

**THE IMPACT OF PAST AND POTENTIAL ETHNIC CONFLICTS  
ON KENYAN'S STABILITY AND DEVELOPMENT**

**By:**

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**A paper prepared for the USAID Conference on Conflict resolution  
in the Greater Horn of Africa June, 1997.**

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Nothing raises so much fear and apprehension in Kenya as the spectre of fresh 'ethnic conflicts', similar to those that rocked the country in the build-up to the 1992 multi-party general elections and after. The wave of inter-ethnic conflicts in the Rift Valley, Nyanza, Western and some parts of the Coastal provinces went down in Kenya's history as the worst since independence. The notion that violence may arise prior to and after the 1997 General elections has made the issue of 'ethnic conflicts' a very sensitive, yet important subject for discussion, aimed at formulating policy options for conflict management. Indeed, whenever the issue is raised, there has often been panic, confusion and skepticism, within the government, opposition as well as within the entire public circles.

It is in light of the above scenario that the author has come up with a paper structured in six sections, based on both field and library research. As implied in the title, this paper explicates crucial issues related to the 'ethnic conflicts' and their implication to Kenya's stability and development. The first is basically background information.

The second section constitutes the historical background (roots) to the conflict(s), with specific highlights on the long term and immediate causes as well as their manifestations. The third section deals with the social, economic and political consequences of the ethnic conflicts. The specific issues highlighted among others include: insecurity and loss of life; displacement, breakdown of marriage and family life, psycho-social effects, disruption of education, identity and cultural crisis, health crisis, gender and child vulnerability. The economic consequences covered in this section includes: food shortage, land grabbing mania, disruption of commercial and transport sectors, destruction of property and environment. The political consequences include the following: misconception of pluralism and *majimboism*, impact of clashes on the 1992 elections, looming state of emergency, security zones, ethnic and political polarization, ethnicity and the judiciary with special reference to the Koigi Wamwere's case and the fear of renewed ethnic conflicts.

The fourth section evaluates the conflict resolution activities and institutions involved such as the government, religious organizations, local and international human rights organizations and other non-governmental organizations as well as traditional community institutions. This is complimented by a critique of the capacity of the above mentioned institutions in terms of conflict management.

The fifth section attempts to discuss the way forward to conflict management in it's recommendations, policy options and plan of action. The plan of action emphasizes on civic education for national citizenship and some of the specific strategies for conflict management in Kenya and the Greater Horn of Africa. The sixth and last section contains concluding remarks about the subject under review. This is followed by appendices consisting of notes and references.

It is a historical fact and current reality that most Kenyan districts are haunted by actual or potential ethnic conflicts. This is partly because of the fact that different communities continue to consciously or unconsciously rely on ethnicity to perpetuate their dominance and hegemony in an atmosphere characterized by scarce resources, fear and prejudice. The proliferation of ethnic conflicts in this country is so widespread that there is hardly any

region where the problem has not reared its ugly head: Western, Rift Valley, Nyanza, Coast, Central, North Eastern, Eastern and even Nairobi. The necessity for a new vision in approaching the issue of ethnic conflicts and their management cannot therefore be overemphasized in this context. From the recent experience as well as studies carried out on ethnic conflicts in Kenya and the Greater Horn of Africa, there is increasing evidence to suggest that even where it has been brought under control psychological trauma (i.e. fear and suspicion) left behind are seldom healed, especially among children and women. This paper offers some empirical evidence to confirm the psycho-social and other effects of ethnic conflicts as well as their implications to stability and developments in Kenya.

The broad objective of this study was to conduct an inquiry into the impact of ethnic conflicts on peace and sustainable development in Kenya between 1991 and 1995. The purpose of this study was to generate pertinent information on the implications of past and potential ethnic conflicts on peace and sustainable development as well as strategies for mitigation as well as strategies for conflict management. The information obtained from this study may go a long way to augment other researches in Kenya, Africa and the world on conflicts. It is a historical fact and a current reality to assert that wars may not cease either on the ground or in people's minds, unless each country resolutely embarks on the struggle to manage conflicts as well as to build a civil society that is free from intolerance, discrimination, violence and bloodshed. In this context, we view ethnic conflicts as the anti-thesis of peace, stability and sustainable development and hence the need for inquiry into conflict management using non-violent means.

Unfortunately, apart from the gigantic waste, ethnic conflicts creates in terms of human and material resources, they cannot be resolved militarily. This paper emphasizes on the need to establish peace zones and other non-violent defense strategies in Kenya and the Greater Horn of Africa. We postulate that unless serious attention and commitment are undertaken in the area of conflict management, Kenya and the Greater Horn of Africa will sooner or later degenerate into a theater of turmoil, characterized by animosity, violence, ethnic prejudice, suspicion and genocide. An explication of realistic conflict management strategies will enable us to move from a culture of genocide, which we unhappily know only too well (i.e. examples of Rwanda, Burundi and Somalia civil wars) to a culture of peace, whose benefits we are only just beginning to sense. It seems that Kenya, and other countries of Africa, is prepared to deal with the threats of the past, but is still helpless when confronting the other ethnic conflicts threats of 'today and tomorrow'.

The information contained in this paper, together with other papers, should enable the government, policy makers, donor agencies like USAID, churches, non-governmental organizations, local and international civic institutions, traditional community institutions, and other interested parties to identify:- structural, legal, social, political, economic, cultural, religious and other impediments to national and regional stability as well as sustainable development. This is an enormous challenge to researchers, scholars, mitigators, policy makers, governments, conflict managers and development agencies in Kenya and the Greater Horn of Kenya. However, it is a task which requires serious focus with great urgency to eliminate the creeping culture of violence in the entire Horn of Africa.

This paper originates from the previous work undertaken by the author on issues related to ethnicity, ethnic conflicts and other variables that affect good governance, peace, stability and sustainable development. Some of these works include the following: Ethnicity and the politics of national integration in Kenya: 40 years after MAU MAU (1992), Ethnicity and Leadership in Kenya (1993), Ethnicity and the challenges of nationhood in Kenya (1994),

Ethnicity, Nationalism and Democracy in Africa: The dilemma of sustainability (1995), The socio-economic and political consequences of ethnic conflicts in Bungoma, Mt Elgon and Trans Nzoia Districts (1995), Clashes in Kenya and the rough road towards Democracy: Lessons and Challenges (1996). The primary sources of data were field notes and reports by various research assistants, interviews and observation summaries in the selected areas. The researcher and the assistants used questionnaires and interview schedules to collect pertinent information from a cross section of informants under the umbrella of the National Council of Churches of Kenya (NCCCK) between June and August 1995. The cadres of informants included: clash victims, teachers, administrators, clergymen, politicians, local opinion leaders, women, youth, business people, farmers, elders and other relevant persons within and outside the study areas.

The study covered most parts of Kenya that were affected by the ethnic conflicts (or clashes) between 1991 and 1995. These included the following: Bungoma-Trans Nzoia, Mt. Elgon districts, West Pokot, Nakuru, especially sections of Njoro, Elburgon, Maela, Molo and Olenguruone. We covered Kericho, Kisii, Sondu, South Nyanza, Thessalia, Kisumu and Nandi districts, particularly the border zones which involved the Luo, Kipsigis, Nandi, Gusii, Luhya and Maasai ethnic groups. The study covered Uasin Gishu district, particularly Burnt Forest, Turbo, Eldoret municipality and Kesses. It extended to cover Narok, especially the Enosopukia area. Mombasa and Kibera were also incorporated in the follow-up field research. The study utilised Muranga (i.e. a non-clash area) as a control zone. Each of the above area of study was covered by one research assistant working under a principal researcher identified by NCCCK. The sampler size was put at 30 interviewees per every affected district. While in the field, the researchers and their assistants utilized the systematic sampling technique to collect representative data, in terms of age, sex, gender, ethnic background, residence, profession and occupation. The data collected from the field was analysed by the principal researchers through qualitative and quantitative techniques.

## 2.0 LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK

The Literature review of this study revolved around the following issues: ethnicity, ethnic conflicts, civil wars, historical migration patterns and settlement, land tenure systems, causes, consequences, nature, magnitude and manifestations of conflicts, conflict resolution strategies and other related variables which affect stability and sustainable development. Ethnicity in this

context is viewed as an inclusive concept that defines groupings on the basis of indicators such as color, appearance, language, race, religion, common ancestry, height complexity, body structure, level of education and the like. It is an ascriptive phenomenon largely based on the myth of common ancestry, belief systems, physical settlements, group affiliations and relationships. It is a common phenomena in plural societies like Kenya, Uganda, Rwanda, Burundi, Somalia, Ethiopia and South Africa, to mention but a few (Akinsola-Akiwowo: 1964; Burke: 1965; Barth: 1969; Mafeje: 1971; Eken: 1986; Anderson: 1991; Nyukuri: 1992) 1\*.

Over the last three decades, many scholars have dealt with the above issues from different perspectives. However, there has never been a consensus on the definition, causes, manifestations, effects of conflicts and conflict management strategies or resolutions. Indeed, the concepts of ethnicity and ethnic conflicts as used in modern studies are so elusive and often defies definition. The author contends that when trying to grapple with the issues of

According to Mc Onyango (1995:1)2\*, African inter-ethnic conflicts are not as a result of the mere fact that the continent and national boundaries are brackets enclosing multi-ethnic groups. To him, the question of ethnicity and ethnic conflicts are issues of ethnic grudges. He asserts that the past inter-ethnic conflict management strategies in Africa have tended to concentrate on symptoms of the effects and not the root causes. He further postulates that there are numerous socio-economic and political grudges between or within the numerous ethnic communities in African states. His work augments the earlier works of other scholars like (Achebe, 1975,83; Zangari, 1976; Nyong'o, 1987; J.B.Ojwang, 1989:3; Lunyigo, 1989:39)3\*

According to other critical scholars like (Baldwins, 1962:195; Markakis, 1994:261; Murungi, 1995:5 and Amutabi, 1995)4\*, numerous resolutions or management strategies have been attempted, but none of them seems sustainable in creating an atmosphere for peace, security and inter-ethnic as well as intra-ethnic co-existence in Africa. As Markakis put it, ethnic conflict in Africa is a many sided violent struggle waged at several levels. It involves nations, regions, ethnic groups, clans, lineages, and is fought between and within states, religious and ethnic groups. Amutabi(1995) cautions us from viewing ethnicity as a scourge only in Africa 5\*. To him, this is basically a Eurocentric interpretation of the African lifestyle. He adds that, "We need to move away from the state of despair and hopelessness towards more practical solutions by enhancing the existing positive ethnic structures". According to Gertzel (1994:217), it is the primary task of the leadership to integrate the many groups in society, divided though they may be on class, ethnic, regional, economic, political and religious lines into a new national entity. 6\* He, like Amutabi, holds the point of view that it would be too much if politicians were to be relied upon in eradicating ethnic tensions as these underlie their survival (Amutabi, 1995:7', Nyukuri, 1992:5'; 1993, Africa Watch.)7\*

In this paper, we contend the fact that it is time we joined the Nigerian writer Chinua Achebe in asking the question, "Where did the rain start beating us?" 8\*, instead of "crying over spilt milk". Our experience in Kenya has shown that ethnicity tends to create a culture that is sometimes incompatible to human resource capacity. As Okullu (1974) further observed: "Tribalism is a wasteful practice when the employment of all human resources for development is considered". It is inconceivable that there could be such a big concentration of talent training and experience in just one area of the nation (Okullu, 1974:48)9\*. According to the late Tom Mboya, (1963), ethnic conglomeration has two functions; one is positive while the other is negative. He argues that the promotion and safeguarding of traditional cultural and social practices of a particular ethnic group is vitreous and extremely necessary in Africa's search for an authentic culture of it's own. He believed in unity within the diversity of the numerous ethnic groups in Africa.

According to Bienien (1974), communal solidarities in Kenya have yet to be destroyed, and it is clear that economic development and social change seems to have given greater salience to ethnic consideration..... (p.131)10\*. This partly explains why the issue of ethnicity and land ownership has remained a very sensitive and explosive aspect of Kenya's historical and contemporary political economy (Leo, 1984)11\*. Atieno Odhiambo (1976) augments Bieniens point when he observed that the formation of ethnic associations such as the Luo Thrift and Trading Corporation (LUTATCO) by Oginga Odinga and other Luo traders was aimed at challenging the Asian monopoly of retail and wholesale trade in Nyanza (p.225) 12\*.

