

UNDERCURRENTS OF ETHNIC CONFLICT IN KENYA

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VOLUME III

BY

JOHN OUCHO

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JOHN OUCHO



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PREFACE

There has been a growing interest and consequently an expanding volume of literature on conflict in the developing world and more recently the former Soviet bloc and Yugoslavia as well as parts of Africa. Areas of focus have been on ethnic cleansing, redefinition of boundaries considered redundant, human rights violations, intimidation with a view to elimination of minority groups and so on. Work on conflict has been systematised by the emergence of institutions in the developed world that notable foundations with longstanding philanthropic or charitable disposition fund generously. Reading publications of the Brookings Institution, Carnegie Endowment for International Peace and Human Rights Watch, to mention but a few, leaves one with a heavy heart, especially in Africa where the problem of conflict persists with no end in sight, at least in the near future. For a continent lacking the institutions of the magnitude of those mentioned and attracting increasingly less donor support since the end of the Cold War, African researchers owe it to the continent, to shed light on the subject of conflict. As it is risky and inadvisable to generalise on the large and diverse continent, scholars would do well starting with national studies hence this book.

Sub-Saharan African states have generally been embroiled in ethnic conflicts whose origins are traceable back to the colonial administration, even though their manifestation is a feature of the post independence era. Kenya epitomizes such states, being the one East African country where the British apartheid system partitioned the country along tribal lines and bequeathed to the country's independence regimes the cancer of ethnicity that has eaten the social fabric of a culturally rich society. The foundation of Kenya's recurrent and persistent ethnic conflict was laid on the eve year of independence in 1963 when both administrative and ethnic boundaries, in a move to reminisce those of the twenties and thirties, were conveniently made coterminous, deepening with time during the country's three odd decades of independence. Clearly, in such a set up there are significant undercurrents of ethnic conflicts, which no single work can claim to unearth completely. Any work on this large and discipline-free subject can only contribute to enrich other works written from varying viewpoints.

This book sheds light on notable undercurrents of ethnic conflicts in Kenya, mainly from demographic, land ownership and political perspectives. In a country where rapid population growth has occupied the centre stage of development planning and its inherent political, economic and social imperatives, it is surprising, that analysts have not examined hitherto the relationship between population variables and ethnic conflict. The book underscores a dual relationship: on the one hand, factors that influence conflict and on the other how conflict affects demographic behaviour, the economy and other spheres of life. Its contents could have benefited from the findings of the commission of inquiry into Kenya's ethnic clashes, which the Kenya government had not made public by the time the book went to the press. Yet even reading the book as an independent source reveals part of the complex issue ethnic conflict remains in Kenya.

This book will form useful reading for a variety of readers. It is extremely useful for students and lecturers of population and development, rural sociology, political science, economics and social work in African universities and overseas universities with institutes or schools of African studies. The political establishment in Africa and overseas will find the book most informative on a subject which continues to bedevil most African countries, and general readers with interest in this demeaning African phenomenon will find the book an invaluable addition to their libraries.

I am most grateful to individuals and institutions that made possible the preparation of this book. I wish to thank the Organisation of African Unity (OAU) whose Population and Development Policy Programme commissioned me to prepare the initial study, which provided useful insights into the subject and upon which the book has built. Thanks are also due to participants of the General Assembly of the African Population Commission who at their meeting in Addis Ababa, Ethiopia in June 1997, made critical comments on the initial study, from which I made important reflections to improve the present work. I am greatly indebted to two of my long-term colleagues—Prof. Elias H.O. Ayiamba of the Department of Geography and Mr. Jasper Okello of the Department of Economics, University of Nairobi—for their collaboration during the initial study and for their useful comments which improved the quality of this book. I wish to thank Moses Onyango for proofreading several drafts of the manuscript and Flora Pelo for her meticulous typing of all the drafts including the final one. Last but by no means least, I wish to thank

my wife Margaret for her support and communication skills, and our children—Allan, Kwame and Linda whose comradeship, while we stayed the four of us in Botswana, was a source of inspiration and dedication to work on the book. However, all the above are absolved from whatever errors and omissions in the book, for which I am solely responsible.

Gaborone, Botswana
June 2001

INTRODUCTION

During the struggle for independence, majority of African nationalists called for national unity as a precondition for national solidarity in the nascent nation states. It was inconceivable to expect ethnic strife of a people determined to sacrifice their ethnic origins at the altar of nationalism. The new Africans enjoying the euphoria of independence took their positions in the race toward dividing the national cake, an exercise that turned out to benefit some and elude others. Over the last thirty to forty years during which African countries have been independent, they have experienced social tensions manifesting themselves in ethnic, religious and other forms of conflict that have rocked the foundations of nationalism. While some of these have precipitated civil wars, others have caused unprecedented genocide, with one notable result: generation of internally displaced persons (IDPs) confined to national boundaries and refugees as well as asylum seekers forced to cross these boundaries in search of safe haven. These two types of forced migration are Africa's liability, which the continent ushered into the present millennium (Oucho, forthcoming). Conflict has ravaged almost every African country, which often is ethnic. The typical post-colonial African state is an amalgam of ethnic nationalities whose relations fluctuate from time to time, who strive for the national cake and who adopt conflict as a means of settling scores with each other.

Yet as much the media as by partisan political statements and United Nations resolutions generally explains ethnic conflict in Africa away superficially, without getting at the root cause of the problem.

Kenya, a former colony par excellence, which underwent a bitter colonial experience very, much like South Africa's apartheid and Zimbabwe's model, makes a good case study on ethnic conflict. The country's struggle for independence was bitter and explosive, then a racial conflict that pitted Africans against the colonialists. The slogan became *uhuru na umoja* (Swahili for freedom and unity), which rent the air in political rallies as nationalists urged the citizenry to repeat the same in a chorus and pull together to throw away the colonial yoke. Once Kenya attained independence, Kenyans evolved a strong sense of nationalism and soon put the country on a sure

path of redressing the past shortcomings and fulfilling the mission of a one, united country. For several decades before the turn of the nineties, Kenya was an island of peace and tranquility in the disturbed waters of persistent conflict in the Greater Horn of Africa from the Great Lakes Region states to the Horn of Africa proper. The region includes Burundi, Rwanda, Uganda, Kenya, Tanzania, Sudan, Somalia, Djibouti, Ethiopia and Eritrea. Kenya has been sitting on a simmering volcano that repeatedly has exploded unexpectedly with disastrous consequences. In less than two years of the country's independence, Kenya citizens retreated into their ethnic pigeonholes as Kikuyu, Luo, Luhya, Kamba, Mijikenda and what have you, wearing the same badges as they had worn during the independence struggle. They had become victims of the colonial legacy of divide and rule, which on the eve of independence carved the country into coterminous administrative and ethnic units still seen in the country until today. Rarely, it would seem, have Kenyans realised the bait that the colonial government laid to entrap ethnic groups as they make efforts to evolve a multi-ethnic, multi-racial society in a country where the constitution provides for freedom of movement and settlement of the citizens anywhere. However, the constitution has not been as sacrosanct as it would appear on face value; the same generation of politicians, who initiated, drew and ratified it, has often flouted it.

A book on ethnic conflict in Kenya must of necessity trace the country's history, analyse its social, demographic and cultural background to its balkanisation into coterminous administrative and ethnic units and interrogate why ethnic conflict emerged at the time of heightened political engineering during which the manipulators of the process concealed the truth from the apparently gullible rank and file of the society. Such a book needs, of course, to be discipline-free to avoid invoking conceptual frameworks and providing empirical evidence that are in tandem with a particular discipline. These are essentially what this book has attempted to observe. By examining a multiplicity of issues, the book exposes readers to various forces that have come into play in ethnic conflict of the early nineties. This book is but an introductory piece of work on a complex subject, which it cannot claim to analyse adequately. It is meant to stimulate critical thinking as well as to inspire further research on a problem that stands in the way of Kenya's democratisation and good governance as the country grapples with economic crisis and

political uncertainties. Kenya has been famous in various spheres. It has been a country of great athletes; it was once a sad case of rapid population growth whose rate began declining only in the last decade of the previous century; and holds the record as a country that managed to contain civil strife and skirmishes, which could have easily graduated into a full-blown civil war. Yet, these enviable records tumble in the face of the volcano of ethnocentrism that erupted in the geo-demographic region of the Rift Valley and Associated Highlands where the land issue has been at the centre of ethnic relations (Oucho, 1999). However, while land, the country's most dependable resource so far, is a necessary starting point for explaining why ethnic conflict persists in the country, it is not sufficient to unravel all the forces that have given rise to ethnic animosities. Other issues include internal migration dominated by rural-rural migration (including that for the purpose of agricultural land colonisation) and rural-urban migration that has pitted in-migrants against natives of an area. Ethnic animosities stemming from inequitable division of the national cake, land disputes, political wrangling and so on; and political marriages and separations/divorces of convenience among potentially antagonistic ethnic groups; lack of inspiring, nationalistic and neutral political leadership. It is a source of great pride that Kenyans, witnessing political doldrums all around them in Eastern Africa that could have tempted them to adopt the destructive models, have remained steadfast and truly patriotic of their country that won (in Jomo Kenyatta's popular expression "grabbed") independence through a bitter struggle. The multiplicity of the forces at play explains why the concept of "undercurrents" has been chosen as the title of this book. Underlying ethnic conflict that has appeared in different forms is a multiplicity of issues, which even this book cannot claim to have exhausted. Indeed, to attempt an exhaustive analysis would be unrealistic hence the effort made to shed light on some of the issues that future research could investigate further.

