic violence, it can at times lead to violence where it becomes discriminatory and deprives members of ethnic communities other than the country's dominant group opportunities to preserve, express and develop their identities. The case of the Sudan conflict provides a good example of a situation where civic nationalism led into ethnic violence. The various communities living in the Southern Sudan though engaged in a nationalism that asserted nation on the basis of territory and shared experience of oppression from the dominant Arab community, regarded themselves as marginalized communities. Consequently,

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[50] Wolff, S . *Ethnic Conflict: A Global Perspective*, Oxford University press, 2006, p.32

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what could otherwise have been civic nationalism became ethnic in nature and led into a protracted conflict resulting in widespread violence in Southern part of the country. Similarly, the case of apartheid South Africa provides another example, where the minority white community (the Boers), marginalized and deprived the majority black community in the country. Consequently, civic nationalism by the black majority in the country turned into an ethnically defined nationalism and generated into a bloody ethnic violence.

Ethnicity on the other hand simply means identity with one's ethnic group. It is important to bear in mind that everyone has an ethnic identity; however people have many other identities. For instance they can be members of a different religion, profession, and members of certain age groups among other social groupings. Consequently, as Wolff points out, 'ethnicity acquires enormous power to mobilize people when it becomes predominantly relevant and determines the prospects of people.'[51] In this way, ethnicity can lead to ethnic violence as it is possible to mobilize group members to rise against a situation they consider disadvantageous to the group members. On his part, Ericksen comparing 'environment conflicts' and ethnic conflicts has defined ethnicity as "a property of a relationship between two or several groups"[52].Thus ethnicity is not a property of one group. Rather ethnicity exists between and not within groups. Ericksen therefore, concludes that, just as environment cannot be seen as a direct cause of resource- based conflict, similarly, ethnicity cannot be regarded as a root cause of ethnic conflict. Supporting this argument, Fearon et al posits, "Ethnicity is not a property of one group; rather ethnicity exists

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[51] Wolff, S., *Ethnic Conflict: A Global Perspective*, Oxford University press, 2006,p. 31
[52] Ericksen T.H., *"Ethnic Identity, National identity, and Intergroup Conflict*: The significance of Personal Experience", *In the Social Identity, Intergroup Conflict, and Conflict Reduction*, edited by Richard D. Ashmore, Lee Jussim and David Wilder (Oxford University press, 2001), p.46

between and not within groups and the expression "ethnic conflict" falsely implies the existence of causality between ethnic diversity and warfare"[53].

From these definitions, It is evident that, although ethnic identity remains a way of life, it is what people make of it and how they use it that determines whether it leads to violence or not. Hence, it is not correct to conclude that ethnicity per se always leads to conflict. Jeong argues that, 'ethnic and religious differences are not in themselves causes of conflict and ethnic communities may remain passive for long periods.'[54] Adding his voice to this debate, Gilley argues that "ethnicity is manipulated as a political resource by dominant groups in order to achieve their political goals"[55]. It can therefore be concluded that, the salience of group identity is awakened by socially derived inequalities in material well-being. Furthermore, racial or ethnic distinctions are usually deepened by the denial of political participation as well as lack of physical and economic security, discriminatory treatment along with repressive state control which generates group grievances. Newland posits that, 'most ethnic groups most of the time; pursue their interest peacefully through established political channels.'[56] Consequently, one would not be wrong to argue that, ethnic groups do not result to violence merely because of ethnic affiliation but due to situations that impede against the group interests.

2.3.   Primordialist and Instrumentalist debate

As has been noted earlier, ethnic conflicts do not just exist or come into being. Also as indicated in the definition of ethnic conflict, ethnic conflicts are the products of deliberate

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[53] Fearon J.D. and David D. Laitin, "Ethnicity, Insurgency, and Civil War", *American Political Science Review*, 97, 2003, pp.75-90

[54] Jeong, H.W., *Peace and Conflict St dies: An Introduction*, Ashgate Publishing Ltd. Gower House, Aldershot. Hans Gu 11 3Hr, England, 2000. p.72

9 Newland, K., "*Ethnic Conflict and Refuges* "in Michael E. Brown, ed., *Ethnic Conflict and International Security* (Princeton ,N.J: Princeton University Press,1993). p.161

[55] Gilley B, "*Against the Concept of Ethnic Conflict*" *Third World Quarterly*, 25 (2004), pp.1155-66

choices by ethnic communities to pursue certain goals with violent means. Therefore, understanding the dynamics of ethnic identities will help explain why ethnic violence occurs. Scholars disagree about the origins and dynamics of ethnic identities. One of the debates that have featured predominantly in the theoretical explanation of why ethnic violence occurs is that of primordialist and instrumentalist. The heart of this debate is the difference of opinion of two aspects: whether or not ethnic identities change with time. On the one hand, primordialists contests that ethnic identities have deep historical roots and change little over time. In this sense, the essence of people-hood forms the basis of ethnic identity. Chirot et al have pointed out that 'the social psychology of identity provides important clues to the puzzle of the social force of ethnicity.'[57] Therefore, understanding dynamics of ethnicity makes us appreciate why violence is inherent in multi-ethnic societies. In the view of the primordialists, kinship makes it possible for ethnic groups to think in terms of family resemblances. In this sense, ethnicity becomes an expression of group identity as fundamental group attributes are passed down from one generation to the next. Further to the primordialists, ethnic conflicts are based on ancient 'hatreds' between and among ethnic communities. Because of these 'hatreds', the negative stereotyping between and among ethnic groups usually mutates into apprehensions of hostile behavior on the part of the other ethnic and often leads to ethnic violence. Since in the thinking of the primordialists ethnic identities are fixed, the differences that exist between the ethnic groups make disagreements among the groups inevitable and which disagreements in turn lead to ethnic violence

Instrumentalists on the hand maintain that, ethnic identities are often recent constructs and they change with passage of time. Olzak et al, assert that the 'instrumentalist dimension of

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[57] Chirot, D., and M.E.P., Seligman (edts) *Ethnopolitical Warfare. Causes, Consequences and Possible Solutions* (Washington: American Psychological Association, 2001, p.34

ethnicity captures the utilization of ethnicity as a weapon in social competition.'[58] In this sense, ethnic communities are seen to be created and transformed by elites and especially in societies undergoing dramatic social change. In situations of social change, political elites play a key role in constructing and deconstructing ethnic identities and that their actions are driven by political, economic and self interests. The case of Kenya, during the clamor for multi-party democracy and constitutional reforms since 1992, offers a good example where the actions of the elites played a key role in constructing and reconstructing ethnic identities. According to Young, 'the more ethnic mobilization is deployed as a Political weapon, the more the ethnic other is compelled to respond by counter-mobilization, resulting into a cycle of out-bidding which deepens the politicization of identity and sharpens antagonism between ethnic groups.'[59] Therefore, in the view of the instrumentalists, ethnic violence results from the instrumental use of identity to promote individual or collective interest. In line with this argument, competing elites in their struggle for power and other resources, use ethnicity as a tool to mobilize popular support from their ethnic groups. In this way, and according to the instrumentalist, ethnic violence becomes a constructed phenomenon by the elites as they take advantage of the differences that exist between the ethnic groups. Further, ethnic identities are conceptualized to be constructed and deconstructed by the elites and are therefore not fixed as argued by the primordialists. This is because ethnic identity is believed to be produced and reproduced by social process and it is therefore, not possible to consider it as fixed.

The primordialist and instrumentalist theories both raise fundamental issues regarding the origin of ethnic violence. It may not be possible to conclude which of the two theories is valid as

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[58] Olzak, S., and J Nagel (edts)), *Competitive Ethnic Relations* (Orlando: Academic Press, 1986, p.28

[59] Young, c., *Explaining the potential of Ethnicity*, in Darby, J., and R. Macginty, *Contemporary Peacemaking Conflict, Violence and Peace Processes* (London: Palgrave, 2003), p. 14

no generalization can be made regarding the assumptions of the two theories on all societies. Whether ethnicity is a fixed perception or a constructed perception, it is evident that ethnic groups must first exist before they can be mobilized and therefore it can be argued that, the two theories are complementary rather than alternative accounts of ethnic identities. Each of the two theories attempts to explain the causes of ethnic violence by emphasizing different aspects of the phenomenon. Thus, while the primodialist theory emphasis the primordial elements of ethnic groups in its explanation as to why ethnic conflicts occur, the instrumentalist theory on the other hand concerns itself with how those primordial elements are exploited by elites to cause ethnic conflict. It is also important to note that the two theories are not exclusively incompatible in the sense that, the primordial elements such as race, kinship, religion and language are used as manipulative instruments by elites, further supporting the argument that, for ethnic groups to be mobilized, they must first exist as different identities.

2.4 Factors that contribute to ethnic violence

Generally, the stakes in all cases of ethnic violence are extremely diverse; but in each case, it is organized ethnic groups that confront each other, minorities and majorities. In this section, I will examine the diverse claims and interests that lead to ethnic violence. In the preceding sections, I explored the relationship between ethnicity and nationalism and pointed out that, the mere fact of people having diverse ethnic identities, and the presence of nationalist ideologies do not necessarily and inevitably lead to ethnic violence. Moreover, it was also noted ethnicity is sometimes no more than a convenient mechanism to organize and mobilize people into homogenous violent groups willing to fight each other for resources. It is, therefore, necessary to explore in detail the complex web of factors that may create fertile conditions for

ethnic violence. This will provide an understanding of the emotions involved that often makes ethnic violence protracted and intractable.

There are many theories that attempt to explain the causes of ethnic violence. Horowitz points out that, 'any adequate theory of ethnic violence should be able to explain both elite and mass behavior and should also provide an explanation for possible symbolic and apprehensive aspects of ethnic violence.'[60] From this perspective, two issues are worth noting: first, the differences between ethnic groups assumes significance in guiding the actions of the leaders and their followers in every ethnic group; and second, there are underlying factors that create fertile ground for ethnic violence and which need to be understood. In other words, to understand the basis of ethnic violence, one must take into consideration the manipulation of the inherent ethnic group differences by the elites as they take advantage of situations created by certain underlying factors in societies. According to Wolff, underlying factors are the 'factors that are necessary, but not sufficient conditions for outbreak of inter-ethnic violence.'[61] These factors create fertile conditions for the violence to occur but may by themselves not lead to violence unless other trigger events (proximate factors) come into play. On the other hand, Brown has defined proximate factors as 'the factors that increase the likelihood of violence in a situation in which all or some of the underlying ingredients are present.'[62] Proximate factors are therefore, actions or events that trigger or spark the violence due to the fertile conditions created by the underlying factors; they are simply the short term causes of ethnic violence. The two sets of factors: underlying and proximate factors are discussed hereunder in detail, beginning with the underlying category.

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[60] Horowitz, D., *Ethnic Groups in Conflict*, Berkeley, C.A. University of California press, 1985, p.226

[61] Wolff, S., *Ethnic Conflict: A Global Perspective*, Oxford University press, 2006,p. 68

[62] Brown, M.E., *The causes of internal conflict*. in: Brown.M.E.,Cote, O.R. Jr, Lynn-Jones, S.M., Miller, S.E. (eds), *Nationalism and Ethnic Conflict*, revised edn. Cambridge, M.A: Milt Press,2001, p.17

There are four main types of underlying factors that can create fertile conditions for occurrence of ethnic violence: structural, political, economic and social, and cultural/perceptual factors. In order to show how each of these factors can fuel ethnic violence, each will be discussed in detail and simultaneously give examples of countries where the factors have created fertile ground for ethnic violence.

2.4.1 Structural factors

Structural factors that may fuel ethnic violence include conditions such as weak states, ethnic geography and intra-state security concerns. To understand why state weakness causes ethnic violence, one must begin by posing the question what causes state weakness and what does it entail. From a historical point of view, the situation of state weakness can be attributed especially in Africa and Asia to the artificial boundaries imposed by the colonial governments. Mwagiru has explained this historical origin of state weakness by asserting that, 'in dividing African territories amongst themselves, the imperial powers paid little heed to ethnic, cultural, geographic or other factors.'[63] The result of these boundaries was artificial states that lacked political legitimacy and ability to exercise meaningful control over the territories placed over them.

The boundaries split ethnic communities and placed them in separate countries thereby creating situations fertile for protracted ethnic conflicts. The reality of ethnic communities divided by international boundaries has serious implications for development of internal ethnic conflicts and its internationalization. The Somali community for example which is found in Somalia, Kenya, Ethiopia and Djibouti offers a good example of a community divided by

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[63] Mwagiru, M., *Conflict in Africa: Theory, Processes and Institutions of Management, IDIS and CCR. CCR publications*, Nairobi 2006, pp. 65-66

international boundaries. Because of the division of the Somali community by several international boundaries, the ethnic violence that has gripped Somalia since 1991 has found its way into the neighboring countries of Kenya, Ethiopia, and Djibouti through the process of internationalization of ethnic conflicts.

Besides the arbitrary colonial boundaries, the policy of divide and rule widely applied by the colonial government in Africa and Asia encouraged ethnic or tribal associations and highly discouraged national movements with its predominantly ethnically defined boundaries. Mahmood giving Rwanda as example has pointed out that the policy of divide and rule created disparities as it privileged some communities and marginalized others. Consequently he argues that in the case Rwanda, 'Rwandans were divided into three castes by the colonial government: Tutsi (the rulers) Hutu (the ruled) and a tiny minority of Twa.'[64] This deliberate and segregative policy entrenched ethnic consciousness which became institutionalized and created conditions fertile for ethnic violence in many countries in Africa and Asia. The 1994 Rwanda genocide to a larger extent can be associated to this situation.

It is however important to acknowledge that state weakness cannot wholly be attributed to external factors. In some parts of the world, sates have been weakened by internal problems which may include corruption, mismanagement, general leadership and governance problems. Zimbabwe is a classic example where the state weakness emanated from internal problems associated with bad leadership and governance. Once seen as one of Africa's most promising countries, Zimbabwe collapsed economically under the rule of President Mugabe due to disastrous policies such as the violent seizure of white settler's farms to settle blacks, and flawed elections. Whether it emanates from external or internal sources, state weakness is a serious

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[64] Mahmood, M., *When Victims Become Killers: Colonialism Nativism and the Genocide in Rwanda*. Princeton, N.J. Princeton University press, 2001, p. 102

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structural problem that renders a state unable to cultivate what Galtung called 'positive peace', that is, a situation where the state overcomes both structural and physical violence. It can therefore, be argued that many lasting internal conflicts have their roots in structural injustice that is embedded in the social, political and economic system. Therefore, state weakness occurs when state structures weaken physically rendering the state unable to exercise meaningful control over its people and territory. Somalia since the overthrow of Siad Barre in 1991 and which has drifted into a failed state offers a clear example of the situation of a weak state as a result of internal sources.

State weakness leads to inability of the state to arbitrate between its ethnic groups leading to collective fears of the future, information failures, and failure to commit to mutual agreements by ethnic groups, uncontrolled resource competition and power struggles between and among political elites which situations may lead to ethnic violence. Newland explaining the idea of collective fears of ethnic groups as a result of state weakness and therefore a source of ethnic violence argues, 'collective fears of the future arise when states lose their ability to arbitrate between ethnic groups or provide credible guarantees of protection for groups, under this condition physical security becomes of paramount concern.'[65] Therefore, when central authority declines, groups become fearful for their survival and may prepare for violence and thereby make actual violence possible. Whether it arises incrementally out of competition between groups or from extremists actively seeking to destroy the ethnic peace, state weakness is a precondition for ethnic violence to erupt. The point being made here is that when states structures weaken individual ethnic groups within the state(s), develop security concerns and begin to worry that other groups may pose security threats and consequently, they feel compelled

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[65] Newland, K., "Ethnic Conflict and Refugees" in Michael E. Brown, ed., *Ethnic Conflict and International Security*, (Princeton ,N.J: Princeton University P 55,1993), p.161

to provide for their own security. In taking this step to protect themselves, groups often threaten the security of others. This situation leads to what is referred to as 'security dilemma', to use Posen's words "a situation where 'what one does to enhance one's own security causes reactions that in the end can make one less secure."[66] This occurs because the other parties in retaliation arm themselves which in turn diminishes the security of the party who started down this path. In Kenya, the ethnic conflicts that have occurred time and again between the Turkana and Samburu or the Toposa against the Turkana though regarded as cultural cattle rustling practices can be understood from this perspective of security dilemma especially when discussed in the light of the proliferation and use of Small and Light Weapons (SALWs). In Somalia, because of the state weakness the various clans have resulted to arming themselves as result of the security dilemma existing in the country. This process has led to a chain reaction resulting in protracted clan violence in that country.

When a state is weak, resource competition in most cases becomes a major factor to ethnic violence because the state cannot exercise fair control and distribution of the resources and more especially in multi-ethnic communities. Resources for which ethnic groups compete may include, power, land, property rights, jobs, scholarships, government contracts and development allocations among others. Because such resources are scarce and are rarely equitably distributed, ethnic groups are always in competition. Political power is of great importance in this case as the groups that possess it often gain privileged access to these resources and thus increase their welfare. In pursuit of this leverage for control of resources, ethnic groups get locked into competition for scarce resources and state power and where the state structures are weak, chances of ethnic violence become very high. In Nigeria for example,

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[66] Posen, B.R., 'The security Dilemma and Ethnic Conflict', in Michael E. Brown, *Ethnic Conflict and International Security*, pp.103-104 1993, p.104

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ethnic violence has revolved around the control of the oil Wealth between the Ibos in the oil rich Niger Delta region; and the Yoruba's and the Hausa-Fulani. These conflicts have continually contributed to the weakening of the Federal Republic of Nigeria and indeed, some armed gangs have resulted to kidnapping expatriate workers in the Oil industry for ransom thereby causing 'security dilemma' in the country. In Zimbabwe, the violence has mainly been brought about by the rivalry over land ownership between the whites and the local ethnic communities. Because of the weakness of the state under the president Mugabe, which was unable to institute fair, equitable and credible measures to acquire and redistribute the land previously owned by the white settlers, the government resulted to forceful seizures of the farms. This led to physical violence against the white settlers thereby sliding the country into bloody ethnic violence that has had devastating ramifications on the country's image and economy.

According to Fearon, 'Ethnic violence can also arise because groups cannot credibly commit themselves to uphold mutually beneficial agreements they might reach.'[67] These agreements may be formal or informal and specify among other things the rights and responsibilities, political privileges and access to resources of each group. Failure to adhere to these agreements can lead to break out or even recurrence of ethnic violence. The failure of the groups to commit themselves to these agreements is in this case associated to the state weakness which results in the inability of the state to exercise checks and balances to stabilize the group relations and ensure no group is exploited by the other. Angola is a case in point. Although the parties to the Angola conflict signed the Biscesse Peace Accord in 1991, the country having emerged from a prolonged civil war, the state structures were too frangible to oversee the full

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[67] Fearon, J., *"Ethnic War as a Commitment Problem"* and Fearon, *"Rationalist Explanations for War"*, Hardin; *One for All*, p. 143; and Barry R. Weinggast, *"Constructing Trust: The Political and Economic Roots of Ethnic and Regional Conflict" Unpublished manuscript*, Stanford University, 1995

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implementation of the Peace Accord and as a result, the country went back to conflict after the 1992 election.

Somalia is another case in point, where although the parties to the Somali conflict signed an agreement brokered by the IGAD in 2005, Nairobi, Kenya, the state of Somalia under the TFG led by Abudulahi Yusuf as the president, was too weak to ensure all parties committed themselves to the Peace Agreement. As a result, no sooner had the government relocated to Somalia from Nairobi than a fresh inter-clan violence flared up between TFG and the Islamic Courts Union (ICU). The situation in Somalia is no better even today. The Former state of Yugoslavia is another example where due to the state weakness, ethnic groups could not honor mutual agreements reached among themselves and therefore ethnic violence flared up in the country. The state of Serbia went against all agreements signed with other states of the former Yugoslavia and this exacerbated conflict among the ethnic groups leading to eventual disintegration of Yugoslavia as a state. Thus, Lake et al argues that, "in total disregard of the constitutional provision for occupation of the federal presidency on rotational basis, in 1991 President Slobodan Milosevic refused to accept a Croat to ascend to the federal presidency further worsening ethnic tensions."[68]

The other structural factor that crates fertile condition for ethnic violence is ethnic geography; that is the way ethnic groups are distributed in a country. Generally, countries with ethnic groups distributed on regional lines are most likely to face ethnic violence than countries where the groups are intermingled. The former state of Yugoslavia offers a good example in this respect. After the second World! War, Yugoslavia became an Independent communist state with Tito as the president. To accommodate separate nationalities, the country was divided into six

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[68] Lake, D.A. and D. Rothchild., Containing Fear: *"The origins and Management of Ethnic conflict"*, *International Security Journal*, Vol.21, No.2 (fall 1996), p. 62

republics Serbia, Croatia, Macedonia, Bosnia Herzegovina, Slovenia and Montenegro plus two autonomous provinces of Vojvalina and Kosovo. Each of the six republics was predominantly occupied by one major ethnic identity with minorities from other nationalities. Schopflin has pointed out that, 'the real problem with the federal system adopted by Yugoslavia was that it swept the ethnic issue under the carpet.'[69] This is because; the federal system did not take appropriate measures to address the concerns of the various ethnic groups and particularly the vulnerability of the minorities. Consequently, following the death of Tito in 1980, there emerged aggressive ethno-nationalism which generated into civil war in the 1990s with each of the republics fighting for independence. What followed was a bloody ethnic violence which ended up with the disintegration of Yugoslavia as state. Thus, in case of Yugoslavia, the ethnic geography which saw the various republics being occupied by distinct ethnic identities, coupled with decentralized system of government that created republics which gradually acquired identities of their own and became centers of power, brought about fertile conditions for ethnic violence premised on ethnic nationalism. However it should be bone in mind that, there were proximate factors that triggered the violence in the former state of Yugoslavia such as bad leaders like Slobodan Milosevic who mobilized the Serb minorities and set them against the other ethnic identities in the country. It is therefore, not wholly correct to conclude that, ethnic geography always leads to ethnic violence.

The third structural factor that often creates fertile conditions for ethnic violence is dynamics of inter-group politics also referred to as intra-group security concerns. The prospects of violence are greater if groups, whether based on political, ideological or ethnic affiliations have ambitious objectives, strong sources of identity and confrontational strategies. Once again,

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[69] Schopflin G., "*The Rise and Fall of Yugoslavia*" in J.Mcgarry and B.O.'Leary (eds) *The politics of Ethnic Regulation Case Studies of Protracted Ethnic* Conflicts ([London: Routledge, 1993. p. 181

the former state of Yugoslavia offers a good example to this situation. Milosevic as the president of Yugoslavia after the death of Tito 'presented himself as the guardian of the Serb nationalism and reawakened the Serb nationalism for expansive Serbian republic. Discussing ethnic tensions in the former Yugoslavia, Lake et al posits that, "relations in Bosnia worsened due to contempt Serbs had shown their Muslim adversaries.... describing themselves as the only people with the talent, energy, experience and traditions to form a state."[70] This Serb objective was incompatible with other ethnic groups and inevitably prompted them to resist thereby causing ethnic violence to break out. For instance, the Bosnian war 1992-1995 which was a result of the Serb ethno-nationalism led to the massacre of 7000 Muslims in Serbrenica.[71] The massacre was the worst atrocity in Europe since the Second World War and is but only one episode of the ethnic violence that occurred in Yugoslavia. This factor can also to a larger extend explains the ethnic violence that broke out in Rwanda in 1994. The Tutsi ambitions to perpetuate their dominance over the majority Hutu awakened the Hutu nationalism leading to ethnic violence in 1994 that degenerated into genocide.

2.4.2 Political factors

Political factors that may create fertile conditions for eruption of ethnic violence include: discriminatory political institutions which pursue policies that deliberately disadvantage members of particular ethnic groups; exclusionary nationalist ideologies that question for example the equality of citizens, deny citizenship to members of particular ethnic groups or advocates formal assimilation of minorities; and contentious inter-group politics at mass level,

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[70] Lake, D.A. and D. Rothchild., Containing Fear: "*The origins and Management of Ethnic conflict*", *International Security Journal*, Vol.21, No.2 (fall 1996), p. 57

[71] The Star, Monday, July 12,20 1 0, p.11

that is a political sphere that is mostly curved up between ethnic parties that compete with each other on ethnic platform.

Generally, authoritarian systems of government are likely to generate considerable resentment and especially if the interests of some ethnic groups are served and others neglected. Ethnic violence is especially likely if oppression and violence are commonly employed by the state. The Apartheid South Africa 1948-1994 can be cited as an example to this situation. The apartheid system discriminated against the majority blacks in South Africa and this generated massive resentment against the system and created a fertile ground for ethnic violence. Similarly, in the case of Sudan, the southerners with strong memories of slavery and perceptions of low status had deep resentment against the Sudanese government. Thus, Amnesty International states that, the southerners viewed the Sudanese government decision to apply Islamic (sharia) law to them as well as the Muslims living in the country's north as confirmation of their second-class status."[72] This resentment led to the Sudan conflict between north and south. It should however be noted that, even in democratic societies, resentment can build if some groups are inadequately represented in government. For example, in the United States of America (1960s), when the black Americans felt inadequately represented in the government violent resentment cropped up between the whites and blacks and ethnic violence between the two groups ensued.

In countries where political parties are formed and compete for political power on ethnic lines, ethnic violence is most likely to occur due to tactics employed by desperate and opportunistic politicians and especially at times of political and economic turmoil. Kuran observes that, 'individuals with especially strong needs to identify with ethnic kin can manipulate such desires to produce a process of social polarization that is rapid, apparently

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[72] Amnesty International, "The tears of Orphans": *No Future Without Human Rights* (New York: Amnesty International, 1995), p.57

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spontaneous, and unpredictable.'[73] Thus manipulation of ethnic groups by political elites can produce rapid and profound polarization and especially in multi-ethnic communities thereby causing ethnic violence. In this case, manipulation of the groups by the political elites becomes a trigger or what is referred to as proximate cause of ethnic violence.

This view can be used to explain the sources of ethnic violence in many multi-ethnic countries. For example, the ethnic violence that gripped Kenya following the disputed 2007 presidential elections results can be explained from this dimension. Our political elites distorted the public debate on the outcome of the presidential election and drew their ethnic groups towards themselves for political power and support against others. This played an important role in exacerbating the underlying ethnic tensions in the country and propelled the ethnic groups along the road to violence. Wolf observes that in the former state of Yugoslavia, President Slobodan Milosevic "mobilized the Serbs against the Croats and Albanians resulting into a bloody ethnic violence between the two ethnic groups in Serbia and Kosovo."[74] In Zimbabwe, President Robert Mugabe mobilized the local communities against the white settlers using the land issue and set the two ethnic groups on a collision course. However, critically looking at the case of Zimbabwe, one is not wrong to conclude that president Mugabe was more interested in preserving himself in power than to enable the local people to regain the land from the white settlers. Hence the argument that, in mobilizing and polarizing ethnic groups, elites are driven by self interests and not the common good of the very groups they lead.

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[73] Kuran, T., "Ethnic Dissimilation and its Global Transmission", in Lake and Rothchild, Ethnic Fears and Global Engagement, 1998, pp. 36-60
[74] Wolff, S., *Ethnic Conflict A Global Perspective*, Oxford University press, 2006.p. 67

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2.4.3 Economic and social factors

Economic and social factors also play an equally important role in setting the scene for potentially violent ethnic violence. Some of the factors in this category include: economic problems, discriminatory economic systems and uneven or preferential economic development and modernization. These factors can contribute to the mobilization of ethnic groups and their formation into conflict groups ready to fight for equality of economic opportunity, redistribution of resources or preservation of a privileging status quo.

Economic causes of ethnic violence are based on the theories of relative deprivation and human needs by Gurr and Burton respectively. Jeong defines relative deprivation as 'actor's perception of discrepancy between their value expectations and their capabilities.'[75] On his part, Gurr maintains that 'value expectations lead people to believe that they are rightfully entitled to certain goods and conditions of life.'[76] Therefore, according to the relative deprivation theory, an intolerable gap between anticipated and the manifest reality of life conditions serves as a precondition for widespread ethnic violence. On the other hand, Burtons' human needs theory explains violence on the basis that 'human needs cannot be negotiated', and therefore, the struggle to satisfy human needs is a key motivational factor behind human behavior and interaction. Therefore, any denial or suppression of human needs can easily lead to violence. In line with the arguments by the two theories, it can be concluded that problems such as unemployment, inflation and resource competition can contribute to societal frustrations and tensions and therefore, fuel ethnic violence. Collier has pointed out that' "the risks of conflict are higher in countries where incomes are low and when people are poor as they have little to loose

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[75] Jeong, H.W. *Peace and Conflict Studies: An Introduction*, Ashgate Publishing Ltd, Gower House, Aldershot, Hans Gu II 3Hr, England, 2000, p. 69
[76] Gurr, T., *Why Men Rebel*, Princeton University Press, Princeton, 1970, p.24

from joining a rebel group so that rebel organizations find recruitment cheap.[77] Economic problems such as inflation, unemployment and unfair distribution of resources occasioned by discriminatory economic policies can therefore, lead to social frustrations and tensions and thereby provide a ground not only for emergence of ethnic violence but also its protraction.

In the case of Palestinian-Israeli conflict, the State of Israel as a result of her military superiority has after every subsequent war with its neighboring Arab states occupied more territories beyond what it occupied at the declaration of the Jewish state in 1948. The implication of occupation of enlarged territories by Israel meant that large numbers of Palestinians (Arabs) had to stay in camps within the occupied territories and under direct rule of Israel. The economic situation in the camps where most Palestinians live has been extremely difficult and especially since 1992 owing to the dependence of Palestinian economy on Israel. The occasional closures of borders in the camps with which Israel authorities punish the Palestinians and the inefficiency of the overall management of the camps and scarcity of water and other necessities has created an explosive economic situation in the occupied territories. It should be born in mind that, it was this harsh economic conditions coupled with the search for self recognition and identity that Palestinians formed the PLO in 1964. The point in the foregoing argumentation is that, economic and political frustrations faced by the Palestinians have led to mounting resentment against Israel by the Palestinians and serves to fuel violence between the two ethnic groups. This is because, relative to the Jewish settlers in the occupied territories, whom they see as living in better economic situation, the Palestinians consider themselves as deprived by the economic and political policies employed by Israel in the occupied territories hence the relevance of the theories of relative deprivation and human needs in explaining the causes of ethnic violence.

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[77] Collier, P; *Economic Causes of Civil Conflict and Their Implications for Policy*, in C.A. Crocker: *Leashing the Dogs of War: Conflict management in a Divided world*, Washington, US, 2007, p.206

Another example where discriminatory economic policies created fertile ground for ethnic violence is in the Sudan, where the British colonial government and the subsequent post-independence governments since 1956 have pursued discriminatory economic policies. Deng asserts that 'the colonial administration under British rule perfected the North-South divide by deliberately concentrating economic and other developments in the North,'[78] As a result of this deliberate discriminatory policy, at independence in 1956, the South found itself as the most marginalized and discriminated region in the Sudan and this led to the North-South conflict (the Sudan conflict) which generated into a protracted civil war.

2.4.4 Proximate factors

Apart from the underlying factors, there exist a second set of factors that is required to enable the outbreak of ethnic violence. These are proximate or short term factors that trigger or increase the likelihood of violence in a situation in which all or some of the underlying factors are present. A useful way to analyze proximate factors is to distinguish between violence triggered by elite level as opposed to mass level factors or internal as opposed to external factors. Elite level but internal refers to factors associated with bad leader's; elite but external are factors associated with bad neighbors whereas mass level refers to economic problems internally; on the other hand mass but external refers to factors associated with bad neighborhoods.

Some of the countries where proximate factors are seen to have triggered ethnic violence include Zimbabwe, South Africa, Kenya and Sudan among others. In the case of Zimbabwe, the economic crisis in the country that started in the late 1990s, created instability and resulted in serious ethic violence between the local ethnic communities and the white settlers. The bad

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[78] Deng. F.M., *"A nation in Turbulent Search for Itself'*, *Journal on Annals of the American Academy of Political and Social Science.* Vol.603, Law Society, and Democracy *Comparative Perspective* (January., 2006), pp.156-162

leadership of President Mugabe coupled with the economic hardships could be seen as internal proximate factors that led to the violence in the country. However, the violence also had an external dimension as a result of sanctions imposed on the country by the donor community which could be argued aggravated the situation and triggered ethnic violence in the country.

In South Africa, the xenophobic attacks against immigrants from other African countries (Zimbabwe, Nigeria and Malawi) in 2008, where the local communities claimed foreigners were taking up their jobs, was a trigger factor to the violence that led to death of 62 people[79]. The reaction of the South Africans could be associated to the harsh economic conditions obtaining in the country at that time. In the case of Kenya, the presidential election dispute that occurred in 2007 was itself a proximate cause of the ethnic violence witnessed in the country in December 2007 and early 2008. Secondly, the short term political dynamics that mobilized and instigated the ethnic groups during the 2007 general elections campaigns can also be said to have triggered the violence due to the underlying ethnic tensions that had persisted since 1992. Thus, the elite acting internally triggered the violence in the country. Similarly in Sudan, although tensions had been building between North and South due to the discriminatory economic policies adopted by both the colonial and post- colonial governments, the Sudan conflict did not flare up until in 1956. Johnson argues that, "what triggered the violence was the refusal by the North dominated government of the proposal by the Southern Sudan for a federal government, which the Southerners envisaged would avoid their domination by the Northerners."[80]

At the mass but external level, the contagion effects by swarms of refugees which results in the internationalization of ethnic conflicts has triggered violence in the countries that neighbor each other particularly in Africa. For example, the effects of the 1994 Rwanda genocide

[79] Daily Nation, Monday, July 12,2010, p.3

[80] Johnson, D.H., *The Root causes of Sudan Civil Wars* (Kampala:Fountain publishers, 2003), p.30

triggered ethnic violence in Democratic Republic of Congo (DRC). The genocide created a huge refugee population in the DRC which spurred violence in the country eventually leading to the overthrow of Mobutu Seseko by Laurent Kabila. Similarly, the Somali conflict has had far reaching impact on security in Kenya in terms of the proliferation of Small and Light Weapons, and militarization of ethnic violence in the country. In West Africa, the ethnic conflict that rocked Liberia had similar effects to Siera Leone and Cote de Ivoire courtesy of bad neighborhood as the proximate cause.

2.5 Forms in which ethnic violence has been manifested

Because of the underlying and proximate factors discussed in the immediate preceding section of this chapter, ethnic violence has become a common feature in most countries and particularly in Africa and Asia during the post Cold War period. Lake and et al acknowledging the enormity of the problem of ethnic violence have observed that, 'localities, states, and sometimes whole regions have been engulfed in convulsive fits of ethnic insecurity, violence and genocide during the post Cold war period.'[81] It is therefore, crucial to Seek to understand the various forms in which the phenomenon of ethnic violence has manifested itself in most of the countries. Understanding how the violence has manifested itself is critical as it will enable the researcher in this study to understand the main areas to focus when making recommendations for strategies that can be applied to manage ethnic violence.

Although ethnic violence has over the time manifested itself in many forms, this study considers, the following to be the most pronounced ways in which the phenomenon has exhibited itself in most countries: resistance by minority ethnic groups or majority against domination by

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[81] Lake, D.A., and D. Rothchild, Containing Fear: The Origins and Management of Ethnic Conflict. *International Security Journal*, Vol.21.No.2 (fall 1996), p. 41

majority or minority whichever is the case; ethno-nationalism, where ethnic group(s) make demands for regional autonomy or at other times complete independence; ethnic or clan rivalry over state power and other national resources; and election violence/political violence as a result of incitement and mobilization by the Political elites. Each of these forms of ethnic violence manifestation will be discussed in detail giving examples of countries where they have occurred.

2.5.1 Resistance by minority or majority against domination

In some countries, ethnic violence has been manifested through violent resistance against domination by either majority or minority. In countries that went through colonial rule, violence was used by the colonial state as a tool for control. In addition to the use of violence for control, the colonial governments denied the colonial subjects who were the majority fundamental rights such as but not limited to: the right to own land, freedom of associations, freedom of movement and the right to choose how they wanted to be governed. This created deep resentment on the part of the colonized people, which in turn gave rise to violent resistance resulting in widespread ethnic violence between the colonized majority and the minority colonial masters. Some of the countries where ethnic violence took this form during the colonial period include Kenya, South Africa and the Sudan among many other colonized countries.

In the case of Kenya, Africans were not only dispossessed of land by the colonial state in order to create white highlands, but were also confined in ethnically designed 'reserves' so as to deny them the right to associate across ethnic groups. To ensure their movements in and out of the 'reserves' was controlled, the colonial government forced the Africans to carry the 'Kipande' translated to mean identity card. Thus, Holmquist and et al posits that, 'the ethnic tensions were built upon uneven development of the colonial Kenya with its predominantly ethnically defined

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administrative districts and provinces.[82] Because of the discriminatory and oppressive policies applied by the colonial government, ethnic tensions developed between the Africans and the white community culminating in ethnic violence through armed resistance movements such as, the Nandi uprising and the Mau Mau revolt. These resistance movements are discussed in detail under chapter three of this study.

In colonial South Africa, the situation was more or less similar to what existed in Colonial Kenya. However in addition to being denied the right to own land, free association, the right to govern themselves, and freedom of movement, Africans in South Africa were further subjected to a dehumanizing and segregative policy known as 'apartheid'. This policy was introduced by the National party government in 1948 and basically divided South Africa into four races namely "white" "coloured" "Indian" and "Black". Through this segregative policy the rights of the majority non-white were curtailed and minority rule by the whites maintained. The blacks in South Africa were also disenfranchised under the apartheid system. Public services including education and health care were also segregated with the black people getting inferior services to those of the whites. Apartheid sparked intensive resistance from the majority blacks and by 1994 when the policy was dismantled the country had undergone horrendous ethnic violence emanating from majority (black South Africans) resisting domination by the minority whites.

Rwanda offers yet another example of a country where ethnic violence has been exhibited through resistance against domination by minority in both colonial and post colonial period. Rwanda has three ethnic groups namely Hutu, Tutsi and Twa. Mahmood observes that,

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[82] Holmquist, F., and M. Ford, *"The Structural Development of Kenyans Political economy"* in African Studies Review; Journal of African Association, VOl.37.No 1, 1994

"according to the Information bulletin of Rwanda, issued by the Public Relations Officer in Belgium in 1960, the two main 'racial' groups, the Tutsi comprised 14% of the population and Hutu 85%. Since the Twa were insignificant numerically hardly a few percentage of the total population, attention has always been focussed on the Hutu and Tutsi."[83] Although the Hutu and the Tutsi speak the same language (Kinyarwanda), profess the same religion and have common cultural practices, the two ethnic groups are regarded as different peoples who must have originated from different places. The 1933-34 official census conducted in Rwanda by Belgians as the colonial masters, identified Tutsi as separate from Hutu on the basis of the ten-cow rule: whoever owned ten cows was classified as Tutsi and whoever owned less than ten cows then automatically became a Hutu. The ten-cow rule made the Tutsi a social class. Indeed, the rule has been a subject of criticism by many.

Critically looking at the above classification of ethnic communities in Rwanda, one would not be wrong to conclude that, the Tutsi and Hutu distinction was cooked up by the Belgians, but it was neither the only nor even always the main identification of Tutsi. Nevertheless, the census marked the end of a process through which the colonial power constructed the Tutsi as non-indigenous and the Hutu as indigenous. Mahmood posits that 'through this distinction between the alien and indigenous, the Tutsi came to be identified as a race- the Hamitic race- different from the Hutu who were constructed as indigenous Bantu.'[84] Therefore, it can be concluded that Tutsi and Hutu are political and not cultural identities that emerged as state-enforced political identities in Rwanda. To be a Tutsi was thus to be in power, near power, or simply be identified with power, just as to be a Hutu was more and more to be a

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[83] Mahmood, M., *When Victims Become Killers Colonialism Nativism and the Genocide in Rwanda*, Princeton, N.J. Princeton University press, 2001, p. 66
[84] Ibid, p. 99

subject. Considering that the Hutu were by far the majority group, it is logical to conclude that, this classification set a base for ethnic violence in Rwanda during and after colonialism.