This paper situates its discussion within the second category of conflicts in Africa as identified by Zartzan (1985:12) 13\*. This category refers to the immediate post-colonial efforts of the new regime in Kenya to consolidate its powers, if not complete national integration. These were efforts to bring to heel regional, ethnic, ideological or personal forces which resisted state authority. For the losers, at least their leaders, exile was often the only survival option.

This theoretical framework is augmented by Chazan et al (1992) who argues that after independence, "the focus of conflict .... has gradually shifted from disputes over political boundaries to disagreements over political values. Our analysis focuses on ethnic/factional conflicts, which though based upon and organized by elites, extend outward into society as supporters are recruited and rewarded for the basic benefit of their patrons. Such conflicts are said to occur in those pluralist and administrative hegemonic regimes where either intermediate social organisations have flourished and/or where elaborate patronage networks have thrived (Chazan, 1992:193)14\*. In this regard, we address the issue of access to power and scarce national resources in a plural society.

The ethnic inequalities within Kenya in terms of extraction and distribution of the scarce resources has been a source of negative competition between those who control power and those who perceive themselves to have been marginalized. The ethnic mobilization and sensitization of the supporters to rally behind the "have" and the "have not" elites is a threat to peace and stability since at no point there will be equal distribution of resources in a growing economy.

### **3.0 HISTORICAL CAUSES OF ETHNIC CONFLICTS**

As earlier observed the causes as well as the consequences of ethnic conflicts that took place in Kenya may not render themselves easily to categorization. This is perhaps because of the fact that the practice of ethnicity is subterranean most of the time. Nevertheless, it is common knowledge that such causes and consequences must fall under broad categories such as social, economic, political, religious, environmental as well as psychological realms of life.

One of the long term causes of the clashes in Kenya is attributed to the colonial legacy, which is essentially historical but with ramifications in the post independence era. It is a historical fact that the indirect rule administered by the British colonialists later turned out to be the 'divide and rule' strategy which polarized the various ethnic groups in Kenya. This in turn contributed to the subsequent incompatibility of these ethnic groups as actors on one nation-state called Kenya. It was unfortunate that the early political parties in Kenya that championed the nationalist struggle against colonial establishments were basically 'distinct ethnic unions'. The Kikuyu for instance, formed the Kikuyu Central Association (KCA), the Akamba formed the Ukambani Members Association (UMA), the Luhya formed the Luhya Union (LU), the Luo formed the Young Kavirondo Association (YKA), the Kalenjin formed the Kalenjin Political Alliance (KPA), the Coastal tribes formed the Mwambao Union Front (MUF), Taita formed the Taita Hills Association (THA), in that order of ethnic conglomerations 15\*. As a result of the foregoing ethnic trends, a situation prevailed in this country in which a common political voice was not possible.

At the dawn of independence, African leaders ascended to governmental structures which had been intended to preserve the colonial administrative legacy. These leaders were armed with the Western Constitution and ill-trained manpower to soldier on and make provisions for the enlarged nation-state, now encompassing diverse ethnic groups with variegated interests. As if this was not enough, Kenya, like most other African countries, inherited from the colonialists scarce national resources, inadequate infrastructure, inadequate human resource capacity, inadequate capital, inadequate education and health facilities, among others. The scramble for the scarce national resources and facilities intensified and ethnicity became the main vehicle through which the dominance and preservation of power as well as resources could be achieved **16\***. Indeed, leadership (i.e. ruling elites) in post colonial Kenya has often relied heavily on ethnicity to remain in leadership positions or settle a dispute with their perceived enemies.

Land is yet another source of ethnic conflicts in Kenya, both in the long term and in the short term. For a long time in the history of this country, land has remained a thorny economic and political issue. Various scholars like Christopher Leo and Mwangi wa Githumo, have attempted to provide some explanations as to why land has been a major source of ethnic/political conflicts **17\***. The land issue has its origin in the colonial history of Kenya, where the colonialists dreamed of making this part of Africa a white man's country. The colonialists established the Kenya protectorate and later on the Kenya colony with the finance that was to be generated from the white settler plantations which covered the highly potential areas of the country. History has it that large tracts of agriculturally potential land (i.e. white highlands) were alienated by the British colonial administration.

As a result of the massive land alienation activities in the early period of colonialism, many of the hitherto cultivating populations were pushed into the 'infertile' native reserves that were not conducive for arable farming. The displaced populations lived as farm laborers, casual workers, tenants as well as squatters. The process of land alienation was also extended to the pastoral ethnic groups like the Maasai, Samburu, Nandi, Pokot and other Kalenjin speaking communities.

Like their agricultural counterparts, the pastrolists were pushed to the less conducive reserves. During the period of nationalism and decolonization, land grievances were central to all ethnic groups that actively participated in the struggle for independence. In fact the land question is one of the main factors for the MAU MAU rebellion of 1952 to 1956 in Kenya and the subsequent declaration of the state of emergence by the British. After this historic resistance of land alienation by the Africans, the British became very conscious in dealing with the issue of transferring power to the Kenyans at independence. Indeed, the colonialists were afraid that if the land issue was not handled properly, it could degenerate to civil strife as numerous ethnic groups engaged in the scramble to recover their alienated pieces of land.

The British administration, on the eve of independence, worked out a formula of handing over land to the indigenous ethnic groups in Kenya. The British government established a special grant that was aimed at facilitating the re-distribution of land, particularly in the former white highlands. The transfer on land took various forms, starting from small holdings to medium and large holdings. The obvious expectation during the struggle for independence was that the land would be freely distributed to the people since it had in the first place, been forcefully taken away from them. But this was not to be the case because under the independence agreement with Britain, the Kenya government was to but it from



the settlers. In fact, the British advanced a loan to Kenya to facilitate this purchase 18\*. That in turn meant that there was no free land for distribution. The price-tag made land very scarce. This is the critical point at which the subsequent; land-tenure became a factor of ethnicity and hence ethnic animosity intensified.

It is on record that the largest beneficiaries of this land distribution programme were the Kikuyu and their allies, thus the Embu and Meru. By projecting some mythological kinship and taking advantage of neighborliness, the Kikuyu managed to win the Embu and Meru into some 'land alliance' within the framework of GEMA which was a bargaining organ for these communities on the sharing of the 'national cake'. The Kikuyu with their allies quickly formed land buying companies and cooperatives with the blessing of Mzee Jomo Kenyatta. The critics of GEMA have often stated that the membership of these land buying companies and cooperatives was strictly ethnical-contrary to constitutional and company law provisions against this form of discrimination 19\*. Where did they get the money from? The critics further argue that the Kikuyu ethnic group which constituted the membership of these organizations were just as poor as other Kenyan ethnic groups. And yet they managed to buy some of the largest and most expensive tracts of land from white settlers. One possibility is that they raised money from their meager incomes. But this alone would not certainly have sufficed. The main source was banks and non-bank financial institutions into which President Kenyatta had appointed mostly Kikuyu management. For instance, the top management of the Kenya Commercial Bank, National Bank of Kenya and the Industrial and Commercial Development Corporation(ICDC) were registers of managers from one ethnic group 20\*.

By 1978 when President Kenyatta died, the Kikuyu had, far more than all other ethnic groups put together, bought the bulk of the so-called "white highlands". Besides, they were the main beneficiaries of the governments settlement plan for the landless at no cost or at minimal rates. They thus expanded their land ownership and settlement beyond their traditional home-Central Province-into the Rift Valley province, and a bit into the Coast province, apart from their widespread networks in urban centres within Kenya. The distribution of land formerly occupied by the white settlers to Kikuyu people mainly, was perceived by other ethnic groups as unfair and there were parliamentary debates that called for equal distribution. Unfortunately, these debates did not address the issue of ethnic imbalance, 21\*, and the subsequent animosity that later on degenerated in the recent ethnic conflicts between the Kikuyu and the Kalenjins in the Rift Valley.

The issue of unequal distribution of resources is yet another source of potential instability in Kenya. Apart from their easy access to land, the economic success of the Kikuyu region in the first ten years of Kenya's independence was enviable by other ethnic groups. The Kikuyu also enjoyed good modern roads, abundant school and education facilities, expanded health services, piped water, electricity and other forms of infrastructure 22\*. More than that GEMA helped it's members to acquire land and businesses. They visibly outdistanced other ethnic groups at a pace that posed immediate political risks to their newly acquired positions in the government structures.

In sharp contrast, Nyanza (i.e. the home of the Luo ethnic group) suffered severe repression and neglect, more that any other province for trying to challenge and question the unjust enrichment of one region on what was a 'national cake'. We give a few illustrations with regard to the ethnic suppressions during the Kenyatta regime. In 1966, Oginga Odinga, the undoubted Luo leader, who had hitherto been the vice president of the nation, and the ruling party, Kenya African National Union (KANU), lost both posts at the famous Limuru Party

Conference. The message was clear but milder at this point in time. Odinga responded by forming his political party - The Kenya Peoples Union (KPU). The accusations and counter-accusations between Odinga and Kenyatta over KPU was largely emotive and it succeeded in heightening Luo-Kikuyu ethnic animosities that sometimes degenerated into open confrontations.

The assassinations of Joseph Tom Mboya (i.e. a Luo) for motives never fully ascertained on July 9, 1969, a few months after the mysterious death of Argwings Kodhek, another prominent Luo politician intensified the ethnic animosity between the Luo and the Kikuyu. The banning of KPU in October 1969 and the detention of Odinga and other leaders without trial sent wrong signals to the Luo ethnic group who could not hide their emotions and anger during the visit of Kenyatta to Kisumu. During this visit, a large crowd of Luo's reportedly menaced Kenyatta's security and was fired on by the security guards in what later came to be known as the 'Kisumu massacre'. In an explanatory statement, the government accused KPU of being subversive, intentionally stirring up inter-ethnic strife, and accepting foreign money to promote anti-national activities. The proscription in effect brought a return of Kenya to the single party state, 23\*. Following these incidents, Nyanza province, like other non-Kikuyu areas, was virtually written off from 'national' development plans. For instance, the government terminated the construction the Kenya-Uganda highway (part of a trans Africa highway system) in 1969 because the road had reached Luoland. The plans to construct the Yala falls hydro-electric plant was also brought to a halt for spurious reasons.

Other tribes suffered their punishments in the same or varying fashions, which we do not intend to unveil in this limited paper. The same trends of unequal distribution of land, infrastructure and other national resources have been witnessed in the Moi regime, where the Kalenjin ethnic group has been 'perceived' to have benefitted more than others. However, just like for the Kikuyu, not all Kalenjins have benefitted. It is only a clique that surrounds the mantle of power (i.e. executive) who seem to have enjoyed in the Moi era, 24\*.

The mysterious death of Robert Ouko in 1990 strained the relationship between the Luo and Kalenjin ruling elites. This could be considered as one of the long term causes of the conflicts between the Luo and the Kalenjin in the build-up to the 1992 General multi-party elections and after. We assert that as long as there exist ethnic prejudice and animosity among the diverse Kenyan communities, the search for peace and nation-building will remain elusive.

Another long term factor of ethnic prejudice and subsequent conflict is attributed to the Africanization of the civil service. Just as there was immediate need to 'Africanise' the land, the government moved equally fast to give jobs in the civil service and para-government sector to the Africans. Independence had after all been fought for on the popular slogan "Uhuru na Kazi" (i.e. Independence will bring jobs). During the colonial period, the African population had worked essentially as plantation laborers or domestic hands for whites. It was therefore natural that independence should give them mobility into the higher echelons of the labour market as a realization of self-governance. Understandably, the government came up with a policy, first described as 'Africanization', then 'Kenyanization', and eventually, by some unofficial baptism 'Kikuyunization' and currently 'Kalenjinization'. This terminological mutation succinctly explains how a policy, otherwise well-conceived, deteriorated into the ethnicization of employment in the civil service.

### 3.1 TRIGGER FACTORS OF THE RECENT CONFLICTS

The recent and potential ethnic conflict in Kenya could be attributed to the following trigger factors:

First, although mystery still surrounds the root causes of the recent clashes, one fact that is clear from numerous reports newspaper articles, press statements and other documents is that leadership played a crucial role in fueling these clashes. Indeed, such of what has been written or pronounced in the fore mentioned literature implicates the leadership of the day (i.e. top government officials) top ranking members of the ruling party and opposition parties, some church leaders and other high ranking members of society. (see Task Force report of NCKK 1992, Daily Nation March, 11, 29, 31st, 1992. The cursed arrow, April 1992; Kiliku parliamentary Report, 1992; Human Rights Watch, November, 1993; Murungi Report, 1995; Nyukuri, 1996 etc) 25\*.