In Africa, scholars, national governments and their partners often blame their counterparts in the developed North of viewing African problems through Western lens, holding rigidly to frameworks that might not underpin African conditions. No doubt, the blind application of Western frameworks to African problems is inadvisable, but only when African researchers and governments apply them and determine whether or not they work and what modifications are necessary in the African setting. The problem in many African

countries, of course, is the reluctance of African scholars themselves and of their governments to allow them to investigate the deep-rooted causes of national afflictions such as ethnic conflict. For any sustainable discourse on ethnic conflict, it is necessary that local researchers undertake and be seen to be more involved in research whose results would provide a basis for public debate, policy formulation or fine-tuning and programmed activities stemming from them, leading to durable solutions. Instead of apportioning blame as to who does what, why, wherewithal and with what consequences in ethnic conflict, those involved in, affected by and trying to resolve the problem should pause to ask and answer some of the pertinent questions, such as: What brands of ethnic conflict exist or have the potential to erupt in Kenya? How widespread or localised would the dominant types of conflict be? What are the triggers of ethnic conflict and how do they reinforce one another? Who are the most likely perpetrators vis-à-vis victims of ethnic conflict in the country, and why? What are the consequences of such conflict for the country, its economy and people? What should be the Kenyan grown forms of durable solution to ethnic conflict before extraneous interests intervene in it? Answers to these questions could each constitute a book in its own right or a series on the subject for which each answer would be but a piecemeal treatment in a book. Such an approach would distort a logical treatment of a problem that could be analysed in as many separate books as the questions posed. That is what this book attempts to do.

About This Book

This book is a rare piece of work in developing countries. It is a heavily revised version of the unpublished study "Consequences of Rapid Population for Conflicts: A Case Study of Kenya" which the author wrote in 1996–7 as a work commissioned by Population Development Policy Programme of the Organisation of African Unity (OAU). The author benefited greatly from comments made on the study at the Second General Assembly of the African Population Commission, which convened in Addis Ababa, Ethiopia in June 1997 at the behest of the Joint Secretariat of the Organisation of African Unity (OAU), the United Nations Economic Commission Africa (ECA) and the African Development Bank (AfDB). From past expe-

rience, the author has realised that the OAU rarely publishes commissioned studies and, therefore, denies readers an opportunity to read and respond to works that go a long way in shedding light on such important issues as ethnic conflict. A brief summary of the study was later sent to United Nations Population Fund (UNFPA) on request, to feed into the United Nations Secretary-General's report to the United Nations Security Council on "The causes of conflict and the promotion of durable peace and sustainable development in Africa," delivered in a speech in September 1997. The latter among other things underscored lack of interpretation of the population factor in conflicts, an issue given attention in this book.

Ethnic conflict has been at the centre of politics, economic development and social tensions in contemporary Africa. It has been a simmering volcano, which has exploded from time to time in many African countries, and one, which, in the case of Kenya, exploded in the early nineties, putting the country in an abyss of destruction. Before the writing of this book, there were five major reports prepared on what the reports referred to as "ethnic clashes" in Kenya. The reports reflect the commitment of the National Christian Council of Kenya (1992), a symposium (n.d.), the Parliamentary Select Committee (1992), the National Election Monitoring Unit (1993) and the Human Rights Watch/Africa Watch (1993) to unearth the truth about ethnic clashes of 1991–93. Yet, these reports, written impulsively and under considerable pressure, do not get to the historical political, economic, socio-cultural and other roots as well as perspectives of the problem.

This book studies undercurrents of ethnic conflict through several lenses. It begins by introducing the complexity of Kenya in terms of physical and human contrasts, ethnic pluralism, coterminous administrative and ethnic boundaries and the threat of ethnic clashes and cleansing. The book consists of three parts with four, three and two chapters respectively. Part 1 provides the background to and evidence of the problem under study in four chapters. Chapter 1 defines the two concepts *ethnicity* and *conflict*, briefly reviews the bases and application of conflict theory in relation to Kenya sheds light on ethnic conflicts and the nature of ethno-politics, reviews some evidence of conflicts in selected African countries, examines the nature of conflicts in the region and proposes a conceptual framework for analysing ethnic conflicts. Chapter 2 portrays the historical and social background of the Kenyan society in order for readers to appreciate

Kenya's historical past and diversity that are pertinent in understanding ethnic conflict in the country. Chapter 3 provides the main perspectives of population and ethnic arithmetic in Kenya, analysing population growth and conflict predisposing circumstances; the centrality of population growth in ethnic arithmetic gleaned from demographic accounting (specifically the census); ethnic structure, growth and distribution; the question of population size and resource allocation; the interrelations of population, ethnicity and politics and the Kikuyu hegemony. Chapter 4 provides evidence and discusses the pattern of ethnic conflicts in Kenya in the nineties. It sheds light on political alignments immediately before ethnic conflicts of the nineties. Against that background, it examines the media coverage of ethnic clashes in the four years 1991–5, identifies and discusses circumstances in the major conflict areas, examines whether the problem was a mosaic or had a definable pattern, provides a chronology of ethnic conflict in 1991–5 and attempts to answer the question whether the ethnic conflict was spontaneous or politically instigated. Part 2 comprises Chapters 5 through 7, which focus on factors that triggered conflicts in Kenya. While Chapter 5 analyses exogenous determinants of conflict (namely colonial background variables, independent governance circumstances and world political/economic order), Chapter 6 draws attention on the national historical, political and demographic circumstances (e.g. geo-political and historical factors, state intervention, other plausible factors and population issues) that have tended to precipitate conflicts. Chapter 7 dwells on Kenya's land settlement programme in the sixties and seventies, with particular emphasis on its implications. These include the land alienation process and its implications, perpetuation of the "divide and rule" principle inherent in the land settlement programme and an interpretation as to whether the programme was or was not a recipe for ethnic conflicts in the country. Part Three of the book examines the consequences of and prescribes solutions for ethnic conflicts. Chapter 8, using a conceptual framework for analysis the consequences of conflict, analyses the consequences for displaced people and the resultant demographic processes, and considers economic, political and other consequences of ethnic conflict for the country. Finally, Chapter 9 analyses the post-conflict environment, examining theoretical, research and practical perspectives of conflict resolution, in different settings; analyses how, in Kenya, wounds and scars have been expeditiously treated and national reconciliation of the affected parties effected;

and proposes some possibilities of the search for durable peace and sustainable development to safeguard against conflicts recurring. This is done against the background of previous works on the theory, research and practice of conflict resolution in different settings.

Although this book is limited to Kenya, it provides instructive lessons for the rest of African countries as ethnic conflicts continue unabated in many countries of the region. That Kenya has not fully recovered from the ethnic conflicts of 1991–93 is indicative of how slow a recovery can be, and why victims of ethnic conflicts might only forgive but not forget the abhorrent experience which they must have gone through. What may start as a localised affair between once peaceful neighbours may snowball to become a national crisis drawing as much international attention and testing the fragile foundations of nation building as the ethnic conflict in Kenya has done.

PART ONE

BACKGROUND AND EVIDENCE

CHAPTER ONE

ETHNIC CONFLICTS IN AFRICA: EVIDENCE AND CONCEPTUAL FRAMEWORK

Ethnic conflict has become an important feature of African countries in the independence era. Examples abound, stretching from Algeria in the north to the Eastern Cape and Kwazulu Natal in south and from Democratic Republic of Congo in the west through the Sudan to Somalia in the east where clan-based conflicts have persisted.¹ This Chapter defines ethnicity and conflict; sheds light on the bases and application of conflict theory and motives to the Kenyan case; briefly examines ethnic conflicts and the nature of ethno-politics; surveys evidence of ethnic conflicts in Africa from pre-colonial to post-colonial times; and presents a conceptual framework for analysing determinants of conflicts.