The year 1959 saw the first major political change in colonial Rwanda, when a social revolution ushered in by political violence led to the routing and dismantling of the Tutsi power at the local administration level. This brought about a transfer of governmental power from Tutsi to Hutu elite. It should however be noted that the revolution as argued by Mahmood, 'not only left standing, but reinforced the political identities created by colonialism.'[85] Most importantly, the revolution brought a new dimension in which violence demarcated Hutu from the Tutsi. The polarization of both Hutu and Tutsi that followed the revolution created fertile conditions for ethnic violence with genocide tendencies in Rwanda.

There are many waves of ethnic violence that emanated from Hutu resistance against the Tutsi domination during and after the colonial rule. For example, Lemarchard points out that in 1962, a little while after Rwanda's independence, between, '1000 and 2000 Tutsi men, women and children were massacred and buried on the spot, their huts burned and pillaged and their property divided among the Hutu population.'[86] The worst wave of ethnic violence in the form of Hutu resistance against the Tutsi domination came in 1994. Bruce argues that, 'the seeds of the genocidal violence that took place in Rwanda in 1994 lie in the revolution of 1959.'[87] This is because, besides drastically reversing political fortunes in favour of the Hutu, the revolution also brought into being the Tutsi elite counter resistance against the Hutu government most of them doing so from exile. Secondly, the revolution brought about the 'Hutu Power' in which the

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[85] Mahmood, M., *When Victims Become Killers Colonialism Nativism and the Genocide in Rwanda*, Princeton, N.J. Princeton University press, 2001, p p.104

[86] Lemarchard, R., "Rwanda: *The Rationality of Genocide*" African Studies Association of USA, Issue 23.no.2, 1995. p.10

[87] Bruce, D.J., "*Roots, Revolution and Reaction : Civil War, the Peace process and Genocide in Rwanda*," in Ali Taiser et al., eds. Mimeo, Torornto, 1999, p.20

rallying call as Mahamood writes was that, 'the Rwandan nation is Hutu and therefore, power in an independent Rwanda must also be Hutu.'[88] This literally meant that, the Tutsi may live in Rwanda, but only as a resident alien minority at sufferance of the Hutu nation. To the extremist Hutu, the Tutsi were to be exterminated. Thus, the political identities created by the colonial state, where the Tutsi were regarded as non-indigenous came to haunt Rwanda as a country.

No one can say with certainty how many Tutsi were killed by the Hutu extremists between March and July 1994 during the genocide in Rwanda. In the fateful one hundred days that followed the downing of the presidential plane and the coup detat thereafter, that brought into power a Tutsi (Kagame), a section of the army and civilian leadership organized the Hutu majority to kill all Tutsi, even babies. In so doing, they also killed the moderate Hutu who showed reluctance to perform what was touted as "national" duty. Although there are many accounts to the number killed, Prunier asserts that, 'between 8000,000 and 850,000 or roughly 11 percent of the total Rwanda population was killed.'[89]

2.5.2 Ethno-nationalism

In other countries ethnic violence has been displayed through ethno-nationalism. Ethno-nationalism as defined earlier in this study is a situation where nationalism defines the nation in ethnic terms and excludes others who are not members of the same ethnic group. Most of the world's states incorporate substantial minority population. In countries where the geography of ethnic groups is distributed regionally or is concentrated in specific areas of the country, ethnic violence has more often than not been exhibited through demands for regional autonomy or sometimes secession. This is because, even after prolonged periods of living together with other

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[88] Mahmood, M., *When Victims Become Killers Colonialism Nativism and the Genocide in Rwanda*, Princeton, N.J. Princeton University press, 2001, p.126
[89] Prunier, G., *The Rwanda Crisis History of a Genocide, 1959-1994*, London: Hurst and Co., 1995, pp. 135-136

groups many minorities continue to consider themselves as separate and distinct people. This feeling of distinction becomes separatist movement when formal demands are made for territorial or alternatively for a considerable measure of autonomy from the control by the existing political order. Ghai argues that the demands 'range from an outright secession, through federalism, to Bills of Rights and insulation of certain sensitive areas of administration from political control.'[90] These demands are normally resisted by the dominant political order because of the perceived threat to the state's political and territorial security. Such separatist demands often become main causes of ethnic violence. Some of the countries where this has taken place include Nigeria, the former state of Yugoslavia, Pakistan, Spain, and Sri Lanka among others.

In Nigeria, the demand for an independent state of Biafra by the Ibo ethnic group that occupy the oil rich Eastern region of the country in 1966, led to a ten year civil war (1966-1976). The ethnic violence during the war pitied the Ibos against the other ethnic groups forming the Federal state of Nigeria that is, the Yoruba and Hausa-Fulani. Eventually, when the war ended in 1976 where Nigeria was preserved as a federation at an estimated cost of one million lives. In Pakistan, the Bengalis succeeded in breaking away from the Pubabis in 1971 to form the new state of Bangladesh after a fierce ethnic violence that led to the loss of tens of thousands of lives.

Sri Lanka is yet another example where ethnic violence exhibited itself through ethno-nationalism. Sri Lanka formerly known as Ceylon attained independence from the British in 1948. The country has two main ethnic groups, the Sinhalese who are the majority and the Tamil the minority. Wolf writes that "in 1970s, long after the country's independence, the Tamils fearing domination by the majority Sinhalese demanded their autonomy."[91] The government

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[90] Ghai, Y.P. and J.P.W.B. MacAuslan., *Public Law and Political Change in Kenya A study of the legal framework of government from colonial times to the present*, Oxford University press, East Africa Ltd, Nairobi, Kenya, 1970, p. 183

[91] Wolff, S., *Ethnic Conflict A Global Perspective*, Oxford University press, 2006, p. 69

rejected the demand and resulted to use of force to suppress the Tamil ethno- nationalism. Wolf further posits that, the rejection of this demand by the government "transformed the tensions between Sinhalese majority and Tamil separatist into a violent ethnic violence in the mid-1980s in which thousands died."[92] This resistance by the Tamils against discrimination is still on-going. Spain also experienced violence as a result of ethno-nationalism. The demand by the Basques for autonomy led to violence in the country but did not escalate into full blown civil war.

The former state of Yugoslavia offers one of the best examples of a situation where ethnic nationalism led to widespread ethnic violence. As earlier stated, the former state of Yugoslavia was divided into six republics after the Second World War under a communist federal government based in Belgrade. Each of the six republics had a majority ethnic group. For example as Calvocoressi points out, in Kosovo the Albanians were the ethnic majority while the Serbs were the minority.[93]. In 1974, a constitutional amendment gave the republics more powers at the expense of the central government under Broz Tito. Wolff posts that, "in 1980, following the death of Yugoslav post-war leader, Josip Broz Tito, there emerged aggressive ethno-nationalism in the country that marked the beginning of the end of multi-ethnic society in Yugoslavia as a whole."[94] Attempts by the federal government under President Slobodan Milosevic to suppress this emerging ethnic nationalism worsened the situation and what followed was a series of secessionist demands from the republics one after the other. Consequently, the country was plunged into ethnically defined civil war that resulted in the disintegration of the Yugoslav state with all the republics becoming independent states.

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[92] Wolff, S., *Ethnic Conflict A Global Perspective*, Oxford University press, 2006, p. 70
[93] Calvocoressi, P., *World Politics Since 1945*.Longman Group Ltd, New York, 1995
[94] Wolff, S., *Ethnic Conflict A Global Perspective*, Oxford University press, 2006, p.30

2.5.3 Ethnic or clan rivalry over power and national resources

In some countries, ethnic violence has manifested itself through tribal or clan rivalry over the control of power and other state resources. This occurs mostly in countries where resource distribution favors certain ethnic groups against others. Collier argues that, 'where conflict does take place in ethnically diverse societies, it will take the form of some particular ethnic group rebelling against the government.'[95] The inclusion of the grievance by the rebelling group becomes a vital ingredient for effective fighting force. Such grievances are usually premised on claims of marginalization in resource allocation. Therefore, in some countries, ethnic violence has manifested itself through ethnic or tribal rivalry over the control of resources as it occurred in Somalia. Somalia as Collier asserts 'is one of the most homogenous societies in the world, although as in all traditional societies, within the single ethnic group are many lineage or clan groups.'[96] True to the above assertion, Somalia has one ethnic group, speaks one language and professes one religion that is Islam. The country hoverer has never enjoyed peace apart from a brief period after it attained independence in 1961. In the initial post independence period, political power had been shared reasonably, among the various clans. In 1969, Siad Barre took over power in the country through a military coup. Immediately he took over power, Barre turned the country into a highly centralized dictatorship. Access to national resources became a preserve of the president's clan! As result of this marginalization, the other clans rose up against the government led by an opportunist Farah Aideed, who based the recruitment for the rebellion against the government on his clan and the proximate lineage groups. The resultant violent

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[95] Collier, P: *Economic Causes of Civil Conflict and Their Implications for Policy*, in C.A. Crocker: *Leashing the Dogs of War: Conflict management in a Divided World*, Washington US, 2007, p.207
[96] Ibid, p 207

conflict in effect turned what had been a patchwork of closely related clans into large rival groupings that hated each other. The violence created the equivalent of inter-ethnic hatred in an ethnically homogenous society. Since 1991 when Barc was toppled, the country has remained without a stable government despite interventions by the international community. The violence continues unabated even to date.

2.5.4 Election violence/ political violence

Although elections only represent a brief episode in a larger political process, they have an enormous influence on inter- ethnic group collaboration and conflict. Adam posits that, 'in developed democracies, where the election rules and the broad participation in the voting process are institutionalized, elections have usually promoted stability.'[97] Contrary to this view, in most countries particularly in Africa, Eastern Europe, Latin America and Asia, elections have over time become an avenue for ethnic violence which manifests itself as political or election violence. These episodes of electoral-induced violence have either preceded the elections or followed immediately after the elections in which case they become post-election violence. This can be attributed to a combination of factors. First, in the case of Africa, the artificial boundaries imposed by the imperial powers during the Berlin conference 1884-1885, did not take into consideration ethnic, cultural and geographic factors in dividing African territories. Thus as Mwagiru posits,' the boundaries split ethnic communities and placed them in separate countries thereby creating situations fertile for protracted ethnic conflicts.'[98] It should also be noted that, even in countries where ethnic communities were placed in one state, ethnic and cultural factors demarcating the various communities were ignored leading to multi-ethnic states which

[97] Adam, P , *Democracy and the Market* (Cambridge University press 1991), p.26
[98] Mwagiru, M., *Conflict in Africa: Theory, Processes and Institutions of Management*, IDIS and CCR, CCR publications, Nairobi 2006, pp 65-66

essentially set a base for ethnic rivalry over resources. Second, the policy of 'divide and rule' applied in most colonies especially in Africa and Asia, entrenched ethnic consciousness and discouraged the development of inter-ethnic political association. Consequently, the political parties that emerged in the post colonial period in these countries were tribal in nature. This set a base for violence during the elections as the parties mainly pushed sectional or ethnic interests. Also, the ethnic based parties became vehicles for use by the politicians to advance their narrow and ethnic interests particularly upon the advent of the multi-party democracy. Third, these historical factors crated fertile conditions for violence which was triggered by proximate factors relating to bad leaders and economic hardships obtaining in most of the countries. Some of the countries where ethnic violence has been exhibited through election violence include but not limited to Democratic Republic of Congo (formerly Congo), India, Nigeria, Zimbabwe, Zanzibar in Tanzania and Kenya. The situation as it occurred in some of these countries is briefly discussed here under.

Yugoslavia state was founded after the First World War and disintegrated in 1992 amid bloody post election violence that followed the 1988, 1990 and 1991 elections in the various republics forming the federal state. The elections brought to the fore ethnic nationalism that had been forcefully suppressed by the dictatorial regime of Broz Tito. The deep seated legendary ethnic differences coupled with the differences between the Christians and the Muslims exploded into ethnic tensions between the republics and ultimately into civil war that led to the disintegration of the Yugoslav state. However, the post election violence that gripped the country can also be attributed to the proximate factors linked to the leadership of President Slobodan Milosevic and his counterpart leader of the Croatian republic Franjo Trudjman. Both men were uncompromising ethnic chauvinists who stirred their ethnic groups against the minority groups.

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Wolf analyzing the two men described Trudjman as 'having engaged in mass killing of Serb civilians in Croatia and Milosevic as' presenting himself as the guardian of the Serb nation.'[99] It is evident therefore, that two stirred the dominant ethnic communities against the minorities in their republics leading to ethnic cleansing. The final blow that led to disintegration of Yugoslavia came in 1991 when Milosevic refused to accept a Croat as the federation president in accordance with the Yugoslav constitution and continued to use state resources to further sectarian interests of the Serbs against the other ethnic groups. The result was a bloody civil war leading to the disintegration of Yugoslavia.

Africa can easily pass for a permanent host of electoral-induced ethnic violence. Congo (today the Democratic Republic of Congo) was the first state in Africa to experience ethnic violence in the form of post election violence immediately after attaining independence from the Belgians in 1960. Hallet describes 'the independence elections as having been marred by violence.'[100], Although Congo appears to have been ill prepared for the elections due to the decision of the Belgians to grant independence within six months, what contributed to the post election violence were the ethnic tensions created by the political parties that emerged in the post-independence period. The parties had the overriding objective of preserving ethnic interests. For example, the Alliance des Bakongo (ABAKO) of Joseph Kasavumbu was mainly formed to pursue the interests of the Bakongo people, the Confederation des Associations Tribales (CONAKAT) of Moise Tshombe was mainly formed to care for interest of the Katanga people. The only broad based party was that of Patrice Lumumba the Movement National Congolaise (MNC). Although MNC won the majority seats 17 with ABAKO getting 12 and CONAKAT 7, the coalition government that was formed did not last as a wave of post election violence gripped

[99] Wolff, S., *Ethnic Conflict A Global Perspective*, Oxford University Press, 2006, pp. 72-84
[100] Hallet,R., *Africa Since 1875*, A Heinemann Education Books Ltd 22 Bedford square,London,1980

the country thereafter. To date, despite the abundant resource DRC possess as a country it still faces serious ethnic unrest.

Another country in Africa that has experienced election related ethnic violence is Zimbabwe. Writing about election violence in Africa, Kanyinga et al observes that, Zimbabwe exemplifies one of the countries where multiparty politics was "adopted without comprehensive adjustment of the constitution and the institutional framework to manage politics under the plural dispensation."[101] As a result of this, electoral-induced violence became a common feature in the country during the multiparty elections. For instance the second Multi-party election held in 2008 was followed by widespread ethnic violence. In the ensuing violence, 'unknown number of people was killed, thousands displaced and property destroyed.'[102] The violence can locally be associated to the challenges posed by multi-party democracy as President Mugabe was reluctant to leave power. The main parties participating in the elections, the MDC and ZANU PF which were ethnically based stirred the ethnic groups against each other on ethnic lines and drew them towards Violence. The land issue in this case became a proximate factor that triggered the post-election violence as president Mugabe took advantage of the resentment that local communities had against the white settlers who owned large farms in the country courtesy of the colonial government policies. In addition, economic factors associated with the sanctions imposed by Britain and its allies and sabotage by multi-nationals operating in the country also contributed to the post election violence as they heightened economic hardships in the country.

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[101] Kanyinga K, D. Okello and A. Akech., (edts) *Contradictions of Transition to Democracy in Fragmented Societies*: The Kenya 2007 General Elections in Perspective, in *Tensions and Reversals in democratic Transitions; the Kenya 2007 General Elections*. Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p. 5

[102] *Africa*, May, 2008 Issue, 473 WWW.AFRICASIA.COM

Kenya has had a series of waves of election-induced ethnic violence since the advent of the multiparty democracy in 1991. The country provides an example of a country where election related ethnic violence has become an increasingly widespread phenomenon. It experienced pre-election ethnic violence in 1992 and 1997 followed by post election violence in 2007. As indicated earlier, ethnic tensions in country are partially a product of its colonial legacy, especially in respect to the Africans dispossession of land, the ethnically designed district boundaries and the use of violence as a tool for control by the colonial state all which necessitated resistance by the Africans. However, ethnic violence became more entrenched and a way of life in the country following the advent of multiparty democracy in 1991. As observed by the Akiwurni Commission, the constitutional amendment of 1991, where section 2A was repealed to allow multi-party system, 'led to the emergence of political parties based on tribal allegiances and which parties entered the political space with the overriding objective of pursuing sectional and ethnic interests.'[103] Kanyinga et al discussing the advent of political pluralism and the emergence of ethnic based political parties in Kenya argue that, the emergent political parties were "predominantly ethnic in character and their leaders used communities as voting machines to advance their self interests."[104] Thus, the communities were made to believe that, they would rise and fall with leaders who appear to represent their interests. The outcome of this, as pointed out by the Waki Commission was that, "in 1990s, ethnic violence became institutionalized during the presidential and parliamentary elections".[105] The institutionalization

[103] Republic of Kenya, *Report of the Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya*, Government Printer, Nairobi, Kenya, July, 1999, pp.22-23

[104] Kanyinga K, D. Okello and A. Akech., (edts) *Contradictions of Transition to Democracy in Fragmented Societies*: The Kenya 2007 General Elections in Perspective, in *Tensions and Reversals in democratic Transitions: the Kenya 2007 General Elections*, Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p. 6

[105] Republic Of Kenya, *The Report of the Commission of Inquiry into the Election Violence (CIPEV)*, Government Printer, Nairobi, Kenya, October, 2008, p.27

of violence during elections was further consolidated by another constitutional amendment in 1992, a few months before the general elections that provided a successful presidential candidate garner 25 of the votes cast in at least five provinces in the country. This provision aggravated inter-ethnic friction as the local ethnic groups in regions with large population of immigrant groups like Rift Valley, Western and Coast provinces tended to view the provision as being advantageous to the immigrants whose presence in the provinces other than where they originated from, could help their candidate to meet the 25% votes requirement. This feeling or perception brought about the forceful eviction of the immigrant ethnic groups in Rift Valley, western and coast provinces in order to prevent the immigrant ethnic communities from voting.

Taking advantage of the underlying factors that created fertile ground for ethnic violence in the colonial and post independence period, which include but not limited to; political favoritism in land and other resources allocation, and the emotional debate on constitutional reform and particularly the Majimbo debate the emergent opposition political parties polarized ethnic groups along tribal lines and drew them into inter-ethnic violence prior to the 1992 and 1997 elections. The violence which was concentrated in areas with large population of migrant ethnic groups left behind a trail of destruction, loss of lives and displaced thousands of people from their farms. The violence was again revisited in 2007, this time around after the electrons, but with a bigger magnitude and spread. Although this wave of violence was post election, and is believed to have been triggered by the announcement of the 'winner' of the disputed presidential poll, the events and factors leading to it remain the same as the previous waves of 1992 and 1997. Indeed, the violence witnessed in Kenya in 1992, 1997 and 2007 serves to demonstrate that, in the 1990s ethnic violence became synonymous with election violence.

In conclusion, it should be noted that, the various forms in which ethnic violence manifests itself cannot be looked at in isolation. Just as the factors that fuel ethnic violence are closely interlinked, so are the manifestations of the phenomenon. From the countries discussed as examples where ethnic violence has manifested itself in the various forms, it is evident that the phenomenon has become a major concern in most countries and especially in Africa and Asia. Indeed, one would not be wrong to conclude that the problem of ethnic violence has become instrumental (constructed) in nature. Supporting this view Kanyinga et al argue that, "group identity is thus 'constructed' by political leaders who find group cohesion and mobilization a powerful mechanism in their competition for power and other resources."[106] Therefore, ethnic violence is closely linked to the actions of the elites, hence the interest of this study to link ethnic violence to the actions of the elites.

[106] Kanyinga K, D. Okello and A. Akech., (edts) *Contradictions of Transition to Democracy in Fragmented Societies*: The Kenya 2007 General Elections in Perspective, in *Tensions and Reversals in democratic Transitions; the Kenya 2007 General Elections.* Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p. 5

CHAPTER THREE

Ethnic violence in Kenya

3.0 Introduction

This chapter traces the problem of ethnic violence in Kenya historically in three phases: the colonial, post-independence and during the advent of multi-party democracy in the 1990s. Through the analysis of colonial policies the chapter demonstrates how colonialism marginalised ethnic communities and in the process entrenched ethnic consciousness that inevitably resulted in conflict at two levels: first at the community level against the oppression by the colonial government, and second between the various communities.

The chapter then proceeds to discuss ethnic violence in the post-colonial period. This is viewed in two epochs; first, between 1963 and 1990, with particular reference to 1966 - 1990 when the country was a de facto one party state; second, during the advent of multi-party democracy in Kenya, between 1991 and 1992 when ethnic violence is presumed in this study to have become instrumental or constructed as opposed to the earlier period when it is assumed to have been primordial. Finally, an attempt is made to link the violence of the 1990s and specifically from 1991 to 2008 to political actions of the elites.

3.1 Colonial administrative and land policies

The British declared Kenya and Uganda protectorates in 1895 after failure and closure of the IBEAC. The IBEAC had been entrusted with the imperial responsibility of managing the affairs of Kenya and Uganda on behalf of the British crown. In 1902, the boundaries between the two protectorates having been determined, Kenya was officially declared a British colony and its administration transferred to the British Colonial Office in 1920. This way, the Kenyan state was born through forcible abolition of existing African nations. The new colonial state annexed land

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for its own purpose and lumped together previously separate nations into one administrative state without taking into account their diversity. Discussing the acquisition of colonies, Ghai argues that, "in the scramble for colonies, the European powers demarcated the boundaries of their possessions with scant respect for the facts of tribal distribution of population, with the result that a colony would be proclaimed over an area with different, often warring tribes, and equally, one particular tribe would find itself divided between two or more colonies."[107] This situation in effect sowed seeds of ethnic conflict as competition for political power and other resources between the ethnic groups became entrenched and more so after independence as minority groups became aware of their vulnerability. Similarly, Mwagiru points out that, 'in dividing African territories amongst themselves, the imperial powers paid little heed to ethnic, cultural, geographic or other factors.'[108] The end result of the exercise was that many ethnic communities in Africa were separated by territorial borders and this has had serious implications for development of internal conflicts and its internationalization. This is because in cases where an international border divides the same ethnic community, although the conflict may appear internal, it becomes internationalized through contagion. This is the case for example with the Somali conflict which has spread through refugee influx to Kenya, Ethiopia, and other countries in which the Somali community was placed by the arbitrary colonial boundaries separating these countries.

Additionally, Kenya was divided into administrative units (reserves) which were ethnically defined. Through this process, ethnic groups living as different nations previously

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[107] Ghai, Y. p. and J.P.W.B. Mc Auslan, *Public Law and Political Change in Kenya: A study of the legal framework of government from colonial times to the present*, Oxford University press, East Africa Ltd. 1970, p. 183

[108] Mwagiru, M., *Conflict in Africa: Theory, Processes and Institutions of Management*, IDIS and CCR, CCR Publications, Nairobi 2006, pp 65-66

before the colonial period were put in areas reserved for them on ethnic lines. Habeson confirms this position when he observes that in the 1905 Crown Land Ordinance, "Africans were moved and settled in areas considered unsuitable for European settlement and restricted to residing in their own ethnic reserves."[109] This policy clearly aggravated ethnic identification after administrative boundaries shaped the structures. Tribalism in this sense became officiated and solidified. It can be argued that, the process of ethnifying land started with the implementation of this Ordinance. 'Reserves' became synonymous with the ethnic identity. Because movement of Africans in the reserves was highly restricted, inter-ethnic association died naturally and this entrenched ethnic consciousness. In spite of efforts to rectify this fundamental problem, it continues to date as an obstacle to the consolidation of Kenya into a united state thus affecting the political life of the country.

The 1905 ordinance further disallowed Africans from owning land in the white highlands. This settlement policy by the colonial government displaced thousands of nomadic Africans like the Kalenjin and Masai in Rift Valley and generated intense resentment against the colonial government. In order to secure continued labour in their farms, the settlers allowed thousands of Kikuyu, Kisii, Luhya, and Luo (all farming communities) to move to Rift Valley as labourers in the farms. By the time Kenya attained independence, these non Rift Valley 'natives' had settled in the province in large numbers. The implication of this was a shift in land ownership in the region which remains a major source of ethnic tensions. As Kanyinga posits, 'the Kalenjin and Masai communities feel they were cheated out their ancestral land in Central, North and South Rift Valley and a similar feeling is shared by the coastal people who for a long time have felt they have been deprived of their rights to own land by the colonial and

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[109] Habeson. J.W., *Nation Building The role of Land Reform*, North Western University Press, Evanston, 1973

independence land policies.'[110] Therefore, the Kalenjin and the Masai considered the migrant ethnic groups who settled in Rift Valley during the colonial period and after independence as foreigners.

By taking away the right to own land, the ordinance in effect rendered the Africans mere tenants of the British crown. Explaining how the Africans became tenants at the will of the British crown as a result of the 1905 ordinance, Kanyinga asserts that, "all the land including the farrows and where huts were built and land cultivated by the occupiers was under Her Majesty.'[111] Similarly, Mbithi et al observes that, "the ordinance resulted in automatic generation of landlessness on the part of the Africans."[112] Further, Ogendo has argued that, the Ordinance marginalised the Africans as the white highlands "enjoyed the best servicing in terms of infrastructure, including road networks, railway lines, social welfare, health care services, and schools as opposed to the African reserves where services were needed but not availed."[113] Thus, the creation of the white highlands deprived the Africans economically and made them feel disadvantaged relative to the white settlers and this set a base for resistance by the Africans which in turn resulted in violence.

In addition to this discriminatory land policy, the colonial state imposed the administrative system of 'indirect rule' over the African population, replacing the indigenous systems of governance with its own administrative structures. As Berman posits, 'instead of embarking on a program promoting national cohesion, the colonial state chose to divide and rule,

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[110] Kanyinga. K., The land question in Kenya struggles, accumulation and changing politics, PhD thesis, 1998
[111] Ibid
[112] Mbithi, P., and Barnes., *The Spontaneous settlement problem in Kenya* (East Africa Literature Bureau, Nairobi, 1975)
[113] Ogendo, O., HWO; *Tenants of the Crown: Evolution of agitation Law and Institutions in Kenya.* Acts Press, African Centre for Technology studies, Nairobi, Kenya

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emphasizing differences between ethnic and racial communities.'[114] To minimise possibilities of political alliances between the African ethnic groups, stereotyping became common as peoples of different communities were encouraged to keep to their 'ethnic reserves. In this case, the Africans were confined in their 'ethnic reserves' and left the reserves as Wolff argues 'only to seek for employment as wage earners on European farms.'[115] The restriction thus hampered the development of civil society and political party politics in the colonial setting among the Africans. Further, the denial of free movement to the Africans promoted tribalism due to the lack of association between and among the various 'tribes'. Consequently, the associations formed by Africans were welfare oriented and with membership largely ethnic based. Examples of such associations include but not limited to Taita Hills Association, Luo Thrift Association and Kavirondo Taxpayers Association to name but a few. These associations as depicted by their names were based on tribal allegiance and therefore, unable to enhance political party initiatives with inter-ethnic aspirations. This, therefore, explains why Africans resistance against the colonial rule was initially disjointed and further why political party development was slow.

In order to ensure absolute administrative control over the indigenous people and protect European areas from invasion by the tribesmen, in 1905, the colonial government introduced a single identification document known generally as 'Kipande'[116]. The Kipande system was a manifestation of the colonial policy where as Mahmood has put it "natives" were governed through the institution of the 'tribe' while 'citizens'- the settler community in this case- were

[114] Berman, B., *Control and Crisis in Colonial Kenya: The dialectic of domination*, Nairobi, East African Publishers, 1990, pp.218-225

[115] Wolff, R.D., *Britain and Kenya, 1870-1930: The Economics of Colonialism*, Transafrica Publishers, Nairobi, Kenya, 1974, p.99

[116] *The word "kipande" is used interchangeably with "kitabulisho" translates into English as an identification document, although the former is generally associated with the colonial era*

governed through the state.'[117] The 'Kipande' identified Africans, first and foremost as members of 'tribe' who were supposed to belong to the ancestral homes in the native 'reserve'. In case of trouble, they were to be forcefully repatriated back to their reserves. In all urban areas, racial and ethnic segregation replicating the 'tribal reserves' of rural areas was also set up as the norm. In some cases, as was with (NFD) today's North Eastern Province, travel to certain areas was restricted only to contain the communities. Through this policy, the Africans became squatters in their own country. This policy of restriction and segregation created deep resentment on the part of Africans against the colonial government and inevitably led to open deviance against the carrying of 'Kipande' and eventual violent resistance to the colonial rule. It is clear from the foregoing analysis that, violence was part and parcel of the colonial state and was used to ensure control.

Despite the restrictions imposed by the colonial rule and which in effect banned not only political alliances across races but also ethnic nations, Berman observes that, 'by 1920s nascent political associations among Africans took root in different parts of the country.'[118] For example, in 1921 the EAA, which is regarded as the first inter-ethnic nationalist organization to emerge from African majority in Kenyan history, was formed under the leadership of Harry Thuku. The organization had deliberately been named the EAA to appeal to a wider inter-ethnic constituency. This trend continued and resistance against the colonial government became more organized in the 1940s as will be shown in the next section

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[117] Mahmood, M., *Citizen and State: Contemporary Africa and the Legacy of Late Colonialism*, Princeton N.J. Princeton University Press, 1996, p.164
[118] Berman, B., *Control and Crisis in Colonial Kenya The dialectic of domination*, Nairobi, East African Publishers, 1990, pp.226-233

3.2 Ethnic violence during the colonial period

Ethnic violence in Kenya during the colonial period was premised upon Africans resistance against the colonial rule. In this respect, the Africans reaction to the oppressive policies by the colonial state followed rebellion one of the four adaptation mechanism[119] identified by Merton in his theory on deviant behaviour otherwise known as the strain theory. Rebellion according to Merton is a situation where "the socially approved norms or goals and the means of achieving the goals are rejected and the deviants proceed to develop their own goals and means."[120] In this case, the deviant behaviour presents itself as active rebellion against the goals set by the dominant society. The resistance by the Africans against the dominant white community was therefore, premised upon rejection of the goals and the means set by the colonial state and they proceeded to develop their own goals and the means to achieve their set goals. The Africans goals were to end colonial rule and recover the land and freedom taken away by the the colonialists. To achieve this, violence became inevitable as the colonial state on the other hand had its goals which ran contrary to those developed by the Africans in their resistance.

Berman[121] observes that, as resistance or rebellion by Africans against colonial rule took root in the 1940s, religion and education became facilitative agents to the resistance. On the one part, religion provided a space of engagement with the emergence of nationalist spiritual movements like Masinde's Dini ya Msambwa, the Kikuyu Karinga movement, Nomia church in Western Kenya and Nyanza and the many African Independent Churches that mushroomed in Central Kenya. These new African denominations which insisted on a political social gospel that

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[119] The other adaptive mechanisms identified by Merton in his theory are innovation, ritualism and retreat.
[120] Merton, R.K., *"Social Structure and Anomie"*, in F.T. Gullen and R.Agnew (eds) *Criminolgy Theory Past to Present*, Los Angeles C.A. Roxbury Publishing, 1938, pp. 178-185.
[121] Berman, B., *Control and Crisis in Colonial Kenya The dialectic of domination*, Nairobi, East African Publishers, 1990, pp.226-233

set Christianity within the framework of indigenous African ontology and society became vehicles for resistance against colonial rule. This is because, unlike the mainstream missionary churches which in general discouraged the involvement of its members in politics and encouraged obedience to the colonial state, the new indigenous African churches supported nationalist resistance against colonial rule. It should be noted that, all the indigenous African churches were formed on the platform of resisting the ideals of colonialism and hence their support for the resistance movements. On the other hand, the Christian missionary churches followed the flag both literally and figuratively, thus contributing in no small part to the imperial mission of colonialism.

Education also played a key role as the few educated Africans provided the most sustained challenge to the colonial system. Appreciating the role played by education Wunyabari points out that, 'in the development of African nationalism in Kenya, no factor was as important to Africans as the attainment of literacy.... this is because literate Africans understood the ways of the white people; they spoke their language, and they were expected by other Africans to know how to protest colonial policies without arousing brutal physical response."[122] This means that, in effect, literate Africans became the new 'warriors'. In the same vein, analyzing education as a realm that facilitated Africans resistance movements against colonialism and by extension the production of African nationalists, the Report by Thabiti taskforce 2008 argues that, 'although the intention of the colonial state was to educate Africans in order to provide middle level cadre in terms of labour that would facilitate imperial mission, the few Africans who went into post- secondary educational institutions like Makerere University played a key role in

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[122] Wunyabari, O.M., *Mau Mau and Kenya An Analysis of a Peasant Revolt*. East African Education Publishers Ltd, Nairobi, Kenya, 1993, p.45

crafting the nation prior and after independence.'[121] Thus, one of the remarkable and unintended outcomes of missionary education was the production of African nationalists. The educated Africans were able to articulate grievances like land alienation by the colonial state to give rise to protest movements as exemplified by the activities of people like Harry Thuku, Jomo Kenyatta among others. These protest movements formed a significant development beyond the initial primary resistance.

Although many resistance movements (groups) against colonial rule emerged all over the country two of these the Nandi uprising (1905) and the *Mau Mau* insurrection (1952) are worthy serious discussion. Wolff argues that' 'the Nandi tribe proved a troublesome obstacle to the security of the British colonial administration and the establishment of the European settlement in Rift Valley.'[124] The Nandi resistance to colonialism can be traced to the uprisings or resistance the 'tribe' put against the colonial state in the years 1895, 1900, and 1902 and also in 1903.The most significant of the uprisings occurred in 1905 which was followed by punitive raids by the British authorities against the Nandi. In this particular uprising, the Nandi tribe rebelled against the colonial government decision to evict them out of their ancestral land in Uasin Gishu in order to create the white highlands. According to the description given by Wolff, the violence that followed led to loss of many lives from both sides, and the Nandi tribe lost lands used for grazing in Uasin Gishu area to the colonial rule. The level of force used by the colonial state to quell the Nandi rebellion clearly points to the use of violence as a measure to ensure control.

[121] *Root Causes and Implications of The Post Election Violence of 2007*: A Report of the Research Undertaken by Kenya Thabiti Taskforce, Inter –Religious Forum, July, 2009, 88-89
[124] Wolff, R.D., *Britain and Kenya, 1870-1930 The Economics of Colonialism*, Transafrica Publishers, Nairobi, Kenya, 1974, pp. 63-67

The best known and most militant of African movements emerging from the period of African resistance to the colonial state in Kenya was the Mau Mau. The *Mau Mau* insurrection 1952-1956 has been viewed differently by many people. Berman et al argue that, 'the British viewed it as a Kikuyu community movement aimed at ejecting the colonialist in order to impose a Kikuyu ethnocracy.'[125] Analysing the offensive propaganda against the Mau Mau by the colonial government, Wunyabari posits that, "the colonial state, its agents and African conservatives viewed Mau Mau as a criminal, ruthless, secret society whose members were savages that committed the "worst crimes you can imagine.'[126] Wunyabari further argues the white settlers painted the movement as "dark and satanic in content and inspiration, essentially destructive, illogical, and barbaric.'[127] From the foregoing citations, one can conclude that, the colonial state and its agents deliberately hatched a spirited propaganda against the Mau Mau revolt. The main aim of the colonial government propaganda offensive against Mau Mau locally and internationally was to discredit African nationalism as being basically a criminal endeavour. This is why the colonial government sought to show a direct linkage between Kenyatta, the most prominent nationalist leader then with Mau Mau in the famous Kapenguria trial of 1952/1953. It can hardly be denied that the major objective of this negative portrayal of the Mau Mau revolt was to deny it any legitimacy or respectability.

Despite the negative portrayal of the movement by the colonial government and its agents, *Mau Mau*, insurrection has generally been understood as an African civil war against the colonial government whose essence was a protest against the dispossession of land from the Kikuyu community by the colonial state. The insurrection was therefore, the outcome of both

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[125] Berman, B., D.Eyoh and W. Kymlicka, (eds) "*Ethnicity and Democracy in Africa*, James Currey Oxford, Ohio University Press, Athens, 2004, pp.85-88

[126] Wunyabari, O.M., *Mau Mau and Kenya An Analysis of a Peasant Revolt*. East African Education Publishers Ltd, Nairobi, Kenya, 1993, p. 112

[127] Ibid, p.9

colonial state violence and African reaction and counter-violence. The rebellion was a direct challenge to the existing social order which was colonial and racist. The insurrection targeted the Europeans and the Africans who supported them and operated in both rural and urban areas, in and around central, Eastern and Rift Valley provinces. *Mau Mau* remains the most important single movement that caused widespread violence in almost the entire colonial Kenya. The offensive propaganda against the Mau Mau notwithstanding, one thing stands out clear, that despite the colonial government denials of its demands, the challenges paused by the resistance movement forced the colonial government to negotiate with the emergent Kenyan nationalists like the late Mzee Jomo Kenyatta, Ochieng Oneko, Paul Ngei, Oginga Odinga among others.

In response to the Mau *Mau* armed resistance, the colonial government imposed a state of emergency in October1952. This move by the colonial state precipitated yet another wave of violence in colonial Kenya. The Report of the Research undertaken by Thabiti Taskforce in 2008, observes that, 'the emergency was characterised by arbitrary arrests and subsequent imprisonment or detention of thousands of men from Central province, while many more were herded into 'emergency villages', harassed or killed in the subsequent war between the colonial state's forces and the *Mau Mau.* '[128] Giving his views about the 1952 emergency declaration, Ghai argues that, the effect of emergency declaration was that, "it placed the person and property of the inhabitants of the Central Province at the mercy of the colonial administration which showed little mercy.'[129] Literarily, this meant that all laws were suspended as long as the emergency lasted and the colonial government could use any measure to contain the operations of the Mau Mau and its real or presumed supporters. Because the spirit and letter of the

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[128] *Root Causes and Implications of The Post Election Violence of 2007*: A Report of the Research Undertaken by Kenya Thabiti Taskforce, Inter –Religious Forum, July, 2009. pp.89-90

[129] Ghai. Y. P., and J.P.W.B. Mc Auslan, *Public Law and Political Change in Kenya. A study of the legal framework of government from colonial times to the present.* Oxford University press, East Africa Ltd, Nairobi, Kenya, 1970, (revised in 2001), p. 160

emergency declaration ran against the aspirations of the Africans, the resistance and deviance that followed resulted in wide spread ethnic violence. As exemplified by the analysis of the two foregoing resistance movements (the Nandi uprising and the Mau Mau revolt), it is correct to conclude that, the ethnic violence that took place in Kenya during the colonial period pitied the White community and the Africans, with the later resisting oppression by the former.