Secondly, the misunderstanding of pluralism and **majimboism** is also a source of ethnic conflicts in Kenya. The re-introduction of multi-party politics in Kenya in the early 1990s, had a number of far reaching consequences one of which was the eruption of ethnic clashes in Western, Rift Valley, Nyanza and Coast provinces. This was partially a fulfillment of President Moi's earlier prediction that a return of his country to a multi party system would result in an outbreak of tribal violence that would destroy the nation (Human Rights Watch/Africa November, 1993). It was also because of the misconception of pluralism and **majimboism** by leaders from the ruling party and opposition parties as well as the general public. Beginning with the late 1980s, after the 1988 rigged elections and early 1990s many Kenyan political elites started questioning the quo perpetuated by the one party political system in the name of Kenya Africa National Union (KANU). They begun to view multiparty political system (pluralism) as a panacea to democratic governance which was and was not the case! It was the case because pluralism could offer a forum for competitive politics and hence guarantee freedom of choice. It was not the case because multi-partism is not synonymous to democracy and single partism is not synonymous to autocracy.

The advent of pluralism in Kenya was misconceived as the advent for democracy as implied in some of the political slogans and ideologies propagated by the various pressure groups and political parties that were formed in the early, 1990s. For instance, Ford was dubbed as the Forum for the Restoration of Democracy, implying that democracy was once full realized, but later destroyed and now pluralism had given the orchestrators a forum to re-capture or reconstruct it. This is misleading in the sense that although the intended meaning may have been good but the apparent implication was questionable. One is triggered to raise a critical question as to when did Kenya ever witness full democracy since her independence in 1963. The same analogy applies to other political parties like DP - dubbed as the Democratic Party of Kenya, SDP - which are the initials for the social Democratic Party of Kenya. The so called champions of these political parties and pressure groups never took enough time to explain to their euphoric supporter the meaning and practice of pluralism, and hence the subsequent confusion, conflict as well as instability.

On the other hand, leaders and supporters of the one party political system in the face of this misconception or confusion were compelled to think that pluralism was a seed bed to chaos and anarchy. Perhaps such fear was justifies if we go back to the historical experience of

some countries that failed to promote democratic governance in an atmosphere of pluralism (Bernard M. Joinet, 1991:2) 26\*. In augmenting Joinet's point Samuel Kobia asserts that "...nor is pluralism a magic wade to introduce a new era of peace and stability. He goes ahead to identify some of the issues in society that can be intensified by a multiple - party system. These include corruption, tribalism, and ungovernability (Kobia, 1993: 33 - 34) 27\*.

On Kobia's list we can add nepotism, favouritism, unhealthy competition, hatred, animosity, ethnic conflict, among others. However, we re-emphasise our earlier point that pluralism is not synonymous to democracy. It is neither a root cause of tribal animosity and retardation in development, a thesis advanced by President Daniel Arap Moi and other single party die-hard during the re-introduction of pluralism in Kenya.

The recent ethnic conflicts in Kenya could also be attributed to the calls by high ranking KANU officials for the re-introduction of a *majimbo* (federal) system of government based on ethnicity. Federalism (*majimboism*) as a political system in which a Union of states or regions leave foreign affairs and defence to the central government but retain powers over some internal affairs is not necessarily undemocratic but the federalism system of governance that is based on ethnicity is a threat to any country's unity, stability, and development. In Kenya federalism or *majimboism* has a long history which has been greatly documented (Ochieng, 1985, Ogot, 1976, etc).28\* However, we hasten to assert that the advocates of *majimboism* in the built up for the 1992 elections and after, often called for the expulsion of all other ethnic groups from land occupied before colonialism by the Kalenjins and other pastoral ethnic groups (Weekly Review June, 29 1993; Kenya Times May 20 and 21, 1993; Daily Nation June 30th, 1993, etc) 29\*. It is fair to assert that the recent *majimbo* debate was recipe of chaos, ethnic animosity and conflict that be fell Kenya between 1991 and 1995. The country's political history has it that the clashes began shortly after the infamous Kapsabet and Kericho *majimbo* conventions held by prominent Kalenjin and KANU politicians like Hon Dr. Joseph Misoi, Hon. Nicholas Biwott, Hon. Kipkalya Kones, Hon. Henry Koskey, Hon. Ezekiel Barngetuny, Hon. Wilberforce Kishiero, among others. The *majimbo* meetings were conducted later on in numerous places in the Rift Valley and Coast provinces and it took president Daniel Arap Moi such among time to comment on this disastrous and loop-sided debate 30\*.

The recent debate on *majimboism* was sparked off in late 1991 by Rift Valley Kalenjins KANU leaders. A part from the fore mentioned, other prominent advocates of *majimboism* were Hon. Timothy Mibei, Nathaniel Chebylon, Hon. Julius ole Sunkuli, Hon. Bishop Daniel Tanui, Hon. Francis Lotodo, Hon. William Ole Ntimama and Hon. Sharrif Nasir of the Coast province. The debate on *majimboism* was deliberately initiated to counter the calls for the re-introduction of pluralism in Kenya. None of the above mentioned leaders of the *majimbo* debate, however came on as strongly in defence of the interests of the Kalenjin community as Hon. Nicholas Biwott.

Implying that the Kikuyu had threatened the interest of the Kalenjins, a charged Biwot stated that the Kalenjins were there to stay even after president Moi tenure has expired. (Weekly Review October 7, 1994) 31\*.

He was quoted to have said that, "the Kalenjins would not succumb to threats and harassment from any quarter and would fight for equal rights with other Kenyans. The Kikuyus were playing the camel and tent game whereby they now wanted to dominate the same people who had welcomed them in the Rift Valley. He added that it was the Kikuyus community which had instigated the ethnic clashes in the Rift Valley province in order to tarnish the name of the president. He asserted that only *majimbo* could ensure the end of economic exploitation of the minority ethnic groups by the bigger ones. He claimed that Kenyans were for the re-introduction of *majimbo* and predicted that those few who were opposed to the system would be swept aside by the current" (Weekly Review October, 7 1994:5) 32\*.

The Kapsabet meeting of 8th September, 1991, shortly before the clashes, was a conscious move of reviving federalism based on ethnicity and not one based on universal principals. This debate was essentially based on the tenets of ethnicity which was responsible for the resurgence of ethnical consciousness as opposed to national and democratic consciousness. It is a current reality to assert that the proponents of *majimboism* had the intention of diverting the attention of the people from the multi-partism that was sweeping across Africa from the East, after the collapse of the Soviet Union and the end of the cold war.

The *majimbo* debate mainly dwelled in the Rift Valley and Coastal Province. In Mombasa, Pro-*majimbo* leaflets were circulated in 1994, calling on minority ethnic groups to fight for their rights. The pamphlets read in part:

*Majimbo* or federal government is the only salvation of the minority communities and should not be treated just as an abstract concept .....  
*Majimbo* was the best solution to the suffering of the coastal people  
(anonymous writer) 33\*.

The pamphlets also carried a story of Hon. Sharrif Nassir, urging coast leaders to join hands fight for *majimbo*. On 24th September, 1994, the people of in response to Nassir's call were prepared to clash with the upcountry people. Nassir in his statement had said : "the poor and the landless will sacrifice their blood for the sake of implementing the *majimbo* constitution in Kenya. To strengthen his 'bloody' point , he coined a slogan for *majimboism* - wapende wasipende *majimbo* ni yetu. Hon Nassir used the *majimbo* debate to attack and counter the envisaged Luo-Kikuyu Alliance championed by Hon. Raila Odinga and Hon. Kenneth Matiba. Hon. Nassir was quoted to have said : I do not hate Luos, but I hate those who support Raila as this man is not a good leader, because he is supporting the Kikuyu" 34\*. It was soon after Nassir's statement that ethnic groups inhabiting Ujamaa Village in Likoni clashed. It was reported that unknown amount of property was destroyed and unspecified number of houses belonging to non-coastal ethnic groups were burnt down.

## 4.0 THE COST OF RECENT ETHNIC CONFLICTS

### 4.1 Social Consequences

The social consequences of the clashes in Kenya were enormous and cannot be easily quantified, especially the psycho-social ones. Most of the victims of these clashes were left homeless, landless, destitute, injured, dead, abused, to mention but a few of the atrocities resulting from the menace. The immediate and real consequence of the clashes in Kenya was felt most at personal and family level. There was loss of security in the clash-prone areas as the civilians took the law into their own hands, targeting perceived enemies. As a result of insecurity, there was indiscriminate loss of human life. Many people sustained physical injuries and others were traumatized. The state of insecurity interfered with the day-to-day socio-economic and political undertakings within the clashes areas. There was loss of life among the Kikuyu, Kalenjin, Luhya, Luo, Iteso, Kisii and others. However, there is increasing evidence to suggest that although the loss was felt on either side of the conflict, the non-Kalenjin ethnic groups suffered most.

The Kiliku Parliamentary Select Committee of September, 1992 put the death toll of clashes victims at 778, those injured at 654 and those displaced at 62,000. These figures exclude the number of persons who were killed, injured and displaced after September 1992. The Human Rights Watch/Africa, estimated that the number of those killed by November, 1993 was at least 1500, while those displaced was at least 300,000. However, with continued clashes in 1994 and 1995, the total number of those who died, injured or displaced increased drastically, following the Enosopukia, Maela, Mtondia, Nyatike and Kibera incidence. If we were to go by the NCCCK Review Report of August/September 1994, the number of displaced people for 15 districts in Kenya was about 311,433 persons in 43,075 households. This study, building on the previous statistics, estimated that up to July, 1995, at least 1800 people were killed, 30,000 injured and 350,000 displaced as a result of the clashes.

A flashback on the Government figures of those who died, those who were injured and those who were displaced, reveals far much less number than the above estimates including its own in the joint report with United Nations Development Programme (UNDP). In May 1993, a Minister of State in the Office of the President, Mr. Jackson Kalweo released a statement in Parliament claiming that the violence between October, 1991 and December, 1992 had claimed only 365 lives and had displaced only 7113 persons. The Office of the President gave the ethnic breakdown for the dead up to December 1992 as follows: Kikuyu - 102, Kalenjin - 87, Luhya - 69, Kisii - 44, Luo - 30, Maasai - 12, Somalis - 10, Turkana - 6, Teso - 4 and Arab - 1. Whereas the ethnic breakdown of the displaced population during the same period was as follows: Luhya - 2,382; Kikuyu - 1971; Kalenjins - 1720; Luo - 403; Kisiis - 354, Teso - 259 and Kamba - 25. Mr Kalweo dismissed all other figures as untrue.

The figures for those who lost their lives and those displaced could be more than the estimates quoted here. However, the Government figures of the same were far much less than these. If we go by the data of the NCCCK on Land Clashes Project in 15 districts in Kenya, there were about 311,433 persons in 43,075 households, (NCCCK Review Report Aug/Sep. 1994) 35\*.

The data and statistics below as adopted from the Kiliku Report summarizes some of the manifestations during the recent clashes in different parts of Kenya. The information indicates approximately the number of people who died both by action of members of the public and security personnel. This also includes those who were injured, arrested during the clashes; those charged with arson and others who were displaced in different parts of the country by September 1992.

Figures for Deaths, Injured, Arrested, Charged, Finalised, Displaced

Districts	Deaths	Injured	Arrested	Charged	Finalised	Displaced
TRANS NZOIA	200	39	296	178	171	12,000
BUNGOMA	113	70	244	17	1	14,000
KAKAMEGA	19	23	36	20	20	*
UASIN GISHU	159	138	53	50	6	4,000
NANDI	25	*	79	24	*	7,000
KERICHO/B OMET	50	262	100	21	6	10,000
KISUMU	17	*	92	92	33	*
KISII	25	*	6	6	4	*
NYAMIRA	8	*	5	5	*	*
NAROK	48	22	20	18	2	2,000
NAKURU	114	100	290	*	*	13,000
TOTAL	779	654	1,236	248	243	54,000

Report of the Parliamentary (Kilifi Report) Select Committee to Investigate Ethnic Clashes in Western and other Parts of Kenya, September 1992, P.85.

\* Figures Unavailable Source:



The above figures exclude the number of persons who were killed, injured and displaced after September, 1992. The Human Rights Africa Watch estimated that the number of those killed by November 1993 was at least 1500, while those displaced was at least 300,000. However, with continued clashes in 1994 and 1995, the total number of those who died and those who were displaced increased. This study estimates that up to July, 1995 at least 1800 people were killed and at least 350,000 displaced as a result of clashes. The number of those injured by July 1995, was put at 3000 compared to 600 recorded in the Kiliku report of September, 1992.