1.1 *Definitions and Elaboration of Ethnicity*

Before literature on ethnicity gained ground in many societies, emphasis was placed on the term “tribe”, distinction being made between those who were tribal and those who were not. A social anthropologist (Skalnik, 1989) had three beliefs. First, he assumed during colonial rule in Africa that Africans “naturally” and necessarily belonged to tribes and therefore were tribalistic as opposed to Europeans who were not. The second belief was that tribes were primarily politically defined units with dimensions such as culture, language, territory and even race (Atkinson, 1994: 13). Thirdly, Skalnik (1989) noted that the basic tribal identities are “regarded as ancient and powerful, and not open to amelioration, so that animosity and tension arise, when-

¹ One of the best and most informative texts on ethnic conflict in the context of democratisation in Africa is Harvey Glickman's (1995) edited book with 12 chapters, eight of which are on South Africa, Zimbabwe, Kenya, Somalia, Cameroon and Gabon, Tanzania, Nigeria, Zaire (now Democratic Republic of Congo).

ever and wherever members of different 'tribes' come in contact with each other" (Atkinson, 1994: 13). Although Skalnik's work was based on South Africa, his beliefs represent a strong constituency of American and European anthropologists who were convinced that African societies were tribal and cherished tribalism to distinguish between "us" and "them". To this school of thought, there was no difference between "tribes" and ethnic "groups" as the two were used interchangeably. Analysing the settlement of East Africa, Sutton (1969: 77) argues that a tribe is a tribe because it feels it is one. It must possess a common culture, and in particular a common language; it is not necessarily a highly organised political unit; and being fluid groupings, some of their members are lost as others are absorbed through migration and interaction with neighbours. However, he wrote before ethnocentric politics gripped many African states.

The modern study of ethnic groups emerged in the 1960s with the anthropologist Barth (1969). He argued that an ethnic group was one based on "a membership which identifies itself, and is identified by others, as a constitutional category distinguishable from other ethnic groups of the same order" . . . [a category that] "classifies a person in terms of basic, most general identity, presumptively determined by his origin and background" (Atkinson, 1994: 14, citing Barth, 1969: 11&14). Barth considered ethnic boundaries as resulting from social interaction, not isolation.

Both ethnic groups and ethnic identity are not necessary or natural outcome of cultural beliefs and practices; rather, they are a creation of politics and ideology (Atkinson; 15). This last point will ring a bell as we later provide evidence in the book of ethnic conflict in Kenya. Whether tribalism or ethnicity is primordial and unchanging or peculiar to independent Africa, the phenomenon is a colonial legacy, which many analysts on the continent have verified (p. 16). The case of referring to Native Americans in tribal terms was because the Whites needed to invent a tribe so someone could sign the treaties" (*U.S. News and World Report*, 1990: 62 cited in Atkinson, 1994: 17). As Merrell (1989) explains, in Kenya that classification was adopted to have the British sign treaties with the Masaai Laibon and following punitive expeditions among the Nandi, Luo, Giriama and so on. Spear's (1993) study of the world renowned Maasai advances a similar argument, holding that "however derived, ethnicity remains a powerful ideology for identity formation and social

action . . . [and] that is why leaders seek to invent and evoke it, and why followers are so often willing to kill or die for it" (p. 16). A notable historian retorts this, arguing that many twentieth-century ethnic identities and visions in Zimbabwe are not rooted in the pre-colonial past (Ranger, 1989: 120–22, 141–44 cited in Atkinson (1994: 17). Whatever the case may be, ethnicity has occupied a central place in pre- and post-colonial as well as colonial African societies, and has been amenable to manipulation by the rulers who play on the psyche of the ruled.

The Greek word *ethnos* (a people) relates to a common character of a group of individuals. Therefore, the term *ethnicity* often refers to the "character or quality of an ethnic group" (Mann, 1983: 114). According to Ratcliffe (1994: 2), much confusion in both popular and academic discourse surrounds the concept of *ethnicity*; at one level, it is a euphemism for *race*, as in Great Britain where "*ethnic minorities*" or "*minority ethnic communities*" figure prominently. The significance of ethnicity lies in its salience of group consciousness and collective action. To avoid confusing ethnicity with race, Ratcliffe includes pointed expressions such as "common ancestry", memories of a shared past and aspects of group identity based on "kinship, religion, language, shared territory, nationality or physical appearance". Yet, all these problematic because there are difficulties in delineating "ethnic groups"; there is the erroneous assumption that the term is both static and uniform (when in fact it is influenced by class and gender, for instance); and there is no "situational ethnicity" given that it changes with time; and the concept is elusive in nature (pp. 6–7).

What distinguishes an ethnic group from any other kind of social group is rationale that sustains the sense of group belonging and group uniqueness, and which links successive generations of its members. That rationale lies in the specific history of the group, and, above all, in its myths of group origins and group liberation (Smith, 1981: 65)

Marè (1993: 23) contends that the concept of ethnicity refers to social identity formation based on three considerations: these include culturally specific practice and a unique set of symbols and beliefs; a belief in common origin and a common history ("the past") that is broadly agreed upon, and that provides an inheritance of origin, symbols, heroes, events, values, hierarchies, etc.; and a sense of belonging to a group that in some combination confirms social iden-

tities of people (members) in their interaction with both insiders and outsiders. To Marè (p. 24), ethnicity constitutes the way in which people think of themselves and others, in which they act upon the world around them and the call addressed to ethnic subjects in their mobilisation and to their outlook and practices as members of groups with some social identity.

Eriksen (1993: 10–12) defines an ethnic group as a group of people who firmly believe that they are ethnically and/or culturally distinct from the rest of the population, in the way its members perceive themselves and in recognition of their differences from other groups. Yagcioglu argues that it is, therefore, futile for an objective and general definition, based on specific criteria like language, history, skin colour and so on, even though such criteria, to a lesser or greater degree, are included in the self-definition of ethno-cultural groups.

Smith's (1994) distinction between the "lateral" or pre-modern and "lateral" ethnic community is instructive for this book. The lateral ethnic community is one confined to the upper strata of a society (e.g. the monarch and his court, the nobles, priests, officials and even richer merchants). On the other hand, "vertical" ethnic community is one in which "the ethnic culture is more widely diffused through the social scale [including] artisans and urban traders, and even some peasants drawn into a more sharply defined ethnic community". To Smith, vertical ethnic community, which he characterises as *demotic* or popular, consists of "the people" who can be mobilised by religious and political leaders (Hutt, 1996: 398). This is the kind of ethnicity that Kenya has seen dominating its political landscape, not least its economic situation all throughout the independence era. Jomo Kenyatta successfully manipulated this from of ethnicity in his regime of fourteen and a half years (December 1963–August 1978). In its wake, Daniel Arap Moi, true to the *Nyayo* (Swahili for "footsteps"—following Kenyatta's footsteps) philosophy, perpetuated in the Second Republic.

The above clarification goes to show that ethnicity is a well-understood concept. In the process of doing things, ethnic groups usually distinguish between "us" and "them", a distinction which others may exploit to create ethnic conflict, foster violence and dismember a country where ethnic groups have co-existed peacefully in the past.

An analysis of the foundations of ethnicity and ethnic conflicts states that:

Whenever political problems bedevil African countries, they are viewed simply through ethnic lenses. For Africa, "tribalism" or "tribal factor" is the villain of the peace, and for Europe, ethnicity, religion or class differentiation are invoked into argumentation of social or political conflicts which manifest themselves in refugee movements or internally displaced persons (Oucho 1996a: 168).

This book considers all these factors critical in the region's incessant internal displacements of population and the insoluble problem of refugees. Virtually all Sub-Saharan African countries have experienced these problems. All SSA countries have acquired porous, arbitrarily drawn boundaries, which sub-divide an ethnic group into different nationalities, and which hardly reflect the historical development of African social reality. As Knight (1978: 17) observes in a special report:

People were torn apart . . . Frontiers created by colonialists and honoured by the new states and natural loyalties to join with family, tribe or nation across the border. Sensitivity and friction about frontiers are at the heart of many conflicts between countries and groups within them. Newly emerging countries are naturally anxious to avoid direct conflict with neighbours, but their government may oppress or terrorise a group or a tribe known to have affiliations beyond its borders.

Thus, the Ewe inhabit an area covering Ghana-Togo and Togo-Benin borders; the Maasai, the Kenya-Tanzania border; the Somali, the Kenya-Somalia and Somalia-Ethiopia borders; the Hausa and Fulani, many borders of Western African states stretching from Nigeria to Senegal and the Gambia; and the Ova Herero across the Botswana-Namibia border. In such situations, ethnic loyalties may be in sharp conflict with national loyalties thereby creating tension between the two entities and therefore rocking the foundations of nationhood. East Africa-bound and West/Middle Africa-bound movements of people from the Sudanic belt and northward movements of peoples (e.g. the Nguni) from South Africa several centuries back, which historians have documented, negate claims by certain ethnic groups to belong to particular countries while at the same time continuing to uphold or share socio-culturally binding sentiments.

In a study of Guyana in the Caribbean, Premdas (1992: 1) dubs the ethnic phenomenon a hydra-headed creature alive with sociological form, psychological consciousness, political claims and religion-symbolic mysticism. In the SSA countries, this hydra-headed creature has contradicted efforts in nation-building and national unity.