3.3 Ethnic violence in the post independence period.

Kenya attained independence in 1963 with a complicated federal constitution; locally known as *'majimbo'* (regionalism), which divided the country into seven regions and concentrated a great deal of authority to the regions. Ghai observes that, the "independence constitution, was long, detailed and complex."[130] The constitution was bitterly resented by the then opposition party KADU, as the party considered it a breach of faith to the interests of minority tribes in Kenya. The ruling party KANU was equally dissatisfied with the constitution for opposite reason as they argued it gave too much power to the regions. Ghai further argues that, 'KANU case against regionalism (*majimbo*) was that it was too expensive in terms of money and personnel would prevent the growth of nationhood, and retard economic development'[131]. It should be noted that, the constitution was based on two important principles; parliamentary government and minority protection. To an extent, the two principles are inconsistent, for Parliamentary system is generally unitary, highly centralized and powerful and therefore not a very suitable governance system for addressing minority concerns as had been envisaged by the 'independence fathers'. In view of the negative opinions held by both KADU and KANU regarding the *'majimbo'* (regionalism) constitution, it was unrealistic to expect the

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[130] Ghai. Y. P., and J.P.W.B. Mc Auslan. *Public Law and Political Change in Kenya A study of the legal framework of government from colonial times to the present.* Oxford University press. East Africa l.td. Nairobi. Kenya. 1970, (revised in 2001) p. 180
[131] Ibid pp.209-211

government could be carried on within the framework of the independence constitution. This is because neither KANU nor KADU had believed in the independence constitution. It was therefore, not surprising that no serious attempts were made to implement it. Consequently, within a year, at the first anniversary of independence in 1964, the '*majmbo*' constitution was replaced by a unitary system that converted Kenya into a republic. In the ensuing circumstances, the independent opposition party KADU dissolved itself in 1966 to join the ruling party KANU, thereby making the country a de facto one party state. The country eventually became a dejure one party state in 1982 by a constitutional amendment introducing section 2A.

Discussing ethnic tensions in post independence Kenya, *Africa Confidential* states that, "Kikuyus and Kalenjins, along with Luos and Luhyas, co-existed harmoniously after KADU and KANU merged, until the outbreak of violence in 1991."[132] It can therefore, be argued that, ethnic tensions in Kenya remained passive immediately after independence and during the period up to 1980s. However, there are certain developments that followed independence and which created fertile ground for ethnic violence that was witnessed in the 1990s. One of the developments was the preservation of the colonial administrative, land and economic policies. Kanyinga observes that, 'the colonial land legislative framework was adopted at independence with few alterations in independence land administration framework.'[133] Similarly, Ogendo points out that, 'the policy and the colonial law regime were changed slightly without altering the content.'[134] Supporting the views by Kanyinga and Ogendo, Leys states that, 'retaining those colonial structures was strategic both for the outgoing colonial class and the incoming African elite

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[132] "Kenya: *A murderous Majimboism*" *Africa Confidential* 22
   October 1993, p.5
[133] Kanyinga. K., *The land Question in Kenya Struggles, accumulation and Changing Politics*. PhD Thesis, Roskilde
   University, 1998
[134] Ogendo. O., HWO; *Tenants of the Crown Evolution of agitation Law and Institutions in Kenya*. Acts Press,
   African Centre for Technology studies, Nairobi, Kenya

because it ensured the preservation of the agricultural economy and all its manifestations, ensured African elites were going to enjoy the same rights as the settlers and the remaining European settlers that they were safe in continuing their activities in Kenya.[135] It can therefore be argued that, the colonial land laws were merely renamed and no substantial review was done to make them responsive to the aspirations of Africans in the post independence period.

The report by Kenya Thabiti Taskforce commissioned by Inter-religious Forum after the 2007 post election violence identifies the following as some of the colonial land laws which the independent government retained without any changes: "the Crown Lands Ordinance which became the Government Lands Act (Cap250) with its powers vested in the President and the Commissioner of lands; the registration of Titles Act (a 1920 Ordinance) was adapted as the Registered Lands Act (Cap. 300); the 'Crown Land as defined in the 1905 Ordinance' became Government Land; the native reserves and all land not consolidated or registered and set aside for use by different tribes was constituted as Trust land and held under trusteeship of Local governments (the county councils) for the benefit of the residents."[136]

As regards the administrative structures, the ethnically-designed boundaries for the provinces and districts remained as they were during the colonial state. In this respect, Kenya remained divided into 42 districts with their boundaries delineated on ethnic lines. The Report of the Independent Review Commission on the general elections held in Kenya, on 27th December, 2007 (Kriegler Commission) observes that 'also inherited wholly from the colonial era is the system of governance known as Provincial administration which has power, authority and

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[135] Leys, C., *Underdevelopment in Kenya: The political Economy of Neocolialism*: Heinemann :London, 1975
[136] *Root Causes and Implications of The Post Election Violence of 2007*: A Report of the Research Undertaken by Kenya Thabiti Taskforce, Inter—Religious Forum, July, 2009, pp. 136- 138

influence'[137] The retention of most of the colonial structures and laws signifies the fact that, the order of things remained more or less the same. Thus, for instance, the allocation and use of land remained more or less as it was during the colonial government and ordinary Africans were therefore not able to get the very land they had lost to the white settlers. Thus, by vesting the power to allocate government land to the president without proper checks and balances, the independent government officiated favouritism in land allocation. On the other hand, as regards the retention of ethnic based districts and provinces, Africans in Kenya continued to be administered under 'tribal' cleavages and this has continued to pose challenges to national cohesion and integration.

Using the land policies inherited from the colonial government, the first independent government under Jomo Kenyatta solidified ethnic balkanization through land re-distribution of the former white highlands in the settlement programmes that followed immediately after independence. In this respect, settlement schemes for specific ethnic groups were bought by the government in the neighbourhood of their reserves and administrative boundaries became synonymous with their borders. However, it should be noted that, many Africans who would have benefited from this settlement programme were technically locked out by the criterion which was meant to co-opt and reward Africans who co-operated with settlers against the Mau Mau. Thus, as stated by the Thabiti Taskforce Report, one of the requirements needed was that, 'one was required to have worked with settlers or for settlers for a period of four years to qualify for settlement.'[138] As a result, the loans and credit scheme, popularly known as the Settlement Fund Trustees (SFT) for buying the settlers farms did not benefit majority but a select few

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[137] Report of the Independent Review Commission on the General Elections held in Kenya, on 27th December, 2007 (Kriegler Commission), Nairobi, Government Printers, 2008, P.27
[138] *Root Causes and Implications of The Post Election Violence of 2007*: A Report of the Research Undertaken by Kenya Thabiti Taskforce, Inter -Religious Forum, July, 2009, p. 135

middle class Africans who were favoured on ethnic basis. Through the settlement programme, large population of kikuyu, were settled in Rift Valley to the resentment of the nomadic tribes of Kalenjin and Maasai, who had previously been evicted from the lands to create room for white settlers and who hoped to regain their ancestral lands. Holmquist has argued that 'Kikuyus benefited most because of historical kikuyu loss of land to the settlers, their ability accumulate wealth and ethnic bias of the Kenyatta regime.'[139] Thus the Kenyatta government favoured the kikuyu ethnic community and therefore, they benefited more not only from the land allocation but from other resources under the state control like jobs in civil service, political appointments and business opportunities.

This political favouritism by the Kenyatta government, that saw the kikuyu community occupying huge parcels of land especially in Rift Valley and in the coastal region at the exclusion of the local communities, sowed the seeds of ethnic tensions in Rift Valley and coast provinces; and which later erupted into violence in the 1990s. As regards land ownership in the coastal region, the government recognised land rights and titles in the ten mile coastal strip thereby rendering the Mijikenda permanent squatters in their own ancestral lands formerly occupied by Arabs and the Zanzibar Sultanate as argued by Mbithi et al.[140] This is yet another policy by the Kenyatta government that sowed seeds of ethnic tensions as most of the land in the ten mile strip was acquired by upcountry people mostly Kikuyus rendering the Mijikenda squatters. This was to lead to serious ethnic confrontations in the 1990s as the Mijikenda went for the forceful eviction of those who owned the land terming them 'Watu wa Bara' (Kiswahili: "people from upcountry").

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[139] Holmquist, F., and M. Ford, "The Structural Development of Kenyans Political economy" in African Studies Review, *Journal of African Association*, Vol.37.No 1, 1994
[140] Mbithi, P., and Barnes, C., *The spontaneous Settlement Problem in Kenya*, (East African Literautre Bureau, Nairobi.1975

Besides the settlement programmes, another action taken by the Kenyatta government that entrenched ethnic tensions was the use of provincial administration and the police force. Berman et al have pointed out that "there was increasing presidential use of the district administration and police to harass, punish and isolate any leaders and by extension their communities who refused to o-operate with the establishment.[141] Here, the assassination of J.M.Kariuki 1975 and the detention of Oginga Odinga; and the political isolation of the Luo community stand out as clear examples. This political isolation of certain communities coupled with denial of development resources brought about deep resentment against the Kenyatta government and in some instances resulted in open deviance and violence. A case in point is the 1969 Kisumu fracas when the late President Kenyatta went to open a health facility funded by the Russian government and the deep resentment of the Luo community towards the Kenyatta government resulted in outbreak of violence. An unknown number of people lost their lives.

In addition to being used as a state agent to exercise power and authority, Provincial Administration, through the District Commissioners conducted general elections from 1963 until the 1992 multi-party elections, when they relinquished these responsibilities to the Electoral Commission of Kenya. The Akiwumi commission concluded that "the department was therefore, the political agent of the executive and it was its duty to sustain the continued ascendancy of the political party in power rather than opposition parties."[142] Indeed, provincial administration has been identified by all the commissions appointed by the government to inquire into ethnic violence as having done very little to prevent occurrence or escalation of violence. Akiwumi Commission Report for example states that, provincial administration officers turned a blind eye

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[141] Berman, B., D.Eyoh and W. Kymlicka, (eds) "Ethnicity and Democracy in Africa, James Currey Oxford, Ohio University Press, Athens, 2004, p. 91
[142] Report of the Judicial Commission Appointed to Inquire into Tribal clashes in Kenya, (The Akiwumi Commission), Government Printer, Nairobi, 1999, p.27

on repressive acts by KANU leaders and the pursuance of such strategies as they thought would benefit KANU.'[143]

When Moi took over the presidency after the death of Kenyatta in 1978, the trend of land allocation and use of the district administration and police force continued more or less the same. However, there was a shift in ethnic favouritism from the Kikuyus to the 'Kalenjin ethnic groups' otherwise known as KAMATUSA (Kalenjin, Masai, Turkana and Saboat). Explaining this shift in ethnic favouritism Haugerud asserts that, "Kalenjin groups got privileged access to state resources such as legal protections, finance and capital, public positions, land, education and so on."[144] Further, as Kanyinga argues, a new dimension in settlement emerged during the Moi government, that of 'official theft of private and public land, generally at the expense of the poor, seized in order to gentrify members of the political elite.'[145] Through this programme, thousands of acres of gazetted forests for example the Mau, Mt. Elgon, Kinale among others were excised and the resultant parcels of land allocated to the politically correct persons. Similarly, public lands and particularly those owned by government institutions and Parastatals like the ADC, Prison farms among others were allocated mostly to KAMATUSA elites and those who supported the establishment from other co-operating communities.

Making its observations on illegal/irregular allocations of public land, the Ndungu report states that "throughout 1980s and 1990s public land was illegally and irregularly allocated in total disregard of the public interest and in circumstances that fly in the face of the law".[146] Land

[143] Report of the Judicial Commission Appointed to Inquire into Tribal clashes in Kenya, (The Akiwumi Commission), Government Printer, Nairobi, 1999, p.29
[144] Haugerud, A., *The Culture of Politics in Morden Kenya* (New York: Cambridge University press, 1995), pp.16-17
[145] Kanyinga, K., *The land Question in Kenya Struggles, accumulation and Changing Politics*, PhD Thesis, Roskilde University, 1998
[146] Report of the Commission of Inquiry into the Illegal/Irregular Allocations of Public land (The Ndungu Report), Nairobi, Government printer, June, 2004, p.8

grabbing and the allocation of public land as political patronage were part of the gross corruption of the period. Those involved in this allocation were senior public servants, but also land boards, the courts, and a range of officials including members of the provincial administration, politicians and others. The Ndungu report additionally observes that, Land allocations were therefore used to reward, "politically correct individuals"[147] and became heavily politicized. This again sowed seeds of ethnic tensions as most of those allocated land were 'foreigners' to the communities living in the areas where such land was allocated. As it were, the local ethnic communities hardly benefited from such allocations. In some of the allocations, there was utter disregard of environmental issues like in the case of the Mau forest and the after effects were far reaching as far as water catchment is concerned

In the political front Moi introduced favouritism through the introduction of 'queue-voting, popularly known locally as, 'Mlolongo' (Kiswahili: "queue") in parliamentary and local Authorities elections during the 1988 general elections. This was a voting system where voters lined up behind their Candidate of choice. In this voting system, parliamentary candidates who garnered 75% and above of the registered voters in their constituencies were directly elected to parliament. This rule applied to local authorities candidates as well. Through this system, candidates considered anti-establishment were weeded out. In this way political rejects were 'elected' to parliament and local authorities as the government used provincial administration to ensure only the government preferred candidates won the elections. This political decision further antagonised Moi government and heightened ethnic tensions as communities were denied the opportunity to elect their preferred and popular candidates. On the other hand, it can also be argued that, this political decision heightened the demand for political pluralism in the country.

[147] Report of the Commission of Inquiry into the Illegal/Irregular Allocations of Public land (The Ndungu Report), Nairobi, Government printer, June, 2004, p.14

From the foregoing analysis, it is therefore, correct to observe that, during the post-independence period up to late 1980s, ethnic communities in Kenya remained tolerant of each and their rivalry as ethnic groups remained primordial in nature. Perhaps, this tolerance could be associated to two factors: first, the high hopes the various ethnic groups had in the independence; second, the political mobilization of the ethnic groups remained low due to the controlled political space by the one party state that disallowed dissenting political views through party expulsions and hence the passive ethnic tensions. However, during the same period, the government undertook certain administrative and legal policies as discussed above that entrenched ethic consciousness and created fertile ground for ethnic violence that only needed to be triggered for the passive ethnic tensions to explode to violence. The advent of multi-party democracy in 1991 acted as a trigger that changed the passive ethnic tensions into actual ethnic violence. The next section will discuss how the conditions discussed hereabove, were manipulated by the political elites to stir up ethnic violence following the advent of multi-party politics.

3.4 Advent of multi-party democracy and the construction of ethnic violence in Kenya

Discussing the agitation for multi-party democracy in Kenya, the Akiwumi commission (1999) observes that, "the year 1991, witnessed inexorable struggle for, and the genesis of a westernized democratic form of government."[148] Because of the agitation for multi-party democracy described by the Akiwumi Commission, Kenya reverted to Multi-party politics on 10th December, 1991 through a constitutional amendment that repealed Section 2A of the constitution which outlawed the formation of opposition parties. Subsequently, through yet another amendment in August 1992, the constitution was further amended to provide that, a

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[148] Report of the Judicial Commission Appointed to Inquire into Tribal clashes in Kenya, (The Akiwumi Commission), Government Printer, Nairobi, 1999, p.22

presidential candidate should in addition to obtaining the majority votes cast also obtain not less than 25 percent of the votes cast in at least five of the eight provinces. This amendment came into force on 29th August, 1992. The two constitutional amendments in principle and practice made the country revert to multi-party politics which resultantly led to the emergence of opposition parties based on tribal allegiance as discussed in the next paragraph.

The advent of multi-party politics caused a paradigm shift in the order of things in a country that had been under one party system since 1982. First, it opened doors for political participation to the politicians who had previously been locked out by the one party politics because of their dissenting views. This, therefore, brought into active politics people like Oginga Odinga, Martin Shikuku, James Orengo, Kenneth Matiba, Masinde Muliro among others. It is however important to note that as argued by Kanyinga et al, "these individuals had fallen foul to the Moi regime and were therefore brought together by the common history of victimhood and not by shared vision of the future."[149] Therefore, devoid of common vision or ideological orientation and, exploiting the ethnic divisions created by the previous political favouritism and community isolation under the one party state, these politicians mobilised their ethnic communities and what followed was a mushrooming of opposition political parties based on tribal allegiances. Thus, the Akiwumi Commission argues that, "because of the past, the immediate multi-party parliamentary and presidential elections saw the emergence of opposition parties based on tribal allegiances."[150]

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[149] Kanyinga K, D. Okello and A. Akech., (edts) *Contradictions of Transition to Democracy in Fragmented Societies*: The Kenya 2007 General Elections in Perspective, in *Tensions and Reversals in democratic Transitions; the Kenya 2007 General Elections*, Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p.5

[150] Report of the Judicial Commission Appointed to Inquire into Tribal clashes in Kenya, (The Akiwumi Commission), Government Printer, Nairobi, 1999, pp.22-23

By 1992 when the genial elections were held, there were ten registered political parties participating in the elections all of which were ethically based. Some of the parties so formed include, FORD, which initially had a broad based ethnic representation but later split into ethnic based factions of FORD Asili (mainly formed by Kikuyu ethnic group from Muranga and the Diaspora), FORD Kenya comprising of mainly the Luo and Luhya ethnic groups, DP which also comprised of Kikuyu community but mainly from Nyeri and parts of Kiambu, and Shirikisho Party that brought together the Mijikenda and People of Arab descent from the Coast. By 1997 when the country held the second elections under the multi-party dispensation, the registered political parties stood at 37 in number. Looking at the parties formed immediately after the repeal of section 2A, one would not be wrong to conclude that, they were all allied to the major ethnic groups in the country.

The Report of the Independent Review Commission on the general elections held in December 2007, (The Kreigler Commission) discussing the nature and structure of political parties in Kenya after the repeal of section 2A in 1991, observes that, 'unlike in developed democracies where political parties evolve as mass parries, the experience in Kenya has been that, parties are either owned or ultimately controlled by individuals and have historically been aligned to the seven or eight numerically dominant ethnic groups.[151] In line with this argument, the opposition parties that were formed following the repeal of Section 2A were under the control of the individual politicians. Further, the parties were ethically based and were formed with the main aim of pursuing the interests of the particular ethnic groups from which the individuals controlling the parties came from.

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[151] Report of the Independent Review Commission on the General Elections held in Kenya, on 27th December, 2007 (Kriegler Commission), Government Printers, Nairobi 2008 Pp. 54-56

Following the emergence of opposition political parties based on tribal allegiance, and the agitation for increased political space, free and fair elections and devolved government ('Majimbo') in the country by these parties, there occurred a sudden upsurge in negative ethnicity. Some of the politicians in their utterances both from KANU (the ruling party then) and the opposition parties mobilized and incited the ethnic communities against each other. Evidence given to the Parliamentary Select Committee appointed to investigate Ethnic Clashes in Western and Other Parts of Kenya in 1992 (the Kiliku Committee), clearly points to this trend. For example, according to evidence received by the Committee, on 8th September, 1991, in a meeting chaired by Mr. Henry Kosgey, the then KANU chairman Nandi district, and attended by a number of other politicians, it was resolved that 'outsiders living in Rift Valley be required to go back to their motherland when the 'Majimbo' constitution came into force.'[152] Literally this meant that, the leaders endorsed the eviction of migrant ethnic groups living in Rift Valley and whom they perceived to support opposition parties and by extension multi-party politics.

The committee also received evidence to the effect that yet in another meeting held in Kapkatet, on 21st September, 1991, which was attended Ministers K.N.K. Biwott, John Cheruiyot and other politicians, it was resolved that, 'advocates of multi-partism be 'banned' from setting foot in Rift Valley province and reportedly ordered the late Masinde Muliro, a founder member of FORD, to move out of Trans Nzoia district.'[153] This was an attempt to ensure that opposition parties were kept out of Rift Valley in order to create what was referred to as 'KANU zones'. Further, the Committee in another piece of evidence was told that, on 14th July, 1989 during a 'Harambee' (Kiswahili: "Fundraising meeting") at Kaptama secondary School, Mr. Mark Too a KANU operative, 'urged the Saboat to remove 'Madoadoa' (Kiswahili: "spots")

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[152] Report of the Parliamentary Select Committee to investigate Ethnic clashes in Western and Other Parts of Kenya , (The Kiliku Committee), Government Printers, Nairobi, 1992, p.6
[151] Ibid p.9

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from their district if they expected to be assisted by the government.'[154] The interpretation of this utterance is that it called for removal of non-Saboats from the area. Additionally, utterances with inflammatory content similar to the evidence given to the Kiliku committee, associated with politicians were a common feature in the local print media during the same period. For example, the Sunday Nation of 29th September, 1991 reported William Ole Ntimama to have told a rally in Narok that, "we have now buried FORD, multiparty and the NDP....all the ministers 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 should also end or else." Similarly, the late Chepkok, a former MP in Keiyo district was reported in the the Sunday nation of 22nd September, 1191 to have said the following about multi-party proponents "Hit them hard wherever they are." Such utterances as exemplified by the sampled evidences given to the Kiliku Committee and the print media captions are clear pointers to incitement and which in essence called for eviction of the migrant ethnic communities living in Rift Valley, thereby stirring up the local ethnic groups against the immigrant groups. This trend of utterances further indicates the incitement and mobilization of the local communities was deliberate and well co-ordinated.

The report of the Kiliku Committee abounds with pieces of evidence pointing to this incitement and mobilization of ethnic groups by community leaders and politicians. The utterances by politicians such as sampled above, sent out signals and messages appealing to and whipping up ethnic emotions for sectional interests. Thus, as Lake et al, argues, 'knowledge from the elites diffuses to and mobilizes the group members to action through filling the missing links in the members understanding of political opportunity and broadens their use of grievance.'[155] In accordance with this thinking, politicians particularly those from the ruling party KANU taking

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[154] Ibid, p.36
[155] Lake D, and D.Rothchild, "*The International Spread of Ethnic Conflict* (Princeton: Princeton University Press, 1998), p.72

advantage of their influence over the Kalenjin community, introduced the 'Majimbo' debate and through manipulation made KANU appear as one and the same as Rift Valley and the Kalenjin. This introduced the 'KANU' zones, which were to be protected from the influence of the opposition parties and therefore from multi-party politics. Those living in such zones and happened to be immigrant ethnic groups from other parts of the country; and who were presumed to be supporting multi-party politics had to be evicted in order to prevent them from voting.

Due to the manipulation by leaders and politicians particularly in Rift Valley, the land issue which had been silent and tolerated prior to 1991 emerged as a sensitive and divisive issue. As indicated earlier, over the years since independence, there had been shifts in population trends in the face of dwindling land resources from other regions into Rift Valley and coast provinces. To many Kenyans and especially in Rift Valley and coast Province, multi-party democracy of one man one vote meant that the "foreigners' or as they were derogatorily referred to as 'Madoadoa' in the Rift Valley Province and 'Watu wa Bara' (Kiswahili: "Up-country people") in the coast province had to be evicted. These regional chauvinist tendencies were further encouraged by the 1992 Constitutional amendment that required a presidential candidate in addition to other requirements to get a minimum of twenty-five percent of the valid votes cast in at least five of the eight provinces to be declared the president. The Akiwumi commission states that, "this provision aggravated inter-tribal friction as the indigenous people tended to view the provision as being advantageous to the immigrants whose presence in the provinces other than where they originated from could help their candidate meet the 25% vote's requirement."[156] The commission further observes that, the communities who viewed this provision as a threat to their political interests were mostly the Kalenjin, Maasai, and Mijikenda. Therefore, the ethnic

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[156] Report of the Judicial Commission Appointed to Inquire into Tribal clashes in Kenya. (The Akiwumi Commission), Government Printer, Nairobi, 1999, p.56

cleansing that was witnessed inn Rift Valley and parts of coast provinces in 1992 and later in 1997 can be attributed to this political development. Certain presidential candidates had to be pre-empted from getting the 25% of the votes in certain provinces by eliminating their supporters (through forceful evictions in order to disenfranchise them)

As a result of the manipulations by the political elites from both side (from KANU and opposition parties) analysed here above, the country became engulfed in ethnic violence that affected almost the entire country prior to the 1992 general elections. The pattern the ethnic violence took clearly showed the hand of the political elites particularly those in the government of the day. Africa watch described the violence as 'State Sponsored Ethnic violence.'[157] On his part, Bishop Ndingi Mwana A 'Nzeki' of the Roman Catholic Church in Nakuru described it as 'politically motivated government clashes fully supported by the Kenyan Government and which were meant to cause terrible hardships.'[158] The reason why the violence was seen as government sponsored is because the perpetrators were hardly arrested. In most cases, hundreds of Kalenjin "Warriors" as they came to be known would attack farms targeting non- Kalenjin houses, dressed in an informal uniform of shorts and t-shirts and always armed with traditional bows and arrows as well as pangas (Machetes)[159]. These attacks left a trail of destruction besides killing and looting. Holmquist observes that, 'up to 1000 non Kalenjin primarily Kikuyu were killed and as many as 100,000 driven from their Rift Valley homes making it impossible to farm and putting pressure on them to sell their land to the Kalenjin buyers at throw away prices.'[160]

The inept manner in which the government dealt with the violence clearly showed that, either it was involved or was reluctant to deal decisively with the problem. The reaction of the

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[157] *Africa Watch* "State Sponsored Ethnic violence in Kenya", 1993, p.19
[158] Lorch, D., Thousands Flee Kenya Ethnic Strife" *New York Times* (September 7.1993- section A P.3.Col.1)
[159] Africa Watch "*State Sponsored Ethnic violence in Kenya*", 1993, p.19
[160] Holmquist, F., and M. Ford, "*The Structural Development of Kenyans Political economy*" in *African Studies Review*: Journal of African Association, Vol.37.No 1, 1994, p.94

then president, Daniel Arap Moi to the violence further exemplified the reluctance of the government to deal with the problem despite the resources at its disposal. Moi attributed the violence to multi-party politics and concluded that his prediction was correct, that a multi-party system would lead to violence in a multi-ethnic state like Kenya. Nothing can be far from the truth than this claim by Moi, since as observed by Nowrojee and Manby, Moi was "indulging in a self- fulfilling prophecy, because the clashes were clearly instigated by the government."[161] This is because, judging by the utterances and political mobilization attributed to some of the ministers and other high ranking officers serving in the Moi government, one would not be wrong to conclude there were people in government who instigated the violence. Thus, the Kiliku Parliamentary Select Committee Report (1992) stated that, "far from being spontaneous, the clashes were politically instigated by some officers of provincial administration and individuals close to the president."[162] It was therefore, not entirely correct for the president to apportion the blame wholly on multi-party politics. Agreeing with the views of the Kiliku Committee, the Akiwumi Commission, noted that 'incitement and political mobilization by leaders and generally those seeking elective posts was reported to be the most important factor in causing tribal clashes in Rift Valley coupled with the calls for 'Majimboism' as witnessed in 1992 and 1997 electioneering campaigns.'[163]

The ethnic violence witnessed in 1992 was revisited in 1997 yet again coinciding with the general elections which were held towards the end of the year. As it was in 1992, the violence was mainly concentrated in areas with migrant ethnic groups who were settled in such areas in

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[161] Nowrojee, B., and B. Manby, "Divide and Rule," *Africa Report* (vol.38, No. 5, September 1993), p.32
[162] Report of the Parliamentary Select Committee to investigate Ethnic clashes in Western and Other Parts of Kenya , (The Kiliku Committee), Government Printers, Nairobi, 1992, p.82
[163] Report of the Judicial Commission Appointed to Inquire into Tribal clashes in Kenya, (The Akiwumi Commission), Government Printer, Nairobi, 1999, p.56

the colonial period or after independence. Rift Valley Province as it was in the previous wave of violence (1992) was the epicentre of the violence, which spilled to other areas such as the coast Province. Critically looking at the waves of ethnic violence which rocked the country in 1992 and 1997, one can draw the following conclusions. First, the ethnic violence was fuelled mainly by utterances and incitement by political leaders as they struggled for power and other resources. Second, ethnic violence which has become synonymous with election violence in the country is socially constructed through ethnic mobilization using public meetings as the main vehicle for interaction and as the fora for meeting the haves, the elite and the masses where ethnic identities are constructed and reconstructed. Third, the ethnic violence mainly occurred in areas with large population of migrant ethnic groups presumed to be supporting the opposition and preceded the elections. This, clearly points out that, the objective of the violence was to disenfranchise such migrant ethnic groups in order to preserve the political ambitions and sectional interests of the local communities.

Although in 1999, the government appointed a Judicial Commission to Inquire into Tribal Clashes in Kenya, (The Akiwumi Commission) with a view to addressing the problem of ethnic violence, very little was done to deal with the underlying causes of the violence. Indeed, since1999, the only general election conducted peacefully in plural dispensation was the one held in 2002. It is important to note that, in 2002, the opposition parties having realised they could not dislodge the ruling party KANU from a divided position, they teamed up together under the umbrella of a conglomeration of parties named NARC, with Hon. Mwai Kibaki as their presidential candidate. Writing about this new found party co-operation, Oloo posits," The realization by opposition parties that singularly they could not dethrone KANU forced them to

enter into a coalition."[164] Owing to the unity that prevailed during the 2002 election among the opposition parties and given the yearning of Kenyans for a political change, all attempts by Moi and his supporters failed to polarize the population particularly in Rift Valley province and the elections were held without any violence. NARC won the elections and formed a broad based government. However, the unity of the NARC government was short lived as the differences occasioned by the controversial 2002 MOU, over the sharing of cabinet posts among other posts in the government led to the breakup of NARC immediately after the 2005 referendum which the government lost. Between 2005, and 2007 when the general elections were held there are a number of factors that can be considered as having created fertile ground for ethnic violence which exploded after the elections in December, 2007.

First, the divisions created by the 2005 referendum campaigns across the political divide left the ethnic groups highly polarized and since elections came hardly after two years, there was no sufficient time for healing the divisions occasioned by the referendum campaigns. Kanyinga et al describes the 2005 referendum campaigns as 'having been highly ethicized.'[165] Second, to the leaders and the general public, the government had failed to demonstrate commitment in addressing the problem of ethnic violence since the 1991, 1992 and 1997 ethnic violence perpetrators had gone Scot free, and in fact some migrant ethnic communities were never allowed to return to their farms in Rift Valley. Politicians took advantage of this emotive issue during the both the referendum and the elections campaigns polarizing the ethnic groups. Third, there was deep seated anger over the 2002 MOU promises which were never fulfilled. During the

[164] Oloo,A., "Party Mobilization and Membership: Old and New Identities in Kenyan Politics", in *Tensions and Reversals in democratic Transitions; the Kenya 2007 General Elections.* Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p. 37

[165] Kanyinga K, D. Okello and A. Akech., (edts) Contradictions of Transition to Democracy in Fragmented Societies: The Kenya 2007 General Elections in Perspective, in *Tensions and Reversals in democratic Transitions, the Kenya 2007 General Elections.* Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p. 13

electioneering period, the anger over the unfulfilled MOU promises took a tribal dimension polarizing the other ethnic groups against the Kikuyu. Kanyinga et al argues that, "this deep seated anger over the 2002 MOU caused tension and conflicts in the ruling party NARC and, by extension heightened ethnic tensions in the country."[166] On the other hand, the renege on the MOU led to a strong feeling of conspiracy to keep power within the kikuyu community which resonated strongly across the country. Fourth, the hate and incitement that characterized the 2007 election campaigns deeply divided the ethnic groups and tended to revive memories of the historical injustices particularly the land issue. Therefore, bearing in mind that, leaders were the main drivers of the underlying tensions among the communities and historically had been involved in constructing and deconstructing the tensions, they were able to use the election campaigns to stir up the communities. Thus, Kanyinga et observe that, "Kibaki's retreat into his ethnic group and his attempt to monopolize power ethnically to the exclusion of those who propelled him to power while on a wheelchair was regarded as being distasteful, ungrateful, and politically selfish."[167]

Lastly, due to the failure of the government (both at the time of Moi and Kibaki governments) to fully implement the recommendations of both the 1992 Kiliku Committee and the 1999 Akiwumi Commission, there was dearth of institutional mechanisms to address the underlying causes of ethnic violence; consequently, the government was caught by the outbreak of the violence unprepared in terms of institutional and structural reforms. It should be bone in mind that, the Report of the Kiliku Committee was rejected by the both the parliament and the government, whereas the Akiwumi commission Report, though published in July 1999, it was

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[166] Kanyinga K, D. Okello and A. Akech., (edts) Contradictions of Transition to Democracy in Fragmented Societies: The Kenya 2007 General Elections in Perspective, in *Tensions and Reversals in democratic Transitions: the Kenya 2007 General Elections.* Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p.10

[167] Ibid. p.11

not made public until 2002. Analyzing the failure of the Kibaki government to address the problem of ethnic violence prior to 2007 general elections. Kanyinga et al point out that. "the push to form the Truth and Justice Commission to address historical injustices had been obstructed."[168] This clearly showed the lack of commitment and will on the part of the government to implement the recommendations of both the Kiliku and Akiwumi commissions.

As a result of the above factors coupled with the underlying ethnic tensions discussed earlier, another wave of violence hit the country in December 2007. However, unlike the previous waves of 1992 and 1997. which preceded the elections. the 2007 violence broke out after the elections hence has been referred to as post-election violence. The proximate cause of the violence was the announcement of the presidential poll results on 29th December, 2007 where the ODM claimed the elections were rigged in favour of the PNU candidate. Hon. Mwai Kibaki. On the other hand, PNU maintained that their candidate had won the elections.

Discussing the spread of the December 2007post election violence. Kanyinga et al posits that. "no sooner had the announcement been made than violence erupted in at least five of the country's eight provinces"[169]. The violence quickly mutated into ethnic violence. Rift Valley province as it was with the earlier waves was the epicentre of the violence and hundreds of thousands of people regarded as 'foreigners' who had settled in the province and employees of government and private sector regarded also as non-locals were displaced. In the city of Nairobi, the violence was concentrated in the slum areas and estates dominated by local income groups like Kibera. Korogocho. Dandora, and Mathare. Central. Coast. Western and Nyanza provinces had their own share of the violence. In Nyanza, Kisumu city was the epicentre of the violence.

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[168] [168] Kanyinga K. D. Okello and A. Akech.. (edts) Contradictions of Transition to Democracy in Fragmented Societies: The Kenya 2007 General Elections in Perspective. in *Tensions and Reversals in democratic Transitions; the Kenya 2007 General Elections.* Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi. Kenya. 2010, p.10
[169] Ibid. p.14

By the time international community successfully intervened through the panel of Eminent African Personalities led by the former UN Secretary General Kofi Annan, the country was almost at the verge of disintegration.

The violence had a devastating impact on the country's economy and its image. The Report of the CIPEV, otherwise referred to as the Waki Commission, put the death toll at 1,113 people, with Rift Valley accounting for 744 deaths, (66%), Nyanza 134 deaths (12%) and Nairobi city 125 deaths (11%) of all the deaths that occurred during the post election violence.[170] Further, the CIPEV observes that 'about 350,000 people were displaced from their normal abodes of residence and or business' leading to the phenomenon of IDPs in the country. To date, a good number of the IDPs are still living in the camps and have not been able either to be allocated alternative land by the government or return to their previous farms particularly in Rift Valley.

Looking at the events that led to the 2007 post election violence, and the manner in which it was carried out, one is not wrong to conclude that, its causes remained the same as in the earlier waves witnessed in 1992 and 1997. Indeed, a critical analysis of the three waves of violence, 1992,1997 and 2007 reveals that their causes are linked to the actions of the elites as they competed for power and other resources. In this regard, the Waki Commission identified four main factors, which are associated with the elites and that have made violence a way of life in Kenya between 1991 and 2008: 'growing politicization or institutionalization of violence, growing power and personalization of power around the Presidency, Historical marginalization

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[170] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government Printer, Nairobi, 2008, p.342

of certain communities and increasing poverty and unemployment.'[171] Each one of these factors is briefly discussed in the next paragraph.

First, politicization and institutionalization of violence can be associated with the advent of multi-party democracy in 1991 following the repeal of section 2A of the Constitution of Kenya. The Akiwumi Commission observed that, immediately after the introduction of the multi-party democracy, 'violence became institutionalized during the presidential and parliamentary elections.'[172] Since then, there has been a deliberate use of force by politicians to obtain power. For instance, in 1992 and 1997 instigated violence or clashes that forced out thousands of immigrant ethnic groups from Rift Valley thereby disenfranchising them was indeed the use of violence to gain political power. In addition, the perpetrators of the violence went unpunished even though names of perpetrators to be investigated and those "adversely mentioned" were contained in the Reports of both Kiliku and Akiwumi commissions. This has led to the culture of impunity and consequently escalation of violence in the country because those who instigate violence and participate in carrying out the violence are never brought to book. This in turn has caused spread of violence in the country which at times as witnessed during the 2007 post election violence has overwhelmed the state and its security agents.

Second, the personalization of power around the presidency has also contributed to use of violence in two ways. First, it has made the politicians and the general public to think and believe that, it is essential for ethnic group from which they come to win the presidency in order to ensure access to state resources. Thus, Kanyinga et al assert that' "there is the 'feel good factor' about having 'one of our own' in charge of the state apparatus or a public office, which

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[171] Ibid , pp.24-25
[172] Report of the Judicial Commission Appointed to Inquire into Tribal clashes in Kenya, (The Akiwumi Commission), Government Printer, Nairobi, 1999, p. 22

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feeling unifies communities against others and leads to use of violence."[173] Consequently, politicians have resulted to use of violence to ensure their communities win the presidency and hence the tendency to use violence as it happened during the 2007 post election crisis. Further, it has made the occupants of the presidency to think they are above the law and therefore, other institutions cannot question their decisions. In other words, the growing power and personalization of power around the president has made the intuitions that provide checks and balances ineffective. This has led to government institutions and officials being seen as lacking integrity and accountability. For example during the 2007 post election violence the general perception from the public was that government institutions including judiciary and the Electoral Commission of Kenya were not independent of the presidency. hence they were not considered able to conduct fair and free elections.

Third, there is increasing feeling among many ethnic groups that they have been marginalized when it comes to allocation of land and other national resources as well as access to public goods and services. The politicians have taken advantage of this feeling to articulate general grievances about historical injustices which touch on certain communities in the country. This has created fertile ground for ethnic tension. hate and potential for violence waiting to be triggered.

Lastly, the growing population of poor and unemployed youth, educated and uneducated has led to such youth to be easily recruited into militias and organized gangs. As Collier posits 'when people are poor. they have little to lose from joining a rebel group so that

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[173] Kanyinga K, D. Okello and A. Akech., (edts) Contradictions of Transition to Democracy in Fragmented Societies: The Kenya 2007 General Elections in Perspective. in *Tensions and Reversals in democratic Transitions; the Kenya 2007 General Elections.* Society for International Development (SID) and Institute of Development Studies (IDIS). Nairobi. Kenya. 2010, p. 6

rebel organizations find recruitment cheap"[174] The poor and unemployed youth in our country have therefore, become easy targets for recruitment into organized gangs and militias. Examples of such groups include the Mungiki, Jeshi La Mzee, Chinkororo, Kamjeshi, and Baghdad Boys among many others. In some instances, these gangs have become the 'shadow governments 'like the case of Mungiki when they took over the running and the management of bus terminus in Nakuru and Nairobi. The same group is known to have reined terror in the slums in Nairobi. These gangs have also been used by politicians to attack their opponents and to gain power. At times these gangs have appeared to be more advanced than the security agents thereby putting into question the capacity of the state to control violence. This situation has created a climate where violence is increasingly likely to be used and where its use is unlikely to be checked.

Going by the above factors and the entire analysis done in this chapter, it can be concluded that, the ethnic violence witnessed in Kenya between 1991 and 2008 has been instrumental in nature, that is, the violence has been constructed by the elites as they compete for political power and other national resources. Thus, the instrumental dimension of ethnic violence is anchored on the utilization of ethnicity as a weapon in social competition. Young argues that, 'the ethnic politician is a familiar figure in contemporary politics, using the ethnic group as a vote bank in electoral competition....particularly in urban settings, the social competition for scarce resources – employment, housing – readily translates into ethnic mobilization.[175] Therefore, our elites and especially the politicians have been taking advantage of the primordial elements and differences that exist among the various ethnic groups in Kenya, and using their influence to stir them against each for their personal and selfish interests. The secondary data

[174] Collier. P., *Economic Causes of Civil Conflict and Their Implications for Policy*, in C.A. Crocker: *Leashing the Dogs of War. Conflict management in a Divided World*, Washington, Us, 2007, p.206

[175] Young. C., "*Explaining the Conflict Potential of Ethnicity*" in Darby J. and R.Macginty, *Contemporary Peacemaking: Conflict, Violence and Peace Process* (London: Plagrave, 2003), p. 14

gathered from the literature review and the readings informing chapters two and three of this study, has clearly shown that the ethnic violence that occurred in the country between 1991 and December 2008, is associated with the actions of the elites. There is need therefore, to confirm this observation by collection and analysis of data from the selected site of Rift Valley province using the techniques specified in the mythology.