Another UNDP document assessing the situation of the displaced persons in the Horn of Africa quotes a fairly accurate figures of displaced persons in the Horn of Africa of 223,700, attributing it to the NCCK (UNDP. Displaced populations in the Horn of Africa, undated, p.10), **36\***.

The Breakdown of the Figures by District is as follows:-

DISTRICT	Number of Displaced
BUNGOMA	21,100
BUSIA	1,800
ELGON	14,375
KAKAMEGA	*
VIHIGA	*
KISUMU	8,975
NYAMIRA	750
KISII	2,300
KURIA	*
TURKANA	16,625
TRANS NZOIA	18,525
ELGEYO MARAKWET	22,300
UASIN GISHU	82,000
NANDI	17,850
KERICHO	6,550
BOMET	*
NAROK	900
NAKURU	40,700
LAIKIPIA	600

Source: Draft Report: "The Internal Displaced Population in Western, Nyanza and Rift Valley Provinces: A Needs Assessment and Rehabilitation Programme" prepared by John R. Rogge, April 28, 1993 as reported in the Government of Kenya/UNDP Programme Document: Programme for Displaced Persons, Inter-agency Joint Programming, October 26, 1993 P.8.

All we can infer is that the figures of death, injured and displaced persons in Kenya during the clashes remains a mystery and one can hardly document such figures accurately due to contradictory statistics by the Government and independent sources.

The clashes in Kenya exemplified the potential and real consequences of conflict on inter-ethnic marriage, family and social life. According to the field information collected in different parts of the clashes stricken areas, there were cases of breakdown of marriage and family life. Currently, inter-ethnic marriage between the Luhya (i.e. especially the Bukusu) and the Sabaot, Iteso and Sabaot, Kalenjin and Kikuyu, Kalenjin and Luo is viewed with fear and suspicion. This was one of the far-reaching social consequences of the clashes which has also created mistrust, prejudice and psychological trauma characterized by mental anguish and general apathy, among the various ethnic groups in Kenya. This emerging negative tendency contradicts the view that the conflicting ethnic communities have co-existed and inter-married for several decades.

As a result of the clashes, thousands of school going children were displaced. Some dropped out due to the financial and socio-economic constraints attributed to the menace. For instance, the NCKK estimated that by 1994, over 10,000 in Trans-Nzoia District had been displaced as a result of the clashes. A similar number were out of school in Bungoma and Narok districts. This disruption of education activities was widespread in all the clashes - prone regions in Western Kenya, Rift Valley and Coast provinces. As a result of the clashes, many schools were burned down or looted in parts of Nyanza Province bordering the Rift Valley Province. The same was witnessed in Cheptais, Kibuk, Kamneru, Kaptama in Western province and Sabaoti Division in Trans-Nzoia District. In a number of cases, both students and teachers belonging to the so-called 'wrong' (opposition) ethnic groups were attacked, a number of them fatally. Both the students and teachers belonging to the 'enemy' ethnic groups were forced to transfer to other schools while others abandoned schooling and teaching respectively. Some schools such as the Bishop Okoth and Holo schools near the Kisumu and Nandi district boundary were completely closed during the clashes.

In all the districts within our study areas, there was a mass exodus of non-Kalenjin teachers who feared for their lives while teaching in the hostile districts. Since then, many schools have had to do without the services of experienced teaching staff and the effect of this problem on the performance of examination classes was very serious. The clashes prevented some of the primary and secondary school graduates from continuing with higher education and training because of financial constraints caused by the menace. Apart from the pupils losing their text and exercise books and uniforms, they often went hungry and often fell sick because of food insecurity and poor living conditions in the makeshift camps and schools.

As a result of the clashes in Molo, over 55 primary schools in Molo South catering for over 16,500 pupils did not re-open for the new term because of insecurity. The Standard Eight pupils due to sit for their Kenya Certificate of Primary Education (KCPE) fled their homes in 1993 because of insecurity caused by the violence.

However, during and after the clashes, there had been a crisis in terms of identity and culture, especially for the offsprings of the ethnic groups that fought each other. As earlier recounted, several families have broken down and the children of mixed families are at crossroads in terms of ethnic and cultural identity. Some have been forced to leave on the paternal ethnic sides, while the others live on the maternal side, depending on where the pressure is most. This trend has created a new dimension in societal lives where children (potential marriage partners) are discouraged from engaging in any affairs with the 'enemy' ethnic group. This unless checked, may go a long way to affect inter-ethnic marriages and interactions.

The first-hand accounts by the clashes victims in the affected areas were extremely disturbing as far as health was concerned. The thousands of displaced families, having lost their shelters and food supplies, had to camp in over-crowded temporary shelters organized through donations and support from various organizations, such as the Catholic Mission, Red Cross, NCKK, Action-Aid Kenya and the UNDP among others. These camps were established haphazardly all over the clashes zones and had poor ventilation. The grossly inadequate water supply and sanitation facilities, coupled with overcrowding, made these camps ideal conditions for major outbreaks of communicable diseases such as meningitis, typhoid, upper respiratory tract infections, cholera and other related diseases. The mixing of people with cattle, sheep, chicken, goats and other domestic animals was in itself a health hazard.

The clashes in various parts of the country brought about a situation of gender and child vulnerability. Indeed, it is the children and women who suffered more during the period of the clashes. They were abused, violated, embarrassed and at times raped in broad daylight during the clashes. In most internal refugee camps, there was inadequate room to accommodate thousands of the displaced families. Both men and women, together with children, were forced to share the often congested sleeping places in close proximity with one another with little or no privacy. Nature being what it was, we could expect uncontrolled, indiscriminate sexual behaviour, not only between adult men and women, but also involving sex abuse of young children, particularly girls. As a result of such immoral practices, sexually transmitted diseases and HIV/AIDS were passed from one individual to another, with children and women being the most affected victims of the circumstances.

#### **4.2 Economic consequences of the clashes**

The total economic impact of the clashes in the affected areas is literally unquantified and not easy to quantify. There was gigantic waste of human and economic resources as partly illustrated by figures in the Kiliku Report and other publications, (Kiliku Report, 1992 p.85-90), 37\*. The clashes had lasting consequences that will continue to alter Kenya's economic development for many years. One overall observation that emerges from the study of the clashes in Kenya is the fact that the economic consequences go far beyond the available statistics. Much of the destruction worked to the economic advantage of the perpetrators of the violence and their close aides. Generally, the clashes allowed some groups of people and individuals to capitalise on the insecurity to usurp land or purchase it at throw-away prices from the victims who had no otherwise.

According to this study, one of the long term economic consequences of the clashes was the fact that land ownership patterns have been permanently altered. There was a general decline in economic production as many of the potential farmers ran away due to insecurity created by the violence. In a state of insecurity, as was the case in the study areas, agricultural activities were disrupted. In most cases, maize, coffee, pyrethrum, tea, sugarcane and other crops were either destroyed or abandoned because of the widespread violence caused by the clashes. In some areas of Trans Nzoia, Kericho, Nandi and Uasin Gishu districts, work on agricultural land stopped for a long time as farm workers stayed away for fear of being attacked by the 'clashing enemies'.

There were other subsequent economic problems related to the clashes such as food insecurity, labour disruption on farms, industry and the public sector institutions, destruction of property, land grabbing, commercial disruption, breakdown in transport and communication, resource diversion, mis-allocation and unexpected expenditure,

infrastructural disruption, inflation and fluctuation of prices and environmental destruction among others. Food shortage was one of the far reaching economic consequences of the clashes in the study areas. There was a drop in food production, food supply and raw materials for the agro-based industries such as sugar, tea, coffee, cereal (maize), pyrethrum and other agricultural crops. As a result of food shortages, many clashes victims experienced famine and this necessitated the appeal for local and international food aid and relief. Before we go any further on this point of food shortage, we should repeat the earlier question asked by an NCCK report published in 1992: When we feed those who are hungry, we must also ask why they are hungry (NCCK: The Cursed Arrow), 38\*.

The output of maize and wheat experienced a drastic downfall due to the farmers' insecurity caused by the clashes. For instance, maize production for 1992 was estimated at 2.34 million tons, a 6.1% increase from the previous year, but still 390,000 tons below average. The production of wheat dropped from 195,000 to 125,000 tons from 1991 to 1992 (Reuters, 9th June, 1993), 39\*. The Food and Agriculture Organization (FAO) in its 1993 Report observed that the victims of the clashes in the Rift Valley Province alone needed 7,200 tons of cereals and 1,080 tons of pulses and other food items in emergency aid for that particular year (Daily Nation 14th May, 1993 and 23rd May, 1993), 40\*.

The clashes also led to the drop in milk production, particularly in the Rift Valley, which is one of the largest milk producing zones in Kenya. Although there were no reliable statistics to illustrate the drop, the figures of milk production in Molo is indicative of this falling trends. For instance, it was reported in a local newspaper that in Molo area, the milk supply had dropped from 75,000 litres per month to only 29,000 litres per month (Daily Nation, 19th June, 1993), 41\*.

This study revealed that many of the victims doubted the seriousness of the Government's participation in food relief and whenever it was distributed, there were instances of discrimination and corruption involving public administrators in charge.

There have been disturbing mass media reports recently of land grabbing mania and general corruption in Kenya. There is nothing new in this. Land grabbing and corruption have been going on since independence, creating an explosive situation that continues to sour relations between various ethnic groups. However, during and after the clashes, land grabbing in the clashes-torn areas has become rampant at the expense of the clash victims. Now that most of the urban and rural lands have been taken, pressure is mounting on the remaining land.

After the clashes, there has increasingly been an obsession with land in this country which needs to be re-examined.

Land is a thorny issue in the former clash-torn areas and unless serious attention is taken, there is every likelihood of renewed clashes. For instance, the former clash-torn 392 acre-Thessalia Holdings, also called Buru Farm, located in Kericho District is said to have attracted the attention of a senior State House official and a KANU MP who have evicted families from it. The over 600 people (approximately 150 families) displaced from their plots on the farm in December 1993, have expressed fear that the farm L.R. No.3979/2, whose ownership is under dispute, is likely to have been grabbed by the two senior government officials between January and July 1996. (The Clashes Update August 31, 1996, No.43), 42\*.

As a result of the clashes, the study areas experienced an abrupt drop in effective demand for manufactured goods due to lack of cash income from the agricultural sector and employed labour in the agro-based industries such as tea, coffee and maize. Subsequently, some of the clashes-prone areas experienced massive unemployment, with all the attendant social and economic consequences as the farming, industrial and distributive trade sectors were forced to lay off workers.

The drop in the supply of food and raw materials for the agro-based industries necessitated costly imports of such items as sugar, maize and wheat. This in turn led to hiking and fluctuation of prices of essential commodities in the clashes-prone areas. For instance, the prices of bread, salt, sugar, flour and other basic goods went up by over 50% due to the shortage caused by insecurity. The price of bread rose from Shs.10 to Shs.17; sugar from Shs.24 per kg to Shs.45 in Bungoma, Trans Nzoia and Mt Elgon areas. Another noticeable feature in the area of commerce, was the drop in the prices of cattle within the clashes areas. For instance, in Mt Elgon and West Pokot areas, a mature bull which before the clashes cost over Shs.7000 was being sold at Shs.3000 or less due to fear of cattle rustlers who complimented the insecurity situation.

Transport operators in most of the study areas before the clashes were mainly the Kikuyu and the Kisii. However, during the period of the clashes, the vehicle owners, fearing attack on their vehicles and passengers stopped their operations in the affected areas. The study established that during the clashes, areas such as Kericho, Thessalia, Nandi, Burnt Forest, Molo, Mt. Elgon, Kapsokwany and West Pokot experienced transport hardships as a result of the clashes. The transport problems have been eased, although the vehicle owners still have some fear and suspicion about losing them in the event of renewed clashes. With most of the businesses closed and their vehicle and goods at risk of being destroyed or stolen, manufacturers stopped regular supplies of commodities to the affected areas. This in turn caused considerable hardships to the "final consumers" of essential goods.

#### **4.2.1 Destruction of Property**

As a result of the clashes in Kenya, thousands of families lost a lot of personal and household possessions as their houses, granaries, farms, shops and other business premises went down in flames (Kiliku Report, 1992:85-90, See appendix 1 ) 43\*.