To appreciate our use of the term ethnicity, Bell-Faikoff's (1996: 81) elaboration is instructive:

When ethnic communities demand group rights such as self-government or control over education, they are engaged in the politics of *nationalism*. At this point, they turn into a nationality . . . Thus, politically, a nationality is an ethny (sic) that aspires to or has attained some administrative status, or at least recognition, within a larger political entity. Nevertheless, the process does not stop there. In a world of nation—states, only a sovereign state, the highest mark of ethnic organisation, confers the ultimate equality and legitimacy on an ethnic group.

The Kalenjin nationality and its exclusive claim over Rift Valley stems from the independent Kenya government's recognition, indeed perpetuation, of coterminous administrative unit and ethnic unit boundaries. While it is not condonable, it is Kenya's style of political organisation and one that could tear the country apart if other ethnic nationalities were to demand regionalism in the spirit of some politicians, namely "ethnic regions" where only single or cohesive ethnic groups live. Experience from the former (original) Yugoslavia is so distasteful that it provides a discouraging lesson for Kenya which for more than three decades has been a model modern African state fostering multiracialism in the wake of a bitter independence struggle.

The "modernisation" school is one in which ethnicity is: (a) represented as a mere relic of an outmoded traditionalism that is destined to give way to modernity—traditional in its attributes, persistent in character and an impediment to modernisation and (b) an integral part of the process of modernisation itself. In this theme, increases in urbanisation, schooling, communication and transportation facilities will lead to the integration of diverse ethnic groups. On the contrary, literature on rural-urban migration, in which these components are prominent, suggests that urban migrants, along community and ethnic lines, maintain strong links with their rural origins and evolve unshakable networks in urban areas, including migrants' associations intended among other things to develop the migrants' home communities (Oucho, 1985; Oucho, 1990; Oucho, 1996a). Nnoli (1989: 13) found that the non-Marxist says nothing specific about the link between the ethnic and class elements, though the interaction between the two is probably the most complex problem, especially in the analysis of complex societies (p. 14).

It is on this interaction that the Marxist analytical tradition is instructive. To this end it has been argued that ethnicity does not

often involve the demand for sovereign status or the use of state apparatus on the behalf of an ethnic group to the exclusion of others, or the incorporation of an ethnic group into a political society (Nnoli, 1989: 15). Yet, as will be seen in the third section of this chapter, political leaders in Africa have relied on members of their ethnic groups to suppress other ethnic groups who threaten their political stranglehold. In some countries, and indeed in Kenya, political parties have emerged along ethnic lines; and in yet others, some ethnic groups have demanded or fought for assuming their own sovereignty.

Generally, the Marxist tradition views ethnic process within an evolutionary-historical framework in which politics and economics play key roles. Nnoli (1989: 15) cites studies that have investigated cases where one class approaches an ethnic caste. Some studies have underlined the tendency for ethnically differentiated groups in individual societies to occupy specialised niches in the social divisions of labour; and others have explored the important consequences (e.g. the resultant class antagonism taking the form of ethnic antagonism) of the existence of a split labour market on inter-ethnic relations. These features characterise the SSA countries where ideological rhetoric contradicts the situation on the ground as practised and perpetuated by political leadership.

The term "ethnic group" is used, in some cases interchangeably with "tribe", throughout this book. It is preferred because while some ethnic groups are singular, cohesive communities, others are plural groups consisting of different communities whose main common bond is language and not necessarily other socio-cultural attributes. Moreover, some ethnic groups were invented in Kenya only over the last four or so decades.

The diversity of Kenya's ethnic structure has aroused feelings of "tribe" and race. The term "tribalism" has become so ingrained in the Kenyan society, whether in official discussions or in general statements, that it is by no means offensive and is part of the country's rich political complexity. Mawhood and Wallis (1993: 172-3) argue that the expression "ethnic" group, which embraces even races, is preferable in view of the significance of ethnic identity which has far-reaching implications for the operation of the country's political system. In this book, it is limited to Africans in Kenya.

1.2 *Definition of Conflict*

The term conflict is by no means clear to most people. The *Oxford Encyclopaedic English Dictionary* defines *conflict* as “a state of opposition or hostilities . . . a fight or struggle [or] . . . the clashing of opposed principles” (p. 306). Conflict is a concept that features a lot in both sociological and political science literature, generally describing tension, which sometimes explodes into violence and disruption of what exists on the ground. Its variants include hostility, insecurity, antagonisms and competition or willingness to exert influence and inflict harm or damage. The fluidity of the concept explains why its origins are manifold, its causes varied and efforts to manage, resolve and find enduring solutions for it elusive.

In the cultural context, conflict is a natural aspect of any relationship. It may be positive (functional) or negative (dysfunctional), the former strengthening group relationships where different members of conflicting groups share common ground values, and the latter threatening to erode the consensus needed for growth and development (Pedersen and Jandt, 1996: 4). In Kenya, positive conflict reigned among certain ethnic groups who shared political interests at particular points in time. It existed between the Kikuyu and the Luo on the one hand and the minority groups led by the Luhya on the other during the struggle for independence. It thrived between the Kikuyu and the Kalenjin after the Kikuyu-Luo marriage of convenience had collapsed from the mid-sixties through the mid-eighties; between the Kalenjin and the Luhya in the country's second regime since the late seventies; and in a Kalenjin-Luo alliance some two years before the 2002 General Election. Negative conflict on the other hand characterised the Kikuyu-Luo relationship from the mid-sixties and peaked in the early nineties between the Kalenjin and the so-called invaders of their territory (the Kikuyu in particular), presumably because of political differences. By viewing conflict in Kenya through purely ethnic lenses, we run the risk of over-simplifying issues and misinterpreting the undercurrents of what has come to be known in the country—for lack of a better expression—as ethnic conflict or in the media and the common human's expression, as “ethnic clashes”.

It has been cautioned that “conflict and harmony are not mutually exclusive alternatives, . . . a stronger orientation toward harmony may increase the conflict at another level” (Pedersen and Jandt, 1996: 8).

What has transpired in Kenya throughout the independence era seems to be orchestrated harmony grafted on the fragile foundation of conflict whose explosion from time to time is a reflection of the reality. As the two authors assert, it is important to understand the relationship of conflict and harmony in each socio-cultural context (p. 8), in Kenya's case in the context of ethnic relations.

In Kenya, variants of conflict have occurred since the colonial period. At the onset of the colonial administration there were conflicts between the British and different Kenyans peoples, notably the Maasai, the Kikuyu, the Luo, the Nandi, the Kisii and Giriama. The colonial administration quelled these through punitive expeditions, enticement of the people's leaders or both. As part of Kenya's independence struggle, conflicts took the form of the Mau Mau in the fifties, industrial strife among the workforce and skirmishes between loyalists and architects of independence. Some of the latter lingered on through the early years of independence, though the situation quietened thereafter. The ethnic conflict of 1991–93, intermittently continuing to 1995, was in the form of ethnic clashes between mainly the Kalenjin and different ethnic groups who either had settled in or lived along the borders of Rift Valley Province. Apart from contagious political statements by political leaders which cushioned conflict, there were also ethnic clashes involving the use of bows and arrows, *simis*, knives, spears and even firearms; the looting and/or burning of houses and household property; and the damaging of these as well as livestock thefts or robbery. This state of affairs, unknown in Kenya's nearly three decades of independence then, brought everything to an inevitable standstill. It can be imagined the extent of damage the conflict in Rift Valley Province (the country's breadbasket) brought to the country's economy which had already set on a downturn trend.

1.3 *Bases and Application of Conflict Theory and Motives to the Kenyan Case*

The expression "conflict theory and motives" is borrowed from the heading of Chapter three of Horowitz's (1985) *Ethnic Groups in Conflict*. Although outrageous occurrences have been recorded since the eighties on ethnic conflict, Horowitz's interpretation still provides the natural starting point in an attempt to apply conflict theory and motives to Kenya's ethnic conflict of the early nineties. He recognises

some obstacles to a theory of ethnic conflict. These include placing conflict theory in political science in the context of international relations, which are virtually elusive; lack of an acceptable definition of conflict (defined as struggle, strife or collusion to distinguish it from competition); and the argumentation that conflict entails the struggle for mutually exclusive rewards or the use of the incompatible means to a goal. Therefore, he concurs with Coser's (1956) definition that "Conflict is a struggle in which the aim is to gain objectives and simultaneously to neutralize, injure, or eliminate rivals" (Horowitz, 1985: 95). As Chapter 3 (section 3.2) deals with the variants of conflict, it serves little purpose to reopen the definitional issue here. Horowitz (1985: 97) acknowledges that most theories of ethnic conflict are derivatives of other concerns, notably "modernisation" and class analysis. Not surprisingly, scholars have seen conflict in Kenya through the lenses of class and economic change (Kitching, 1980), land and class (Leo, 1984) and ethnicity and renewal of competitive politics (Muigai, 1995). Before proposing a more inclusive theory, Horowitz (1985) identifies three strands of conflict theory: within the framework of the transition from tradition to modernisation, in the context of economic interest and in terms of cultural pluralism. We provide highlights of these and explain their applicability to the Kenyan situation.