CHAPTER FOUR

A critical analysis of the dimensions of ethnic violence associated with elites

4.0 Introduction

This chapter deals with critical analysis, interpretation and presentation of data collected in the sample areas of Molo, Nakuru and Eldoret West districts. The chapter opens by giving background information on the sample areas and justification why the areas were sampled for data collection. Further, it elaborates the methodology used to collect data from the various units of observation and gives the numbers of respondents interacted with from each category. The chapter also highlights the challenges faced by the researcher during the data collection. Finally, the chapter concludes with a critical analysis, interpretation and presentation of data collected.

4.1 Background Information

From the selected site of Rift Valley province, Molo, Eldoret west and Nakuru districts were sampled through purposive sampling method for data collection. From each of the districts, one division was further sampled purposively for data collection. Through the same sampling method two locations were selected for data collection from each division. In Molo district, data was collected from Sachangwani and Kabianga locations of Sachangwani division; whereas in Eldoret West, data was gathered from Sugoi and Tapsagoi locations of Turbo division. In Nakuru district, data was collected from Kaptembwa and Bondeni locations of Municipality division. Brief background information and the basis for the selection of each the sampled districts is given hereunder.

4.1.1 Molo District

Molo district located in central Rift Valley was created out of the larger Nakuru district and comprise Molo, Elburgon, Turi and Sachangwani divisions. It borders the Mau forest and is one of the most fertile farmlands in the country famous for growing of pyrethrum and other agricultural crops.

The district has been a theatre of ethnic based violence since the return of the multi-party politics in 1991. The Akiwumi commission noted that, "in the larger Nakuru district, Molo and Olenguruone divisions (parts of the current Molo district) were the most affected by the 1992-1993 clashes and that Molo division was among the few areas declared security zones under the Preservation of Public Security Act"[176]. The district has two constituencies-Kuresoi (with a kalenjin majority, a sizeable number of Kikuyu and Kisii minority) and Molo (with a largely Kikuyu majority and Kalenjin and Kisii minority). Both constituencies host a number of other communities mainly the Ogiek (a minority indigenous hunter/gatherer community), Luhya, Kisii and Luo communities. Additionally the Akiwumi Commission observed that this ethnic diversity has been a source of ethnic tension in Molo district pitting the Kalenjin on the one hand and the kikuyu and Kisii on the other. This tension has been driven by political incitement, where elections have been the excuse rather than the cause for violence over land. The Waki report states that "according to evidence by Kenya National Commission on Human rights (KNCHR) the district experienced ethnic violence both in 1992 and 1997, where the pattern of violence shows Kalenjin raiders attacking and killing members of the Kikuyu community and burning

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[176] Report of The Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya, Government printer, Nairobi, Kenya, 1999, Para. 242, pp. 133-135.

their houses and in turn the Kikuyu community launching counter attacks in which they killed the Kalenjin and burnt their houses"[177]. The district suffered post election violence in 2007/08.

Ethnic tensions in Molo began in 1992. Elections were used as an excuse to the violence. The Waki report observes that, "the ethnic violence experienced in Molo district is not over land as such, but rather based on the feeling among the Kalenjin community that during elections, the Kikuyu and other migrant communities do not to vote according to the wishes of the Kalenjin but instead followed the voting patterns of their kinsmen elsewhere, which general feeling led to animosity between the communities"[178]. However, the report adds that, in other areas within the district and particularly those bordering the Mau forest (Njoro, Nesuit and Mauche); and where land from the de-gazetted parts of the Mau forest was allocated, the tension centres on allocation of Mau forest to senior government officials and well connected individuals. At the core of the conflict is the exclusion of the local communities particularly the Ogiek who consider Mau forest as their ancestral home.

Sachangwani division sampled in Molo district for data collection has a fair representation of Kalenjin, Kikuyu and Kisii ethnic groups. The division also had ethnic violence in all the general elections since 1992. The two locations Sachagnwani and Kabianga were the worst hit. In the division, the two locations were purposively sampled for data collection. The two locations also host a number of IDPs camps where focus group discussions (FGDs) were conducted with victims of ethnic violence

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[177] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government printer, Nairobi, Kenya, 2008, p.82
[178] Ibid, pp.82-84

4.1.2 Nakuru District

Nakuru district located in central Rift Valley houses the headquarters of the larger Rift Valley province. It is an agricultural region and also known for Lake Nakuru and other tourist attractions. The district was hived from the larger Nakuru. It comprises Nakuru municipality, Lanet and Baruti divisions. Before its split the larger Nakuru was one of the largest districts in Kenya with six constituencies namely, Nakuru town (now district on its own), Naivasha, Molo, Kuresoi, Rongai and Subukia. It covers an area of 7,235.3 Sq Km and is located between longitudes 35" 28" and 35" 36" and latitudes 0" 12" and 1" 10" South.

Figure 1: Map of Nakuru
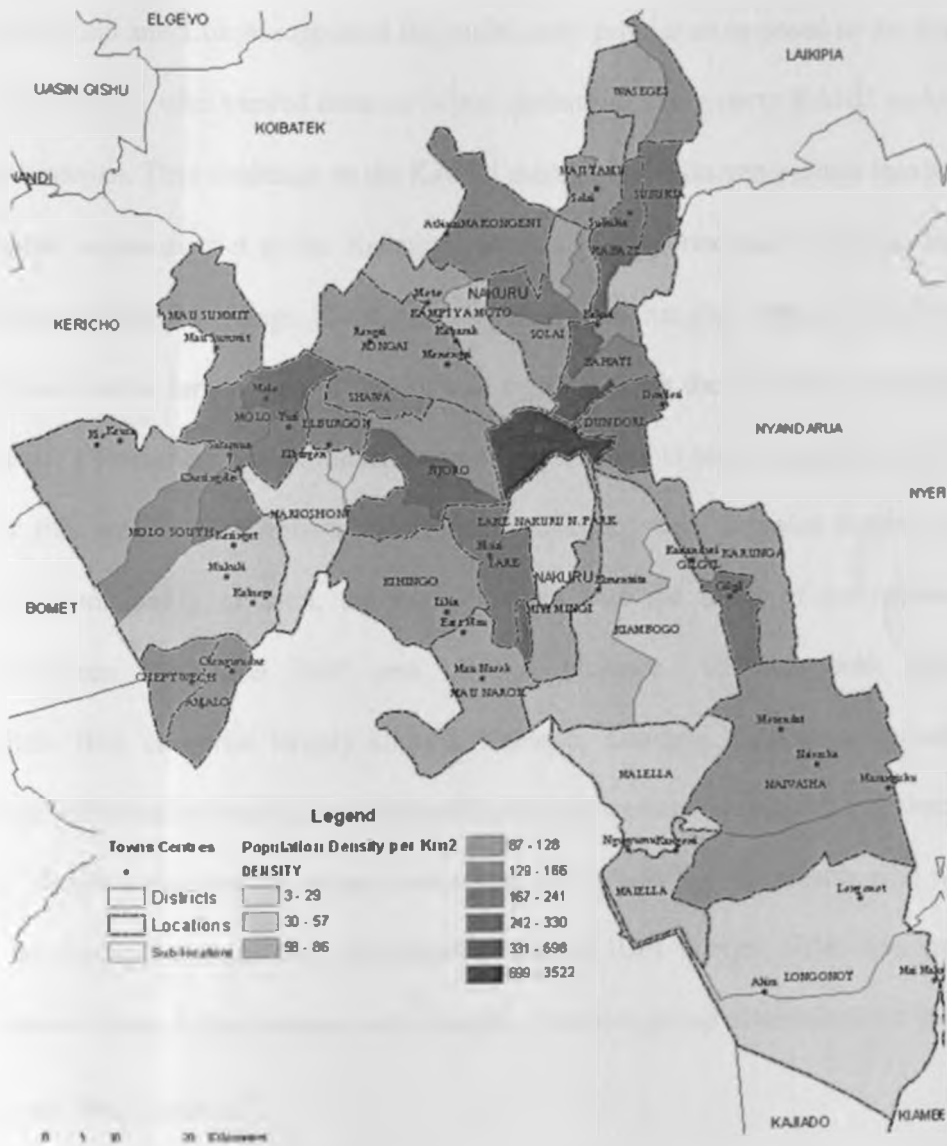
Nakuru district has been synonymous with ethnic/political violence. It was affected in 1992, 1997 and in a big way by the post election violence of 2007/08. The Nakuru DPC report of July 2009 states that, Nakuru district hosted 200,000 IDPs who fled the violence in Rift Valley.[179] According to the Akiwumi report, the genesis of ethnic violence in the larger Nakuru district (the current Nakuru district included) revolved around the re-introduction of multi-party

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[179] Documentation Evaluation of the Establishment of Nakuru District Peace Committee, July 2009, p.5

politics in 1991[180]. It is important to note that, non-kalenjin communities in the district namely Kikuyu, Kisii Luo and Luhya supported the multi party politics as opposed to the Kalenjin and maasai communities, who viewed them as being against the ruling party KANU under president Moi, their kinsman. This challenge to the KANU monopoly of Kenyan politics inevitably raised ethnic tension in the district as the Kalenjin community supported the status quo whereas the migrant groups called for change. It can therefore be argued that, the 1992 and 1997 pre-election ethnic violence in the larger Nakuru district was meant to evict the so called non-indigenous or migrant ethnic ('foreigners') communities who were perceived to be unsupportive of KANU.

For this reason, Kaptembwa and Bondeni locations were sampled for data collection. Within the Municipality division, the two locations bore the brunt of the recurrent ethnic violence between 1992 and 2007 post election violence. Although both locations are cosmopolitan, they comprise largely kikuyu, Kalenjin, Luo and Kisii ethnic groups. It was expected that balanced information would be obtained answering the research questions raised in this study. The two locations in Nakuru municipality also host key informants who were easily accessed for in-depth interviews. Additionally, several IDPs camps within the municipality division where victims of the violence were mapped for focus group discussions are located here.

4.1.3 Eldoret West District

Eldoret West district is located in North Rift Valley. It was curved out of the former Uasin Gishu District, along with Eldoret South (Wareng) and Eldoret East. Eldoret West district comprise Turbo and Soi divisions. It covers an area of 1088 square km. and lies between longitudes 34' 50' and 35' 37' east and between latitude 0° o3 and 0° 05' north. The Akiwumi

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[180] Report of The Judicial Commission Appointed to Inquire into Tribal clashes in Kenya. Government printer, Nairobi, Kenya, 1999, pp.115- 131

report[181] states that, the district is inhabited by the Kalenjin (majority) but has a considerable minority population of former squatters and workers in the European settler farms mostly of Kikuyu, Luhya, and Kisii ethnic communities. The report further observes that most of these migrant ethnic groups were settled in the area under the aegis of the Commissioner of Squatters and others through the Settlement Fund Trustees (SFT) between 1963 and 1970s.

Figure 2: Map of Eldoret West

[181] Report of The Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya, Government printer, Nairobi, Kenya, 1999, Para. 196, p.111

Like Molo and Nakuru, ethnic violence witnessed in Eldoret West district was election related. The Akiwumi commission report[182] identified three underlying reasons for the violence in Eldoret West district which can be extended to the entire north rift region: Among this included Kalenjin intention to recover the land they think was illegally appropriated by Europeans during the colonial period. Additionally, the Kalejins desired to remove "foreigners" derogatorily referred to as 'Madoadoa' (spots) from their midst. This reference was mainly used among the migrant ethnic groups who settled in Rift Valley namely Kikuyu, Kisii, Luhya and Luo. Above all was political and ethnic loyalty; where the Kalenjins considered the migrant ethnic groups as betrayers of their (Kalenjins) wishes during voting. Actually the migrants voted with their kinsmen elsewhere following the re-introduction of multi-party politics in 1991.

Although Eldoret West district experienced ethnic violence in 1991, 1992 and 1997, the worst wave occurred in December 2007 and early 2008 following the announcement of disputed presidential election results. It is in this district where victims of the 2007 post election violence were burnt alive while taking refuge at the Kenya Assemblies of God (KAG) church, in Kiambaa village. The Waki Commission report states that, "17 people were burnt a live inside the church and 11 others died in or on the way to Moi University Teaching and Referral Hospital, Eldoret".[183] This horrific attack caught the attention of the international media as one of the worst incidents of all post election violence. Comparatively, of the two divisions in Eldoret West district, Turbo has been the worst affected. Within Turbo division, Sugoi and Tapsagoi locations were sampled. Although mostly inhabited by the Kalenjins, the two locations have a sizeable population of migrant ethnic groups largely kikuyu but also Luhya and Kisii who were targeted.

[182] Report of The Judicial Commission Appointed to Inquire into Tribal clashes in Kenya. Government printer, Nairobi, Kenya, 1999, pp. 111-114
[183] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government Printer, Nairobi, 2008, p. 48

The district is therefore rich in information relating to the phenomenon under study. The two locations are also near Eldoret town where key informants were easily accessed for in-depth interviews. Furthermore, the two locations host a number of IDP camps where focus group discussions with victims of the violence were conducted.

4.2 Data collection

In order to ensure the instruments of data collection solicited for the information relevant to the research questions raised in this study, four themes or topics were developed and questions framed around them. The themes are: the causes of ethnic violence; those responsible for or perpetrators of ethnic violence; nature, impact and execution of ethnic violence and, Strategies for addressing ethnic violence.

The instruments were pretested (piloted) to a small selected sample in Nairobi, Eldoret West and Nakuru districts between 11th and 15th of September, 2010. The selected sample was similar to what the researcher planned to use in the study. Further, the procedures used during the pretesting were identical to what the researcher was to use in the actual data collection. During the pretesting, subjects (respondents) were encouraged to make comments and suggestions concerning instructions, clarity of questions and relevance.

The pretesting revealed some of the questions were not very clear and tended to be interpreted differently by the subjects. Second, it was noted both the questionnaire and the interview guide lacked sufficient space to write the responses and contained in some parts wrong numbering. Further, through the comments and suggestions of the subjects of the pretesting, it became evident that, there were important areas of concern to the phenomenon of ethnic violence that were not captured by the questionnaire and the interview guide.

To address the deficiencies revealed by the pretesting, the unclear questions were rephrased to make them clearer and to ensure they conveyed the same message to all the subjects. Further, more writing space was created for recording responses in both the questionnaire and the interview guide and the numbering order corrected. Additionally, new questions were framed to cover areas such as the role of media and public /political rallies which were consistently cited by the subjects as having been used during the 2007/08 post election violence to incite and mobilize ethnic communities. These adjustments enhanced the validity and reliability of the instruments. The main questionnaire, interview guide and the focussed group discussion guide are attached to this report as appendix III, IV and V respectively.

Subsequently, comprehensive data collection using the amended tools was carried out in the sample districts over a period of 16 days (between 22nd September and 10th October 2010). The main questionnaire was administered through one-on-one interview to seventy five (75) members of the community/public and fifty two (52) victims of ethnic violence. Simultaneously, twenty nine (29) key informants who included among others religious leaders, Leaders of NGOs, members of the District Peace Committees (DPCs), leaders of Community Based Organizations (CBOs), opinion leaders and provincial administrative officers were interviewed for in-depth information. In all the units of observation, the respondents represented a rich diversity of ethnicities. Further, nine (9 NO) focus group discussions (FGDs) each comprising of ten persons were held with victims of the violence in three Internally Displaced Persons (IDP) camps namely Kamuingi (Yamumbi) in Eldorst West, Tuinuane in Molo and Canaan (Pipeline) in Nakuru. Through the FGDs, the researcher gathered data on opinions and perceptions of ninety (90) victims on the phenomenon of ethnic violence. The FGDs participants included men,

women and youth and represented a diversity of ages, ethnic communities, education and religious affiliations.

The researcher also collected data through non-participant observation. This tool was mostly used during the FGDs and interviews with the victims. The researcher observed keenly the reaction and behaviour of the respondents to some of the questions, particularly those concerned with their personal experiences during the violence and views on what they thought the government was doing to address their plight. Through observation, the researcher was able to deductively interpret the feelings and perceptions of the respondents without asking probing questions. Additionally, the researcher took photographs of destroyed houses, schools and business premises in order to physically capture the extent of damage caused by the violence. Samples of the photographs are attached to this report as appendix II.

In Eldoret north, the researcher faced some challenges due to the unwillingness of people to be interviewed particularly among the Kalenjin community. At the initial stages of data collection, respondents were suspicious that the research assistants were part of the International Criminal Court (ICC) team that was collecting evidence in the district on the suspects of the 2007 post election violence. To address this challenge, I reprogrammed the data collection schedules to avoid concurrent data collection in the sample locations. This gave me time to personally accompany the research assistants. Consequently, I was able to explain to the respondents (in groups and individually) the purpose of my research before the interviews began thereby allaying their fears. Further, the one-on-one meetings with respondents availed an opportunity for the researcher to employ the alternative tool of non-participant observation to gauge the feelings and perceptions of the respondents.

The researcher encountered a similar problem in the IDP camps where the IDPs showed reluctance to be interviewed arguing that, despite the many researches conducted with regard to their plight; nothing had been done to alleviate their suffering. To address this challenge, I held meetings with the camp leaders and some of the IDPs to explain the purpose of my research. During the meetings, I was able to build trust among the camp leaders and the IDPs representatives. Consequently, they were able to appreciate that my research may in future be useful in guiding the formulation of strategies to address the problem of ethnic violence. Indeed, the IDPs eventually saw my research as forum to freely express their feelings about ethnic violence to the outside world.

Further, the rough terrain in most parts of the sample districts coupled with heavy rains pounding the sample areas made it impossible for the researcher to reach some of the respondents, particularly in Tapsagoi and kabianga locations.

4.3 Data Presentation, Analysis and Interpretation

This section presents the data collected and offers a critical analysis of the information collected during the fieldwork. The responses to the various questions in each thematic area or topic are critically analysed in order to detect the convergence of opinions and how such opinions confirm or disapprove the information established through the literature review. This will help the researcher to make deductions or inferences.

4.3.1 Social, Economic and Demographic Characteristics of the respondents

Data on the social, economic and demographic characteristics of the respondents is presented and analyzed statistically hereunder through bar graphs and tables from figures 3 to

II to show the distribution of respondents interacted with during the study by : district, division, location, age, gender, occupation, education, marital status and by ethnic groups.

Data presented in the figure 3 below captures the distribution of the respondents by district. From the all cases category, the data show an even distribution in all the districts. On the other hand when analyzed from the victims' category, Molo and Eldoret west each account for 40% of all the victims while Nakuru had 19%.

Figure 3: Presentation of sample respondents by district

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Nakuru	21.60%	40.00%	19.20%		
Molo	22.20%	26.70%	40.40%		
Eldoret West	24.60%	33.30%	40.40%		
Missing	31.40%	0.00%	0.00%		
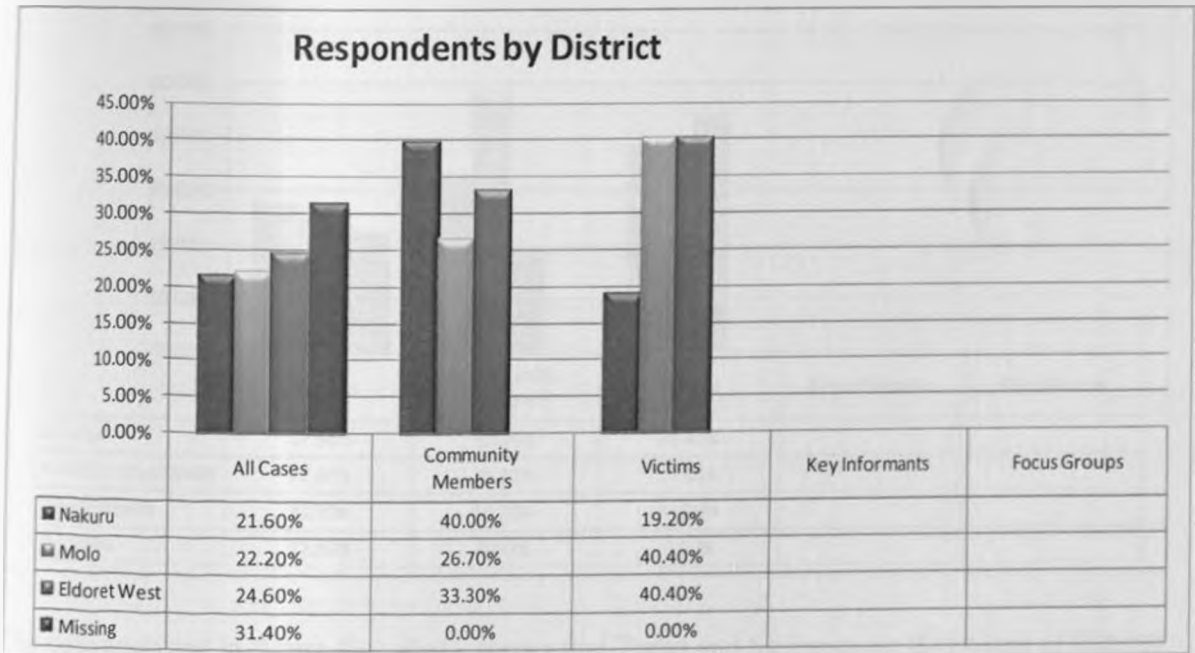
The data analyzed in figure 3 above serves to indicate that, the information gathered from all the districts was balanced since the distribution of the respondents was even. Second, the data shows that both Molo and Eldoret west districts had more victims of the violence still living in the sample areas. As regards Nakuru, this data confirms the secondary data that indicates that most of the victims of violence had moved into the district to avoid the violence in other parts of Rift

Valley. It is therefore, possible by the time this study was undertaken they had returned to their home areas or relocated elsewhere.

Figure 4 below captures the distribution of the respondents by division. Like it is with the case in the districts, the data presented in this figure shows an even distribution of the respondents in all the divisions.

Figure 4: Presentation of sample respondents by division

Respondents by Division

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Turbo	27.60%	33.30%	38.40%		
Nakuru Municipality	27.60%	48.70%	17.40%		
Sachangwan	22.70%	18.70%	44.20%		
Missing	22.10%	0.00%	0.00%		
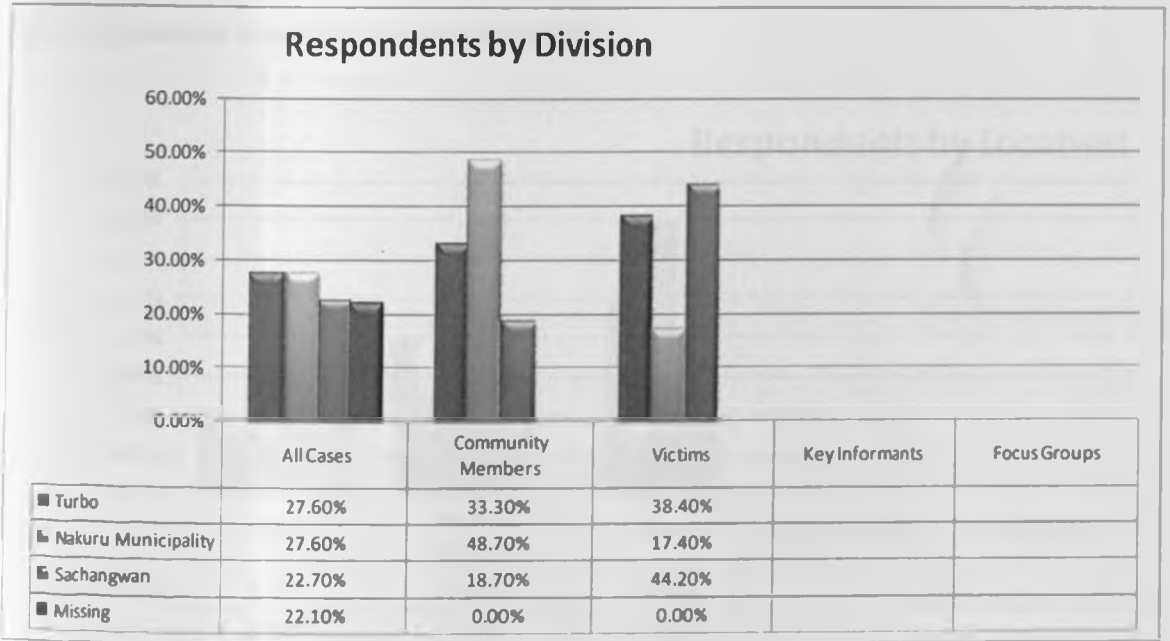
The data analyzed in figure four above shows that Turbo and Sachangwan diviosions of Eldoret west and Molo districts respectively had a higher percentage of victims than Nakuru municipality thereby showing the latter divisions had more victims of the violence living in the divisions. Again this data confirms that it is possible at the time this study was undertaken most of the victims who had moved into Nakuru district had relocated either to their home areas or moved elsewhere.

Figure 5 below shows the distribution of the respondents by location. Similarly, the distribution of the respondents by location as shown by the data presented is also fairly even in all the locations. However, data in respect of kabianga and Tapsagoi locations depicts a slightly lower percentage in all cases category. This is attributed to the heavy rains and the poor state of roads in the two locations that prevented the researcher to reach some of the respondents earmarked for interview.

Figure 5: Presentation of sample respondents by location

Respondents by Location

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Kaptembwa	9.20%	20.00%	0.00%		
Tapsogoi	8.60%	13.30%	25.00%		
Sugoi	17.20%	20.00%	7.70%		
Sachanwan	18.40%	16.00%	34.60%		
Bondeni	14.70%	23.10%	15.40%		
Kabianga	9.80%	9.30%	17.30%		
Missing	22.10%	0.00%	0.00%		
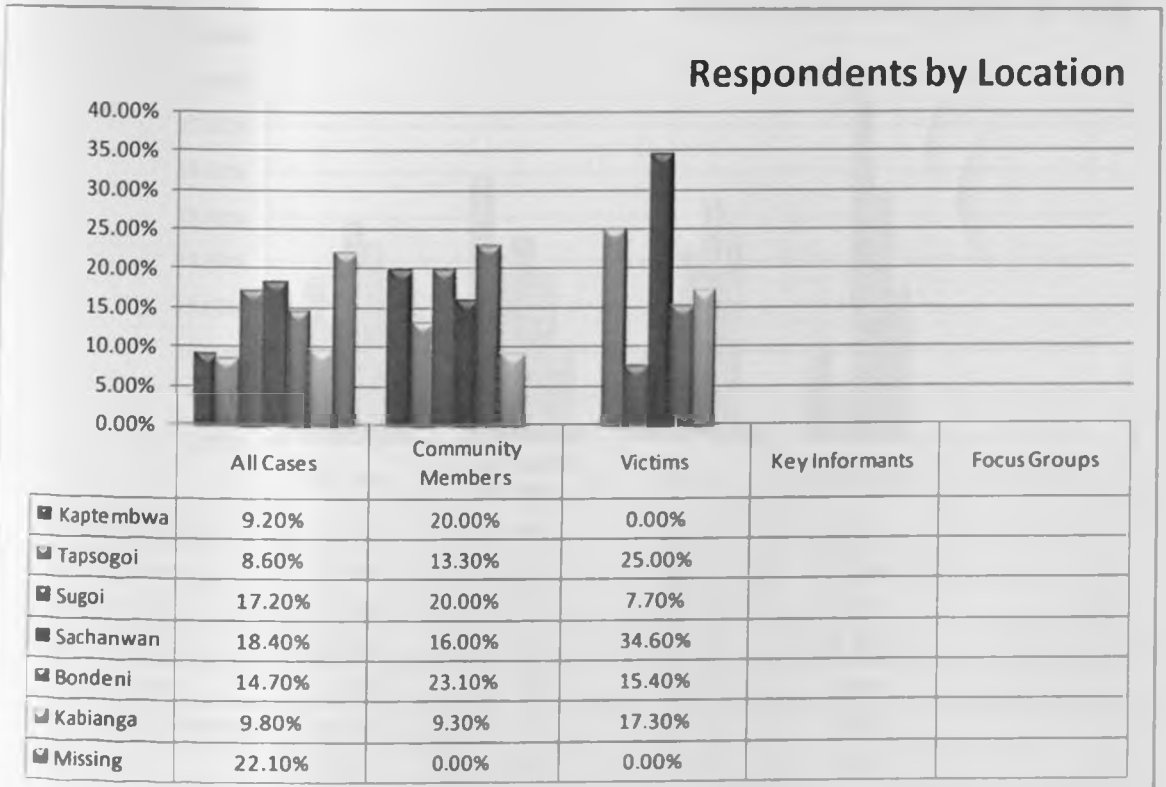
This even distribution of the respondents in all the locations once again shows the information collected from the locations was balanced.

Figure 6 below captures the distribution of the respondents by the age brackets adopted in this study. The data presented shows a fair distribution of the respondents in all the age brackets. However, a closer look at the data shows that majority of the respondents were between the ages of 40-49 years (24.10%) and 50-59 years (22.1%) with the age bracket of below 20 years recording only 1.20% in all cases category.

Figure 6: Presentation of sample respondents by age group

	All Cases	Community Members	Victims	Key Informants	Focus Groups
■ Below 20 years	1.20%	0.00%	3.80%	0.00%	
▲ 20-30 years	18.40%	29.30%	9.60%	10.30%	
■ 30-39 years	13.50%	18.70%	13.50%	3.40%	
■ 40-49 years	24.50%	22.70%	21.20%	41.40%	
▲ 50-59 years	22.10%	18.70%	26.90%	27.60%	
▲ 60 years and above	15.30%	10.70%	23.10%	17.20%	
▲ Missing	4.90%	0.00%	1.90%	0.00%	
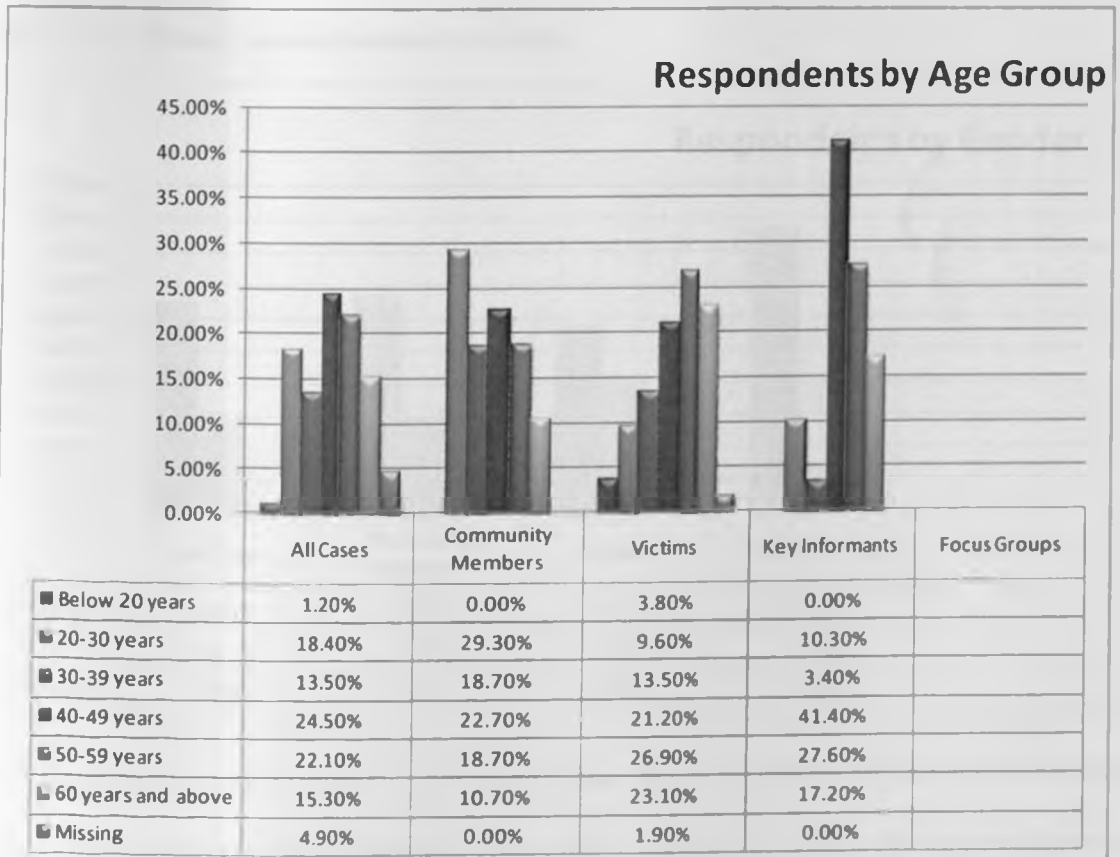
The data presented in figure 6 above confirms the validity of the sample as the majority of the respondents fell within the age brackets that showed they had lived in the sample areas long enough to have historical knowledge of the violence witnessed. The validity of the sample would have been doubtful had the data indicated most of those interviewed were below twenty years as

this would have reduced their historical knowledge of the violence that occurred n the sample areas.

Figure 7 below presents the distribution of the respondents from a gender perspective. The data presented shows 64.40% of the respondents in all cases were male compared to 31.30% female. When analyzed from the community and key informants' categories 66.70% and 86.20% of the respondents were respectively male.

Figure 7: Presentation of sample respondents by gender

	All Cases	Community Members	Victims	Key Informants	Focus Groups
■ Male	64.40%	66.70%	57.70%	86.20%	
■ Female	31.30%	33.30%	42.30%	13.80%	
■ Missing	4.30%	0.00%	0.00%	0.00%	
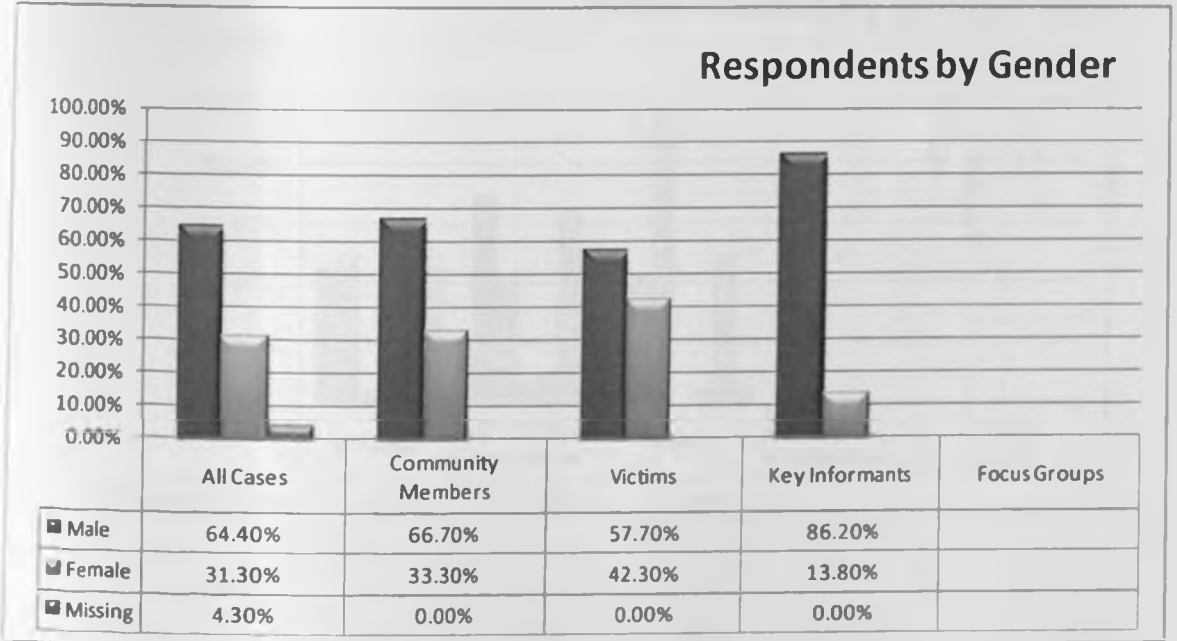
From the data analyzed in figure 7 above, it is clear that more men were interacted with than women. This could serve to indicate men were more willing to share their experiences about the violence than women. This result can be attributed to two factors, first, the experiences undergone by women during the violence may have been more personal, say for example rape and hence extremely traumatizing and sensitive to reveal. Second, because most of my research assistants were men (not by design), this could have resulted to women being shy to share their experiences.

Data presented in figure 8 below captures the distribution of the respondents by occupation. Data analyzed in this figure shows majority of the respondents interacted with in all cases were farmers at 25.20% followed closely by business persons at 22.70%. This view is replicated in the category of victims where 48.10% of the respondents were farmers and 21.20% were businessmen.

Figure 8: Presentation of respondents' by occupation

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Business Person	22.70%	34.70%	21.20%		
Farmer	25.20%	21.30%	48.10%		
Civil Servant	1.80%	4.00%	0.00%		
Teacher	3.10%	5.30%	1.90%		
Other	22.70%	32.00%	25.00%		
Missing	24.50%	2.70%	3.80%		
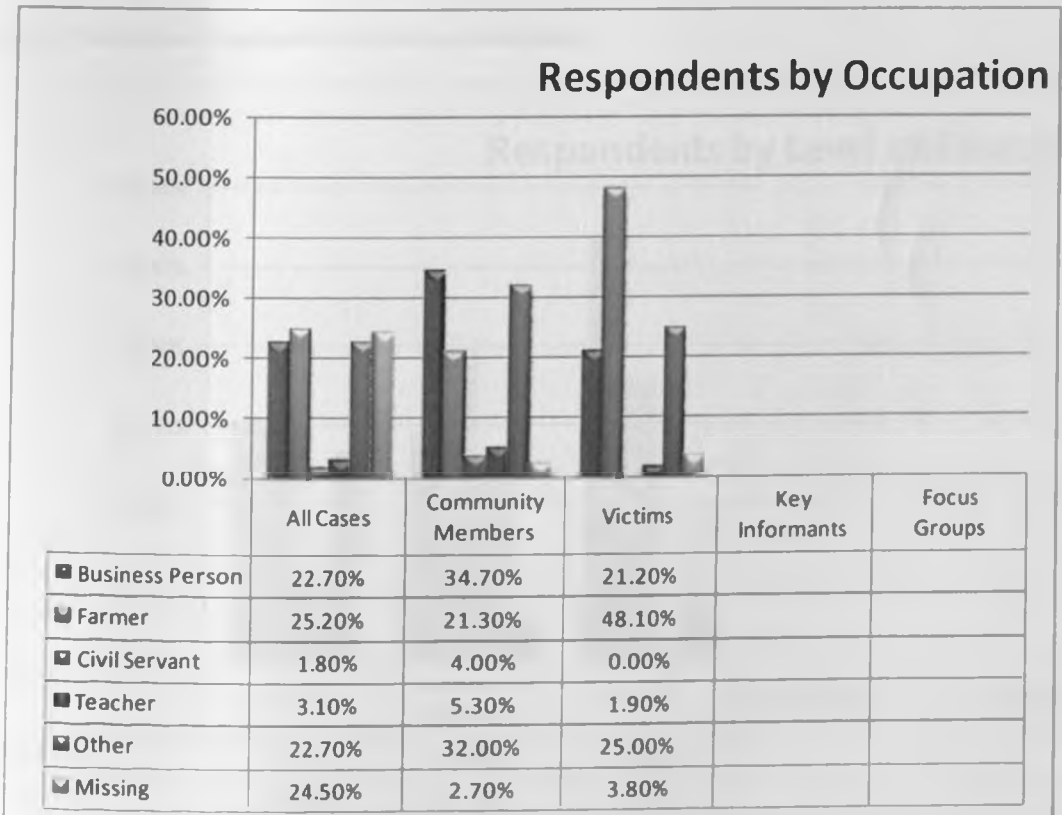
The data analyzed in figure 8 above serves to indicate that the respondents interacted with had historical knowledge of the violence experienced in the sample areas. This is because for them to have been farmers or business persons in the sample areas, they must have been living in the areas for quite some time. Had the data showed that majority of the respondents were civil servants, there would have been doubts since they are in most cases mobile or transferable.