#### **4.3 Political Consequences**

Kenyans must watch out against the revival of ethnic politics as we approach the next General Elections in 1997. Over the years, Kenya has experienced the rise of ethnic tides and tensions which if left to continue may eventually turn into ethnic hatred and violence as witnessed in South Africa, Rwanda, Burundi and Somalia. As in the past, there is every likelihood that the next General Elections will be decided upon not on national issues but on ethnicity. Since the 1992 General Election, there has emerged an ugly fact of politics in this country- that political parties are vehicles of ethnic sentiments and interests.

For instance, KANU is a party of the so-called minority ethnic groups such as the Kalenjins, Maasai, Turkana and Samburu. The FORD-Kenya is mainly composed of the Luo ethnic community and a few Bukusu sub-ethnic group of the Luhya ethnic community. The FORD-Asili is mainly composed of members from the Kikuyu ethnic community and so is the Democratic Party of Kenya, which of course has a few supporters from the Akamba, Meru

and Embu ethnic communities. The other parties like PICK, KSC, SDP, KNC and even the unregistered Safina have no national outlook in their leadership and composition.

The clashes that took place in Kenya between 1991 and 1995 not only increased ethnic animosity and prejudice but also made ethnic politics a reality. Indeed, the common ideology, especially among leaders of different political parties, is national democracy, but the practice or reality is ethnic democracy for their supporters. There is common talk that the Kikuyu 'ate' during the Kenyatta era, the Kalenjin have 'eaten' during the Moi era and it is the turn of other ethnic groups like the Luhya, the Luo and the Kisii to eat. In essence, the 1992 election results reflected numerous manifestations of block voting, this time closely related to ethnic nationalism, sectarianism and other forms of parochialism.

## PRESIDENTIAL VOTE BY PROVINCE

	DANIEL ARAP MOI	KENNETH MATIBA	MWAI KIBAKI	OGINGA ODINGA	CHIRUBE TSUMBA	GEORGE ANYONA	HARUN MWAU	MUKARU NGANGA	REG. VOTERS	TURNOUT %
NAIROBI	62,410 (16%)	165,553	69,715	75,888	596	560	342	473	674,564	375,465 (56%)
COAST	188,296 (62%)	33,399 (11%)	32,201 (10%)	42,796 (14%)	5,037	965	354	277	660,271	303,345 (48%)
NORTH EASTERN	46,420 (72%)	7,188 (11%)	3,259 (5%)	5,084 (8%)	18	21	24	10	141,069	62,025 (51%)
EASTERN	290,372 (37%)	79,436 (10%)	392,481 (50%)	13,673 (2%)	4,633	1,611	832	1,743	1,209,081	784,780 (65%)
CENTRAL	21,918 (2%)	630,194 (60%)	373,147 (35%)	10,668 (1%)	3,293	1,908	633	1,111	1,209,054	1,042,871 (86%)
RIFT VALLEY	981,488 (71%)	214,727 (16%)	98,302 (7%)	75,465 (5%)	857	1,184	948	546	1,896,028	1,373,517 (76%)
WESTERN	219,187 (39%)	214,060 (38%)	14,404 (2%)	98,822 (17%)	681	1,175	5,553	3,437	947,575	578,416 (61%)
NYANZA	117,554 (15%)	10,299 (1%)	51,998 (6%)	581,490 (75%)	305	6,809	1,763	930	1,197,772	773,562 (67%)
TOTAL	1,927,640	1,354,856	1,035,507	903,886	15,393	14,253	6,449	8,527	7,956,354	5,293,982 (66%)

Source: Wanjohi N.G., Challenges of Democratic Governance, N.C.C.K. 1993: 49



The International Commonwealth Monitors observed that as many as 1.5 million eligible voters, had not been registered to vote. Indeed hundreds from the clash areas were unable to register because of the violence that prevented them from returning to their home areas.

The political thuggery, police brutality and militia-style bloody clashes that rocked the nation, were seen by political analysts as potent ingredients for a national calamity. The escalation of the clashes from the Kalenjin enclaves of Trans Nzoia borders with Nyanza and Western Provinces, to the hinterlands of Kisii, Molo and Njoro in the heart of Kenya, was a manifestation that President Moi's belief that the multi-party democracy could not work in Kenya was being delivered home. On 18th March, 1992, all public rallies were banned as a prelude. As clashes escalated in the Rift Valley and other provinces of Kenya, there were talks of bringing in the UN peace keeping troops. These troops would have been the last thing anyone wanted in a highly charged environment such as Molo, Londiani and Burnt Forest. Fortunately, a domestic alternative was sought.

The Government of Kenya, in response to the deteriorating security situation in the Rift Valley, declared Molo a security operation area on 5th October, 1993. And on 6th October, the same year, the security order was extended to cover other clashes-affected areas of Burnt Forest and Londiani. The statement was very brief and decisive:

"The Government today declared Molo a security operation area with immediate effect and no political parties or individuals from outside are allowed to visit or hold meetings in that area."

The question that remained unanswered was whether this move by the Government was in response to the intensity of renewed clashes or a reaction to the political scenario that had come with the controversial visits to Molo by Opposition politicians like Mr. Kenneth Matiba and his old friend, Lord David Ennals of the British House of Lords and that of Ms Kerry Kennedy, the Executive Director of the Robert Kennedy Memorial Centre for Human Rights in the United States.

During the clashes, the Judiciary was seemingly unable to punish the orchestrators of the clashes, due to its manipulation by the Executive that was largely responsible for this menace. The Government claimed that over 1000 charges had been brought for crimes relating to the ethnic violence. The figures for arrests between October 1991 and December 1992 was 1,422 ;Kalenjins - 672, Kikuyus - 430, Luhyas - 146, Luos - 99, Tesos - 23, Kambas - 23, Kisiis - 16, Turkanas - 10 and Maasais - 3. Of these, 1,324 were charged with offences including murder, arson, robbery, unlawful meetings, inciting violence, conveying stolen goods, possession of illegal weapons and stock theft (Africa Watch's interview with Hon Amos Wako, July 12,1993), 44\*.

It was increasingly evident that most of those charged even with violent offences were out on bail. Many of the Kalenjin warlords were not arrested or charged with violence against other ethnic communities. Our study revealed that victims who reported violent incidents against them were often turned back by the police who refused to record the statements from the victims. There was partial application of the law during the clashes. Thus although the Government had difficulties in prosecuting Kalenjin warriors, it efficiently prosecuted non-Kalenjins who had

acquired weapons to defend themselves after being attacked (NEMU, Courting Disaster, April 29, 1993:19). Before the December 29, 1992 elections, the Minister for Local Government Mr. William ole Ntimama, made an inflammatory statement that was not censored by the Government. He told all " outsiders " to leave Narok and warned Kikuyus in his area to "lie low like envelopes". He also asserted that the "non-Maasais should not be allowed to vote in Narok District". In April 1993, he reportedly said: "We will protect President Moi-do or die". He called on Kalenjins and Maasais to be ready to defend themselves (The People, 6th June, 1993, Quotable Quotes Column), 45\*.

The case of Mr. Koigi Wamwere is a typical one where ethnicity has entered through the door and justice thrown out through the window within the Judiciary. It is a complex one with different interpretations ranging from a mere thuggery case to a politically and ethnically orchestrated and manipulated one. The persecution of Mr. Wamwere was seen by some political analysts as the persecution of the Kikuyus by the Kalenjins as reflected in the court proceedings.

All the same, Mr. Wamwere's prosecution under the Nakuru Chief Magistrate Mr William Tuiyot (a Kalenjin), turned out to be a dramatic twist of Kikuyus versus Kalenjins. His trials have been conceived by some Kikuyu elites as part of the persecution of the Kikuyus by the Kalenjin elites who patrol the corridors of power in Kenya. The 20-month trial of Mr. Wamwere and his three co-accused was perceived as part of the Government's plot to persecute the Kikuyu ethnic community. This was the statement that was repeated by Mr. Wamwere and reinforced by his defense lawyer Mr. Paul Muite, who made political capital out of this case for himself and the unregistered Safina Party.

When Mr. Wamwere summed up his own testimony, he told the Chief Magistrate, Mr William Tuiyot, that:

"You have been the prosecutor, the jury and you will be the hangman in this case. We are here for two reasons, because we are Kikuyus and not Kalenjins, and secondly, because we are in the opposition".

The same argument was vigorously advanced by Mr. Muite when he appeared before the High Court in Nairobi to argue out a Constitutional application filed by Mr. Wamwere, seeking to terminate the robbery case against them. He said:

" The Bahati Police raid was an in-house fabrication. It was by the police, a stage-managed raid to depict members of a particular community as attempting to arm themselves and raid police stations. The purpose was political propaganda". (Weekly Review, October 6, 1995:8), 46\*.

In pursuing the political and ethnic angle, Mr. Muite sought to convince the court that his clients would not be accorded a just and fair hearing because the State was already prejudiced against them.

#### 4.4 ENVIRONMENTAL CONSEQUENCES

In Molo, Nandi and Mt. Elgon, large areas of forest land were set on fire as part of a defensive strategy taken by victims of the clashes, to deny their attackers hiding grounds. This development in the long run may lead to catastrophic effects on the environment of these areas. In fact, these areas are some of the densely forested zones in Kenya and some are important rain

catchment areas. The consequence of massive destruction of forests as was witnessed during the clashes in the mentioned areas would therefore affect the pattern and intensity of rainfall and subsequently affect the viability of rain-fed agriculture and water supply in these zones. For instance, Mt. Elgon is the major source of perennial rivers such as Kuywa and Kibisi, which flows into Nzoia River that draws into Lake Victoria. Any effect, therefore, on the Mt. Elgon water catchment area will have negative consequences on Lake Victoria and its surrounding.

## 5.0 FEAR OF RENEWED CLASHES

Many Kenyans have expressed fear of renewed clashes in the former clash-torn areas. This fear was confirmed by the statement made recently by the then Local Government Minister, Mr. William ole Ntimama. On 23rd September, 1996, Mr. Ntimama is reported to have predicted chaos in the Rift Valley unless all non-Kalenjin and non-Maasai communities living there joined KANU. He said KANU supporters "will hit back" if those calling for Constitutional reforms engaged in acts of civil disobedience. The minister said supporters of the ruling party would not be cowed by those calling for reforms, adding that the Constitution "cannot (sic) be faulty just because President Moi is in power".

Mr. Ntimama told a rally at Mulot trading centre that before the colonialists came to Kenya, Rift Valley Province was only inhabited by the Kalenjin and the Maasai. He is quoted to have said:

"I'm telling those whom we have invited to the Rift Valley, and who have now come up to Kitale, that our political wishes must be respected. In the African type of politics, there will always be problems with your neighbour if you are not in the same political house (Daily Nation 24th September, 1996), 47\*.

Mr. Ntimama announced that Kalenjin and Maasai leaders had lined up a series of meetings in the province to plan strategies to enable KANU win the next General Election. He described those calling for constitutional reforms as "jealous and greedy people" who want a Constitution which will benefit them and trample on the rights of others. He is further quoted to have said:

" We are sending them a message now that is they dare hold demonstrations, we will not sit back and I'm telling KANU supporters to be ready for any eventuality (Daily Nation 24th September, 1996), 48\*.

The fear of renewed clashes in Molo and Burnt Forest, among other parts previously affected by the menace, is a very sensitive subject which creates panic within Government circles and the public. In April this year, during Easter Sunday, Bishop Raphael Ndingi Mwana a'Nzeki of Nakuru Catholic Diocese, while delivering a sermon in a church, talked of the possibility of witnessing fresh clashes in Molo area. He claimed that the local people had reported to him that bands of marauding youths were cited re-grouping in the forests of Molo. It was further alleged that a helicopter was seen hovering over the clash-prone forests and that thereafter, a loud explosion was heard in the forest. The Bishop's statement ensued controversy and he was condemned and vilified by politicians, some of who outrightly called him a liar. The then Provincial Commissioner for the Rift Valley, Mr. Zachary Ogongo claimed that the bishop collected rumours from the streets or in the bar. He was supported by President Moi.

The Catholic Bishops and other clergymen from various Churches issued separate statements in support of Bishop Ndingi. In the process of accusations and counter-accusations, Mr. Ogongo was forced to withdraw his allegations about the bishop being a liar.

Whether the Bishop was right or wrong, one thing that is clear is that there was a similar description of events observed at the height of the ethnic clashes in Molo when victims repeatedly claimed to have seen groups of youths disappearing into the forests, days before fighting broke out. Claims were made about suspicious people being ferried to the forests in lorries and others being dropped by helicopter at night. More recently, Hon. Francis Lotodo echoed Ntimama's sentiments when he talked about the possibility of clashes after President Moi leaves office.