In the context of tradition-modernisation transition, ethnicity has been studied in three contexts (a) as a mere relic of an outmoded traditionalism bound to be eroded by modernity, (b) as a traditional but unusually stubborn impediment to modernisation and (c) as an integral part—even a product—of the process of modernisation (Horowitz, 1985: 96–105). In the traditional set up "ethnic conflict is the result of an extra-ordinary persistence of traditional antipathies so strong that they can survive even the powerful solvent of modernisation" (pp. 97–8). The intransigence of the Maasai may be viewed in this light; it partly explains why Maasai politicians invoke the traditional assertiveness of the Maasai, not least incite them to attack their neighbours. Referring to violence in Enosupukia, William ole Ntimama is quoted to have said that he had "no regrets in Enosupukia because the Maasai were fighting for their rights" and [because] the Kikuyu had suppressed the Maasai, taken their land and degraded their environment..." (Human Rights Watch/Africa Watch, 1993: 42). The same seems to be the case with the Kalenjin who perceive other Kenyan ethnic groups as despising them (Human

Rights Watch/Africa Watch, 1993: 88). In the words of Wilberforce Kisiero (a Sabaot Kalenjin), in June 1993, the Kikuyu were "Black colonialists" who had taken over land from the indigenous owners (the Kalenjin and other pastoral groups) at independence (Human Rights Watch/Africa Watch, 1993: 52 citing *Daily Nation* June 24, 1993).

In the process of modernisation, social mobilisation was related to ethnic conflict (Horowitz, 1985: 99 citing Karl W. Deutsch's (1961) work); to Deutsch, "[T]he proportion of mobilized but unassimilated persons is 'the first crude indicator' of group conflict" (p. 100). In addition, the modern middle class (including the Wabenzi or those who drive Mercedes Benz and *Beentos* or those who have "been to Europe or America"), rather than playing the detribalising role earlier assigned to them, often furthers its interests by invoking ethnic support. Again, these two would seem to suit the Maasai and Kalenjin in their rise against other groups wherever ethnic conflict occurred in Kenya. Another aspect has to do with class resentment: "[E]thnic groups that are more wealthy, better educated, and more urbanized tend to be envied, resented, and sometimes feared by others; and the basis of these sentiments is the recognition of their superior position in the new system of stratification" (Melson and Wolpe, 1970: 1116 cited in Horowitz, 1985: 102). The Kikuyu, Luo and Luhya fit this description hence their resentment by the Maasai and Kalenjin as the leaders of two groups' inflammatory statements proved before, during and after the ethnic clashes. It is argued that sometimes ethnic conflict may be a function of a "modernisation gap" between ethnic groups or a function of the rate at which the gap is being widened (p. 103). Once again, the Kikuyu/Luo/Luhya- Masaai/Kalenjin gap widened considerably before Kenya's second Republic (since August 1978) when the latter began to figure prominently on the Kenyan scene, particularly in the sectors formerly dominated by the resented groups.

Analysts have also found that economic interests may play a role in ethnic conflict, which explains why the economic underpinning of group hostility has been persistent in the literature of ethnic conflict. Recently, however, several variants may be identified: that ethnic conflict is artificial, that it reflects rational working-class competition and that it focuses on tensions between "middlemen minorities" and their "host societies" (Horowitz, 1985: 106–108, the last point attributed to Bonacich, 1973). In the Marxist ideology, ethnic conflict masks class interests and diverts the working classes from pursuing

their interest, and amounts to “challenging non-existent or barely dangerous enemies” and avoiding the “real issues” and the real enemies such as the “ruling class” (p. 106, citing M.S. Prabhar, 1971 and Okwudiba Nnoli, 1977). This Marxist ideology does not, however, have credence in Kenya’s ethnic conflict among the masses, but does in the higher echelons of political leadership where class interests pervaded the political atmosphere. The second variant—the materialist theory stressing rational working-class competition—may involve either manipulation or discernible competitive interests whereby ethnicity becomes a faithful reflection of these interests. Where unemployment is rife, as it was in Kenya from the late eighties and escalated as the economy deteriorated in the nineties, cutthroat working-class competition was observable. In the third variant where there exist tensions between middlemen minorities” and their “host societies”, the two come into conflict because elements in each group have incompatible economic goals (Horowitz, 1985: 107, citing Edna Bonacich, 1973: 583). While the Kikuyu were not necessarily a minority and the Luo and Luhya were clearly minorities in Rift Valley Province, (the host society), they had to conflict with their “hosts”—the Kalenjin and Maasai whose leaders kept stressing that point. This explains why the outspoken William ole Ntimama advised the Kikuyu to “lie low like an envelope” if they wanted to coexist with the Maasai of Narok district. This review has demonstrated our selective interpretation of economic interests in ethnic conflict.

In the realm of cultural pluralism, it is important to underscore the point that “Ethnic conflicts are often labelled cultural conflicts, because cultural differences are among the differences that usually divide ethnic groups” (Horowitz, 1985: 135). Just to be sure, Kenya is a culturally pluralist country, with over forty languages and three broad ethno-linguistic groups. In southeast Asia, Furnivall (1948, cited in Horowitz, 1985: 35) developed the theory of separateness of Asian indigenes and immigrants as well as Europeans despite their coexistence in a plural society. Smith (1965, cited in Horowitz, 1985: 135), on a study of West Indies, distinguishes between plural societies “differential incorporation” (ranked system after Horowitz, 1985), in which one group dominates, from consociational incorporation” (non-interactive), in which individuals hold their citizenship directly rather than through ethnic group identification (p. 137). Horowitz (1985: 137 points out that although the plural society framework by Smith (1965: 56, 90–91) was originally designed to explain conditions of instability, the theory lacks a mechanism of conflicts.

What then is the more inclusive theory of ethnic conflict? In an attempt to provide one, Horowitz contends that all the theories reviewed imply that ethnic conflict in unranked systems will be persistent and difficult to manage. Moreover, none of the theories addresses the significance of symbolic issues in ethnic conflict—for instance, the role of ethnic-group anxiety and apprehension or the intensity and violent character of ethnic conflict. Horowitz calls attention to developing theory that links elite and mass concerns, that specifies the role of apprehension and group psychology, as well as symbolic issues in ethnic conflict and that accounts for feelings, ambition and antipathy (p. 140). As can be noticed at a glance, a theory of ethnic conflict may only derive from well-designed empirical studies. Yet, such studies are but dreaming in African countries where the overly sensitive national governments are unlikely to grant them. Indeed, in Kenya, the Human Rights Watch underwent considerable difficulties during its one-month field visit (June 17–July 18, 1998), from which it compiled its informative report (Human Rights Watch/Africa Watch, 1993). Journalists found the ground too soggy for meaningful investigative journalism even though they published extremely incisive findings on ethnic clashes of the early nineties. Clearly those whose preoccupation is research—academicians in national universities, researchers with research-based NGOs and other researchers—would have found the terrain too impregnable to attempt breaking the ground. The foregoing explains why this work has relied heavily on secondary, even tertiary, information contained in the works cited generously in various chapters.

1.4 *Ethnic Conflicts and the Nature of Ethno-Politics*

According to Nnoli (1989: 7), there are Marxist and non-Marxist analytical perspectives of ethnicity and ethnic conflict. The second perspective, which has been more pervasive in African as well as non-African interpretations of the two phenomena, consists of two main variations with several sub-variations (pp. 7–13). The “tribalism” school of thought, the earliest expression of that tradition, consists of three elements. To begin with, the colonial anthropologists popularised it as a means of colonialists subjugating African peoples. Second, these colonialists saw the African linguistic groups as synonymous with as tribes to which the colonialists attributed differences in culture and instilled fears that only conflict could characterise the

contact of different groups. Finally, ethnicity found expression in a common consciousness of being one in relation to the other relevant ethnic groups who were sharply divided by definitive ethnic boundaries (p. 7). Section 1.1 examines this issue at greater length.

Horowitz (1985) whose book *Ethnic Groups in Conflict* provides unusual detail covering ethnic relations and ethnic affiliation, the theory or ethnic conflict, party politics, military politics and ethnic conflict and strategies of conflict reduction, identifies four baseline characteristics in common in different societies (p. 17). First, Asian, African and Caribbean states in which ethnic conflict persists and encompasses divided societies. These countries became independent after World War II and while some have maintained peace, others—and the majority—have experienced ethnic conflict several decades into their independence. Second, generally ethnic groups in conflict “are parallel or unranked groups, divided by a vertical cleavage” (p. 17). Examples include the Ibo and Yoruba in Nigeria, Sinhalese and Tamils in Sri Lanka and Malays, Chinese and Indians in Malaysia, but not the cleavage between the Hutu and Tutsi of Rwanda Burundi based on ethnic stratification. It is not surprising that the Ibo attempted to secede from Nigeria in the late sixties, that the Tamils have been waging guerilla war against the Sri Lanka government and that political stability in Malaysia has been elusive. Third, the ethnic groups cited are relatively large and therefore interact at the centre of politics rather than in isolated local pockets. Yet, this fact is not tenable in some African countries where small ethnic groups have held on to the political stranglehold for many years since independence, mastering the art of playing larger ethnic groups against one another. Finally, “the groups are defined by ascriptive differences . . . colour, appearance, language, religion, some indicator of common origin, or some combination thereof . . . an inclusive conception of ethnicity” (pp. 17–18). At any point in time in African countries, group identity has provided a common bond of anyone ethnic group either by group acknowledgement or reference to them by other groups or sowers of seeds of discord in the society.