Data presented in figure 9 below shows the distribution of the respondents by education level. Data analyzed in the figure shows that 30.70% of the respondents in all cases had primary education with a similar percentage possessing secondary school level education whereas 11.70% had university/college education. From the victims' category, 58.80% of the respondents had primary education whereas 36.50% had secondary level education with 1.90% possessing university/college education.

Figure 9: Presentation of respondents by level of education

Respondents by Level of Education

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Primary	30.70%	29.30%	53.80%		
O'level	30.70%	41.30%	36.50%		
University/College	11.70%	24.00%	1.90%		
Missing	27.00%	5.30%	7.70%		
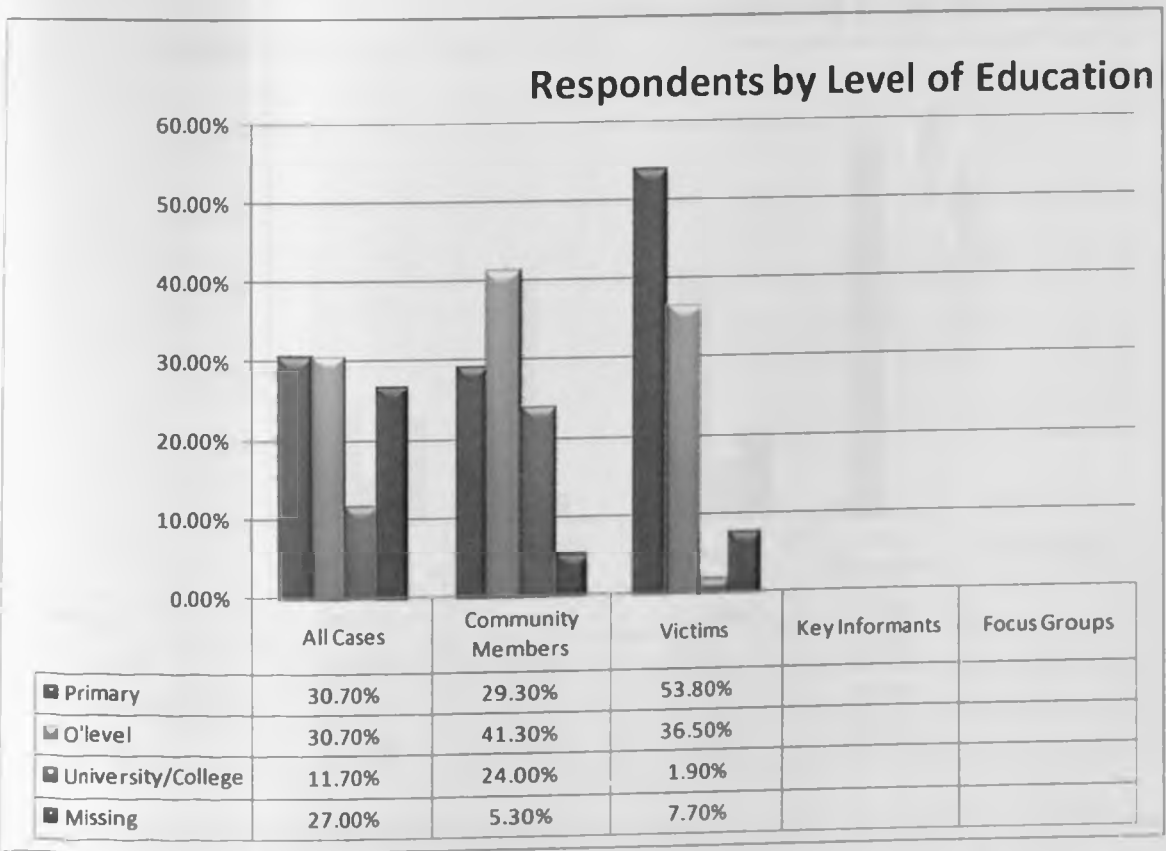
The data analyzed in figure 9 above, serves to indicate that the respondents interacted with during this study were well informed, knowledgeable and therefore, reasonably capable to the respond to the issues discussed in the questionnaire.

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Figure 10 below shows the distribution of the respondents in terms of marital status. Data presented in this figure shows an equal representation of both married and single respondents at 30.70%, with 11.70% being windowed or widower. The victim's category shows 63.50% of the respondents were married and 21.20% were single whereas those from key informants' category 96.60% were married and 3.40% were single.

Figure 10: Presentation of respondents' by marital status

	All Cases	Community Members	Victims	Key Informants	Focus Groups
■ Single	30.70%	28.00%	21.20%	3.40%	
◩ Married	30.70%	64.00%	63.50%	96.60%	
◪ Widowed/Widower	11.70%	6.70%	15.40%	0.00%	
■ Missing	27.00%	1.30%	21.20%	0.00%	
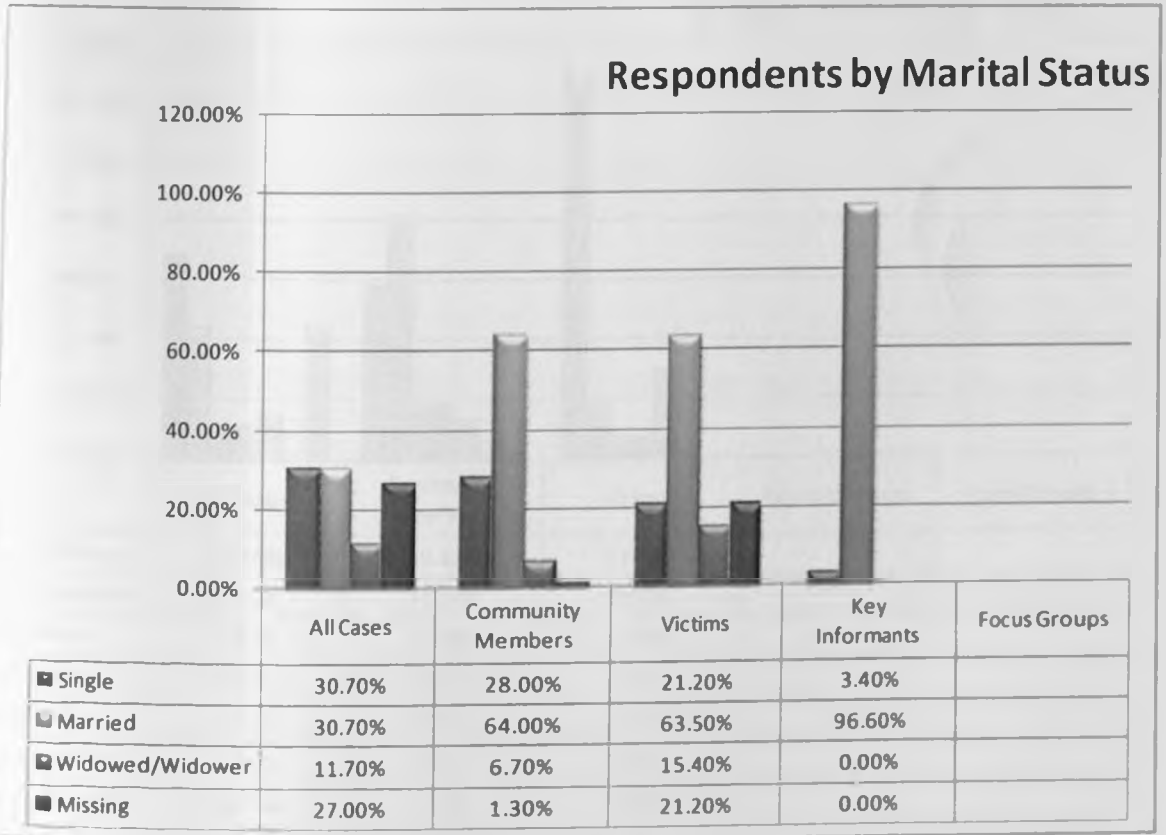
Similar to the education level analysis, the data in figure 10 above also serves to indicate the level of understanding and awareness of the respondents interacted with during the research. As people with families, they had firsthand information of the violence as they were most likely affected in one way or the other by the violence.

Lastly but not least, figure 11 below captures the distribution of the respondents by ethnic background. Data presented in the figure show that majority of the respondents were kikuyu at 34.40% followed by Kalenjin with 22.10%, Kisii 8.05% with Luo and Luhya each accounting for 5.50%.

Figure 11: Presentation of respondents' by ethnic groups

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Gikuyu	34.40%	29.30%	65.40%		
Kalenjin	22.10%	41.30%	9.60%		
Luo	5.50%	9.30%	3.80%		
Luhya	5.50%	9.30%	3.80%		
Kisii	8.05%	6.70%	15.40%		
Other	1.80%	2.70%	1.90%		
Missing	22.70%	1.30%	0.00%		
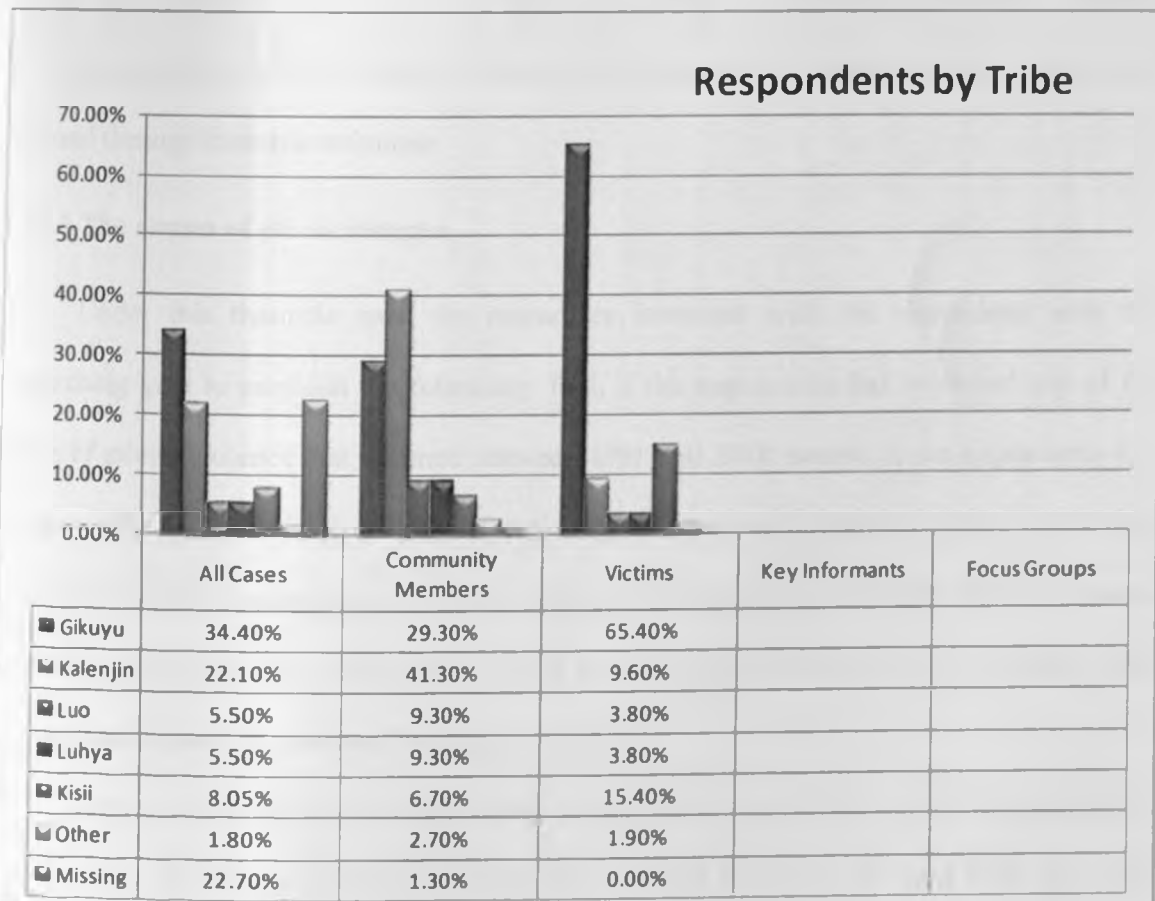
The data analyzed in figure 11 above confirms that the core combatants of the ethnic violence witnessed in the sample areas are the two communities of Kikuyu and kalenjin. This result further confirms the primary data in the literature review which shows that the influx of Kikuyus into the sample areas during colonial and post independence periods was a major factor in the ethnic tensions between the two communities. The data also serves to indicate that the Luos,

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Kisii and Luhyas are also involved in the conflict, but their numbers in terms of settlement in the sample areas is lower compared to that of the kikuyu.

4.3.2. Data analysis by thematic areas

In this section, data is placed in the four identified themes or objectives of the study namely, the causes of ethnic violence; those responsible or perpetrators of ethnic violence; nature, impact and execution of ethnic violence; and strategies for addressing ethnic violence and analyzed through thematic technique.

4.3.2.1 The causes of ethnic violence

Under this thematic area, the researcher interacted with the respondents with the overarching goal to establish the following: first, if the respondents had witnessed any of the waves of ethnic violence that occurred between 1991 and 2008; second, if the respondents had witnessed the violence in their areas of residence or heard of it elsewhere; third, what they considered to be the main causes of ethnic violence; and lastly, if they thought that the violence targeted particular ethnic communities and if so, why such communities were targeted. The information gathered is presented in figures 12 and 13.

Data presented in figure 12 next page captures the views of the respondents regarding whether they had witnessed ethnic violence that occurred between 1991 and 2008. The data presented in this figure show 97.50% of the respondents from all cases witnessed the violence. Similarly, 100% of all the key informants indicated to have witnessed the violence with 92.30% of the victims confirming the same and 96.00% of the community members expressing the same view.

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Figure 12: Presentation of respondents' actual witness of ethnic violence

Have you ever witnessed ethnic violence?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
■ Yes	97.50%	96.00%	92.30%	100.00%	24.10%
⬛ No	0.60%	1.30%	3.80%	0.00%	0.00%
⬛ Missing	1.80%	2.70%	3.80%	0.00%	75.90%
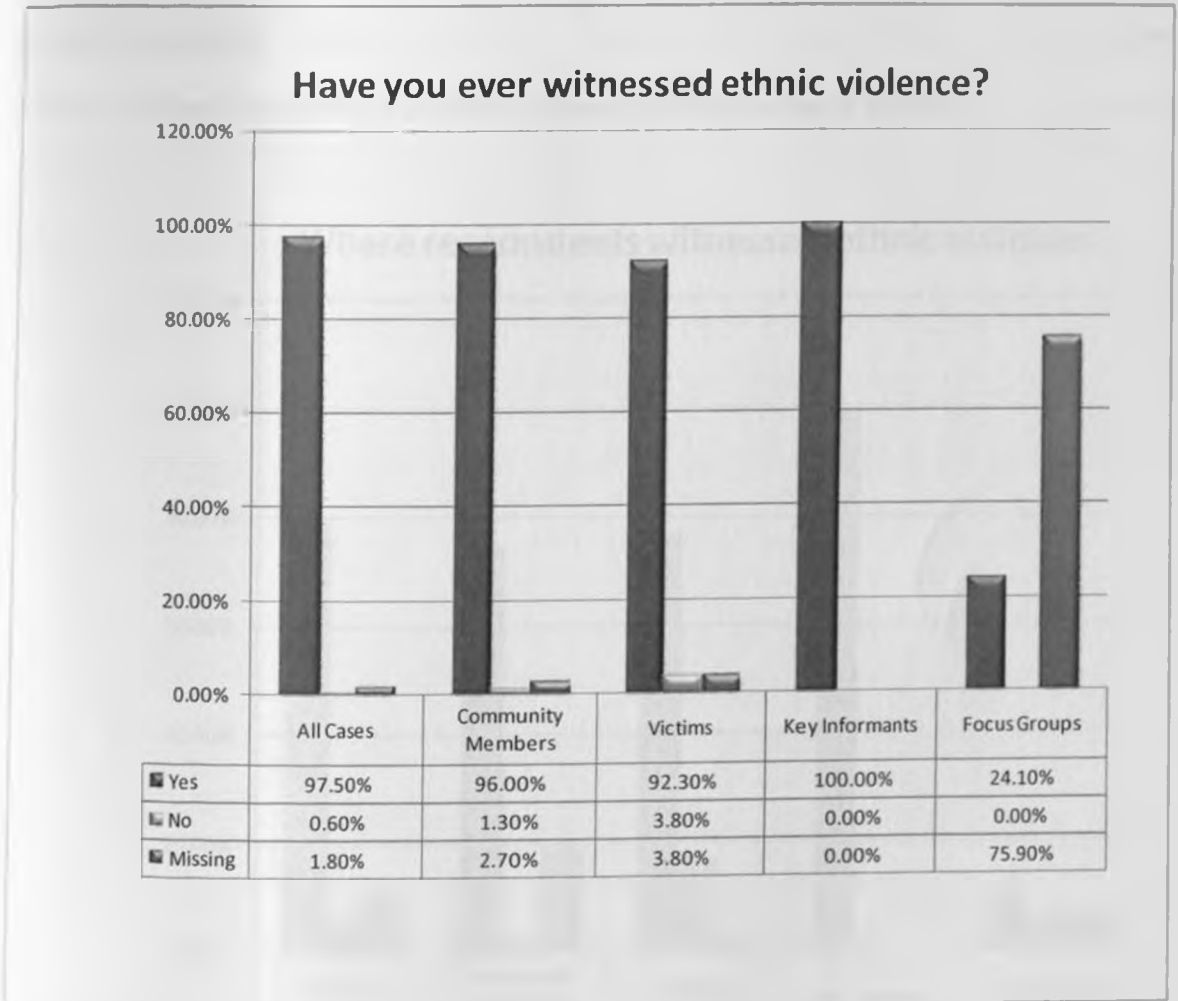
The data analyzed in figure 12 above shows that most of the respondents interacted with were either primary victims of the violence or had firsthand experience of the violence. Further, this data confirms the respondents sampled for this study were rich in the information sought and therefore significantly reliable.

Figure 13 next page depicts views of the respondents regarding whether they witnessed the violence that occurred between 1991 and 2008 in the areas they lived or had heard of the violence elsewhere. Data presented shows 79% of the respondents from all cases witnessed the violence in the areas they lived while 8% had heard of the violence elsewhere. In the victims'

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category 76.90% of the respondents expressed a similar view as it was with 74.70% of the community members

Figure 13: Graphical presentation of place where respondents' witnessed ethnic violence

Where respondents witnessed ethnic violence

	All Cases	Community Members	Victims	Key Informants	Focus Groups
In this area	79.00%	74.70%	76.90%	100.00%	10.30%
Elsewhere	8.00%	2.70%	17.30%	0.00%	6.90%
Heare & elsewhere	11.00%	20.00%	1.90%	0.00%	6.90%
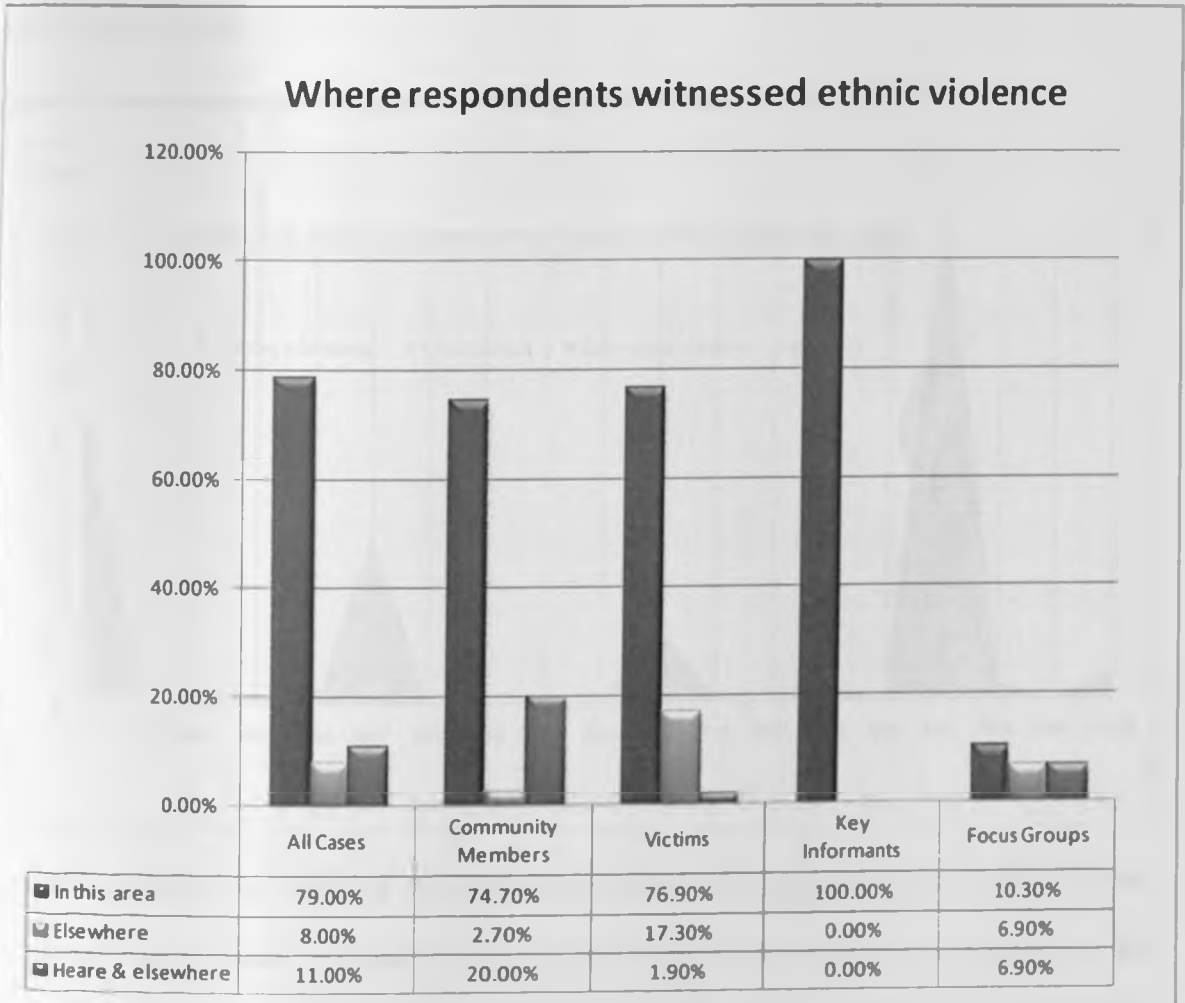
The data presented in figure 13 above serves to confirm the reliability of the respondents interacted with in terms of their knowledge of the unit analysis of this study since majority of them had witnessed the violence in the areas they lived. The respondents had vivid historical knowledge and experiences about the violence. Indeed most of them indicated to have been affected by the violence either directly or indirectly.

The data presented in figure 14 below shows the views of the respondents regarding the actual years that they witnessed the violence between 1991 and 2008. Data analyzed through frequency shows that majority of the respondents witnessed the violence in the years 1992, 1997, 2002, 2005 and 2007.

Figure 14: Presentation of year respondents' witnessed ethnic violence
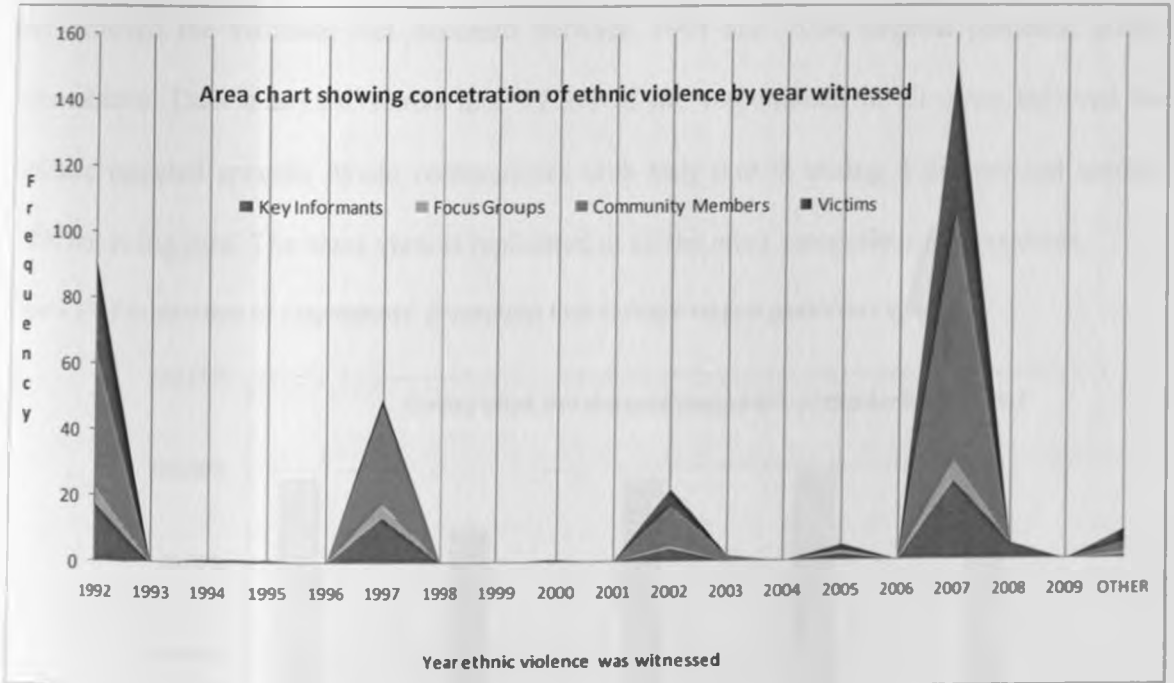
The data presented in figure 14 above serves to indicate that, ethnic violence tends to peak during the election years. It should be bone in mind that Kenya held general elections in the years 1992, 1997, 2002, and 2007; and a constitutional referendum in 2005. An overwhelming majority of the respondents interviewed confirmed to have witnessed violence in the sample areas during these years as shown in the figure 14 above. This result serves to confirm the secondary data in the literature review which reveals that "political entrepreneurs and self-aggrandizing politicians seeking to build constituencies for attaining political power often use

ethnicity to polarize ethnic groups and in the process lead them into conflict[184]. In other words, this data points to the connection between ethnic violence and the actions of the politicians and other elites during general elections. It also confirms the assumptions of the instrumental theory that guides this study and which assumes ethnic violence is driven by the actions of the elites.

Data presented in figure 15 below depicts the views of the respondents regarding whether they believed the violence that occurred between 1991 and 2008 targeted particular ethnic communities. Data analyzed shows that 97.5% of the respondents in all cases believed the violence targeted specific ethnic communities with only 0.06% stating it did not and another 1.8% not being sure. The same view is replicated in all the other categories of respondents.

Figure 15: Presentation of respondents' perception that violence targets particular ethnic

Do you think the violence targetd any particular community?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Yes	97.50%	86.70%	98.10%	100.00%	100.00%
No	0.60%	12.00%	0.00%	0.00%	0.00%
Missing	1.80%	1.30%	1.90%	0.00%	0.00%

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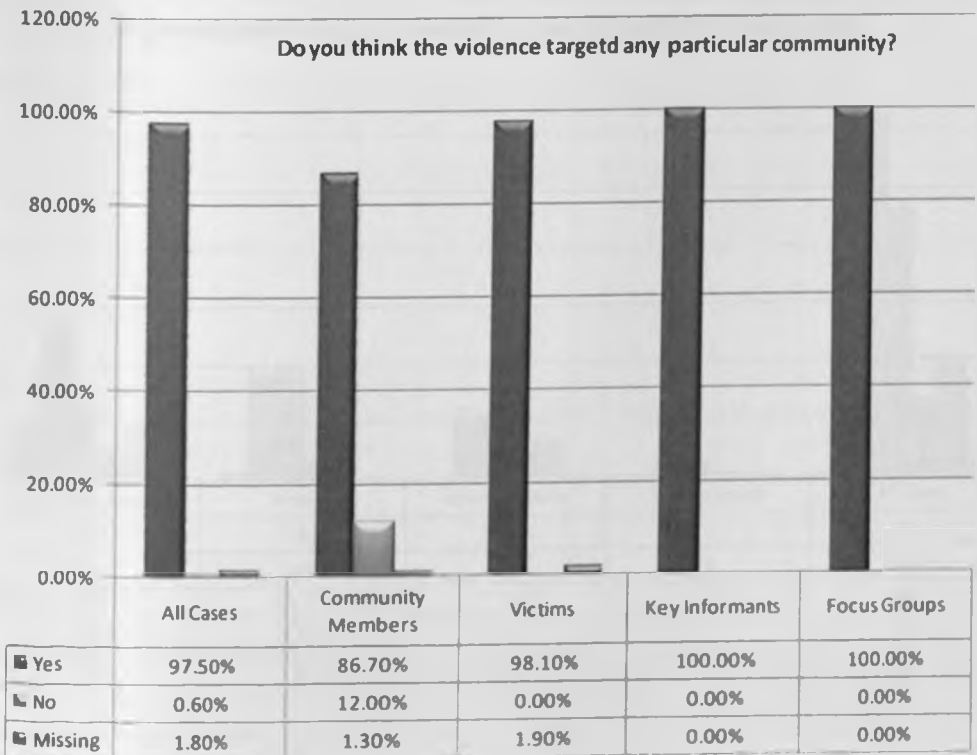
[184] Saideman S., 'Is Pandora's Box Half Empty or Half-Full? The limited Virulence of Secessionism and the Domestic sources of Disintegration' in Lake and Rothchild Ethnic Fears and Global Engagement

The result analyzed in figure 15 previous page strongly indicates that ethnic violence that occurred between 1991 and 2008 is a social problem premised on the relationships among the communities in the sample areas. The relationships underlining why the violence targeted particular ethnic groups are discussed in the data presented in figure 16 next page.

The data presented in figure 16 below indicates views of the respondents regarding which ethnic communities were targeted and why they thought those communities were targeted by the violence. The data analyzed in this figure show the Kikuyu community as the most targeted ethnic group with a frequency of 126 out of a possible frequency of 140, followed by Kissi with a frequency of 93, Luo 41, Luhya 26. Kalenjins were the least targeted with a frequency of 22.

Figure 16: Presentation of respondents' perception of ethnic communities targeted by the violence

In your opinion which communities were taegetd for violence?

	Community Members	Victims	Key Informants	Focus Groups	All Cases
Kalenjin	19	3	0	0	22
Kikuyu	56	40	24	6	126
Kisii	26	41	21	5	93
Luhya	10	6	9	1	26
Luo	20	8	13	0	41
Others	7	1	0	0	8
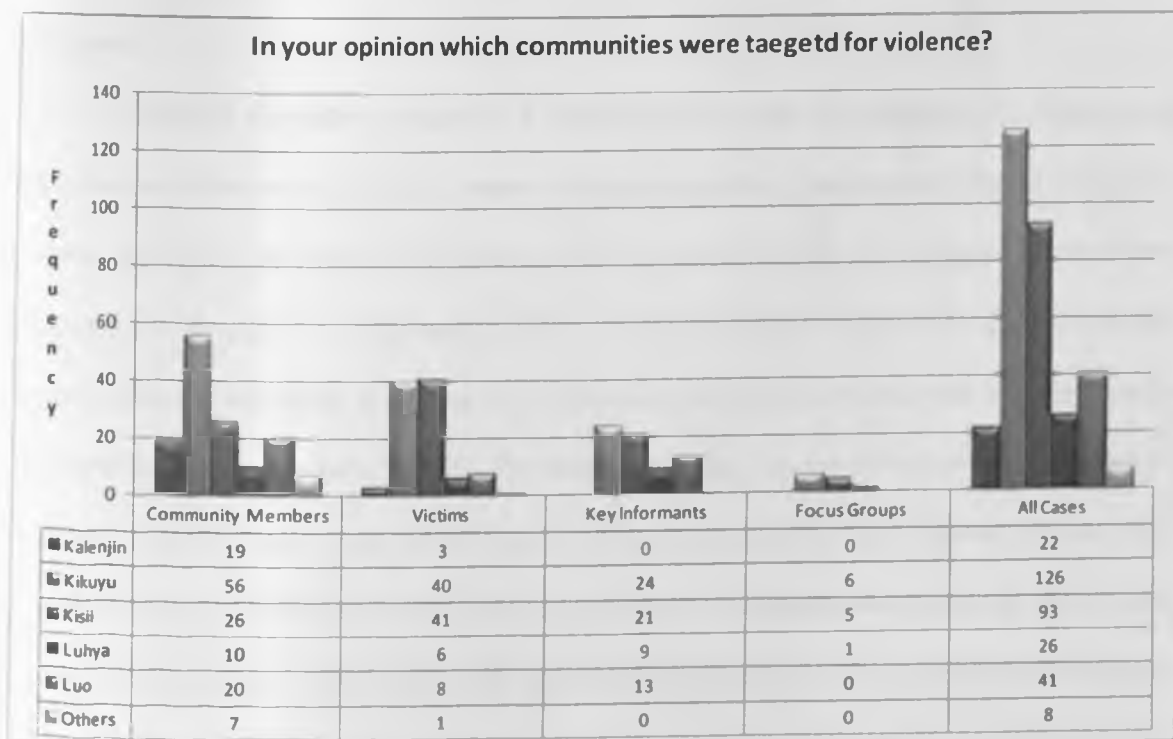
The result of the data analyzed in figure 16 above confirms the secondary data in the literature review which shows that, the violence between the Kalenjin and the migrant ethnic groups

(particularly Kikuyu) is premised on the "feeling by the Kalenjin and Masai communities that they were cheated out their ancestral land in central, north, and south Rift Valley by the colonial and independence land policies"[185] As was explained in the literature review, the Kalenjin and Maasai inhabited the Rift Valley. In the early 1900s, the colonial government forcefully removed the pastoral groups to create the white highlands. Ghai observes "Kikuyus, Luhyas, Kisii and Luos were then recruited as sharecroppers in the settler farms as way back as in 1904."[186] Therefore, at independence these non native Rift Valley dwellers had settled in Rift Valley in large numbers. This shift in ownership of Kenya's most fertile land explains why land is major driver of ethnic violence in the sampled areas. The data analyzed in figure 16 above confirms the migrant ethnic groups were targeted because they were viewed by the Kalenjin community as 'foreigners'.

A detailed qualitative analysis of the responses from all categories of respondents identified the following as the main reasons why migrant ethnic groups were targeted during the violence: In 1991, 1992 and 1997, Kikuyu, Kisii, Luo and Luhyas were targeted because they supported the struggle for multi-party politics and the subsequent opposition political parties formed following the repeal of section 2A of the Kenya constitution as opposed to Kalenjin who supported the then ruling party KANU. The immigrant ethnic groups were therefore, regarded as outsiders. On the other hand, in 2007/2008, Kikuyu and Kisii were targeted because they supported Party of National Unity (PNU) as opposed to Kalenjin who supported the Orange Democratic Movement (ODM) what most respondents referred to as the preferred political party in the region by then. However, as shown by the data analyzed in figure 16, the Kalenjin were

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[185] Kanyinga, K., *The land question in Kenya struggles, accumulation and changing politics*, PhD thesis, 1998
[186] Ghai, Y. P., and J.P.W.B. Mc Auslan, *Public Law and Political Change in Kenya: A study of the legal framework of government from colonial times to the present*, Oxford University press, East Africa Ltd, Nairobi, Kenya, 1970, (revised in 2001), p. 83

also targeted by the other communities particularly after 2002. Most respondents indicated that the Kalenjin were targeted by other communities apparently to revenge for apparent past atrocities committed by the Kalenjin against the other communities. Thus, the Kalenjins were targeted for retaliatory reasons.

An in-depth qualitative analysis of the responses relating to what the respondents considered the main cause of the ethnic violence pointed to political incitement. Views expressed by the respondents indicate that during election periods, politicians seeking elective posts incite the local communities in the sample areas against the migrant ethnic groups in order to enhance their political survival. This results in the eviction of the migrant groups thereby disenfranchising them. Further, the opportunistic politicians mobilise the local communities by promising a re-distribution of the land once the migrant ethnic groups are evicted. Additionally, the respondents pointed to marginalization of certain communities; negative ethnicity; desire by certain ethnic groups to retain and control state power; and the belief that certain geographical areas were ancestral lands of particular ethnic groups as other factors leading to ethnic violence.

The causes of ethnic violence identified by respondents here above support the tenets of the theories guiding this study, that is, the premordiaist and instrumentalist theories of ethnicity. The primordialist theory of ethnicity assumes that ethnic conflicts arise out of deep rooted differences and beliefs that differentiate the ethnic groups. According to this theory, the essence of people-hood forms the basis of identity and defines the fault lines of ethnic conflicts. On the other hand, the Instrumentalist theory argues that ethnic identities are largely stirred up by the elites, usually for their own benefit. According to instrumentalist theory, therefore, the preponderance of ethnic conflicts is seen to result from the actions of the elites who use ethnic groups as constituencies in competition for power and resources.

The causes of ethnic violence identified by the respondents can be classified according to these two theories as shown in the table below.

Causes of ethnic violence according Premordiaist theory	Causes of ethnic violence according Instrumentalist theory
• Belief that certain geographical areas are historically and naturally exclusively belonging to certain communities • Differences in political affiliations between local communities • Dispute over geographical and administrative boundaries between ethnic communities. Certain ethnic communities feel their territory was tampered with when new administrative units are created • Envy between ethnic communities due to economic progression of some communities relative to others • Tendency of migrant communities adopting a clustering patterns of settlement and exporting their ethic cultures and names in other areas (e.g. Kiambaa, Githunguri, Kiambu in Eldoret North) making native communities to feel displaced and threatened by assimilation. • Ethnic communities desire to retain power and control over economic resources as symbolized by the ethnic origin of the person occupying the presidency • Economic & political discrimination and marginalization of other ethnic communities by ethnic communities perceived to wield political power • Negative ethnicity and ethnic based politics	• Use of existing differences among communities on land holding as a propaganda item by politician seeking elective positions to incite locals to evict opposing communities with the promise that land will be redistributed in the local community's favor. • Ideology of ethnicity among the elites and use of ethnicity to advance personal motives • Opportunists taking advantage of existing tension between communities, political contest and incitement to cause violence in order to loot property • High levels of poverty making communities prone to manipulation by politicians • Political incitement by politicians for selfish and personal gain

4.3.2.2 Those Responsible for or Perpetrators of ethnic violence

Under this theme, the researcher sought the views of the respondents in four areas: first, whether the violence that occurred between 1991 and 2008 was planned or just happened; second, who among the various categories of elites played the key role in planning the violence: third; was the violence connected to general elections; and lastly, whether media and political/public rallies were used to incite and mobilize ethnic communities into violence.

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Data presented in figure 17 below depicts the views collected from the respondents regarding whether they thought the violence was planned or just happened. Data analyzed in the figure shows that, 79.1% of the respondents in all cases indicated that the violence was planned. A similar view prevailed in all other categories of respondents.