As the 1997 General Elections approach, some Kenyans have continued to express fear of renewed clashes in this country. This should never recur as it paints a gloomy picture on Kenya's peace, unity and development. The Government, opposition politicians, clergy and the general public, should see permanent solutions to the clashes. Such solutions can never be established in an atmosphere of accusation and counter-accusations.

## 6.0 CONFLICT RESOLUTION ACTIVITIES AND INSTITUTIONS

### 6.1 Government Response to the clashes

According to available evidence, the Government made little or no effort to house or assist the victims who were unable to return to their former lands. In an official statement to Parliament in March 1992, six months after the clashes broke out, Vice President Prof. George Saitoti announced that the Government would provide food and other relief supplies amounting to shs. 10 million (US\$ 125,000) to the displaced clashes victims (Weekly Review, 20th March, 1992; p.5), 49\*.

This amount of money was inadequate to resettle and compensate the thousands of victims who had been rendered homeless and without property. There is increasing evidence to suggest that even the above mentioned money was never distributed to the genuine victims of the clashes. In the course of its investigation, the NCKK research team was able to trace the distribution of only a small portion of the quoted sum. Indeed, most of the interviewees denied receiving any relief assistance from the Government. The distribution of relief assistance seemed to depend solely on the transparency, accountability and efficiency of the local government officials and Provincial Administration in the affected areas. Where did the large portion of the money go? Some interviewees were quick to claim that much of the relief assistance went only to those who were well connected to the Provincial Administration, especially the District Commissioners, District Officers, chiefs and their assistants.

Another aspect of the Government's negative response to the clashes was its consistent attack and obstruction of relief agencies and individuals as they attempted to assist the victims. The Central and Local Government authorities, for political reasons best known to them, harassed church and NGO officials who had permitted victims to stay in their premises. For instance, in Burnt Forest, the local Catholic Priest, Fr. Peter Elungata, was summoned to the local police station for questioning by the District Officer, after he had allowed approximately 15,000 people (predominantly Kikuyu, Luhya and Turkana) to stay in his Church compound (Africa Watch, 1993:64), 50\*.

The Government also harassed the Tribal Clashes Resettlement Volunteer Service (TCRVS) formed by a prominent environmentalist Prof. Wangari Maathai. The Government responded to the formation of TCRVS by accusing Prof. Maathai of inciting the clashes (Kenya Times, 31st January, 1993), 51\*. The organization intended to initiate a resettlement programme and a reconciliation seminar for clash victims. The Government, however, immediately mobilized its security forces to block off the church where the seminar was scheduled, preventing the victims from gathering.

Moses Ote, the then NCKK relief co-ordinator, faced harassment several times while organising food distribution in the clash areas. In Bungoma District, he was detained overnight on November 18th, 1992, for 'instigating the clashes'. On another occasion at Kapkateny, Bungoma District, he was arrested for protesting the forced dispersal of displaced victims by the then District Commissioner, Mr. Kibiti Rintari. In April, 1993, the then District Officer in

Kimilili, Mr. Tom Mecheo, tried to prevent the NCKK from distributing food to the clashes victims on the grounds that the NCKK food relief program was the reason why clashes victims were not returning to their homes (Africa Watch, November, 1993:64), 52\*.

The harassment at the local levels was accompanied by vehement attacks by President Moi on the Churches. In February, 1993, the President accused the NCKK of "exploiting the plight of displaced clashes victims to solicit funds from overseas for their own use." He also said that many of the victims were squatters seeking free meals and clothes (Daily Nation, 21st February, 1993), 53\*. As the clashes continued in different parts of the country, particularly in Western, Rift Valley and Nyanza provinces, President Moi consistently accused the outspoken independent media of being responsible for the ethnic violence through 'biased reporting'. In March 1992, the President cautioned the Press against sensational reporting, referring to the clashes. The Government, concerned about the international repercussions of banning publications outright, was resorting instead to a combination of legal and extra-legal methods to drive its critics out of business (Africa Watch, Article 19, 31st May, 1993, Issue 25), 54\*.

During and after the clashes, the outspoken publications such as Society, Finance, Target, Daily Nation and the Nairobi Law Monthly faced a campaign of threats, arrests, charges, and seizures for covering stories related to the clashes. It is a fact that the private television station, Kenya Television Network (KTN), ceased its broadcast of local news, stating that "it had become too expensive". Ironically, the evening before, the station had led off its news programme with a story of the opposition FORD-A leader, Mr. Kenneth Matiba, giving an ultimatum to the Government to stop the clashes.

In February 1993, the MP for Githunguri and Editor of Finance magazine, Mr. Njehu Gatabaki, was held for about a month before being released on sedition charges. The Finance magazine consistently covered the clashes and many of its issues were confiscated by the Government on grounds of being "seditious publications". Mr. Gatabaki was arrested in June 1993 as he prepared to attend the World Conference on Human Rights in Vienna. In April 1993, a group of armed men identifying themselves as police officers broke into the offices of the magazine, smashed the computers and stabbed the computer manager, Mr. David Njau.

Society magazine faced similar attacks for consistently highlighting issues related to the clashes. In April 1992, sedition charges were brought against the Editor of Society, Mr. Pius Nyamora but the Government finally dropped these charges in May 1993. It is on record that several issues of the magazine were illegally confiscated and destroyed by the Government. In June 1992, the office of the Society magazine in Tumaini House, Nairobi, was petrol bombed by "unknown people". On April 30, 1993, the police stormed the printing press of Fotoform Ltd. which was printing a number of outspoken magazines, including Society, Finance, and the Nairobi Law Monthly.

In May 1993, the police impounded about 6000 copies of Jitegemea magazine, a monthly publication of the Presbyterian Church of East Africa (PCEA). This was done without explanation from its distribution offices and street vendors, (Daily Nation 30th May, 1993), 55\*..

Freelance and individual journalists or newspaper contributors who reported on the clashes were not spared police harassment. For instance, Cathy Majtenyi, a Canadian journalist who was doing feature stories on the clashes for the Daily Nation, was attacked by 'unknown assailants' in Nairobi after returning with information from the clashes areas on 22nd May, 1993 (Daily Nation, 23rd May, 1993), 56\*.

The then editor of Target newspaper, a monthly publication for the NCKK, Mr. Nicholas Otieno, and members of staff Mr. Moses Wanyama and Mr. Anthony Kiragu, were also among those who were targeted for carrying out investigations and writing on the clashes. Indeed, the Target newspaper was threatened it would be banned by the Government because of its consistent serialization of events in the clash areas. Then editor of the weekly publication, The People, Mr Bedan Mbugua, was arrested while investigating clashes in Molo, a few days after President Moi declared 'security operations' in Molo, Burnt Forest and Londiani on 2nd September, 1993. He was arrested together with the outspoken PCEA pastor, the Rev. Dr. Timothy Njoya when they attempted to visit Molo and were held in police custody for three days. During the same period, 13 opposition MPs were arrested and charged with breaching the peace when they attempted to enter Molo on a fact-finding mission (Daily Nation, 6th September, 1993), 57\*.

A group of Kenyan musicians, who made a recording of songs about the clashes, were declared wanted for arrest by the police. The songs had been recorded to raise funds and materials for the clash victims. The vendors who attempted to sell the cassettes were harassed by the police (Africa Watch, Article 19, Kenya: Shooting the Messenger, October 29, 1993), 58\*. At the height of the clashes, the Government appointed a 13-man team of legislators, under the Changamwe MP, Mr. Kennedy Kiliku, to investigate the nature, causes, magnitude and consequences of the clashes. Basing its findings on the evidence gathered from various interested parties in the affected areas, among them politicians, the Kiliku Report blamed the clashes on the pressure for the re-introduction of multi-party politics in Kenya. Most significant was the notion that the pressure for multi-partism awakened tribal animosities from leaders on both sides of the multi-party debate. Most of the political leaders who featured in the report were allegedly to have made statements that alarmed the public and fanned tribal animosities.

Mr. Nicholas Biwott and other MPs from the Rift Valley Province, Mr. Reuben Chesire, Mr. Willy Kamuren, Mr. Lawi Kiplagat and Mr. Ezekiel Barnetuny said the Report had singled out the Kalenjin community for blame on the basis of hearsay and circumstantial evidence. The authenticity of the 238 page report was further discounted when some of the Committee members voted against its adoption. They were Mr. Peter Angelei MP for Turkana South and Mr. Geoffrey Parsaeti (Kajiado Central). The Committee's other members were Mr. Mwacharo Kubo (Taveta), Mr. Joel Muruthi Mureithi (Kieni), Mrs Agnes Ndeti (Kibwezi), Mr. Francis Bob Jalong'o (Ratieda), Mr. Muhammed Aden (Mandera East), Mr. Jarso Jillo Falana (Saku), Mr. Wasike Ndombi (Lurambi), Mr. Zedekiah Magara (Bomachage), and Mr. Bahati Semo (Vihiga).

Despite the above shortcomings, the Kiliku Report had its own strength, especially in terms of recommendations which should be adopted and implemented. Perhaps, there is need to establish another Parliamentary Committee to assess the socio-economic and political consequences of the clashes, building on information generated by the Committee. Indeed, the identification of senior

Government officials and political leaders in the report is a serious issue that should be revisited and those convicted of incitement be prosecuted before the law of the land.

## **6.2 Religious Response to the Clashes**

There was almost a consensus that the Christian faith, with its lofty claims of breaking ethnic and cultural barriers between the people had not made much difference in the way Kenyans live with each other and the Christian unity generally evident in Churches was more apparent than real. Thus, the Christian faith had not really created genuine communities of faith free from ethnicity and hostilities.

It was observed that there were some variations with regard to how some Christians reacted to social issues like clashes, with most 'Faith Mission Churches' such as the Africa Inland Church (AIC) and the Gospel Churches being more passive, while others such as CChurch Province of Kenya (CPK), Presbyterian Church of East Africa (PCEA) and the Catholics were seriously involved. This influence of various traditions was observable in the Kenyan context with some areas dominated by certain Churches being more pliable to the establishment, while others being prone to resistance activities. Many of the clash areas had been identified with the type of Christianity that tended to support the *status quo* and the establishment. During the clashes, it is true and indeed unfortunate that several Christians did not stand above ethnic conglomerations; others were even mentioned by informants as inciters of the violence. Many of the people interviewed felt that the Christian faith has had very little impact on the way Kenyans lived with each other, notwithstanding the popular notion of having 80% of the population in the country being Christians. It was felt by most of the informants that many of the Christians preached water and drunk wine during the clashes. That they were hypocrites and that many did not practise what they preached to the congregations.

## **6.3 NGO'S and Donor Agencies' Response**

One of the major responses of the NGO'S during the clashes apart from intervening with relief assistance, was the formation of the NGO Council Ethnic Clashes Network. This network was, by September 1995, changed to Peace and Development Network, otherwise referred to as PEACE-NET. According to the vision statement of the network, the new forum sought to address many societal problems that required special strategies of resolving them other than leaving them till their explosion, as it happened before in Rwanda, Somalia, Burundi and other parts of Africa. The Network has thirty NGO'S affiliated to the Non Governmental Council of Kenya.

It is recognized by PEACE-NET that it is the inability to negotiate and resolve tensions through legitimate structures and peaceful means that has given rise to persistent violence in Kenya. This has made Kenya a country with a legacy of conflict born out of an ignorance of rights and distortion of its past, culture, religion and identity by irresponsible leaders. According to the Network statement:

" Unless Kenyans develop a rationale to address conflicts peacefully, many more Kenyans stand to fall victims of violence from their fellow Kenyans and adds that the major factors accelerating violence in the country are scarcity of land and resources in addition to the culture of irresponsible leadership and governance".



(The Clashes Update 31st August, 1995), 59\*.

Among the NGO'S represented in this forum included the Federation of International Women Lawyers, People for Peace in Africa, the Catholic Diocese in Nakuru, the CPK Diocese of Eldoret, the NCCCK, and the Kenya National Council of NGO'S, among others. The ethnic clashes network has always kept track of the events taking place in the clashes torn areas of the country. The network has so far published two major reports on ethnic strife related issues. In January 1994, the network came up with the Maela report, **Deception, Dispersal and Abandonment**, which questioned the Government decision to forcibly evict people from Maela camp where they had lived since October 1993, when they were evicted from their farms in Enosupukia through violence that saw more than 20 people killed and a lot of property destroyed.