Glickman and Furia (1995) consider five main themes in ethnic conflict—namely the axes of ethnic conflicts, the state and ethnic conflict in the colonial period and the early post-independence regimes, the democratic elections tide and ethno-politics in democracy’s future—which have considerable relevance in Africa. Borrowing from Horowitz (1985), they analyse the axes of ethnic conflicts. These take the form

of the distinction between *ranked* and *unranked* societies;² between ethnic and racial conflicts which characterised colonial dependencies and which persist in countries such as Sudan, Tanzania (Zanzibar Island), Mauritania and Mauritius, for instance; religious conflicts especially between Christians and Muslims; and language and region as distinctive forms of identity (Glickman and Furia, 1995: 16–17).

The state may also encourage conflict in different ways, which Glickman and Furia, 1995: 18–19) examine. The first category consists of redistributive policies that have influenced events in different countries. Instances of these include Cote d'Ivoire where at one time "ethnic arithmetic" determined political appointments; in some countries where regulatory policies determine language used as well as school curricula and so on; Kenya where the distributive policy of land settlement among other things compensated the disaffected Kikuyu; and in other cases, re-organizational policy influences cultural and/or political centralization or decentralization. The second category comprises administrative policies of colonial regimes where racism gripped different walks of life; or as in independent Tanzania where the use of Swahili depresses ethnic tension; or in other states where French, English or Arabic have had a similar effect.

Glickman and Furia's (1995: 19–22) third theme relates to the state and ethnic conflict in the early post-independence regimes in differing circumstances: through increased "political" centralism in order to reduce ethnic conflict, witnessed during the "one party" system and informal arrangements in which hegemonic exchange dictate conditions. As the democratic elections tide rose in the second attempt at multi-party politics at the turn of the nineties, a glimmer of hope was created but one that triggered ethnic conflict as a demonstration of the unfeasibility of the new order (Glickman and Furia, 1995: 22–24).

² According to Horowitz (1985: 22), *ranked* ethnic groups consist of those where social class and ethnic origins coincide, while *unranked* ones are those where ethnic groups are cross-class. Many of these are divided societies where "ethnicity finds its way into a myriad of issues: development plans, educational controversies, trade union affairs, land policy, business policy and tax policy" (p. 8). That "where ethnicity suffuses organizational life, virtually all political events have ethnic consequences . . . and where parties break along ethnic lines, elections are divisive" (p. 12) tells Kenya's woes of persistent ethno-politics.

Finally, other forces adversely affect or reinforce ethnic conflict, which in turn constrains democratic governance. These include weak and debt-ridden economies of low or zero growth widening further the gap between the rich and poor, the normality of graft and corruption, the continuing strength of the military and the widespread availability of small arms often deployed for destabilising governments. In some instances, the newly embraced democracy may boil down to consnationalism and federalism partition as occurred when Eritrea attained independence from Ethiopia and as is likely to occur in Somalia where Somaliland is already autonomous, the Cabinda enclave in Angola and Casamance region in southern Senegal (pp. 24–5). Some scholars (Ayoade, 1986; Laurent and Paquet, 1991; Nicol, 1986—cited in Glickman and Furia, 1995: 25) have suggested “new large-scale federal arrangements, based on entirely redrawn and more ethnically representative borders or ultra-localized communitarian governments”. The clamour for this phenomenon is becoming increasingly powerful in African counties. In Kenya, for instance, Parliament passed the law enacting the Constitutional Review in December 1998; and indications are that the politicians who hail from the strongholds of the defunct Kenya African Democratic Union (KADU), which favoured a federal system at the time of independence, strongly embrace regionalism.

The period beyond recent multi-party democratic elections may see heightened ethnic conflict. In dozens of African countries, the domination by minority groups—the Kalenjin in Kenya, the Beta and Bulu in Cameroon and the Ewe in Ghana—may result in ethnic exclusiveness (Glickman and Furia, 1995: 26); this is a form of political domination that may be equated with ethnic authoritarianism, as in the case of the Tigrayan domination in Ethiopia. Another phenomenon is the maintenance of a landslide in elections as was the case of the Movement for Multi-Party Democracy (MMD); in such cases, opposition parties reflect ethnic group disappointments (p. 26). It has been suggested that the solution for this anomalous situation lies in the Malaysian model whereby pre-election vote pooling leads to a multi-ethnic coalition of government, in federalism with a stake in a strong central government. This enables regionally strong ethnic parties to find coalition partners at the level of central government (pp. 26–7) and other options likely to result in sustainable ethnic fusion.

The foregoing analysis provides an important framework for inter-

preting the relationship between ethnicity and politics in Kenya. All the themes developed by Glickman and Furia (1995) do apply in Kenya's political evolution from the colonial period, intensifying in the independence era even after the adoption of multi-party democratisation in the early nineties. Among the pollutants of Kenya's political atmosphere are the toxic ethnic strife, conflicts, manipulations and extremely tough conditions in which only the tough get going.

1.5 *Ethnic Conflicts in Africa: Evidence and Forces at Play*

Three historical epochs yield strong evidence of the ethnic factor in conflicts that have displaced population in the country. In successive sequence, these are the pre-colonial period; the colonial period; and the independence era. We cite relevant examples to illustrate specific cases under each of these three periods.

The Pre-colonial Period

This period covers the time when African peoples settled in their present countries or regions up to the onset of foreign interference by the Arabic islamising exploits and European colonisation. Both Arabs and Europeans, to gain a firm foothold of SSA countries, used religion, opium of the masses, ingeniously. Virtually all present-day SSA countries experienced these episodes, which appear in authoritative historical works, including the UNESCO series *General History of Africa*. In volume V of the series, Vansina (1992) analyses African population movements in the context of emergence of new socio-political forms. These movements were both a cause and an effect of conflicts of peoples whose interests and ambitions had clashed.

In pre-colonial Africa, practically every indigenous ethnic group, however defined, enjoyed territoriality before being displaced by their invaders. On settling, the invaders became the ancestors of successive generations of natives who later came to claim ownership of their "booty", claims that often pitted the indigenes against the natives. In many instances, there were clashes between these two groups, resulting in the displacement of the weaker one, or confining the latter to a more conscripted area. A notable example is that of the Maasai. The Maasai of Kenya, whom the European explorers encountered, describing them as warlike but humble, have had much of their territory grabbed by the neighbouring Kikuyu whom the

same explorers dubbed cunning and treacherous. At the time Kenya was being colonised in the late nineteenth century, the Kikuyu had already inhabited the Maasai territory, acquiring land because of inter-marriage with the Maasai and tricking the latter into giving away their land at no cost. However, the acquisition of Maasailand by the Kikuyu was insignificant compared to its alienation by the white settlers at the turn of this century through dubious “agreements” with the landowners. The subsequent division of the Maasai into two corridors—a northern one around Laikipia and a southern one in the present day Narok and Kajiado districts—was sealed by the white settlers’ occupation of the land in between the two divisions. The situation has a historical precedent whereby the Native Americans signed treaties with their colonisers (*US News and World Report*, 1990: 62 cited in Atkinson, 1994: 17).

The second wave of pre-colonial population displacements occurred at the time of Arab and European invasions of SSA countries. Arab invasions took the form of spreading Islam through *jihād* as well as establishing trade links with the areas that Islam had pacified. Much of the dry Savannah bordering the Sahara desert in Western Africa, the Horn of Africa and the Eastern African coast and its immediate interior were overrun in that fashion. The African peoples came to realise rather late that these so-called friendly overtures had actually subjugated them beyond reproach. It is no wonder that the African peoples subjugated in the process have lost their cultural identity at the expense of Arabic culture, well groomed by Islam. The choice for indigenous peoples and natives then was between accepting displacement or assimilation. When slave trade hit the areas affected, it did not conjure the image of a sinful or immoral undertaking, not least by some African leaders who colluded with slave traders to sustain this inhuman undertaking. Historians have shown that slave trade denuded Sub-Saharan Africa of tens of millions of Africans to the Americas alone, though the numbers or traces of Indian Ocean slaves remains a mystery to this day. The coastal area of Kenya is not only the rendezvous of this cultural diversity but also notable for slave trade activity, which took place in its heyday. In many instances, the Mijikenda of Coast Province have found themselves hemmed in between Islamic dogma and African cultural heritage; but the two camps have coalesced when it comes to discrimination against *watu wa bara* (upcountry people).