Figure 17: Presentation of respondent perception of how ethnic violence occurs

Do you think the violence was planned or just happened

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Planned	79.10%	70.70%	92.30%	72.40%	100.00%
Just Happened	19.60%	29.30%	7.70%	20.70%	0.00%
Missing	1.20%	0.00%	0.00%	6.90%	0.00%
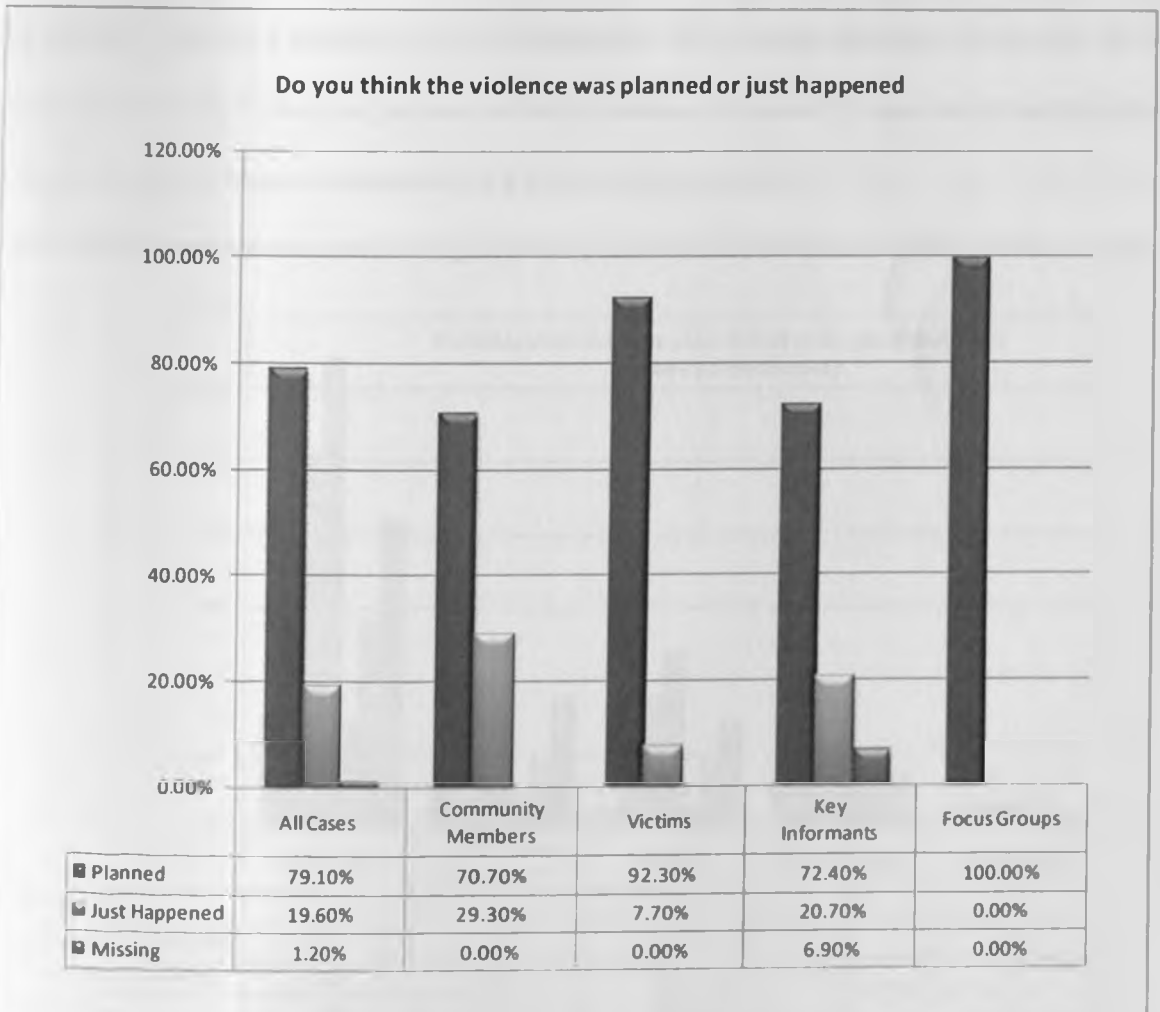
It is clear from the data analyzed in figure 17 above that far from being spontaneous; the violence was planned and politically instigated. This result confirms the assumptions by the instrumentalist theory that "ethnic identification, ethnicity and race are viewed as instrumental

identities organized as a means to particular ends."[187] Thus, this data confirms that ethnic violence is instigated and calculated by elites to achieve certain strategic objectives. This data further indicates the instrumental use of ethnicity as a weapon for social competition.

The data presented in figure 18 below captures the views of the respondents regarding who among the various categories of elites they considered played the greatest role in planning the violence. The data presented shows respondents in all cases identified politicians by a frequency of 128 as the key perpetrators of ethnic violence followed by community leaders with a frequency of 102, business community 99 and security agents 85.

Figure 18: Presentation members of society perceived by respondents to be the perpetrators of ethnic violence

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Academic	31	11	6	10	4
Business Community	99	44	32	17	6
community Leaders	102	40	36	19	7
Politicians	128	52	48	22	6
Proffesionals	30	10	7	10	3
Religious Leaders	58	20	20	12	6
Security Agents	85	36	30	15	4
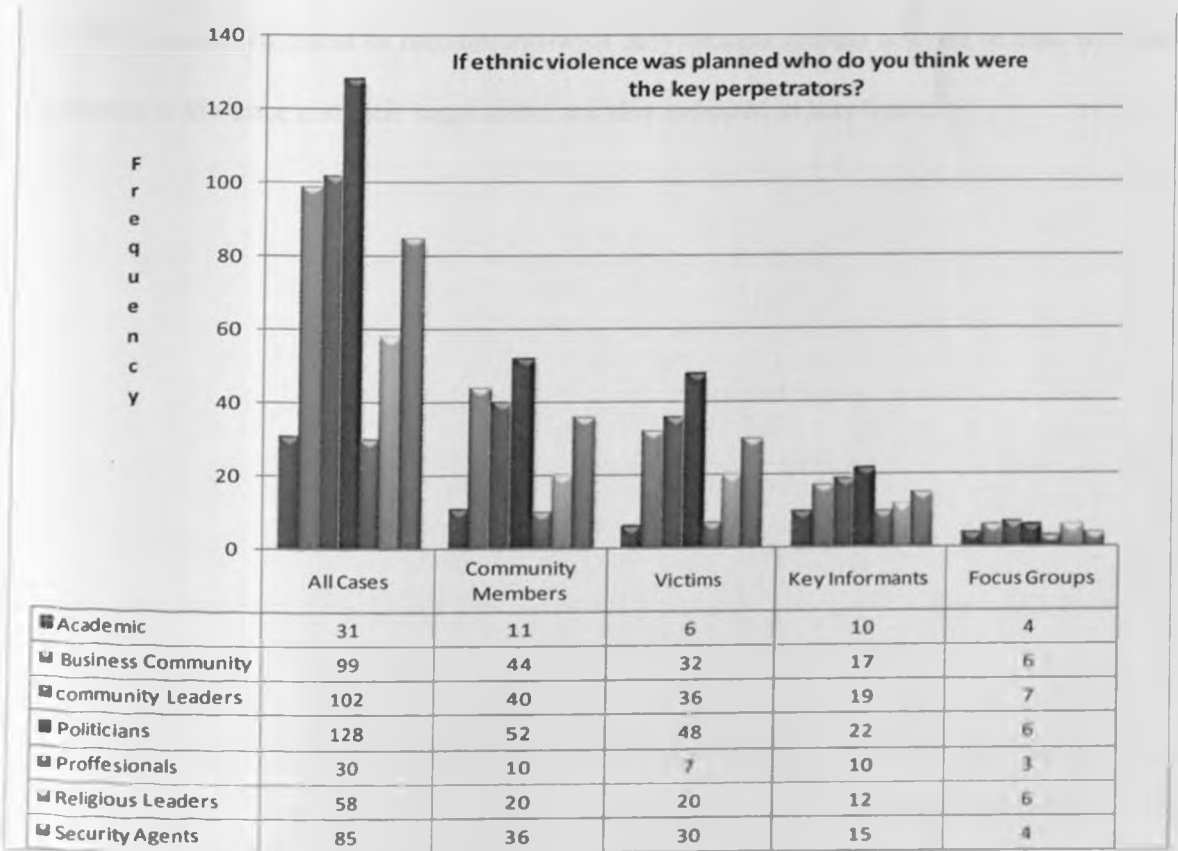
[187] Cornel, S., and Hartman, D., *Ethnicity and Race: Making Identities in a Changing World*, Thousand Oaks, CA:Pine Forge, 1998, p.59

The data in figure 18 previous page serves to confirm that political incitement is the main cause of ethnic violence with the politicians bearing the greatest responsibilities for planning, organizing and financing of the violence. This data further confirms the connection between general elections and ethnic violence. The data additionally confirms the secondary data in the literature review which indicates 'ethnic violence results from community leaders using ethnic groups as sites of mass mobilization and as constituencies in competition for power and resources'[188].

The information in figure 19 next page shows the specific roles that the respondents identified as having been played by each category of elites in perpetrating ethnic violence. The respondents were also asked to recommend what they thought should be done to deal with the perpetrators of violence and their suggestions are also indicated in this figure.

[188] Smith A.., *Nationalism: Theory, Ideology, History*, Cambridge: Polity, 2001.pp.54-55

Figure 19: Specific roles played by elites in perpetrating ethnic violence and recommendation for dealing with perpetrators of ethnic violence as mentioned by respondents

Politicians	• Incited ethnic groups into violence • Funded the violence • Mobilized the militias • Planned the violence • Provided incentives for violence especially by promising redistribution of land belonging to target communities • Provided crude weapons for combat • Used emotive land issue as bate to instigate violence
Community leaders	• Mobilized violence militias • Identified community resources to be used by militias • Organized counter attacks/retaliation violence • Were conduits of funding and acted as paying agents • Administered oaths to militias and planners of violence • Intoxicated the youth with alcohol and drugs
Businessmen	• Provided transport to militias and victims • They were the key financiers of the violence • Provided food to both militias and victims • Provided ready market for stolen/looted property sold cheaply to them
Religious leaders	• Took sides in the political contests preceding violence thereby polarizing ethnic communities especially in 2007 • In some cases refused shelter to victims fleeing the violence especially during the 2007 post election violence
Security agents	• Took sides in combat in favor of their ethnic groups • Were not impartial in quelling the violence • Took little or no action to stop the violence in some places due to lethargy • Hired out weapons to combatants and militias in the violence • Gave military training to combatants and militias • They were divided along ethnic & political affiliations • Carried out summary/extrajudicial killings of citizens
Academicians	• Used their expertise to craft inflammatory propaganda • Conducted pre election opinion polls polarizing communities • Used print & electronic media to spread propaganda
Professionals	• Used their expertise to craft inflammatory propaganda • Used print & electronic media to spread propaganda • Key strategists in planning violence
Recommendations for dealing with perpetrators of ethnic violence	• Local prosecution for home grown solutions • Locally prosecuted in order to punish both greatest and less responsible perpetrators • Those who bore the greatest responsibility should be Prosecuted by the ICC • Persuaded to confess and reconcile through TJRC process

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Figure 20 below captures the views and perceptions of the respondents as to whether there exist a connection between general elections and ethnic violence. Data presented shows 91.4% of the respondents in all cases confirmed the connection existed with only 7.4% stating otherwise. This view is replicated in all the other categories of respondents.

Figure 20: Presentation of respondents' perception on connection between ethnic violence and elections

	All Cases	Community Members	Victims	Key Informants	Focus Groups
There is a connection	91.40%	93.30%	88.50%	96.60%	83.30%
No connection	7.40%	6.70%	9.60%	3.40%	16.70%
Missing	1.20%	0.00%	1.90%	0.00%	0.00%
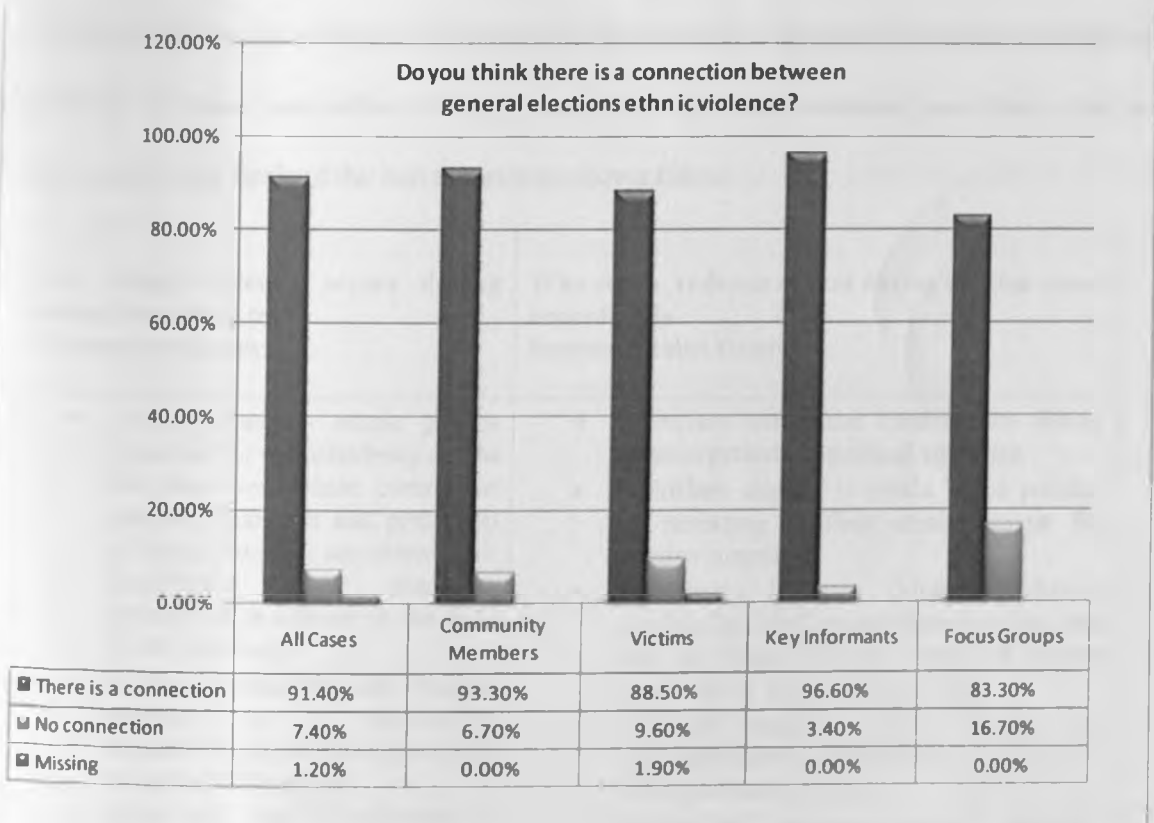
The data analysed in figure 20 above serves to indicate that ethnic violence has become synonymous with election violence and is fuelled mainly by the utterances and incitement by political leaders as they struggle for power and resources. Thus, this data underlines why ethnic violence occurs during election periods.

A qualitative analysis of the responses from all categories of the respondents relating to why they thought there existed a connection between elections and ethnic violence further

indicated that ethnic violence intensifies during election periods due to inflammatory utterances by politicians that cause fear among the migrant communities and mobilises and incites the local communities against the former groups; ethnic group competition for presidency due its perceived power and control of state resources and due to inequitable land distribution between the communities among other reasons.

To support the tenets of the primordialist and instrumentalist theories of ethnicity, the reasons why ethnic violence intensified during years when general elections were held can be dichotomised on the basis of the two theories as shown below.

Why ethnic violence occurs during election according to Premordiaist theory	Why ethnic violence occurs during election years according to Instrumentalist theory
- During elections ethnic groups scramble for the presidency due to the perceived ethnic control of national resources and protection of ethnic interests associated with presidential power when a member of an ethnic tribe ascends to the presidency - Ethnic communities use election tensions as an appropriate moment to settle their perceived historical differences - Pride and pain of winning or losing in elections by ethnic communities in the political contest perceived to pit a contest of might between ethnic communities	- Politicians antagonize communities during election periods as political strategies - Politicians engage in ethnic based politics by retreating to their ethnic groups for election support - Politicians instigate violence during elections to evict communities perceived not keen on voting for them in order to reduce opposition or to nullify their vote - Politicians instigate violence to instil fear and intimidate communities to vote in certain preferred patterns - Holding of elections without adequate preparations and electoral systems gives room for political malpractice which culminates into violence

The theme for data analysis relating to the role of media and political/public rallies in inciting ethnic violence was split into two parts. The first part sought the views of the respondents whether they thought media was used to incite ethnic groups to violence especially

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during the elections periods. The second part sought their views on whether political /public rallies were similarly used in this manner.

Data presented in figure 21 below captures the views of the respondents on whether they thought media was used to incite ethnic groups to violence during elections. Data presented shows 81% of the respondents in all cases indicated media is used as an instrument to incite communities to ethnic violence as compared to 77.3% and 76.90% of the respondents from community members and victims respectively who also agreed with the view.

Figure 21: Presentation of respondents' perception on the use of media to incite communities to ethnic violence

Do you think media is used to incite ethnic communities to violence during elections?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
■ Yes	81.00%	77.30%	76.90%	96.60%	100.00%
▶ No	17.80%	22.70%	3.40%	3.40%	0.00%
▶ Missing	1.20%	0.00%	0.00%	0.00%	0.00%
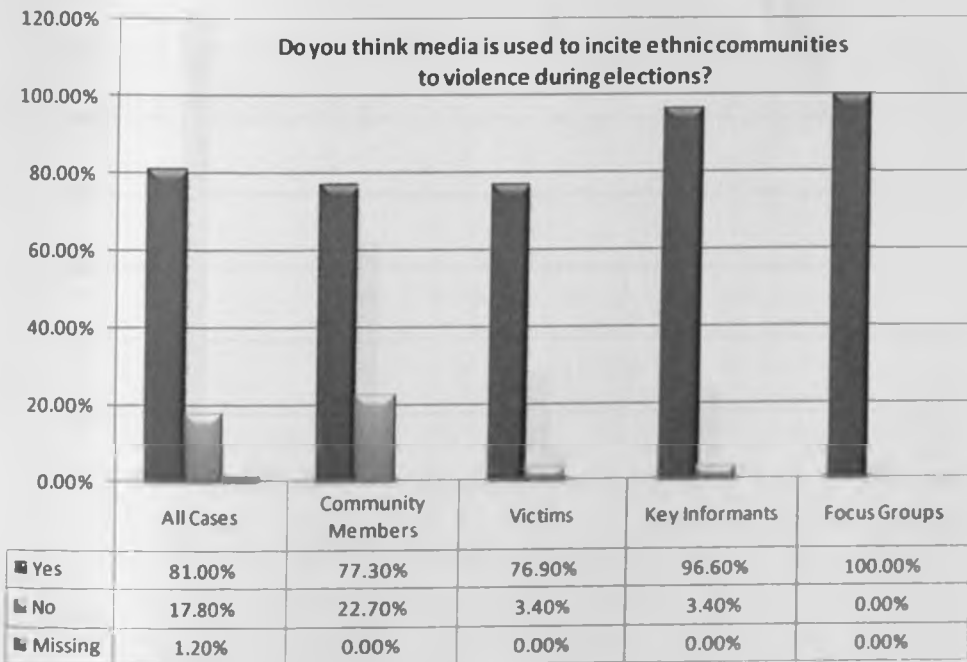
The data analyzed in figure 21 above points to media as a favorite and powerful instrument for conveying inciting messages that in the process leads to perpetration of ethnic violence. The respondents indicated in their responses that the section of the media mostly used is the

'community media', that is the vernacular radio stations which traditionally fills the lacuna left by the mainstream media.

Data presented and analyzed in figure 22 below captures the views of the respondents in relation to whom they thought uses media to perpetrate ethnic violence. The data presented in this figure indicates politicians were identified by the respondents with a frequency of 131 as the group that used media as a tool to incite ethnic groups into violence during elections followed by community leaders with a frequency of 51.

Figure 22: Presentation of respondents' perception of elites who use media to perpetrate ethnic violence

	All Cases	Community Members	Victims	Key Informants	Focus Groups
▣ Business Persons	5	4	1	0	0
▣ community Leaders	51	17	8	24	2
▣ Politicians	131	67	31	27	6
▣ Proffesionals	11	0	9	1	1
▣ Religious Leaders	1	1	0	0	0
▣ Others	7	2	4	0	1
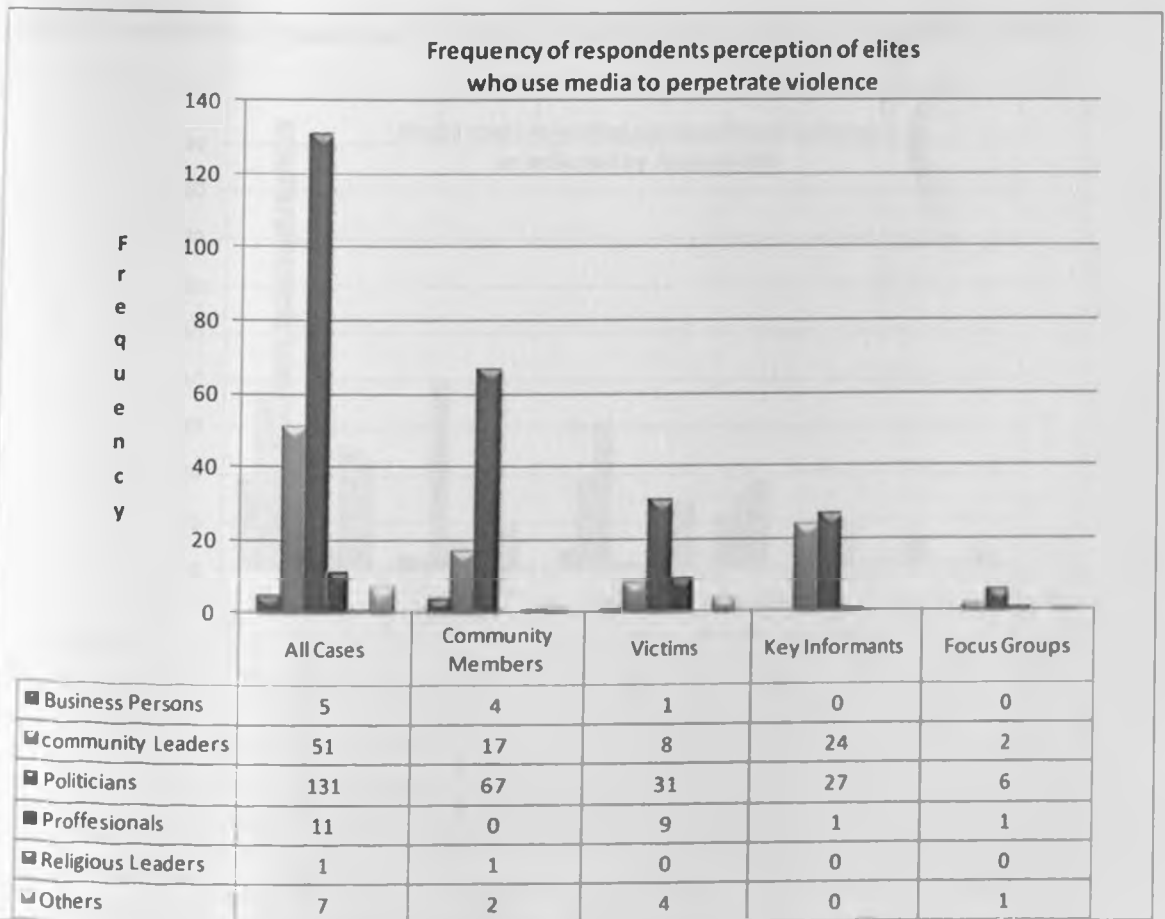
The result of the data analyzed in figure 22 above confirms the view by the respondents that politicians are the key perpetrators of ethnic violence in the sample areas. Additionally, this data

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confirms the secondary data that reveals that "ethnicity is manipulated by dominant groups in order to achieve their political goals."[189] Therefore, politicians use media as a tool to mobilize ethnic groups against others in competition for power & resources. This data further confirms that ethnic violence is driven by the actions of the politicians and the local community leaders.

Data presented in figure 23 below identifies some of the radio stations the respondents believed were used to incite ethnic violence during the 2007/08 post election violence. Data analyzed in this figure shows KAS FM was the most frequently mentioned with a frequency of 95 out of 100 to have aired inciting content that perpetrated violence in 2007.

Figure 23: Presentation of respondents' perception of media station used to perpetrate ethnic violence

Media stations inciting communities to violence as indicated by respondents

	All Cases	Community Members	Victims	Key Informants	Focus Groups
CITIZEN	19	3	4	11	1
INOORO	38	3	19	15	1
KASS FM	95	39	31	19	6
KBC	7	6	1	0	0
KISS FM	2	0	1	0	1
MULEMBE FM	6	1	1	3	1
RAMOGI FM	26	9	6	7	4
OTHERS	24	0	15	8	1

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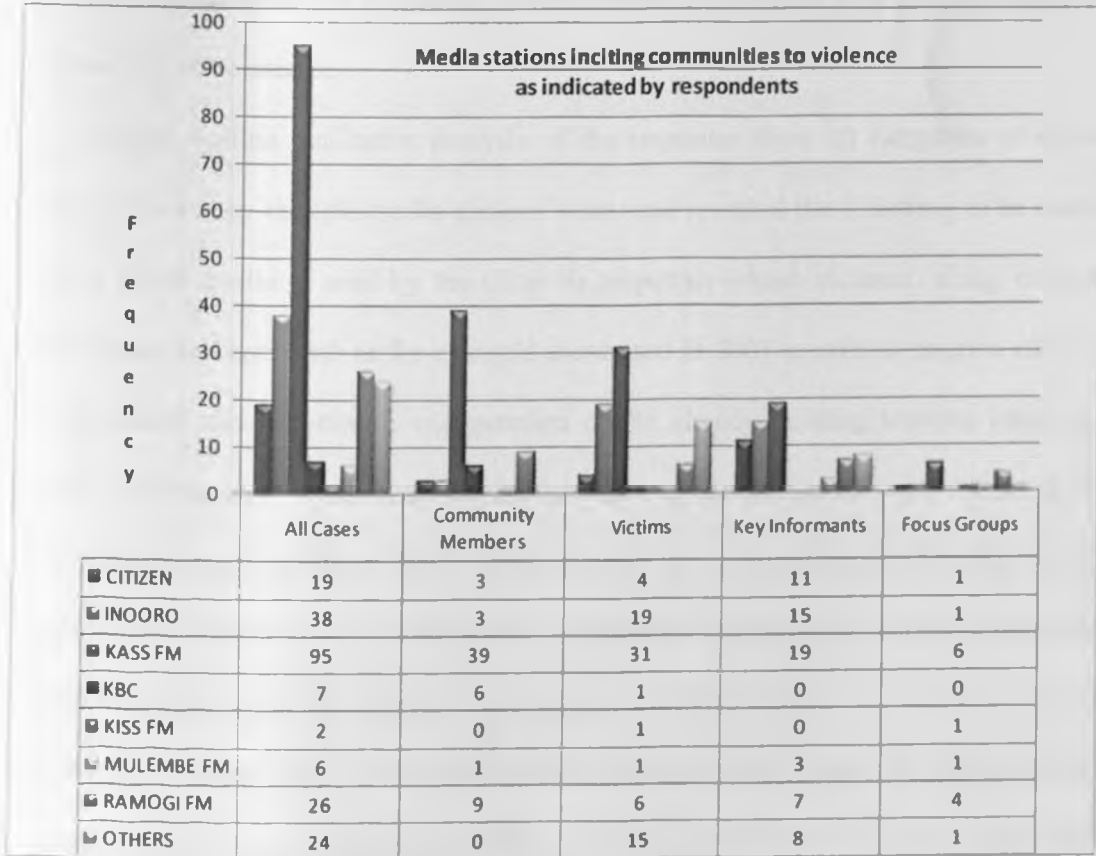
[189] Gilley B, "Against the Concept of Ethnic Conflict" *Third World Quarterly*, 25 (2004), pp.1155-66

The result of the analysis of the data in figure 23 previous page points to KASS FM as the most frequently mentioned station. This serves to confirm why one of the stations' radio presenters has been named as a suspect in the 2007 post election violence by the International Criminal Court (ICC). It should also be noted that, all the radio stations most frequently identified in figure 23 by the respondents as having aired inciting messages are mainly FM radio stations that broadcast in vernacular languages. This result shows that, because of the ethnic based politics in Kenya, vernacular radio stations become essential instruments for coalescing ethnic support from ones' ethnic community and inciting them against other communities. Further, the data confirms the power and potential of vernacular radio stations to mobilise ethnic communities towards potentially divisive causes.

A further detailed qualitative analysis of the responses from all categories of respondents relating to how they thought media stations were used revealed the following to be some of the ways in which media is used by the elites to perpetrate ethnic violence: airing inflammatory programmes/messages such as for example those used in 2007 to refer to migrant ethnic groups as 'Madoadoa' and 'Kwekwe'; exaggeration of the already existing tensions between ethnic groups. For example, views from respondents showed that in Eldoret west district, KASS FM aired radio messages calling on the Kalenjin community to evict migrant ethnic groups in order to recover their ancestral land. Additionally, respondents indicated that, media at times airs non-factual information which heightens tension and eventually leads to violence. For example, respondents cited the 2007 disputed presidential election results, where the media stations aired unconfirmed results and announced on their own that the election had been rigged before the official announcement by the electoral commission.

Besides revealing how media was used by the elites to perpetrate ethnic violence in the sample areas, the respondents further made recommendations on how this misuse of the media can be cubed. The measures recommended by the respondents include among others: review of regulations governing the licensing and operations of vernacular FM radio stations to ensure strict censoring of the content aired by the stations; prosecution of media personalities who air inflammatory programmes or messages and banning of radio stations that persistently air inciting material.

Data presented in figure 24 below next page gives the views of the respondents on whether they thought political/public rallies are used mobilize and incite ethnic groups to ethnic violence. Data presented show 90.2% of the respondents in all cases indicated that Political/public rallies were used to mobilise and incite communities to ethnic violence with only 8.06% indicating they were not. The other categories of respondents similarly concurred the rallies were used to mobilise communities.

Figure 24: Presentation of respondents' perception on use of public rallies to incite ethic communities to violence.

Do you think public rallies are used to plan and incite ethnic communities to violence during elections?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Yes	90.20%	90.70%	92.30%	89.70%	83.30%
No	8.60%	9.30%	7.70%	6.90%	16.70%
Missing	1.20%	0.00%	0.00%	3.40%	0.00%
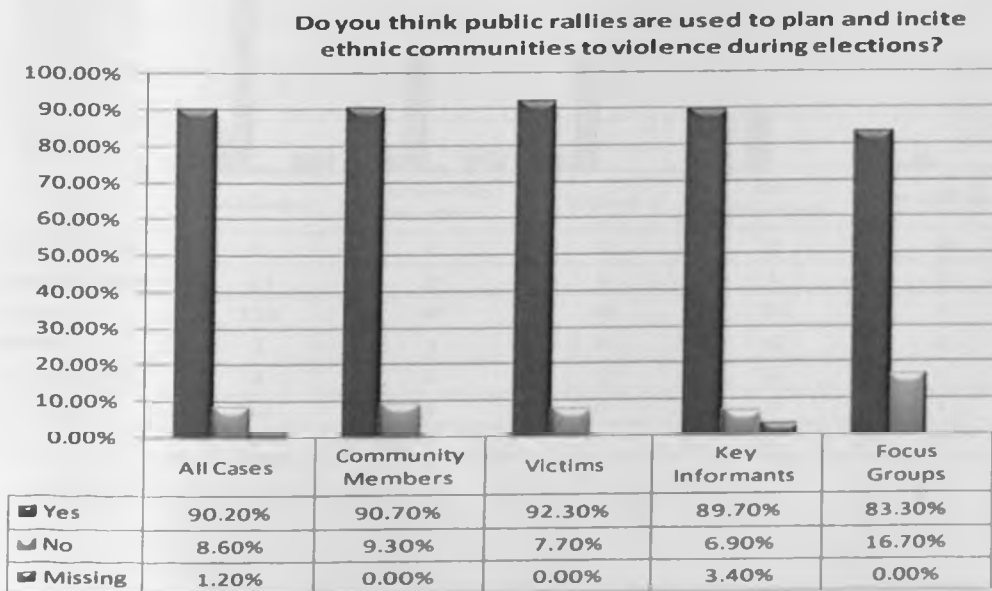
The data presented in figure 24 previous page serves to confirm that ethnic violence is instigated through ethnic mobilization using political/public rallies as the main vehicle for interaction. The data further serves to confirm the secondary data that revealed that "the more ethnic mobilization is deployed as a Political weapon, the more the ethnic other is compelled to respond by counter-mobilization, resulting into a cycle of out-bidding which deepens the politicization of identity and sharpens antagonism between ethnic groups."[190] Thus, ethnic violence is constructed through mobilization using public meetings as the vehicle for interaction where ethnic identities are constructed and reconstructed.

The data presented in figure 25 below captures the views of the respondents on who they thought used political/public rallies to perpetrate ethnic violence.

Figure 25: Presentation of respondents' perception of elites who are key users of public rallies to perpetrate ethnic violence

In your opinion, who do you think are the key users of public rallies to incite ethnic communities to violence during elections?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Business Persons	5	4	1	0	0
community Leaders	18	9	6	1	2
Politicians	118	45	44	24	5
Academis	2	2	0	0	0
Religious Leaders	1	0	1	0	0
Professionals	10	9	0	0	1
Others	8	7	1	0	0
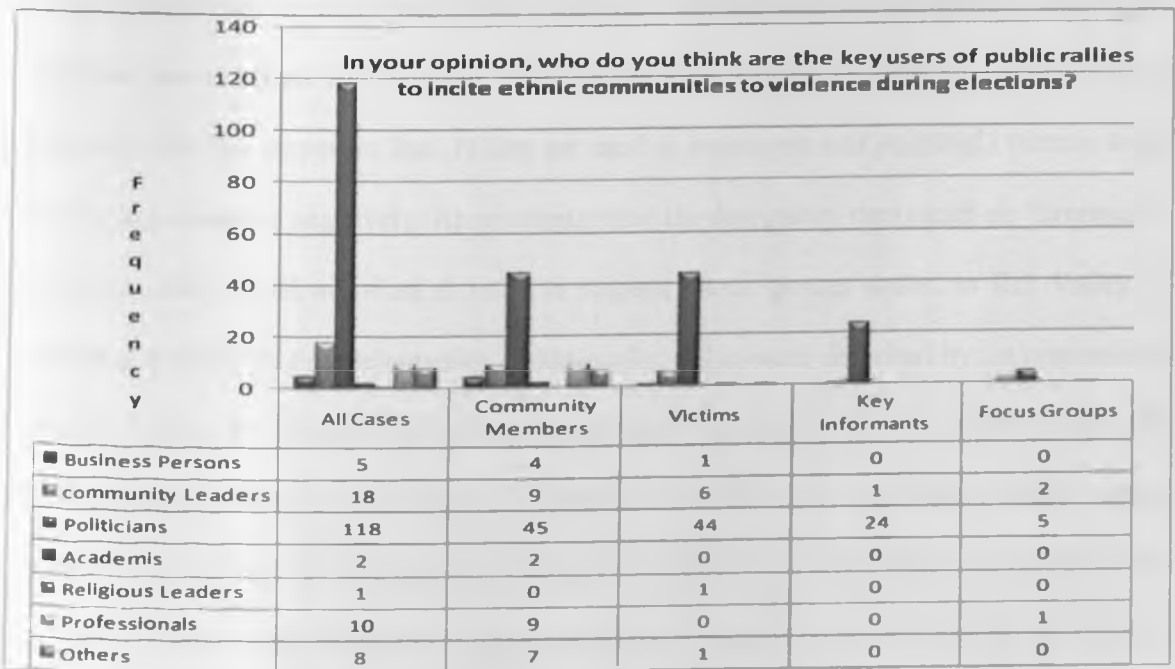
[190] Young, c., *Explaining the potential of Ethnicity*, in Darby, J., and R. Macginty. *Contemporary Peacemaking Conflict, Violence and Peace Processes* (London: Palgrave, 2003), p. 14

The data presented in figure 25 previous page shows that politicians were identified with a frequency of 118 out of a possible 140 to be the group that mostly used political/public rallies to perpetrate ethnic violence in the sample areas. This data reinforces the perception that politicians are the key perpetrators of ethnic violence and the result that indicates there is a strong connection between occurrence of ethnic violence and the actions of the elites during general elections. The result further supports the tenets of the instrumental theory that guides this study.

A detailed qualitative analysis of the responses from all categories of respondents relating to how they thought rallies were used to incite violence showed that politicians use political/public rallies to make inflammatory utterances which more often than not lead to incitement of ethnic communities against each other. Further, the responses indicated that rallies are deliberately used by the politicians to distort information. For example, the respondents consistently cited the 2007 disputed presidential election result as an example where politicians used rallies to distort the outcome of the elections and in the process incited communities to violence. It was further established from the responses that, rallies are used to stereotype and negatively portray some particular communities negatively. Respondents cited the derogatory terms such as 'foreigners', 'Madoadoa', and 'Kwekwe' used to refer to migrant ethnic groups settled in Rift Valley as examples that testify to this stereotyping. Additionally, rallies were described by the respondents as central forums for funding and manipulating youth into acts of ethnic violence. Also, the responses indicated that rallies are used to mobilise communities to rally behind certain causes that potentially fuel ethnic violence. For example the desire by the Kalenjins and Masai in the Rift Valley as well as the Mijikenda in the coast to evict migrant communities from Rift Valley and the coast provinces was cited by respondents as one of the issue used by the politicians to instigate ethnic violence.

4.3.2.3 Nature, impact and execution of ethnic violence

In this theme the researcher's focus was to gather data on three areas: first to establish who among the population sub-groups of men, youth and women played the greatest role in carrying out the violence; second, to establish whether the group that took the lead role acted on its own or was influenced by others; and lastly, to establish who among the population sub-groups were most affected by the violence and in which way. The information gathered is presented and analyzed in figures 26 to 31.

Data presented in figure 26 below captures the perceptions of the respondents on who they thought played the greatest role in carrying out the violence.

Figure 26: Presentation of respondents' perception of those who played a key role in carrying out ethnic violence in the year's violence occurred

Who do you think played a key role in carrying out the violence?	All Cases	Community Members	Victims	Key Informants	Focus Groups
■ Youth	42.90%	52.00%	50.00%	10.30%	33.30%
◨ Youth & Men	26.40%	33.30%	25.00%	17.20%	66.70%
◨ Youth, Men & Women	29.40%	14.70%	21.30%	72.40%	0.00%
■ Youth & Women	0.60%	0.00%	1.90%	0.00%	0.00%
◨ Missing	0.60%	0.00%	0.00%	0.00%	0.00%
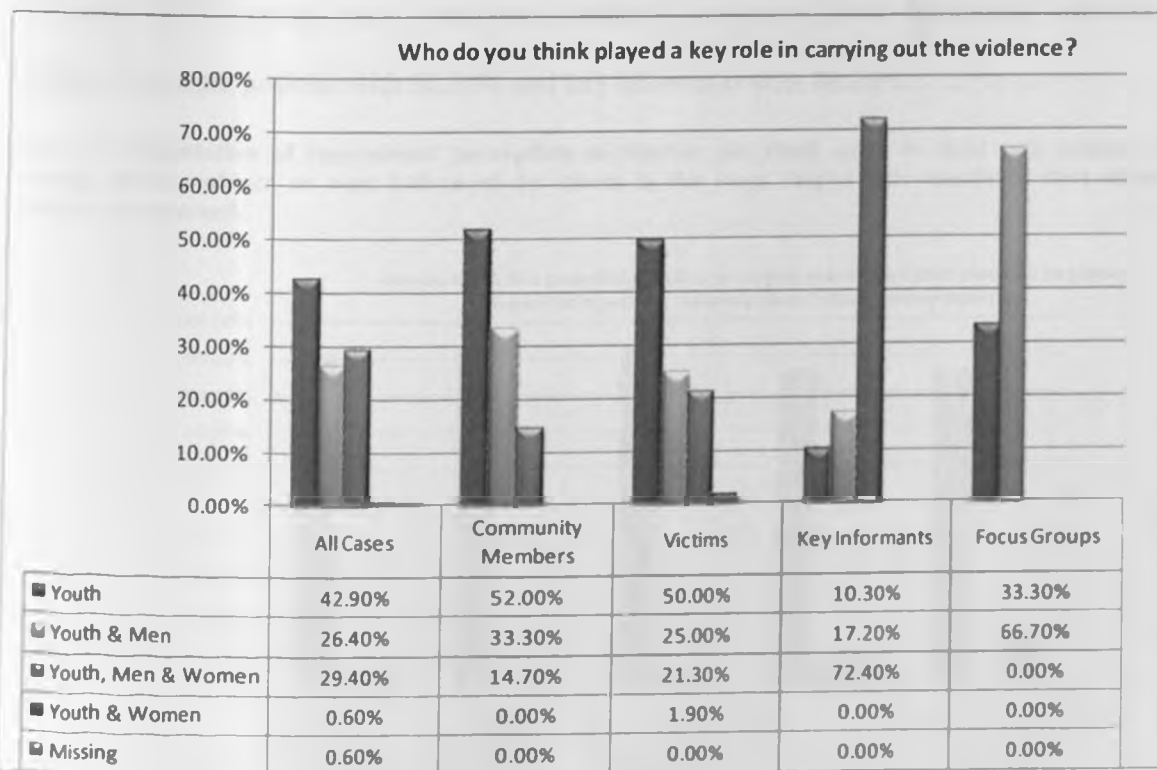
Data analyzed in figure 26 above show that 42.9% of all cases confirmed youth played the greatest role in carrying out acts of ethnic violence in the sample areas. When analysed from the

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responses of the community members, 52.00% of the respondents concurred that youth played the greatest role in carrying out the violence while 50% of the respondents from the victims' stratum similarly agreed with this view. On the other hand, data from focus group discussions showed that a combined force of youth and men played the greatest role at 66.70%, while the key informants concurred with 72.40%. It is clear from the data analyzed in figure 26 that all the respondents believed that youth played the greatest role in carrying out the actual violence. In the circumstances, it was necessary to establish from the respondents whether they thought youth acted on their own volition or were influenced by others.