In July, 1995, the network published a report revealing the silent evictions that took place in Enabelbel, Kisiriri and Oloikiri-kirai locations in Narok district, the home of one of the warlords in this country. The various Churches and NGO'S in Kenya have since the beginning of the clashes engaged in rehabilitation programmes for the victims in different parts of the country. The efforts have ranged from relief food handouts to large scale resettlement activities.

In Mt Elgon, for instance, the NCCCK, Catholic Church, Action Aid, Medicine San Frontiers (MSF), CPK and the Red Cross have played an important role in resettling the clash victims. Through their rehabilitation programmes, the Churches and NGO'S have assisted the displaced in every way possible to help them return to their land. In this particular region, the Western Province Co-ordinating Committee (WPCC) played an important role in creating a harmonious working relationship among all the agencies, churches and the Government which promoted cooperation in assisting the displaced persons to return to their homes.

The WPCC, Catholic Church and the NCCCK'S Peace Task Force have actively been involved in the peace building activities in Bungoma, Mt Elgon and Trans Nzoia districts, apart from other parts of the clashes-affected areas in Kenya. Seminars, workshops and the launching of ball games in the troubled parts of the region have among others, constituted peace building activities. The newly constructed houses of the returnees spread in different parts of the country are as a result of the numerous NGO'S and Churches which contributed grass for thatching, posts, poles, nails, windows and doors to construct their houses. For instance, Action Aid Kenya alone, through their Resettlement Programme assisted 1,430 families from the Saboat, Bukusu and Teso communities to go back to their former homes and re-establish their lives.

As the clashes escalated in different parts of the country, the Law Society of Kenya and the Kenya Human Rights Organization, together with other local organizations, issued separate statements challenging the Government to use every machinery at its disposal to end the clashes. Their sentiments were echoed by several international human rights organisations such as the Africa Watch, which published a candid book on the clashes "**Divide and Rule: State Orchestrated Violence in Kenya**", November, 1993, 60\*. Amnesty International also published several articles condemning the menace and the Government's inability to stop them.

On Monday, 29th September, 1993, an English peer visited the clashes victims of Molo and expressed their concern about the escalating clashes in Kenya. Lord David Ennals, who went to Molo accompanied by FORD- Asili Chairman Mr. Kenneth Matiba, said he saw the horrors of ethnic clashes and would publicize the matter all over the world, but first through the United

Nations. He said ethnic cleansing was a matter of international concern which needed concerted action. The peer said the violence was instigated by leaders in the Government to prove that democracy does not work. He said:

"It is a terrible indictment of Kenyan leaders that they are ready to instigate violence and death to prove that democracy does not work. None of the pretences that the violence was caused by the tribes or the Opposition parties stand up to serious examination."

With all this international condemnation, Kenya's image was tainted abroad and many tourists feared visiting the country. The donor agencies, began to tie their foreign aid to human rights conditions in Kenya as they began to demand explanations about the causes of the clashes. Some of the international human rights organizations expressed the fear of Kenya turning into another Rwanda, Burundi, Somalia or Bosnia. This negative publicity greatly affected Kenya's international relations, especially with the European countries, such as Norway, Denmark, Sweden, Britain and the United States.

#### **6.4 Traditional Institutions: Gema-Kamatusa Talks**

The acronym Gema stands for the Kikuyu, Embu and Meru alliance that was associated with the Kenyatta era. This association was formed for socio-economic and political reasons and was aimed at articulating the interests of the collaborating ethnic communities in the face of other Kenyan citizens. The acronym Kamatusa stands for the alliance between the Kalenjin, Maasai, Turkana and Samburu ethnic communities. The controversial talks had 'reconciliation' of the clashes victims as the underlying agenda, despite the various interpretations that came out later from the very people who initiated them and their critics.

The talks were seen by the critics as a 'marriage of convenience' between the Gema chauvinists and the Kamatusa supporters who met in Molo towards the end of 1994. The talks had largely survived because of President Moi's support. Indeed, on more than one occasion when the talks tottered on the edge of collapse, it was the Head of State who saved the day by giving those involved the green light to continue, amidst protracted criticism from the Opposition politicians and the clergy. The most memorable of those occasions was in mid-August, 1994 when he told off critics in reaction to increased voices of the Opposition to the talks, from members of the Kamatusa side, notably a Minister of State in the Office of the President, Mr. Kipkalya Kones.

Mr. Kones, despite being on the forefront of the talks, was one of the few participants who did not hesitate to publicly state his disagreement over some of the issues raised during the often closed door meetings. According to him, Kamatusa did not exist. It was a mere creation of opposition activists from Central Province who introduced it in the build-up to multi-partism in order to justify the revival of Gema. Behind the scenes of Gema were powerful personalities like Mr. Njenga Karume, Mr. Stanley Githunguri and Mr. Kihika Kimani.

On 13th October, 1995, the Weekly Review carried a story of President Moi putting the last nail in the Gema-Kamatusa talks, dashing the hopes of those who had high aspirations about the talks. The reason he gave was that there was participation by people who had little or nothing to do with issues under consideration. Referring to the ethnic clashes in the Rift Valley, President Moi was quoted as having expressed surprise that Kikuyus from Central Province had been involved in matters that should have been sorted out by elders from the Kalenjin and Kikuyu communities living in the Rift Valley Province. He said:

"There is no reason why Kikuyus should hire the services of leaders from Central Province to speak on their behalf as if there were no elders here."

It was an interesting move considering that the talks went that far because of the President's personal and intimate support as expressed in various fora. Like Gema, Kamatusa seemed to have been an elitist grouping whose creation had little or nothing to do with the rank and file of the affected ethnic communities. These talks were widely believed to be between politicians who had selfish economic interests and could not compromise on most pertinent issues under consideration, particularly those related to land and resettlement of the displaced victims.

In a move reminiscent of the abortive Gema-Kamatusa peace initiative of 1993, 10 KANU and Opposition MPs met in Eldoret on 24th August, 1996, and vowed to avoid utterances that could cause inter-community tension. They pledged to work together to heal the wounds of the ethnic clashes that rocked parts of the Rift Valley province and Western Kenya between 1991 and 1993. In the August meeting, KANU was represented by Assistant minister Mr. Joseph Misoi, Mr. Joel Barmasai, Mr. Wilberforce Kisiero, MPs Mr. Apili Wawire (Lugari), Mr. Francis Ewoton (Turkana South) and Mr. Samuel Moiben (nominated). FORD-Kenya was represented by Dr Mukhisa Kituyi (Kimilili), Mr George Kaptan (Kwanza), Mr Dennis Akumu (Nyakach) and Mr John Munyasia (Siria).

The Eldoret meeting was a significant departure from last year's effort which involved the Kamatusa-Gema axis to the exclusion of leaders from Western and Nyanza provinces. Indeed, several leaders had predicted that the talks were bound to fail since the Luo and Luhya communities, which were equally affected by the clashes, had been left out. Unfortunately, like in the first Gema-Kamatusa talks, the key players were left out of the Eldoret meeting. The outspoken MP for Molo Mr. Njenga Mungai and Mr. Henry Kosgey, in whose Constituency the clashes broke out first in December 1991 were left out.

It was also evident that most MPs from the Kalenjin and Luhya communities were also left out and many political analysts have doubted the legitimacy of the Sirikwa accord in Eldoret. The MP's who attended the NCKK organised meeting said in a statement that their mission was to seek "common ground and share ways of nurturing peace among our people". They added that they were conscious of their responsibility as leaders in developing reconciliation and peace among Kenyans. They agreed to foster peace and good neighbourliness. They pledged to "encourage the growth of civility in political dialogue and emphasized those aspects of speech and conduct that raised tensions and reduced mutual respect among Kenyans (Daily Nation 25th August, 1996:1-2), 61\*.

After the two-day workshop, the fact that the 10 MPs were quick to come up with a statement based on their reflections during the seminar, meant that there was dialogue and mutual understanding during the session which sought to draw them towards restoring hope in the clashes affected areas. To the victims of the clashes, it meant that their leaders were concerned about peace and that they were thinking positively about their electorate to have dialogue and live in harmony. To optimistic analysts, it was the beginning of a new era in the Parliamentary spheres, where although they are by nature of their party loyalties and affections divided, the MPs talked in the same wave-length and unanimously put all their interests aside to discuss workable strategies and values that could sustain Kenya as a united nation. By implication, the leaders said they were no longer party to utterances of incitement, tribal chauvinism and even *majimbo* calls that could easily spark off ethnic tensions and possible violence (NCCK: Clashes Update Issue No.43 Aug.31,1995), 62\*.

## 7.0 STRATEGIES FOR CONFLICT MANAGEMENT

There is no single solution for the issue of ethnic conflicts and the challenge of nationhood. However, this does not preclude us from making suggestions of strategies and policy options towards the process of conflict management in Kenya. These among others include the following:

- \* The various institutions reviewed in this paper lack the capacity to resolve conflicts using the strategy of political socialization and dialogue. The process of acquiring social learning is know as socialization. It is through the process of socialization that individuals or groups acquire knowledge, skills and dispositions that enable them to participate as responsible members of ethnic groups and the entire society. The process of creating social order is essentially one of devising means whereby man's innate drives can be controlled for the sake of harmony in the society. This process should help the Kenyan society like any other society to curb potentially disruptive drives by channelling them in socially acceptable directions. The various institutions involved in conflict management should empower citizen for political participation as and national integration which are essential indicators of nationhood and stability.

Unfortunately, the leadership in Kenya which is supposed to champion for the course have abandoned this crucial responsibility of socializing the youth. Instead, they have resorted to political indoctrination which is the anti-thesis of political socialisation

- \* The various institutions reviewed should create a forum for political participation from the grass roots to national and regional levels

Political participation as a virtue of its own right is a fairly recent phenomenon among the Kenyan citizens. It may be difficult to sustain a proposition to the effect that in Kenya people actually do display high rates of political participation and interest, even general elections. The leadership should provide the opportunity for voluntary activities by which members of this country share in, the election of leaders and directly or indirectly, in the formation of public policy.

In Kenya like in other states in the Great Horn of Africa, political participation is determined by the economic status of its citizens as well as the level of exposure. The general trend has been that people seek to advance their economic or material well-being through political means, and again it is the people who already have economic resources that often participate in politics. The other factors that affect political participation are; social characteristics such as sex, age, occupation, education, religion and the like. There is need for mass political participation in to resolve political conflicts through non-violent methods.

- \* **There is need to enhance equitable distribution of national resources.** Kenya like other plural societies has multi-ethnic and multi-cultural characteristics which pose a great challenge in the articulation of public interest. Each ethnic group has its own basic interests or expectations which may or may not conflict with those of other ethnic communities. For the sake of nationhood, the leadership organize resources and rewards in such a way that each ethnic group has increasing expectations of gains. The basic needs of each group should be identified and harmonized within the national needs. This should be taken as an affirmative action to equitably re distribute the resources. The land laws should be ammended to give a limit to the number of acres one should own even if he/she has the purchasing power.
- \* There is need to for countries in the Great Horn of Africa to work out strategies for enhancing national language policies as medium of political communication for all ethnic communities in the respective countries. Although it is difficult to have a single language cutting across all the ethnic boundaries in respective states of Africa, there is potential of enhancing a civil society of multi-lingual citizens.
- \* The leaders should encourage the formation of national parties based on ideologies and policies that transcend the ethnic conglomeration. Such political parties should be instruments of public education as opposed to being instruments of political propoganda and mouthpiece of accusations and counter-accusations. The leaders must be open-minded, nationalistic and committed to the democratization process in Kenya which is both a responsibility and an obligation.

There must be an equitable and transparent approach to recruitment into the civil service and in all sectors dealing with the public. It is also the duty of every citizen in this country to put up a national frontage to minimize the negative consequences of ethnicity.

Ethnic or cultural diversity is not a barrier to national unity and peaceful co-existence. As Tom Mboya once observed:

"we are born of different tribes we cannot change, but I refuse to believe that because our tribes have different backgrounds, culture and customs, we cannot create an African community or a nation" (Mboya 1963)<sup>64</sup>\*

- \* The various civil organisations in the region should implement civic education programmes within the school system and outside. There can be no meaningful development and any sustainable nationhood unless fundamental issues which affect the essence of interdependence and peaceful co-existence between different ethnic

communities in Kenya are addressed. Public awareness or civic education is necessary for the re-orientation of human resource development efforts. This type of education should include the following special programmes: peace education, human rights education, environmental education, multi-cultural education, among others.