The Colonial Period

European colonisation also started with the voyages of exploration and discovery which paved the way for evangelising missions that were crowned with the establishment of colonial administration and the inequities it produced and sustained when it lasted. We need no more analytical mileage than mention how the British colonisation of Kenya and Zimbabwe displaced the African population to ethnically carved out "native reserves" after their lands had been alienated for European occupation; how the descendants of the Dutch, the British and other European nationalities displaced indigenous populations and held strongly to South Africa until majority rule came in 1994 to change the African map as one without a colonial enclave once and for all; and how nuisances of Lugard's "indirect rule" and the French protectionism displaced African peoples wherever their lands, minerals, forestry or other resources had to be grabbed.

A simple theoretical framework for analysing ethnic conflict may be drawn from Premdas' (1992) study of Guyana which identified two sets of factors: *predisposing factors* and the *triggering—igniting factors*. The predisposing factors include cultural pluralism, lack of co-operation and overarching values and internal communal beliefs of the separate sections. Exploitation of these to advance ethnic differentiation may perpetuate ethnic conflict, in the process displacing formerly co-existent neighbouring ethnic groups. The triggering-igniting factors on the other hand encapsulate colonial manipulation, introduction of mass democratic politics, rivalry over resource allocation and imported political institutions adopted at independence (Premdas 1992: 5). The extent to which the Guyana situation has considerable relevance for Sub-Saharan Africa, the elements of the conceptual framework derived from clearly pertinent in analysing determinants of conflict (Figure 1).

Against the background of uni-ethnic countries (e.g. Somalia) and bi-ethnic ones (e.g. Burundi and Rwanda with the majority Hutu and the minority Tutsi), predisposing factors are generally overt. An analysis of Sub-Saharan Africa cautions that when tribesmen/women refer to their lot as better than their neighbours, as better educated, more advanced or superior in a particular way, they are simply sowing seeds of ethnic tension/ethnic conflict which often explodes, resulting in violence, armed struggle and so on" (Oucho, 1996b: 172).

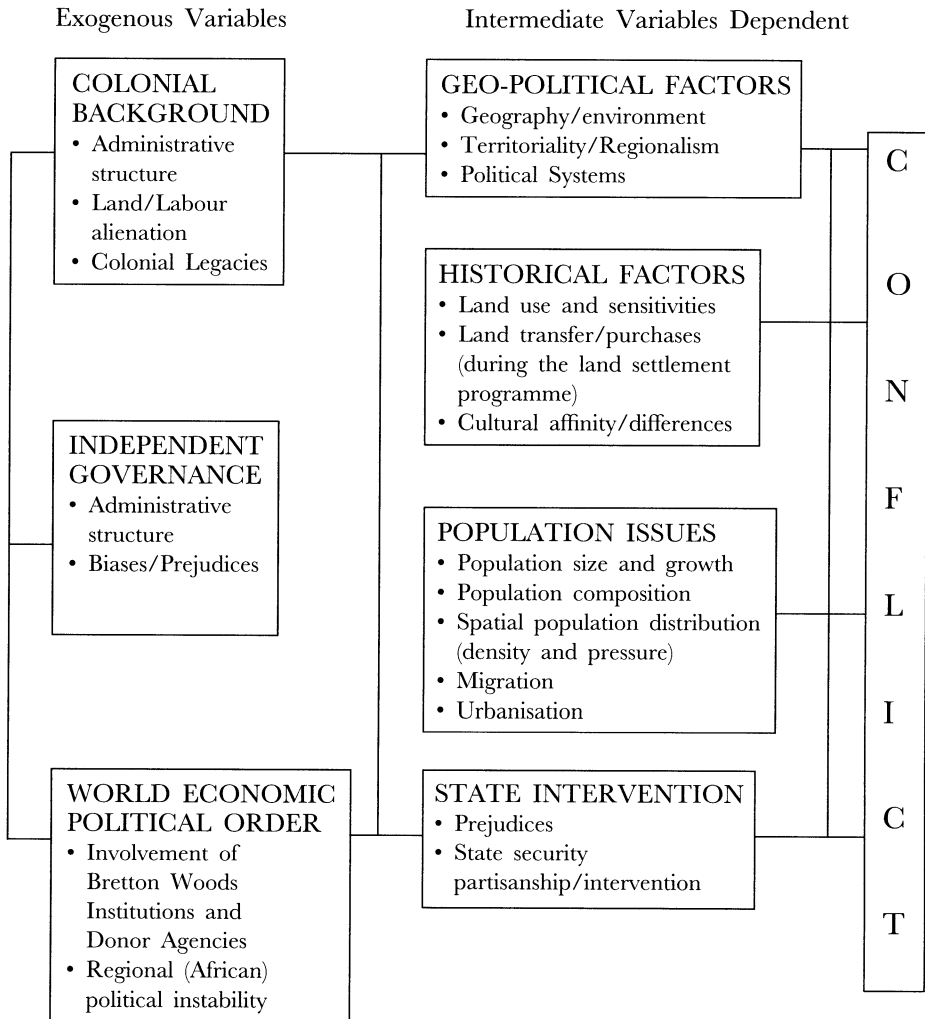


Figure 1: A Conceptual Framework for Analysing Determinants of Conflict
Source: Based on the literature accessed

Such prejudices are deeply ingrained in the “divide and rule” policy of colonial administration of their SSA dependencies. However, while colonial governments took care to contain the situation in order not to trigger overt conflicts and subsequently population displacements, independent governments of SSA countries seem to have lacked that capacity or have let it unfold uncontrollably, in some instances even taking a partisan stand. The Kenya government has the burden of proof to its citizenry that it did not take a partisan stand on the ethnic clashes of 1992–93. This sorry state of affairs is likely to recur many times in the country.

There are factors that overtly trigger or ignite ethnic conflicts. A review of these in Sub-Saharan Africa (Oucho, 1996b: 172) points out that:

The history of colonialism provides overwhelming evidence of how manipulation of “more friendly” peoples to conquer “more stubborn” peoples, through primitive expeditions of denial of basic social services to the latter, laid firm foundations for conflict-in-waiting, a time bomb which exploded when the colonial administration was succeeded by independent governments. It is surprising that when ethnic conflicts arose in the post colonial era, the former colonial powers simplistically dismissed them as the result of tribalism, without bothering to trace their evolution, maturity and eventually their occurrence.

Four examples will illustrate this fact. These are the former French colony of Chad; the two former Belgian colonies in the Great Lakes Region—Rwanda and Burundi; and the former British Protectorate of Uganda.

The colonial-to-post-colonial process in Chad and the Sudan provides classical cases of one country sharply divided into two irreconcilable camps, in Anthony’s (1991: 577) words, “radical separation”. In Chad, the French, for reasons of political expediency, separated the northern from the southern regions. While the south was under direct rule, a military regime took charge of the more troublesome north, while the north-central region vacillated between the two administrative policies. Towards the decolonisation, the Muslim north and the southern Sara administrative elite collided. At independence, the French handed power to the southern leadership thereby polarising the country and plunging it into persistent guerrilla and civil wars (pp. 577–8). Political strife has been a feature of independent Chad.

In Rwanda and Burundi, the Belgian colonial system involved the

creation of a governing class. From the time the Belgians arrived in the former Ruanda-Urundi (now the two separate states of Rwanda and Burundi), the colonial power chose to rule through a tribe considered elitist and almost aristocratic in a European sense; they went for the minority Tutsi, elevating their socio-political status far beyond the majority Hutu. The Tutsi became the better educated and the preferred civil servants, poised for taking up the reigns of power at independence. As the Tutsi tried to consolidate power, the Belgians sponsored the formation of Hutu political parties and a *coup d'état* in Rwanda to assure Hutu control. In Burundi, where the Tutsi also assumed political control, the situation was less volatile (Anthony, 1991: 581–2). They were later to witness untold episodes of military coups and counter-coups, sustained by blood bath that culminated in a horrendous genocide in Rwanda in particular in 1994. In 1994–95, the two countries were more or less ungovernable and civil war continued unabated, resulting in some of the worst cases of genocide in sub-Saharan Africa. Because of this, the displacement of both Rwandans and Burundians has taken place both internally (involving IDPs) and dispersed them all over Eastern Africa and beyond as refugees. The post-conflict tribunals set up in 1996 to try perpetrators of genocide in Rwanda may resolve the problem only partially. As bitter struggle persists, the two countries may have to look for different solutions.