Data presented in figure 27 below shows that 91.4% of all cases believed that the youth did not act on their own volition in carrying out acts of violence but were influenced by others with only 4.30% saying they were not. Similarly, responses from community members confirmed the same position with 92.50% and key informants with 86.20%.

Figure 27: Presentation of respondents' perception on whether the youth acted on their own volition in executing ethnic violence or were influenced by others in the years respondents mentioned that ethnic violence was witnessed.

Do you think the population sub-groups you mentioned that played a key role in executing ethnic violence were influenced by others?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Yes	91.40%	93.30%	92.30%	86.20%	85.70%
No	4.30%	4.00%	3.80%	6.90%	0.00%
Missing	4.30%	2.70%	3.90%	6.90%	14.30%
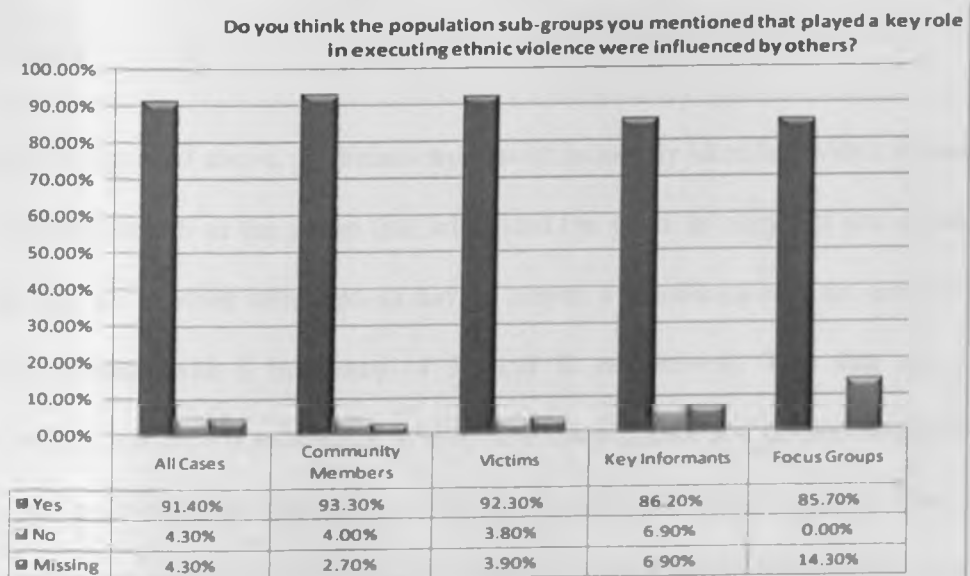
The information analyzed in figure 27 previous page clearly indicates that youth played the greatest role in carrying out acts of violence under the influence of other parties.

The information presented in Figure 28 below further gives data on who the respondents believed influenced the youth to participate in acts of violence.

Figure 28: Presentation of respondents' perceptions on elites who influenced the youth to execute ethnic violence in the years respondents mentioned that ethnic violence was witnessed.

Elites who influence youths to execute ethnic violence as indicated by respondents

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Academis	3	3	0	0	0
Business Persons	32	15	9	6	2
community Leaders	53	20	20	10	3
Politicians	124	64	48	6	6
Professionals	3	3	0	0	0
Religious Leaders	0	0	0	0	0
Media	5	4	1	0	0
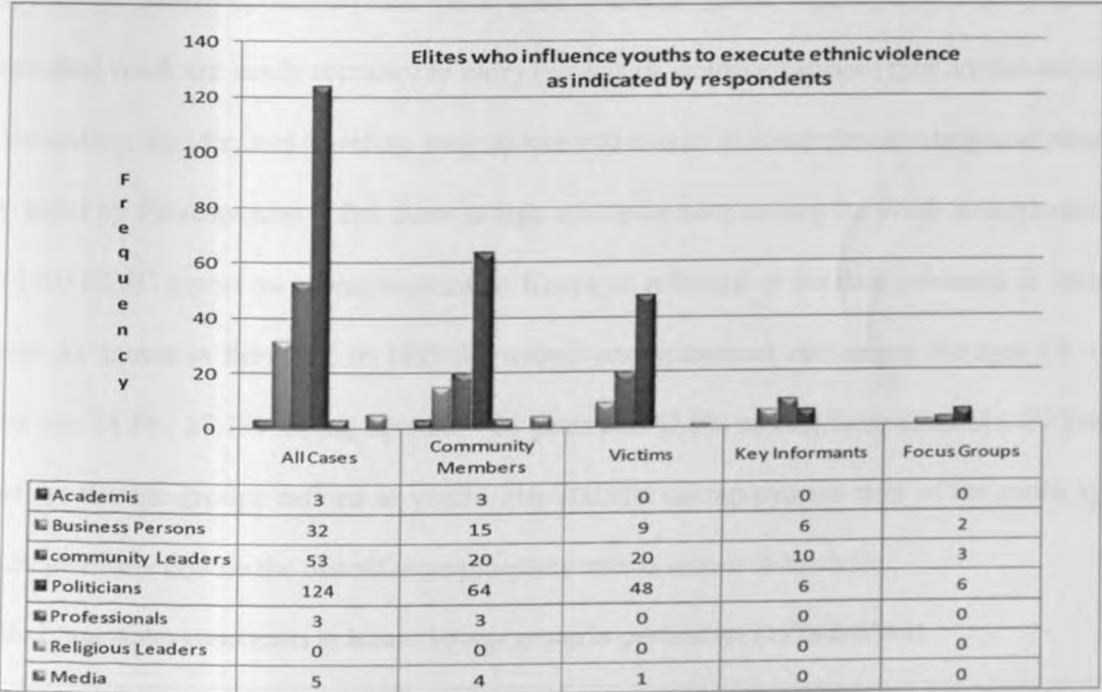
As shown in figure 28 above, politicians were most frequently identified with a frequency of 124 out of a possible 140 as the group that influenced the youth to carry out acts of ethnic violence. Other groups of elites identified as having played a significant role are community leaders and businessmen with a frequency of 53 and 32 respectively. This data not only reinforces the finding that there is a connection between ethnic violence and general elections but also confirms that politicians are generally the key perpetrators of ethnic violence. The data further explains why the Kenyan political space is inundated with youthful tribal militia such as

Mungiki, Taliban, Jeshi la Mzee among others that ply their trade at the behest of political elites and parties.

A qualitative analysis of the responses from all categories of respondents relating to why they thought the youth were lured to commit acts of violence indicated that , the high rate of unemployment among the youth makes them vulnerable for manipulation by elites through promises of financial, employment and other material gains. Additionally, the responses established youth are easily recruited to carry out acts of violence because: they are the majority in the society, are idle, and therefore, easy to lure into acts of violence through drugs and money. The belief by the respondents that there is high unemployment among the youth is supported by the 2010 NESC report on unemployment in Kenya as reflected in the data presented in table 1 below. As shown in the table, in 1999 the overall unemployment rate among the ages 15 – 19 years was 24.3%; 27.1% among ages 20 – 24 years and 15.5% among those aged 25 – 29 years: these are the age groups defined as youth. The 2005/06 unemployment rates of the youth aged 15-24 are nearly double the overall unemployment rate as shown in the table.

Table 1: unemployment rates in Kenya by age group in percentage (1978-2005/06)

Age	1978*	1986*	1998/99*	1998/99**	2005/06**
15 – 19	26.6	36.2	47.0	24.3	25.0
20 – 24	18.5	29.2	47.3	27.1	24.2
25 – 29	4.8	8.6	25.1	15.5	15.7
30 – 34	2.0	2.7	14.3	10.8	7.5
35 – 39	1.8	2.1	12.0	8.4	7.6
40 – 44	0.7	0.7	11.2	9.1	6.4
45 – 49	1.1	2.0	14.7	8.2	5.7
50 – 54	1.4	0.9	18.9	8.7	4.7
55 – 59	1.5	4.1	40.6	13.5	4.0
60 – 64	3.2	---	45.2	11.7	2.5
Total	6.7	9.7	25.1	14.6	12.7

Source: Vandermoortele (1991) and GoK 92003b; 2008a)

*- urban unemployment rates

**-Total unemployment (urban + rural)

Figure 29 below illustrates that unemployment rates for the youth are relatively higher than the middle and old age groups. Though the unemployment data for 1998/99 indicates that the relationship between unemployment rate and age appears to be U-shaped which means that unemployment rates are relatively high among the youth. relatively lower in the middle ages and rising thereafter it does not rise to such levels as those of the youth.

Figure 29: Unemployment rates in Kenya by age group
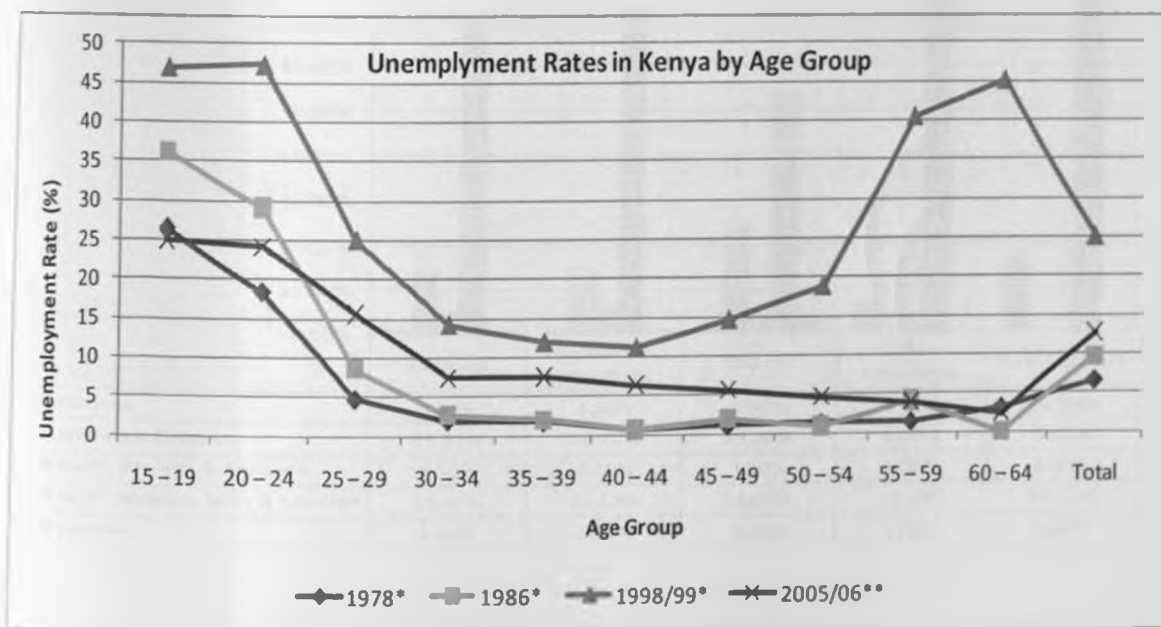
The results of the study by the National Economic and social council[191] illustrated in table 1 and figure 29 support the findings of this study that unemployment among the youth is a serious problem that makes them vulnerable for manipulation by elites to execute ethnic violence with promises of financial, employment and other material promises.

Data presented in figure 30 next page captures the views of the respondents on who they thought was most affected by the violence. Data analyzed in this figure shows that. 70.6% of the

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[191] Report of the National Economic and Social Council (NESC); *Unemployment in Kenya*: A Situational analysis, Government Printer, Nairobi, 2010. p.12-13

respondents in all case indicated that youth, men, women and children were most affected by the

ethnic violence that occurred between 1991-2008.

Figure 30: Presentation of respondents' perception of victims most affected by ethnic violence in the year's violence occurred

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Children	1.20%	1.30%	1.90%	6.90%	16.70%
Women & Children	15.30%	14.70%	25.00%	0.00%	0.00%
Youth, Women & Children	5.50%	6.70%	3.80%	0.00%	0.00%
Youth, Women, Men & Children	70.60%	73.30%	53.80%	93.10%	83.30%
Women	1.20%	1.30%	3.80%	0.00%	0.00%
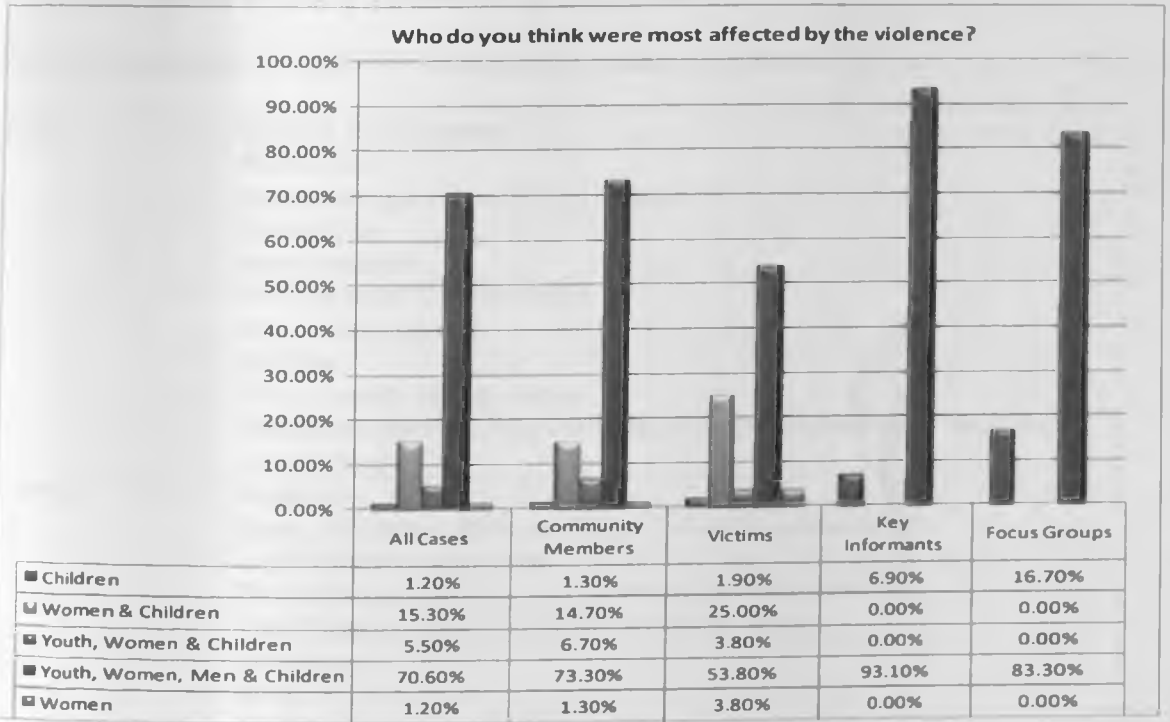
Although the data analyzed in figure 30 above generally shows all members of the society were affected by the violence it is evident that, youth, men, women and children suffered most. In the case of youth, a qualitative analysis of the responses showed that they suffered most because they are the group that carried out the actual violent activities. Consequently, they suffered the brunt of the violence and many were killed, some maimed and others arrested and locked up in police cells. Women and children equally suffered because they were defenceless, most vulnerable and were brutally uprooted from their homes. Men equally suffered as some were killed and many lost property. A further qualitative analysis of the responses from all categories of respondents identified destruction of property, rape, school dropout, increase in

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STI/HIV and unwanted pregnancies as the most severe effects of the violence directly experienced by the victims.

Data captured in figure 31 below presents the specific effects that the victims of the violence suffered according to the views of the respondents.

Figure 31: Respondents' views on how victims of ethnic violence were affected.

Youth	• Killed by security agents • Raped (girls) • Some mature girls forced into commercial sex • Lost relatives • Injured /maimed • Fled from home for fear of arrest • Dropped from school • Displaced • Held in custody without charges • Traumatized psychologically for having committed heinous crimes and killings • Lost employment
Women	• Displaced • Raped, with some contracting STIs and unwanted pregnancies • Lost loved ones and widowed • Their marriages broken especially those in inter-ethnic marriages • Some forced to adopt commercial sex as a way of life
Men	• lost property • killed • Displaced • Disillusionment and lost hope due to loss of lifetime investments • lost families
Children	• Lost parental care • Dropped out of school and lost education opportunities • Orphaned • Lacked medical care • Got lost or ran away from home
General effects	• Economic decline • Artificial famine and scarcity of food causing hunger • Increase in HIV & STI infection rate • Increase in mortality rates due to lack of access to health care • Extensive damage of property and public amenities • Permanent psychological trauma • Stalling of development projects • Disillusionment and apathy of citizens with the government • Increase in poverty & deprivation • Breakdown of social relations and long existing social networks in communities leading to mistrust

One of the key impacts of the violence that was mentioned frequently by all respondents was economic decline in the areas affected by the violence. The responses from all categories of respondents showed that, farmers were not able to till their farms, business was disrupted and many people lost jobs. The belief by the respondents that ethnic violence greatly affects the performance of the economy is supported by the Kenya Bureau of Statistics Economic Survey findings of 2009 which showed a significant slowdown in economic growth in 2008 after the 2007 post election violence as shown in figure 32 below.

Figure 32 below shows that Kenya's Real Gross Domestic Product (GDP) is estimated to have expanded by a dismal 1.7% in 2008 as compared to a 7.1% expansion in 2007 before the breakout of the post election violence.

Figure 32: Kenya's real gross domestic product by year
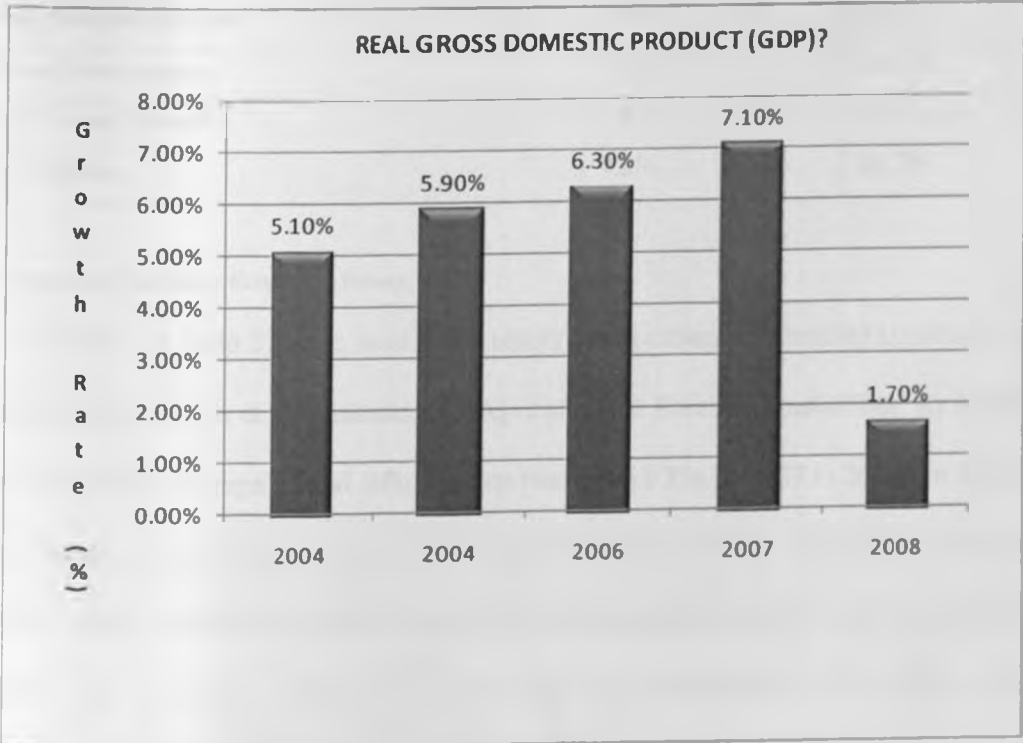
Source: Bureau of Statistics Economic Survey, 2009

The data presented in figure 32 previous page confirms the perception by the respondents that the 2007/08 post ethnic violence led to economic decline in the sample areas.

The negative performance of the economy as a result of the 2007 post election violence in 2008 is further illustrated by the poor performance in almost all the sectors of the economy as shown in the table 2 below.

Table 2: Kenya's economic performance by sector and year

Sector	Year	
	2007	2008
Construction	6.9 %	8.3%
Education	3.7%	5.8%
Wholesale & Retail trade	11.5%	5.1%
Manufacturing	6.5 %	3.8%
Transport & Communication	15.1%	3.1%
Financial Intermediation	6.7%	3.1%
Hotels and restaurants	16.3 %	-36.1%
Agriculture and forestry	2.0 %	-5.1 %
Rise in inflation	9.8%	26.2%

Source: Bureau of Statistics Economic Survey, 2009

As shown in table 2 above, most key sectors of the economy recorded significant stunted growth rates with Hotels & Restaurants and Agriculture & Forestry contracting. As indicated in the table above, the average annual inflation rate rose from 9.8% in 2007 to 26.2% in 2008 which was the highest rise in inflation since 1994 when it reached 28.8%. This information concurs with views of the respondents who pointed to stunted economic growth in the areas affected by the 2007 post election violence. In particular, the respondents cited food shortage, unemployment and low purchasing power among the victims of the violence.

4.3.2.4 Strategies for addressing ethnic violence

In this section, the researchers' focus was to gather information on the respondents' perception on two issues: first, how the problem of Internally Displaced persons (IDPs) and all other victims of the violence has been managed by the government with particular emphasis to the 'compensation'[192] of the victims; second, how the government has generally managed the menace of ethnic violence since 1991. Data collected in relation to the two issues is presented and analyzed in figures 33 and 34.

Figure 33 next page presents data collected regarding the respondents views whether the victims of the post election violence that occurred in 2007/08 were compensated. Data presented in this figure show that there has been a deliberate effort by the government to assist the victims of the violence. This information is confirmed by the fact that 83.4% of the respondents in all cases indicated that victims of ethnic violence were given some form of 'compensation' particularly after the 2007 post election violence. Similarly, respondents from all other categories agreed with this view as the data shows

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[192] 'Compensation' This word is used to refer to the assistance given by the government to the victims of the violence

Were the victims compasated for the loss?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Yes	83.40%	83.40%	78.80%	96.60%	83.30%
No	14.70%	14.70%	21.20%	3.40%	16.70%
Missing	1.90%	1.90%	0.00%	0.00%	0.00%
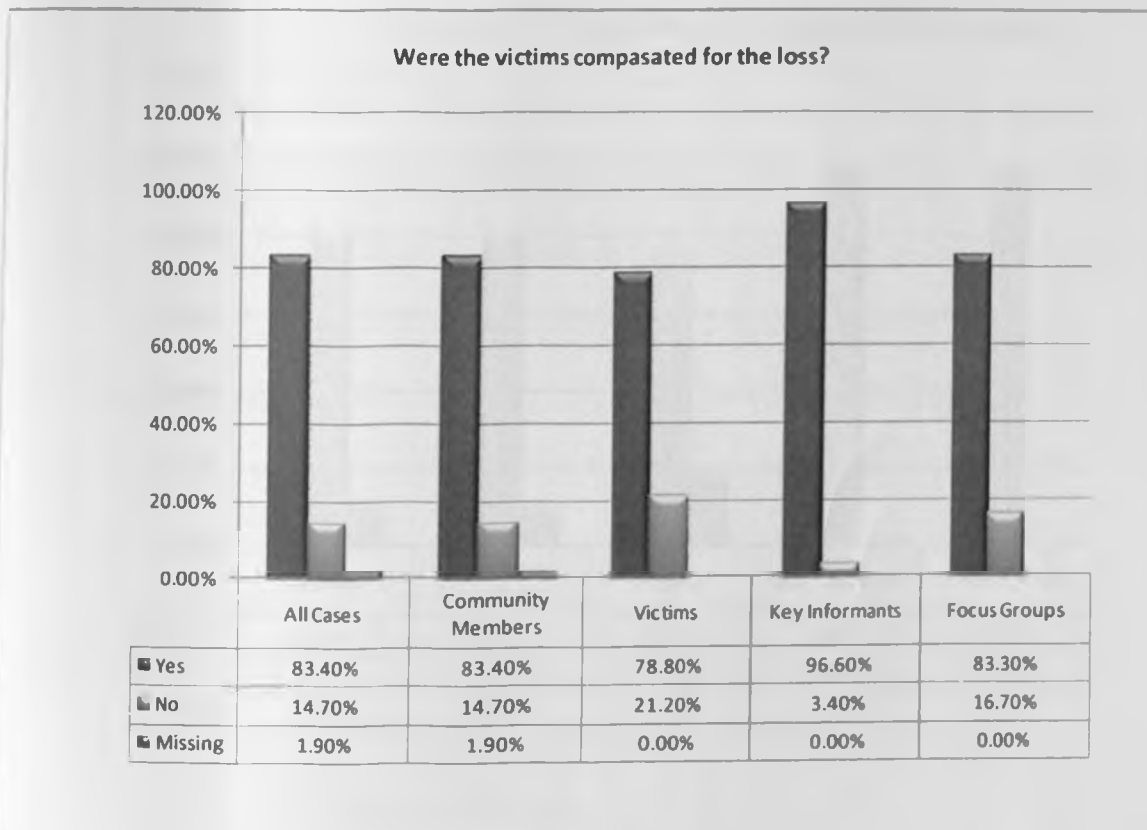
However despite the government's efforts to assist the victims of the violence a qualitative analysis of the respondents in all cases showed widespread dissatisfaction with the amount paid to the victims and the manner in which the assistance was managed by the government.

Data presented in figure 34 next page captures the respondents' views on whether they considered the assistance given by the government as adequate. Data analyzed in the figure reveals that 82.20% of the respondents in all cases expressed dissatisfaction with the amount paid and the manner in which the assistance was managed by the government. Similar views persisted in the other categories of respondents as the data shows.

Do you think the compasation was adequate relative to the loss?

	All Cases	Community Members	Victims	Key Informants	Focus Groups
Yes	5.50%	8.00%	5.80%	0.00%	0.00%
No	82.20%	81.30%	75.00%	100.00%	100.00%
Missing	12.30%	10.70%	19.20%	0.00%	0.00%
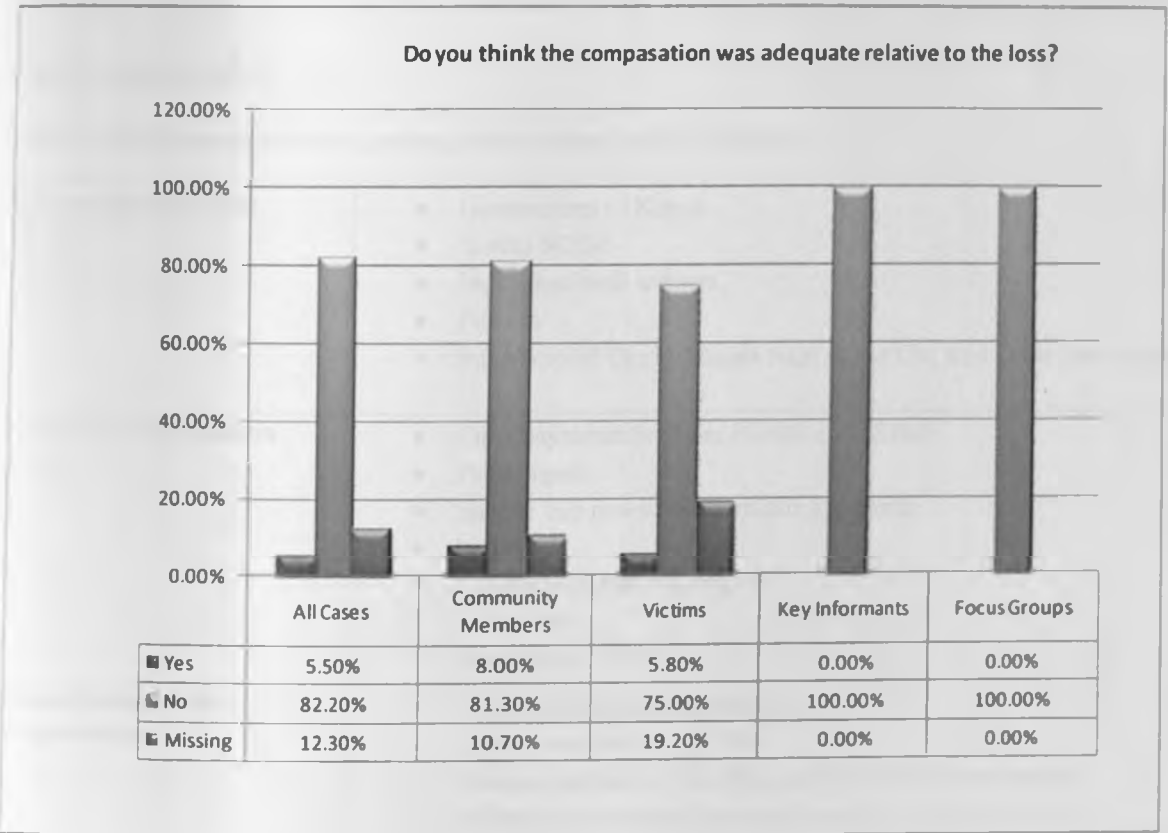
Further qualitative analysis of the information gathered from the respondents shows widespread dissatisfaction among all categories. The reasons cited by respondents for this dissatisfaction include one, the inadequacy of the funds provided by the government and second, the lack of proper mechanism to indentify the genuine victims of the violence which led to opportunists posing as victims. This data confirms why there has been persistent confusion and claims of misappropriation of funds meant for the resettlement of the IDPS. This further explains why most of the IDPs are still living in camps.

Figure 35 below captures in tabular form the respondents views on the nature of assistance extended to victims, sources of the funds and the key factors attributed to the general discontent over the compensation

Figure 35: Respondents views on compensation of victims of ethnic violence

Who compensated the victims	• Government of Kenya • Local NGOs • Individual well wishers • Friends • International Organizations such as the UN, Red Cross and others
Nature of compensation given	• Cash payments between 10,000 and 35,000 • Farm inputs • Shelter and provision of building material • Land • Provision of basic amenities • Relief food • Provision of clothes
Dissatisfaction with compensation	• Unfair distribution of assistance • Unfair resettlement of IDPs • Misappropriation of funds by public officials (corruption) • Inadequate compensation as compared to the loss incurred • Public officials took advantage of low levels of literacy to underpay victims • Inadequate communication to the victims leading to lack of understanding of the compensation process. • Failure to compensate some victims even up to date

Data presented in this figure 36 next page captures the views of the respondents on whether they felt the government was doing enough to address the recurring problem of ethnic violence. Data presented show that 50.3% of the respondents in all cases were dissatisfied with the measures the government was taking to forestall the recurrence of ethnic violence while 48.50% said they were satisfied.

	All Cases	Community Members	Victims	Key Informants	Focus Groups
■ Yes	48.50%	54.70%	46.20%	34.50%	66.70%
■ No	50.30%	45.30%	53.80%	62.10%	33.30%
■ Missing	1.20%	0.00%	0.00%	3.40%	0.00%
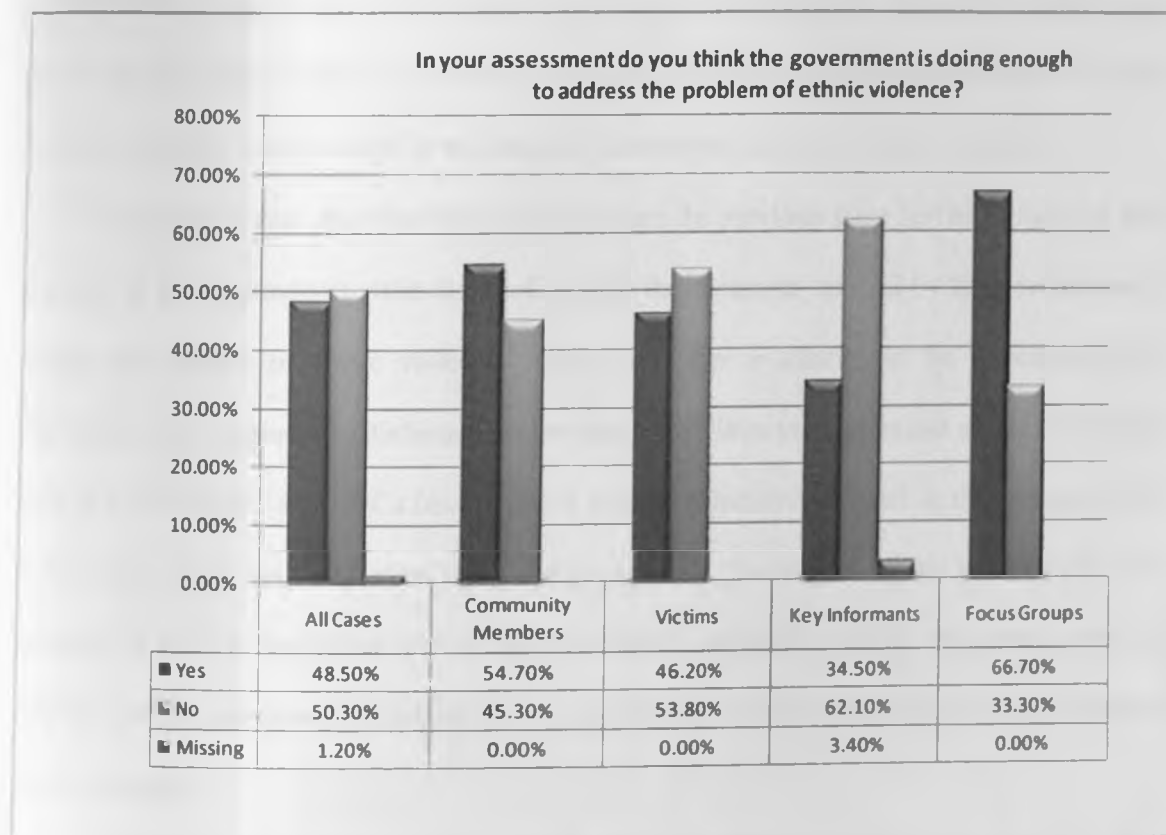
A qualitative analysis of the responses showed those dissatisfied cited the lack of commitment by the government to prosecute perpetrators of ethnic violence since 1991 despite the recommendations by various commissions appointed to investigate the menace. Further, they blamed the government for failing to establish a local tribunal to try the perpetrators of the 2007 post election violence. Additionally, they pointed to the failure of government to resettle the IDPs generated by various waves of ethnic violence since 1992 including the 2007/08 post election violence as an indicator of the government's lack of will to deal with the problem of ethnic violence and its attendant effects to the society. On the other hand, those who were satisfied with the measures taken by the government cited the elaborate security arrangements by the government during the August 27th 2010 referendum as a sign of commitment to forestall

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recurrence of violence. They also argued that, the formation of the Truth, Justice and Reconciliation Commission (TJRC) and the National Cohesion and Integration commission (NCIC) to deal respectively with historical injustice and negative ethnicity were positive moves by the government which would in the long run address the problem of ethnic violence.

In general terms, the data presented in figure 36 previous page serves to indicate that, majority of the respondents were dissatisfied with the measures applied by the government to manage the menace of ethnic violence. Indeed, a further evaluation of the responses of the respondents who expressed satisfaction shows that, their views were premised on the institutions such as TJRC, NCIC and DPCs being able to operate effectively as well as the reforms in the Police Force being fully implemented by the government. This has so far not been the case and therefore, it can be concluded that all the respondents interacted with in this study were not satisfied with the measures undertaken by the government to deal with the recurring problem of ethnic violence.

Information presented in figure 37 next page lists both the positive and negative views expressed by the respondents regarding the measures undertaken by the government to address the menace of ethnic violence since 1991.

Figure 37: Respondents' views on government efforts to address the problem of ethnic violence

Views on why government was not seen to have done enough to address the problem of ethnic violence	• Compensation given by government was Inadequate to carter for loss of life, property and businesses • There was no proper mechanisms to identify genuine victims causing confusion and fraud • Government is reactive rather than proactive to ethnic violence hence compromising preparedness • Government lacks the will to prosecute perpetrators of violence • Corruption is still rife in the government • IDPs have not fully been resettled and others have not been assisted to return to their farms • Youth unemployment has not been adequately addressed and youth remain vulnerable to influence by politicians and other leaders • Favoritism in resource allocation is still rife and is a catalyst for violence • There is no clear government policy for dealing with ethnicity
Views on why government was viewed to have done enough	• There was improvement of security arrangement during referendum and by-elections • Formation of TJRC to deal with historical injustice • Government has supported the formation of District Peace Committees in all the districts • On-going police reforms • Civic education through the National Cohesion Integration Commission on negative ethnicity

CHAPTER FIVE

Findings and conclusion

5.0 Introduction

This chapter provides the findings of the study and suggests areas of further research. The chapter also identifies the methodological problems encountered during this study.

The overall goal of this study was to analyze the dimensions of ethnic violence associated with elites in Kenya, 1991- 2008, whereas the specific objectives were threefold: one, to determine if the elites play any role in perpetrating ethnic violence; second, to establish the salient factors responsible for ethnic violence; and third, to establish whether there is a relationship between ethnic violence and general elections. The study was further geared towards answering the following questions: first, do elites play any role in the perpetration of ethnic violence? Second, what are the salient factors responsible for ethnic violence? and lastly, why does ethnic violence occur mostly during the election periods, is there a relationship between the two?

The findings established by this study therefore, revolve around the three the specific objectives of the study.

5.1 Findings

From the data collected and analyzed, this study has established a number of findings. The findings are discussed under each specific objective here below.