The proposed form of education places emphasis on the need for individuals to acquire technical knowledge and skills as well as develop the attitudes which would conscientise and empower them to appreciate and cope with social and cultural diversities, without conflicts.

We recognize that knowledge alone is not enough for good citizenship, it must be combined with: attitudes which promote justice, peaceful co-existence and the inevitable concept of interdependence between different ethnic groups. It should be an education that equips the recipients with skills in such areas as critical thinking, informed decision-making and developing mutually responsible and supportive social ties. This kind of education should provide the recipients with a commitment to becoming involved personally and communally in promotion of the above virtues of public education.

There must be civic education campaign programmes to avert the potential danger of inter-ethnic animosity as a consequence of the introduction of multi-party political system and the differentials in access to national resources. This campaigns should address the issues of inter-ethnic harmony and peaceful co-existence among Kenya's plural ethnic society.

The various concepts such as interdependence, social justice, equality, equitable distribution, conflicts and conflict resolution, ethnicity, democracy, human rights, to mention a few, should form the agenda for the campaign programmes of both politicians and educators. The citizens should be taught the sources and causes of conflicts as well as the skills of conflict resolution and how to promote peace at all levels. For instance, at local community school level, to national and international levels.

Leaders should take the initiative of organizing seminars and conferences to sensitize the public in general and opinion leaders in particular, the need for inter-ethnic harmony, peaceful co-existence and the need to promote a sustainable nationhood.

## **CONCLUSION**

From the foregoing discussion, we can infer that ethnicity if well harmonized is a lone strategy for promoting a sense of sustainable nationhood in Kenya. However, because of ineffective leadership both in the ruling party and in the opposition, ethnic rivalry has been rife during the past few years and there is a danger of perpetual inter-ethnic clashes on a large scale. The situation is made complex but the fact that civic education has not been disseminated to the general citizenship as a pre-requisite to peaceful co-existence. Given the Kenya's diverse ethnic and cultural features and the impact of colonial principle of divide and rule as well as the impact of the recent introduction of multi-party politics, there is an urgent need to examine the potential dangers of inter-ethnic animosity that has been farmented in this country.

The main challenge ahead is how to harmonize ethnicity with regionalism or *majimboism* in the multi-party democratization process in Kenya. Before Kenyans can embark on discussions about "**Kenya we want**", let us discuss the "**Kenya we do not want**" which we have historical evidence. This will be the first step in a long march into stability and sustainable development.

## NOTES

- 1\* Akinsola-Akiwowo: 1964; Burke: 1965; Barth: 1969; Mafeje: 1971; Eken: 1986; Anderson: 1991; Nyukuri: 1992; Mandela: 1994)
- 2\* Mc Onyango (1995:1)
- 3\* Achebe: 1975,83; Nyong'o, 1987; J.B.Ojwang, 1989:3; Lunyigo, 1989:39
- 4\* Baldwins, 1962:195; Markakis, 1994:261; Murungi, 1995:5 and Amutabi, 1995
- 5\* Amutabi, 1995
- 6\* Gertzel, 1994:217
- 7\* Amutabi; 1995:7; Nyukuri, 1992:5; Africa Watch, Nov. 1993
- 8\* Chinua Achebe, 1975
- 9\* Okullu, 1974:48; Thompson, 1969:269
- 10\* Bienien, 1974, p.131
- 11\* Leo, 1984, p.225
- 12\* Ibid, p.225
- 13\* Zartzan, 1985:12
- 14\* Chazan, 1992:193
- 15\* Stanley Diamond, et.al (eds): The Transformation of East Africa (basic bks, 1966: pp.64, 183, 186)
- 16\* Nyukuri, B.K., 1995
- 17\* Leo, C. 1984, Mwangi wa Githumo, 1987: Diana Hunt in John Githongo, 1995, Lonsdale and Berman, 1987 (Book Two: Tabitha Kanogo; 1976)
- 18\* Nelson, Harold, 1984, Kenya - A Country Study, US. Govt. Publication, p.142; Van Zwabenberg, et al (Editors), 1975, Pgs 51-53; Colin leys, 1974; Wasserman, G. 1976.
- 19\* The Constitution of Kenya, Act No.5 of 1969 expressly prohibits the denial of a person's fundamental rights on account of his tribe: Sect. 70. The Companies Act. Cap.486, Section 128 does not define member of a company in tribal nor racial terms.
- 20\* Colin Leys, Supra n.9, pp. 201-203, David Leonard, 1991
- 21\* Arthu Eshiwani, 1991, Tribalism and its Impact on Development: (unpublished paper).
- 22\* Hazlewood, Arthur: The Economy of Kenya: The Kenyatta Era (O.U.P.N.Y. 1979), Chap.I, pp.46.
- 23\* These incidents have been widely discussed. ( see for instance, Nelson Harold, 1984; Okumu, J. (1972) and recently NCCK response of 1991 to the Saitoti Review Report
- 24\* Nyukuri Barasa, 1993: Of Ethnicity and Leadership in Kenya: An article published by the Daily Nation newspaper's Weekly Platform, 3rd April, Nairobi
- 25\* Task Force Report of NCCK, 1992; Daily Nation March 11, 29. 31: 1992; The Cursed Arrow, April, 1992; Kiliku Parliamentary Report, 1992; Human Rights Watch, November, 1993; Murungi Report, 1995; Nyukuri, 1995, etc.
- 26\* Bernard M. Joinet, 1991:2
- 27\* Kobia, 1993: 33-34
- 28\* Ochieng, 1985, Ogot, 1976
- 29\* Weekly Review June, 29, 1993; Kenya Times May 20 and 21, 1993; Daily Nation June 30, 1993; etc.
- 30\* Nyukuri Barasa, 1997 (forthcoming)
- 31\* Weekly Review October 7, 1994:4
- 32\* Ibid. 1994:5



- 33\* Unknown writer of the leaflets circulated in Mombasa, Lamu, Kwale and other parts of Coastal Province.
- 34\* Daily Nation September, 1994.
- 35\* NCCCK Review Report, Aug/Sep. 1994
- 36\* UNDP, Displaced Populations in the Horn of Africa, undated, p.10.
- 36\* Kiliku Report, 1992, pp. 85 - 90
- 37\* NCCCK: The Cursed Arrow
- 38\* Reuters, 9th June, 1993
- 39\* Daily Nation, 14th May, and 23rd May, 1993
- 40\* Daily Nation, 19th June, 1993
- 41\* The Clashes Update, 31st August, 1996, No. 43
- 42\* Kiliku Report, 1992: p. 85-90
- 43\* Africa Watch - interview with Hon. Amos Wako, 12th July, 1993
- 44\* The People, 6th June, 1993, Quotable Quotes Column
- 45\* Weekly Review, 6th October, 1995:8
- 46\* Daily Nation, 24th Sept. 1996
- 47\* Daily Nation, 24th Sept. 1996
- 48\* Weekly Review, 20th March, 1992,p.5
- 49\* Africa Watch, 1993:64
- 50\* Kenya Times, 31st January, 1993
- 51\* Africa Watch, November, 1993:64
- 52\* Daily Nation, 21st February, 1993
- 53\* Africa Watch, Article 19, 31st May, 1993: Issue 25
- 54\* Daily Nation, 30th May, 1993
- 55\* Daily Nation, 23rd May, 1993
- 56\* Daily Nation, 6th September, 1993
- 57\* Africa Watch, Article 19, Kenya: Shooting the Messenger, 29th October 1993
- 58\* The Clashes Update, 31st August, 1995
- 59\* Africa Watch publication - Divide & Rule: State Orchestrated Violence in Kenya, November, 1993
- 60\* Daily Nation, 25th August, 1996: 1-2
- 61\* NCCCK: Clashes Update Issue No.43, Aug. 31, 1995
- 62\* Mboya, 1963.

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## Appendixes

**TABLE 1: HOUSES DESTROYED**

DISTRICT	VALUE SPECIFIED IN KSHS.	VALUE UNSPECIFIED
BUNGOMA	1,022,000.00	6410 Houses
TRANS NZOIA		*
UASIN GISHU	234,107.00	680 Houses
KAKAMEGA	*	120 Houses
NANDI	14,539,130.00	767 Houses
KERICHO/BOMET	13,114,352.00	213 Houses
KISII	8,000.00	145 Houses
KISUMU	3,391,417.00	541 Houses
NAKURU	5,165,900.00	524 Houses
NAROK	6,155,497.00	*
MOMBASA	*	*
KILIFI	*	*
TOTAL	43,710,503.50	9,400 Houses

Compiled from the Kiliku Report 1992, PP 85 - 90

\* Figures Unavailable.

**TABLE 2: LIVESTOCK**

DISTRICT	VALUE SPECIFIED IN KSHS.	VALUE UNSPECIFIED
BUNGOMA	13,000.00	360 Cattle & 2 Sheep
TRANS NZOIA	*	*
UASIN GISHU	191,604.00	499 Cattle
KAKAMEGA	*	239 Cattle
NANDI	1,823,360.00	134 Cattle
KERICHO/BOMET	1,989,350.00	299 Cattle, 156 Sheep, 267 Goats
KISII	792,540.00	202 Cattle
KISUMU	782,900.00	50 Goats, 60 Sheep
NAKURU	31,176,600.00	740 Cattle, 145 Sheep, 54 Goats
NAROK	7,406,768.00	130 Cattle
MOMBASA	*	*
KILIFI	*	*
TOTAL	44,175,122.00	3337+

Completed from the data recorded in the Kiliku Report 1992, PP.85-90

**TABLE 3: FARM PRODUCE DESTROYED**

DISTRICT	Value Specified in Kshs.	Value Unspecified
BUNGOMA	7,500.00	1000 bags of maize
TRANS NZOIA	*	*
UASIN GISHU	144,780.00	700 Bags of Maize
KAKAMEGA	*	*
NANDI	2,862,540.00	500 banana plants uprooted, 3 acres of horticultural crops uprooted
KERICHO/BOMET	1,554,600.00	194 bags of maize, 128 bags of beans
KISII	117,500.00	*
KISUMU	227,466.00	203 bags of maize, 83 bags of beans, 280 acres of maize, 60 acres of sugar, etc.
NAKURU	*	90 bags of maize
NAROK	106,590.00	*
MOMBASA	*	*
KILIFI	*	*
TOTAL	5,038,976+	3235 bags of maize & beans

Compiled from the data recorded in the Kiliku Report 1992, PP 85-90.

**TABLE 4: HARDWARE + ELECTRONIC DESTROYED**

DISTRICT	Value Specified in Kshs.	Value Unspecified
BUNGOMA	14,645 + 14,600	* + *
TRANS NZOIA	* + *	* + *
UASIN GISHU	69,120 + 13,770	* + *
KAKAMEGA	* + *	* + *
NANDI	509,500 + *	* + *
KERICHO/BOMET	* + 68,400	* + 22 Television and 44 Radio Cassettes
KISII	3,600 + *	* + *
KISUMU	* + *	* + *
NAKURU	3,030,700 + *	* + *
NAROK	* + 11,640	* + *
MOMBASA	* + *	* + *
KILIFI	* + *	* + *
TOTAL	3,722,205.00	66 Television and Radio Cassettes

Compiled from the data recorded in the Kiliku Report 1991, PP.85-90.

**TABLE 5: FARMS DESTROYED**

DISTRICT	Value Specified in Kshs.	Value Unspecified
BUNGOMA	*	78 farms abandoned 200 coffee trees uprooted.
TRANS NZOIA	*	*
KAKAMEGA	*	*
NANDI	12,775,500.00	*
KERICHO/BOMET	1,000,000.00	*
KISUMU	7.8 Million	*
KISII	12,954,072.00	*
NAROK	60,590.00	*
NAKURU	2,507,000.00	*
UASIN GISHU	20,200.00	*
MOMBASA	*	*
KILIFI	*	*
TOTAL	37,117,362.00	78 farms + 200 Coffee Trees

Compiled from the data recorded in the Kiliku Report 1992 PP.85 - 90.

**TABLE 6: HOUSEHOLD/FURNITURE/CLOTHING/BEDDING**

DISTRICT		
BUNGOMA		
KAKAMEGA		
TRANS NZOIA		
UASIN GISHU		
NANDI		
KERICHO/BOMET		
KISII		
KISUMU		
NAKURU		
NAROK		
MOMBASA		
KILIFI		
TOTAL		

Compiled from the data recorded in the Kiliku report 1992 PP 85-90