5.1.1 Objective: To establish the salient factors responsible for ethnic violence in the sample areas.

Under this objective, the study has established that:

Political incitement is the main cause of ethnic violence in the sample areas. This incitement as indicated in the literature review is mobilized around ethnicity. Thus, Kuran argues "individual with especially strong inclination to identify with ethnic kin can manipulate such desires to produce a process of social polarization that is rapid, spontaneous and unpredictable."[193] Respondents in all the sample strata indicated that incitement takes place mostly during election periods when politicians seeking elective posts mobilize and incite local communities to evict politically opposing communities with the rallying call that the land left by the evictees would be redistributed in favour of the local communities. Views from the respondents showed that the communities targeted for eviction in the sample areas are migrant ethnic groups regarded as 'foreigners' and perceived to possess opposing voting patterns to those of the local communities. The evictions are therefore, aimed at disenfranchising the migrant ethnic groups in order to enhance the political survival of the local politicians inclined to maintain political status quo. This finding is supported by secondary data gathered through literature review that indicates ethnic violence in the sample areas is "driven by political incitement where elections have been the excuse rather than the cause for violence over land."[194] Further, the finding confirms the assumption by the secondary data that "the persistence of ethnic violence results from the actions of community leaders who use their cultural groups as sites of mass mobilization and constituencies for competition for power and resources, because they find them more effective than social groups."[195]

Land is another major driver of ethnic violence in the sample areas. Land as a cause of ethnic violence is closely linked to the political incitement factor discussed above. In the views

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[193] Kuran, T., *Ethnic Dissimilation and its Global Transmission*, in Lake and Rothchild, Ethnic Fears and Global Engagement.

[194] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government Printer, Nairobi, 2008. p.83

[195] Anthony, S., *Nationalism Theory, Ideology, History*, Cambridge Polity, 2001, pp. 54-55

of the respondents, the belief by some local communities such as the kalenjin, and Maasai in Rift Valley, and the Mijikenda in the coast, that land in these areas is their ancestral land and the migrant ethnic communities are 'foreigners' underlines the reason why land is a major cause of ethnic violence. This ties very closely to the secondary data that indicated that "the Kalenjin and Masai communities feel they were cheated out their ancestral land in central, north and south Rift Valley and a similar feeling among the coastal people who for a long time have felt they have been deprived of their rights to own land by the colonial and independence land policies."[196] Additionally, views from the respondents showed that opportunistic politicians take advantage of this belief to whip emotions and mobilize local communities against the migrant ethnic communities. Thus, as the secondary data gathered in this study indicates, "political entrepreneurs and ruling classes influence the perceptions people have of their 'natural resources' in order to achieve their political goals which are often linked to illegitimate resource appropriation."[197] Therefore, using the existing differences on inequality in land holding and distribution between the local and migrant ethnic communities as propaganda, politicians incite local ethnic groups to evict the politically opposing migrant ethnic groups in order to enhance their political survival. In the process, mayhem is reined on the migrant ethnic groups through killing, burning of houses, destruction of property and eventual forceful eviction from their farms and business premises.

5.1.2 Objective: To establish who were responsible or perpetrators of ethnic violence.

In relation to this objective, the study has established that:

[196] Kanyinga, K., The land question in Kenya struggles, accumulation and changing politics, PhD thesis, 1998
[197] Gilley, B. "Against the Concept of Ethnic Conflict" *Third World Quarterly*, 25 (2004), pp.1155-66

Elites play the leading role in perpetrating ethnic violence with politicians playing the greatest role. Respondents from all the sample strata identified politicians as bearing the greatest responsibility for planning and facilitating acts of ethnic violence. Apart from the politicians the study has also established that other categories of elites particularly the community leaders and businessmen also play a significant role in coordinating and facilitating the violence. Further, the study has shown that other groups of elites such as academicians and professionals and to some extent religious leaders also play marginal roles in perpetrating the violence particularly through generation of propaganda. This finding is supported by the secondary data that shows that "politicians are familiar figures in contemporary politics and use ethnic groups as vote bank in electoral competition particularly in urban settings, the social competition for resources-employment, and housing among others readily translates into ethnic mobilization."[198] Similarly, the observation by Kanyinga that, due to the ethnic based politics, "politicians use their communalities as voting machines for self interests and that the communities are meant to believe they would rise and fall with leaders who appear to represent their interests"[199] points to the leading role played by politicians in perpetrating ethnic violence hence supporting the finding by this study.

Additionally, under this objective, the study has established the waves of ethnic violence that occurred in the sample areas between 1991 and 2008 were planned and did not happen spontaneously. Views gathered from all categories of respondents shows that politicians bear the greatest responsibility for planning and facilitating acts of ethnic violence. Other categories of

[198] Young, C., Explaining the Conflict Potential of Ethnicity, in J.Darby and R. Maccnuty, *Contemporary Peacemaking: Conflict, violence and Peace Process* (London: Palgrave, 2003), p.14
[199] Kanyinga, K and D. Okello., (edts) Tensions and Reversals; in Democratic Transitions; The Kenya 2007 General elections, , Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010, p.6

elites identified by respondents as having played a role in the planning of the violence include community leaders, businessmen, and security agents and to a limited extend religious leaders especially during the 2007 post election violence. Further, response from the respondents shows the planning of the violence is done in a clandestine manner and propagated mostly through public rallies and electronic media especially through FM vernacular radio stations. This finding is supported by secondary data which describes the violence particularly the 1992 wave as "politically motivated government clashes fully sponsored by the government and which was meant to cause terrible hardships."[200] This serves to indicate that the violence did not just happen but was planned, coordinated and facilitated by particular persons in government. Similarly, *Africa watch* describes the 1992 wave of ethnic violence as having taken a clear pattern that "showed the hand of the political elites particularly those in the government of the day."[201] The Waki commission (CIPEV) in its executive summary, states "the individuals and institutions which have benefited in the short term from the chaos and violence need to give up the methods they have used or Kenya could become a failed state."[202] This clearly indicates the commission was of the view that the 2007/08 post election violence as it was with other earlier waves was planned and coordinated by persons in power hence supporting the finding by this study that the violence that occurred between 1991 and 2008 was planned and did not just happen. The commission further supports the above finding when it observes that, "in the 1990s, ethnic violence became institutionalized during presidential and parliamentary elections."[203] Additionally, the Parliamentary Select Committee appointed to investigate ethnic clashes in Western and other parts of Kenya in 1992, (The Kiliku Committee) states that, "far from being

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[200] Lorch, D., Thousands Flee Kenya Ethnic Strife" *New York Times* (September 7.1993- section A P.3.Col.1)
[201] *Africa Watch* "State Sponsored Ethnic violence in Kenya", 1993. p.19
[202] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government Printer, Nairobi. 2008,
p.38
[203] *Ibid* p.27

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spontaneous, the clashes (the 1992 wave of ethnic violence) were politically instigated by some officers of provincial administration and individuals close to the president."[204], thus agreeing with the finding by this study that the violence was planned.

5.1.3 Objective: To establish if there is a connection between general elections and the ethnic violence that occurred between 1991 and 2008

Under this objective, the study has established the following:

There is a strong connection between general elections and the occurrence of ethnic violence. The study has shown that a majority of the respondents reported peaked ethnic violence in the years 1992, 1997, 2002 and 2007 when Kenya held general elections and in 2005 during the constitutional referendum. It has been established through this study that during general elections, politicians instigate ethnic communities to violence as a strategy to eliminate perceived and real opposition to their political ambitions. This finding agrees with the secondary data gathered in the literature review that indicates that, ethnic violence results from the actions of community leaders "who use their cultural groups as sites of mobilization and constituencies in their competition for power and resources, because they find them more effective than social classes."[205] Because of this mobilization, ethnic communities coalesce around lingual and cultural identities during years of general elections which make the political contest ethnic rather than ideological leading to eruption of ethnic violence.

Further, this study has established media and particularly the FM vernacular radio stations are used as instruments to mobilize and incite ethnic communities into ethnic violence and were extensively used during the 2007 post election violence to achieve this ill motive. Respondents

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[204] Report of the Parliamentary Select Committee to Investigate Ethnic Conflict in Western Province and other Parts of Kenya, (The Kiliku Committee), Government printer, Nairobi, Kenya, 1992. p. 82

[205] Anthony, S., *Nationalism: Theory, Ideology, History,* Cambridge Polity, 2001, p.54-55

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interacted with named some of the stations used in this manner as KASS FM. Inooro. Mlembe. Ramogi among others. Additionally. public/political rallies were also indentified to be major instruments for community mobilization and incitement. Respondents from all categories of the sample similarly indentified politicians as the group of elites that mostly uses media and public/political rallies to mobilize and incite ethnic communities into violence during elections. This finding confirms secondary data that captures the instrumental use of ethnicity and which indicates that, the more ethnic mobilization is deployed as a political weapon. the more the ethnic other is compelled to respond by counter-mobilization which deepens the politicization of ethnicity and sharpens antagonism among ethnic groups."[206] Thus, majority of the respondents interacted with pointed out that, politicians use media and public rallies to make inflammatory utterances that more often than not incite ethnic communities against others by mobilizing them to rally behind certain causes such as land. claims of marginalization and unpleasant election results among others that potentially fuel ethnic violence. Thus. ethnic violence has become synonymous with election violence and is socially constructed through using media and public meetings as the main interaction fora where ethnic identities are constructed and reconstructed. This finding is also supported by the ideas of Lake et al cited in this study that indicates that "knowledge from the elites diffuses to and mobilizes the group members to action through filling the missing links in the members understanding of political opportunity and broadens their use of grievance."[207] Thus, politicians taking advantage of their influence over the ethnic communities, they use media and public/political rallies to mobilize and incite ethnic communities into violence.

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[206] Young, C., Explaining the Conflict Potential of Ethnicity. in J.Darby and R. Maccnuty, *Contemporary Peacemaking: Conflict. violence and Peace Process* (London: Palgrave. 2003). p.14
[207] Lake, D.. and D.Rothchild, "*The International Spread of Ethnic Conflict* (Princeton: Princeton University Press. 1998

5.1.4 Objective: To establish the nature, impact and execution of the violence

Under this objective, the study has established that:

During all the waves of ethnic violence since 1991, the youth have played the leading role in carrying out the actual acts of violence such as destroying property, burning houses, looting, blocking roads and even killing and maiming. Majority of the respondents interacted with indicated that the youth carry out these acts of violence under the influence of the politicians and community leaders. Further, the respondents cited high unemployment among the youth as the main reason why the youth are easily lured into acts of violence. This finding is supported by ideas of scholars who have previously studied the subject of violence and which ideas form part of the literature review done in this study. For example, Collier posits that 'when people are poor, they have little to lose from joining a rebel group so that rebel organizations find recruitment cheap'.[208] Thus, because the youth are poor and unemployed, they are easily recruited into gangs to carry out acts of violence by the elites. Thus, the Waki commission stated that, 'the growing population of poor, unemployed youth, educated and uneducated has led such youth to be easily recruited into militias and organized gangs.'[209] Similarly, Oloo posits that "Kenyan political space is inundated with youthful tribal militias that ply their trade at the behest of political elites sand parties."[210] Thus, confirming the use of youths by politicians to carry out acts of violence. In this study, respondents from all the sample strata indicated that because the youth are idle, they are easily manipulated through drugs and alcohol as well as promises of other material gains to participate in violence and particularly during the election periods. The

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[208] Collier, C.A., Economic Causes of Civil Conflict and Their Implications for Policy, in C.A. Crocker: *Leashing the Dogs of War: Conflict management in a Divided World.* Washington, US. 2007, p.206

[209] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government Printer, Nairobi, 2008, p.25

[210] Oloo,A., "Party Mobilization and Membership: Old and New Identities in Kenyan Politics", in *Tensions and Reversals in democratic Transitions: the Kenya 2007 General Elections,* Society for International Development (SID) and Institute of Development Studies (IDIS), Nairobi, Kenya, 2010

belief by the respondents that there is high unemployment among the youth in Kenya (the sampled areas included) is supported by the National Economic and Social Council (NESC) unemployment situational report of June 2010. The report indicates that in 1999, "the overall unemployment rate among ages 15-19 years was 24.3%; 27.1% among ages 20-24 years and 15.5% among those aged 25-29 years"[211]

The violence led to economic decline in the sample areas. Respondents from all cases indicated that the victims of the violence were forcefully evicted from their farms and business premises. This impacted negatively on the economic activities in the sample areas such as farming and trade. This finding is supported by secondary data collected through literature review in this study. For example, Holmquist writing about the impact of the 1992 ethnic violence observes that "up to 1000 non Kalenjin primarily Kikuyu were killed and as many as 100,000 driven from their Rift Valley homes making it impossible to farm and putting pressure on them to sell their land to the Kalenjin buyers at throw away prices."[212] On the other hand, the Waki commission states that the 2007/08 post election violence led to "1,113 deaths and displaced about 350,000 people thereby devastating the country's economy and image."[213] This finding is further supported by the 2009 economic survey referred to in chapter four that shows that in 2008 the Real Gross Domestic Product (GDP) grew by a dismal 1.7% compared to 7.1% realized in the previous year 2007 before the outbreak of the post election violence in December, 2007. The report shows that all key sectors of the economy recorded a stunned growth in 2008 as a result of the 2007 post election violence.

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[211] Unemployment in Kenya: A Situational Analysis, National Economic and Social Council, Nairobi, June, 2010, p. 12

[212] Holmquist, F., and M. Ford, "The Structural Development of Kenyans Political economy" in African Studies Review; *Journal of African Association*, Vol.37.No 1, 1994, p.94

[213] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government Printer, Nairobi, 2008. p. 342

The violence targeted particular migrant ethnic groups perceived to have opposing voting patterns from those of the local ethnic communities. Respondents interacted with indicated that because most of the waves of ethnic violence occur during election periods. politicians and community leaders incite local ethnic communities against the migrant ethnic groups in order to disenfranchise them and in the process enhance the political survival of the local politicians. This finding is supported the CIPEV report which observed that. during the 2007/08 post election violence members of the communities perceived to be 'foreigners' in north Rift Valley. (Kikuyu and Kisii in particular) were targeted. The report states that. "the deliberate burning alive of mostly Kikuyu women and children huddled together in Kenya Assemblies of God church in Kiambaa village on 1st January 2008[214]" is a clear pointer that the violence targeted the migrant ethnic communities settled in the sample areas..

5.1.5 Objective: To establish how the government responded to the violence

Under this objective, the study has established that:

The government lacks the will and commitment to deal with the menace of ethnic violence. Views from the respondents indicated that the failure by the government to prosecute the perpetrators of violence despite their identities having been revealed by the various commissions appointed to inquire into the menace such as the Kiliku Parliamentary Committee (1992), the Akiwumi Commission (1999) and the Waki Commission (2008) among others. demonstrates the governments' lack of will to deal decisively with the problem of ethnic violence. Indeed. these commissions should be understood as enquiries that were expected to alert the government to take appropriate measures to address the problem of ethnic violence. However. this did not happen as the government did not implement the recommendations of most of these

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[214] Report of the Commission of Inquiry into Post Election Violence (CIPEV). Government Printer. Nairobi. 2008. p.48

commissions. This finding is supported by the ideas of some of the writers cited in the literature review such as Nowrojee et al who argues that, "the Kiliku committee report was rejected by both by parliament and the government, whereas the Akiwumi commission report though published in 1999, was not made public until 2002."[215] This finding, is further supported by the Waki commission report that states "the reluctance by the government not punish the perpetrators of ethnic violence has led to the culture of impunity and constant escalation of violence."[216] In this study, the respondents also cited the failure by the government to fully resettle the Internally Displaced Persons (IDPs) generated by the various waves of ethnic since 1991 as another pointer to the governments' lack of commitment to deal with the problem of ethnic violence. True to the views of the respondents at the time this research was undertaken, the IDPs generated by the 2007 post election violence were still in the camps and the government had done very little to either resettle them in alternative land or ensure safe return to their farms. This can only be interpreted to depict lack of commitment by the government to deal with the menace of ethnic violence. Furthermore, even as this study was concluded, the government had not formed a tribunal to try suspects of the 2007 post election violence.

5.2 Research Recommendations

This study recommends further research in the following areas:

In order to test the reliability of the methodology used in this study and allow generalization of the findings established there from, it is recommended that further research be replicated in other areas that were affected by the 1991-2008 waves of ethnic violence. Further research is also recommended to study the specific effects of ethnic violence on other broad areas of

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[215] Nowrojee, B., and B. Manby, "Divide and Rule," *Africa Report* (Vol.38. No.5, September, 1993), p.32-34
[216] Report of the Commission of Inquiry into Post Election Violence (CIPEV), Government Printer, Nairobi, 2008, p. 24

academic interest such as the environment, development, health, education, demography, culture, socialization, migration, nationalism among others.

The three tools of data collection used in this study, the questionnaire, interview guide and focused group discussions were to a certain degree found wanting. A number of respondents showed reluctance to be interviewed and, the researcher had to do a lot of explanation and probing to get them to respond adequately. Therefore, it is recommended that future researches in the area covered by this study may consider using alternative tools of data collection in order to avoid the pitfalls encountered by the researcher.

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APPENDIX I

Policy recommendations

On the basis of the findings established in this study, the researcher conceptually hypothesizes that: The establishment of a tribunal to try the perpetrators of ethnic violence, development of land and youth unemployment policies, the resettlement of IDPs and the review of regulations governing the licensing and operations of FM vernacular radio stations is key to forestalling the recurrence of ethnic violence.

From the above researchers' conceptual hypothesis, this study makes the following policy recommendations geared towards forestalling the recurrence of ethnic violence in the sample areas:

In order to deal with the perceived impunity within the government and which most respondents believed led to the failure to prosecute those suspected of perpetrating ethnic violence, the government should establish a local tribunal to try the perpetrators of ethnic violence as a deterrence measure. Such a mechanism will avail an opportunity to try those not mentioned as suspects in the Ocampo list. It will further offer home-grown solutions to the problem.

Land has been identified in this study as a major factor that causes ethnic violence in the sample areas. In order to ensure the protection of land rights of all communities and enhance equity in land allocation, the government should develop a land policy as matter of priority. It is important to note that, after thirty eight years of independence, Kenya does not have an official land policy. This position was confirmed by Ms. Dorothy Angote, the permanent secretary ministry of lands through an interview with the national television station (KBC) on 8th February, 2011.

This study has established that unemployment among the youth makes them vulnerable group for recruitment into violent activities. To deal with this growing problem, the government should

develop a youth unemployment policy that focuses on sustained and comprehensive creation of employment opportunities for the youth in order to occupy them in gainful employment and forestall their manipulation into acts of violence by politicians and other groups of elites. It should be bone in mind that although the government is implementing many sectoral policies that seek to grow the economy and create jobs, there is dire need to develop a specific policy that targets unemployment among the youth rather than general unemployment in the country.

In the same vein, the government should improve access and relevance of education and training provided to the youth with more focus on technical and vocational skills as well as development of soft skills. This requires effective implementation of the Technical Industrial Vocational Education and Training (TIVET) policy. In this respect, this study recommends that more resources be availed to the Youth Enterprises Development Fund towards the training of youth. In addition the fund should work closely with the Directorate of Industrial Training with regard to placement of interns in firms to enable youth acquire work experience.

It is evident from the findings of this study that media and public/political rallies are key instruments that were used by the elites to incite and mobilize ethnic communities into violence in the sample areas. To curb the use of these instruments by the elites to incite and mobiles ethnic communities to violence, there is dire need to carry out the following measures: (1) Review media regulations to censor the conduct of vernacular radio stations. Views from respondents in all categories of the sample in this study have shown that FM vernacular radio stations were heavily used to air inciting content that perpetrated ethnic violence during the 2007 post election violence. Therefore, there is need to review the regulations governing the licensing of these stations in order to curb their use in the perpetration of ethnic violence. Such a review may borrow from best practices in some countries that have undergone similar experiences such as Rwanda among others; (2)Review of

regulations governing the licensing and conduct of public/political rallies in order to curb their use by the politicians in the perpetration of ethnic violence. The review should focus on ensuring all public/political rallies are conducted in national language (Kiswahili) and not in vernacular languages and rigid timelines are prescribed.

In addition, this study found the measures applied by the government to manage the problem of ethnic violence to be ineffective. In order to forestall the recurrence of the menace, this study further recommends the implementation of the following programs in the short and long term:(1) In the short term, the government should as a priority resettle the IDPs generated by all the waves of ethnic violence currently in the camps before the next general elections. The resettlement program must ensure IDPs who were evicted from their farms are assisted to re-occupy them and provided with adequate and continued security in order to restore their confidence. On the other hand, the government should buy land to resettle those who have no land of theirs to return to. In both cases, the government should set aside adequate funds to assist the victims resume their normal lives. Simultaneously, the government should ensure adequate funds are set aside to assist the victims of the violence whose business properties were destroyed in order to enable them restart their commercial activities. Further, the government should ensure public officers who are suspected to have misappropriated funds meant for resettlement of the violence victims are brought to book irrespective of their position in government. (2) In the long term, the government should initiate a comprehensive reconciliation and healing program in the areas affected by the violence in order to repair the broken relationships among the ethnic groups and further enhance peaceful coexistence and long lasting peace. As Lederach argues, "relationship is the basis of conflict and its long term solution"[217] and therefore, a comprehensive reconciliation and healing program would go a long way

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[217] Lenderach, J.P. *Building Peace Sustainable Reconciliation in Divided Societies*,1997, pp.26

to cultivate harmonious coexistence among the various communities in the areas affected by ethnic violence. According to Chapman reconciliation is a process that 'encourages groups to face up deep-seated memories of guilt, culpability and suffering as a basis for healing and working toward a united society'[218]. This is urgently required in the areas affected by ethnic violence for meaningful peace-building and harmonious coexistence.

[218] Chapman R.R. Truth *Commissions as Instruments of Forgiveness and Reconciliation*, in R. Helmick and R. Pitersen (eds), Forgiveness and reconciliation: Religious Public Policy and Culprit Transformation, 2001, pp.252

APPENDIX II

Pictorial presentation of effects of ethnic violence

Part of the house that was extensively damaged during the post election chaos.

Musingen school that was destroyed.

This was once a restaurant in Nakuru municipality belonging to a kikuyu. It was razed down during the post election violence.

Part of the IDPs yet to be resettled in Eldoret - Rivatex

These are some of the graves of the Kiambaa church tragedy, that was burnt down during the 2008 post election violence

Some of the houses belonging to the I.D.P's at the Tuinuane Farm Molo District.

Date	
Province	
District	
Division	
Location	
Venue interviewed	
Member of the Public/victim	

Main Questionnaire

Questionnaire to be administered to members of the public and victims of ethnic violence

Introduction

My name is Mutui David Mutemi, a student, in the Institute of Diplomacy and International Studies, University of Nairobi. I am conducting a research on, **Violence in Kenya: - An Analysis of the Dimensions of Ethnic Violence associated with Elites, 1991-2008** for the partial fulfillment of the requirements of Masters Degree in International Conflict Management.

I shall be asking you a few questions regarding ethnic violence. The interview is not expected to take long. This is only a research study and the information collected from you will not be shown to anyone outside this research project and the reporting analysis will not disclose your identity. Please feel free to provide any comments or suggestions on any matter.

Section I: **Social, economic and demographic characteristics of the respondents.**

1. Gender   Male ☐   Female ☐

2. Age category ☐ below 20 ☐   20-29 ☐   30-39 ☐   40-49 ☐

    50-59 ☐   60 and above ☐

3. Occupation ....

4. Marital status   Single ☐ Married ☐   Windowed ☐

5. Level of education   Primary ☐   O-Level ☐   University ☐

6. Tribe ....

Section II: Thematic areas.

This questionnaire seeks to establish:

   a) The causes of ethnic violence,

   b) Those responsible for or perpetrators of ethnic violence,

   c) Nature, impact and execution of ethnic violence,

   d) Strategies for addressing ethnic violence.

a) Causes of ethnic violence

This section of the questionnaire seeks to establish the salient causes of ethnic violence. I will therefore, ask you questions to get views on what you think are the root causes of violence.

7.	a) Kenya has witnessed a series of ethnic violence since 1991. Have you ever witnessed any of the occurrences or heard of events of ethnic violence?	Yes ☐	No	☐

b) If yes, did the violence occur in this area or elsewhere?

....

c) Which years...

....

Nb. If response to (a) above is negative, discontinue the interview and proceed to another respondent.

8.	In your opinion, why do you think the violence occurred during the years you mentioned?

....

....

....

....

9.   a) Do you think the violence targeted any particular community(s) in

the areas you mentioned? Yes ☐   NO ☐

b) If yes, which community(s)?

....

....

....

c) Why do you think ....Community(s) were targeted?

....

....

....

10.   What do you think were the main causes of ethnic violence?

....

....

....

....

b) Those responsible for or perpetrators of ethnic violence.

This section seeks to establish those responsible for the violence and, or the perpetrators of the violence. I will now ask you questions to get your views on who you think were behind the violence.

11. a) In your opinion, do you think the violence was planned or just happened?

Planned ☐   Just happened   ☐

b) If planned, who do you think among the following: politicians, community leaders, religious leaders, security agents, academicians and professionals were the perpetrators? (Tick as many answers as may apply)

Politicians ☐

Community leaders ☐

Religious leaders ☐

Businessmen ☐

Security agents ☐

Academicians ☐

Professionals ☐

c)   i. What role did the politicians play?

....

....

....

....

ii) What role did the community leaders play?

....

....

....

iii) What role did the businessmen play?

. ...

. ...

. ...

iv) What role did the security agents play?

. ...

. ...

v) What role did the academicians play?

. ...

. ...

. ...

vi) What role did the professionals play? ....

....

....

d) What could be the reasons behind their actions?

....

....

e) What do you recommend to be done to those responsible?

....

....

12. a) Allow me to prompt your memory, the 1992, 1997 and 2007 general

elections were either accompanied or followed by ethnic violence. Do you

think there is a connection between general elections and ethnic violence?

There is connection ☐   No connection   ☐

b) If there is connection, why do you think ethnic violence occurs mostly at

election time?

....

....

....

....

13. a) In your opinion, do you think media is used to incite ethnic communities to

violence during election periods?

Yes   ☐   No   ☐

b) If yes, who uses it? ....

c) Can you name some of the media stations you know that were used to

air inciting broadcasts ....

....

d) How were the media stations you have identified used?

....

....

....

e) What do you recommend should be done to curb the use of media to incite

to violence? ....

.. ..

....

14. a) In your opinion, do you think public rallies are used to plan and incite

ethnic violence during elections?

Yes ☐   No ☐

b) If yes, by who? ....

c) How were the rallies used? ....

....

....

d) What do you think should be done to curb the use of public meetings to incite violence during elections? ....

....

....

c) Nature, impact and execution of ethnic violence

This section of the questionnaire seeks to establish nature, impact and who executed the violence. I will ask you questions in order to get your views on who you think carried out the violence and the attendant damage.

15. a) Among the following population sub-groups, youth, men and women who do you think, played a key role in carrying out the violence?

Youth, ☐

Men, ☐

Women ☐

b) Why do you think .... played that role? ....

....

....

c) Do you think the ....were influenced by others?

Yes ☐ No ☐

d) If influenced, by who and why?

....

....

....

e) If they acted on their own, why? ....

....

16. a) Who do you think were most affected by the violence among youth, women, men and children? (Tick as many answers as may apply)

Youth, ☐

Women, ☐

Men, ☐

Children ☐

b) i.   How were they youth affected? ....

....

ii) How were women affected? ....

....

iii) How were men affected? ....

....

iv) How were children affected? ....

....

....

....

17. What were the other effects of the violence that are not mentioned under (b)

above?   ....

....

....

....

18. a) Were the victims compensated for the loss?   YES   ☐   NO   ☐

    b) If yes, who compensated them?

        ....

    c) How were they compensated?

        ....

        ....

        ....

    d) Do you think the compensation was adequate relative to the loss?

        Yes   ☐   No   ☐

    e) If No, why do you think they were not adequately compensated?

        ....

        ....

        ....

19. a) Earlier you indicated that you witnessed ethnic violence in your area, were you or your family affected by that violence? Yes ☐   NO ☐

b). If yes, how? ....

....

....

20. Who do you think was responsible for the violence meted against you or your family? ....

....

21. What actions have you taken or wish to be taken against them?

....

22. Currently, how do you relate with those who violated you or your family?

....

....

....

d) Strategies of addressing ethnic violence

This part of the questionnaire seeks to establish what should be done to curb the problem of ethnic violence and secondly the measures being undertaken by the government to address the problem. I will ask you questions to get your views on these two issues.

23. In your opinion, what do you think should be done to curb the perennial occurrence of ethnic violence especially during general elections?

....

....

....

....

....

24. a) In your assessment, do you think the government is doing enough to address the problem of ethnic violence?   YES ☐   NO ☐

b). If doing enough, in which way? ....

....

....

c). If not doing enough, why? ....

....

....

25. Do you have any other comments or suggestions? ....

....

....

Thank you for taking your time to answer the questions.

APPENDIX IV

DATE	
VENUE OF INTERVIEW	

Key informants study (Interview) Guide

Introduction

My name is David Mutemi Mutui a student in the Institute of Diplomacy and International Studies, University of Nairobi. I am conducting a research on, **Violence in Kenya: - An Analysis of the Ethnic Dimensions associated with Elites, 1991-2008** for the partial fulfillment of the requirements of Masters Degree in International Conflict Management.

I shall be asking you a few questions regarding ethnic violence. The interview is not expected to take long. This is only a research study and the information collected from you will not be shown to anyone outside this research project and the reporting analysis will not disclose your identity. Please feel free to provide any comments or suggestions on any matter.

Section I: Social, economic and demographic characteristics of respondents

1. Marital status   Single   ☐   Married   ☐   Windowed   ☐

2. Gender   Male   ☐   Female   ☐

3. Age Below 20   ☐   21-29   ☐   30-39   ☐   40-49   ☐   50-59   ☐

    Above 60   ☐

4. Position in the community/organization

....

Section II: Thematic areas

    a) The causes of ethnic violence

    b) Those responsible for or perpetrators of ethnic violence

    c) Nature, impact and execution of ethnic violence

    d) Strategies for addressing ethnic violence

a) Causes of ethnic violence

This section of the questionnaire seeks to establish the salient causes of ethnic violence. I will therefore ask you questions to get your views on what you think are the root causes of ethnic violence.

5. a) Kenya has witnessed a series of ethnic violence since 1991. Have you ever witnessed or heard of any of them?   YES   ☐   NO   ☐

    b) If yes, where did the violence occur? ....

....

c) Which years? ....

Nb. If response to (a) above is negative discontinue interview after thorough probing and proceed to another respondent.

6.   In your opinion, why do you think the violence occurred in the years you mentioned above? ....

....

....

7.   a) Do you think the violence targeted any particular community(s) in the areas you mentioned?   YES   ☐   NO   ☐

b) If yes, which community(s)? ....

c) Why do you think.......................... Community(s) was targeted?

....

....

8.   What do you think were the main causes of the violence? ....

....

....

....

....

....

b) Those responsible for or perpetrators of ethnic violence

This section seeks to establish those responsible or perpetrators of ethnic violence. I will therefore, ask you questions to get your views on who think were behind the violence.

9.　　a) In your opinion, do you think the violence was planned or just happened?

Planned ☐　　　　　Just planned ☐

b) If planned, who do you think among the following: politicians, community leaders, religious leaders, businessmen, security agents, academicians and professionals were the perpetrators? (Tick as many answers as may apply)

Politicians. ☐

Community leaders ☐

Religious leaders ☐

Businessmen ☐

Security agents ☐

Academicians ☐

Professionals ☐

c) i. What role did the politicians play? ....

....

ii. What role did the community leaders play? ....

....

iii. What role did the businessmen play? ....

....

iv. What role did the security agents play? ....

....

v. What role did academicians play? ....

....

vi. What role did the professionals play? ....

....

d) What could have been the reasons behind it? ....

....

....

e) What do you recommend should be done to those responsible?

....

....

10.   a) Allow me to jog your memory, the 1992, 1997 and 2007 general elections were either accompanied or followed by ethnic violence. Do you think there is a connection between general elections and ethnic violence?

There is connection ☐   No connection ☐

b) If there is connection, why do you think ethnic violence usually occurs at election times? ....

....

....

11. a) In your opinion, do you think media is used to incite ethnic communities to violence during election periods?

Yes ☐   No ☐

b) If yes, who uses it? ....

c) Can you name some media stations you know that were used to air

inciting broadcasts? ....

....

d) How were the media stations you have identified used?

....

....

....

e) What do you recommend should be done to curb the use of media to incite

violence? ....

....

....

12. a) In your opinion, do you think public rallies are used to plan and incite ethnic

violence during elections?   Yes   ☐   No   ☐

 b) If yes, by who? ....

c) How are the rallies used? ....

....

 d) What do you think should be done to curb the use of public meetings to incite

violence during elections? ....

....

....

c) Nature, impact and execution of ethnic violence

This section seeks to establish nature, impact and who executed the violence. I will

ask you questions in order to get your views on who you think carried out the

violence and the damage caused by the violence.

13. a) Among the following population sub-groups, youth, men and women, who do you, think played a key role in carrying out the violence?

Youth ☐

Men ☐

Women ☐

b) Why do you think took that role? ....

....

c) Do you think the.................. acted on their volition or were influenced by others? ....

i) If influenced by others, who? ....

....

ii) If they acted on their own, why? ....

14. a) Who do you think were most affected by the violence, among youth, women, men and children? (Tick as many answers as may apply)

Youth ☐

Women ☐

Men ☐

Children ☐

b) i. How were youth affected? ....

....

ii. How were women affected? ....

....

iii. How were men affected? ....

....

....

iv) How were children affected? ....

....

....

15. What were the other effects of the violence that are not mentioned under (b)

above? ....

....

....

16. a) Were the victims compensated for the loss?

Yes ☐   NO ☐

b) If yes, who compensated them?

....

c) How were they compensated? ....

....

....

....

d) Do you think the compensation was adequate relative to the loss incurred?   Yes   ☐   No   ☐

e) If No, why do you think they were not adequately compensated?

....

....

....

....

d) Strategies for addressing ethnic violence

This part of the questionnaire seeks to establish what can be done to curb the problem of ethnic violence and secondly the measures being undertaken by the government to address the problem. I will therefore, ask you questions to get your views on these two issues.

17. In your opinion, what do you think should be done to curb the perennial occurrence of ethnic violence especially during general elections?

....

....

....

....

....

....

18. a) In your assessment, do you think the government is doing enough to address the problem of ethnic violence?   Yes ☐   No ☐

b). If doing enough in what way?

....

....

....

c). If not doing enough why?

....

....

....

....

19. Do   you   have   any   other   comments   or   suggestions?

....

....

....

Thank you for taking your time to answer the questions.

APPENDIX V

Date	
Venue of interview	
Status/position in the community	

Focused Group Discussions (FGDs) guide

Introduction

My name is David Mutemi Mutui a student in the Institute of Diplomacy and International Studies, University of Nairobi. I am conducting a research on, **Violence in Kenya: - An Analysis of the Ethnic Dimensions associated with Elites, 1991-2008** for the partial fulfillment of the requirements of Masters Degree in International Conflict Management.

I shall be discussing with this group the subject of ethnic violence. The discussion is not expected to take long. This is only a research study and the information collected from you will not be shown to anyone outside this research project and the reporting analysis will not disclose your identities. Please feel free to contribute to the discussion.

Section II: Thematic areas

a) Causes of ethnic violence

b) Those responsible for or perpetrators of ethnic violence

c) Nature, impact and execution of ethnic violence

d) Strategies to address the problem of ethnic violence

a) Causes of ethnic violence

This section of the questionnaire seeks to establish the salient causes of ethnic violence. I will therefore ask this group questions in order to get your views on what you think are the root causes of ethnic violence in your area.

1.   Kenya has witnessed a series of ethnic violence since 1991. Have you ever witnessed any of them or heard of events of ethnic violence?

YES ☐   NO ☐

a) If yes, did the violence occur in this area or elsewhere?

This area ☐   elsewhere ☐

b) Which years did the violence occur? ....

....

....

....

2. In the opinion of this group. why do you think the violence occurred during the years you mentioned?

    ....

    ....

    ....

3. a) In your opinion, do you think the violence targeted particular community(s) in this area? YES ☐   NO ☐

    b) If yes, which community(s)?

    ....

    ....

    c) Why do you think..................Community(s) were targeted?

    ....

    ....

    ....

4. What do you think were the main causes of the violence? ....

    ....

    ....

    ....

b) Those responsible for or perpetrators of ethnic violence

This section seeks to establish those responsible or perpetrators of ethnic violence. I will therefore, ask you questions to get your views on who you think were behind the violence.

5.   a) Do you as a group, think the violence was planned or just happened?

Planned ☐   Just happened ☐

b) If planned, who do you think among the following: politicians, community leaders, religious leaders, businessmen, security agents, academicians and professionals were the perpetrators? (Tick as many answers as may apply)

Politicians ☐

Community leaders ☐

Religious leaders ☐

Businessmen ☐

Security agents ☐

Academicians ☐

Professionals ☐

c) i. What role did the politicians play?

....

....

....

ii. What role did the community leaders play? ....

....

....

iii. What role did the businessmen play...............................

....

....

iv. What role did the security agents play? ....

....

....

v. What role did academicians play? ....

....

vi. What role did the professionals play? ....

....

d) What could have been the reasons behind their actions? ....

....

....

e) What do you recommend should be done to those responsible? ....

....

....

....

6.   a) Allow me to prompt the memory of this group, the 1992, 1997, and 2007 general elections were either accompanied or followed by ethnic violence. Do you think there is any connection between the general elections and ethnic violence?

There is connection ☐   No connection ☐

b) If there is connection, why do you think ethnic violence usually occurs at election periods?

....

....

....

....

7. a) In your opinion, do you think media is used to incite ethnic communities to violence during election periods?

Yes ☐   No ☐

b) If yes, who uses it? ....

c) Can you name some of the media stations you know that were used to air inciting broadcasts ....

....

....

d) How were the media stations you have identified used? ....

....

....

....

e) What do you recommend should be done to curb the use of media to incite

violence? ....

....

....

8. a) In your opinion, do you think public rallies are used to plan and incite ethnic

violence during elections?

Yes [ ]   No [ ]

b) If yes, by who? ....

c) How are the rallies used? ....

....

d) What do you think should be done to curb the use of public meetings to incite

violence during elections? ....

....

....

c) Nature, impact and execution of ethnic violence

This section seeks to establish nature, impact and who executed the violence. I will ask you questions in order to get your views on who you think carried out the violence and the attendant damage.

9. a) Among the following sub-groups, youth, men and women who do you think played a key role in carrying out the violence?

      Youth   ☐

      Men   ☐

      Women   ☐

    b) i. Why do you think .... took that role?

....

....

    ii. Do you think the ....acted on their volition or were

       influenced by others? ....

    iii. If influenced, by who and why? ....

....

....

    iv. If they acted on their own, what motivated them?

....

....

10. a) Who do you think were most affected by the violence among youth, women, men and children? (Tick as many answers as may apply)

Youth ☐

Women ☐

Men ☐

Children ☐

b) i. How were youth affected? ....

....

....

ii. How were women affected?

....

....

iii. How were men affected? ....

....

....

iv. How were children affected? ....

....

....

11. What were the other effects of the violence that are not mentioned under (b) above? ....

....

....

....

12. a) Were the victims compensated for the loss?

YES ☐ NO ☐

b) If yes, who compensated them?

....

c) How were they compensated? ....

....

d) Do you think the compensation was adequate relative to the loss incurred? YES ☐ NO ☐

e) If No, why do you think they were not adequately compensated?

....

....

....

....

d) Strategies to address the problem of ethnic violence

This part of the questionnaire seeks to establish what can be done to curb the problem of ethnic violence and secondly the measures the government is taking to address the problem. I will therefore, ask you questions to get your views on these two issues.

13. In your opinion, what do you think should be done to curb the perennial occurrence of ethnic violence especially during general elections? ....

....

....

....

14. a) In your assessment, do you think the government is doing enough to address the problem of ethnic violence?   Yes   ☐   No   ☐

    b). If doing enough in what way?

....

....

....

c). If not doing enough why?

....

....

....

....

....

15. Do you have any other comments or suggestions? ....

....

....

....

Thank you for taking your time to answer the questions.