The British exploits in Uganda provide yet another story of creation of the governing class (Anthony, 1991). While the kingdoms of Buganda, Bunyoro, Toro and Busoga were under indirect rule, the north, inhabited by segmentary Nilotic peoples without monarchs, was a colony par excellence. For a long time, only the kingdoms enjoyed educational opportunities and acquired economic power at the expense of the north. When at independence the north produced the first Prime Minister (in Milton Obote) with the Kabaka of Buganda as (a mere figure-head) President, the stage was set for power-struggle. Subsequently, Obote not only overthrew the Kabaka who later died in exile in Britain, but also abolished all kingdoms as anachronistic and contradictory to the spirit of nationalism and national solidarity in Uganda. In the midst of all this confusion, Idi Amin, then Obote's confidant, exploited the Buganda-Northern disagreement by overthrowing the Obote I government while he was on a visit to Asia in January 1971. The period 1971–1985 saw the once prosperous Uganda plunged in successive civil-guerrilla wars

which ended tearing the country apart. When Yoweri Museveni seized power, also by military means, in 1986, the country set on the road to peace and prosperity. However, there are still pockets of mainly ethnic resistance in northeastern and southwestern parts of the country.

The examples cited are by no means historical accidents; they were carefully designed colonial devices of tearing apart colonial dependencies along ethnic, religious and other lines, acts of manipulation to which indigenous populations of these countries became entrapped. Thus, at independence, ethnic groups in these and many other SSA countries looked like "independent nationalities" for whom national flags, national languages, national identities and nation-building made little or no sense or had to be dispensed with whenever they were in conflict with ethnic sentiments or desires. As many SSA countries attained independence, they were unaware of traps which the departed colonial powers had laid for them to fall into well within the independence era. Some traps worked immediately after independence, others delayed for a decade and still others did not work until three decades later. The bottom line is that the traps worked.

The trap was particularly effective in South Africa where the scramble between the Xhosa and the Zulu and the establishment of "homelands" were crucial in the apartheid era. An article by Andrew Roberts in the *Natal Witness* of January 21 1992 set the "unimaginably war-like" Zulu against the ANC, which explains current political violence and warns against "a civil war so brutal that blacks of all tribes would look back to apartheid with nostalgia" (Marè, 1993: 3). However, since majority rule entered the South African political scene in April 1994, the Zulu-ANC polarisation has virtually dissipated and hostilities of the *apartheid* era have disappeared. Opponents of independence made such pessimistic warnings in countries like Kenya, Zambia and Zimbabwe where bitter struggles preceded the attainment of independence. For Zambia, the warning was overwhelming because next door was Congo Leopoldville (later Zaire and now Democratic Republic of Congo) where anarchy and hostilities began at the onset of independence in 1960. In Kenya, the atrocities of the *Mau Mau* rebellion still lingered as Kenyans eagerly awaited independence and in Zimbabwe, where independence struggle took a violent turn, the warnings sent shivers among the indigenous population. Surprisingly, these three countries have enjoyed

remarkable peace and tranquillity ever since their independence, disproving advocates of doom.

The Independence Era

During the first three or so decades of independence, SSA countries witnessed ugly incidents, including ethnic conflict, civil war and guerilla warfare. Some of the worst incidents attended the second trial in multi-party at the turn of the 1990s, whereby the scramble for leadership involved nationals or citizens trying to inject political and economic changes rather than citizens pitted against foreigners, as was the case at the time of independence. In many SSA countries, there has been rivalry over resource allocation, in particular land. Instances of the triggering-igniting effects of resource-centred rivalry have occurred in Rwanda, Burundi and Kenya where agrarian and allied resources (rain-fed agricultural products, forestry, pasture etc.) and the same resources, as well as oil, in southern Sudan and pastures in the Horn of Africa are at the heart of national struggles. In addition, imported political institutions have sparked off ethnic, political and other social conflicts, from which some SSA countries have not recovered. These include the swings from feudalism to capitalism, from capitalism to socialism and back to capitalism in Ethiopia and Eritrea and a similar scenario (except the first phase) from Nkrumah's Ghana to a protracted military rule and then Rawling's seizure of power since the 1980s, to a democratic presidency that terminated in 2001.

African countries recognised as having serious intra-state conflicts in 1993 included Algeria, Angola, Burundi, Chad, Egypt, Ethiopia, Kenya, Liberia, Mali, Mauritania, Mozambique, Nigeria, Rwanda, Senegal, Somalia, South Africa, Sudan, Togo, Uganda and Zaire (now Democratic Republic of Congo) (Richmond, 1994: 193). These countries represent nearly a half of the 51 African states.

A research proposal on ethnic conflict in Africa up to the eighties identified well-known facts in the region and provided some salient information on ethnic contradictions that have exploded in a number of countries, resulting in population displacements (Nnoli, 1989). The cases cited include the following:

Central African Republic, 1970s Jean-Bedel Bokassa's reign of terror in the Central African Empire (of his time), thrived on the support of

a militia drawn from his own ethnic group until it was eventually overthrown. Up to the present time, more than a decade since the regime was overthrown, atrocities perpetrated by the militia have left indelible marks in this Middle African state.

Uganda, 1971–1979. This decade witnessed Idi Amin's reign of terror, repression and heinous murder of educated and powerful Ugandans, targeting the Nilotic Acholi and Langi (from which President Milton Obote hailed) and the Baganda after exploiting the differences between the two groups. The regime became so repressive that many educated Ugandans fled together with their families as refugees to Kenya, Tanzania and as far afield as the United Kingdom, Canada and the United States, returning to the country only after the overthrow of the regime and the period of peace and realisation from 1986. Even so, Uganda is far from being one united nation, a situation it never enjoyed even in the colonial period when religious wars at the time of colonisation and collusion between the Baganda and the British launched imperialism in the northern part of the country.

Zaire (Democratic Republic of Congo since May 1997), 1960–1963. Ethnic tension gripped the country at the onset of independence when the country's first Prime Minister, Patrice Lumumba, was murdered in 1961, triggering population displacements and refugee outflows, and dispersing Zaireans (Congolese) all over Africa and Europe, with only their popular music to survive on. The tense atmosphere has lingered on to this day, denying Africa's best hydro-electric power house and one of the most economically endowed countries the opportunity to exploit its development potential. In 1997, a consortium of guerrillas who included the Banyamulenge, a Tutsi group who had settled in the country for many years, overthrew Mobutu Sesse Seko who had ruled the country for about 32 years. In August 1998, the Banyamulenge, allegedly with help of Ugandan and Rwandan forces launched an attack on the government of Laurent Kabila. The latter called in troops from Zimbabwe, Angola and Namibia to help him quell the domestic problem. This is a case of a domestic conflict widening to engulf a larger region and, therefore, causing a regional conflict. It became known as the "African world war" given the involvement of several African states.

Kenya, July 1969. The assassination of Tom Mboya, Kenya's illustrious politician, who was shot dead on a Nairobi street on July 5th, sparked off ethnic violence between the Luo (Mboya's tribe) and the Kikuyu (the tribe of President Kenyatta as well as Mboya's assassin). As the Luo evicted the Kikuyu in urban areas within Luoland, the Kikuyu in and around Nairobi, using their numerical superiority, attacked the Luo who fled the city and its environments. To this day the rift between the Luo and the Kikuyu remains and attempts to resolve it have not succeeded over twenty years after the incident. The two ethnic groups have a sustained positive conflict, which, however, turns negative whenever any explosive event erupts.

Burundi and Rwanda ever since independence. The two countries of Great Lakes region present a classical case of incessant ethnic conflict between the majority Hutu and the minority Tutsi. Unmitigated conflict in the two countries produced unprecedented genocide of between 500,000 and 800,000 victims occasioned by the well-planned deaths of the two countries' Presidents of Burundi (Ntaryamira and Habyarimana of Rwanda) in a plane crash in a jet they had been flying in on 6 April, 1994. A military take over in Burundi by a former President in 1996 led to the OAU slamming economic sanctions on it, the first such step taken by the regional body on a member state. Conflicts in these countries overspilled the national boundaries, with refugees fleeing in large numbers to the neighbouring countries. Peace in the two countries is elusive and most likely may not be sustainable.

Nigeria, 1967–1970 and thereafter. Discrimination against the Ibo of south-eastern Nigeria, compelled this ethnic group to declare the secession of their area from the Federal Government of Nigeria. This move led to a bitter civil war between the Ibo and the Federal Government with the latter deploying some unorthodox fighting techniques, which failed, however, until Great Britain and their allies came to the assistance of the Federal Government to eventually win the war. By that time, some countries had already recognised the independent Republic of Biafra, which the Ibo had declared. The artificial peace, which ensued, did not fill the cleavage between the Ibo and the rest of Nigeria. Worse events awaited Nigeria in the next two decades as ethnic tension wore on without an end in sight. Ethnic tension and conflict in Nigeria is generally between the northerners and the southerners but occasionally among the latter.

Sierra Leone, 1967–1983 and since 1992. Tension among ethnic groups in Sierra Leone in 1967–1983 led to two coups in March 1967 and April 1968. Two ethnic groups, in particular the Mende and the Temne (who constitute about 60 percent of the population), underwent a severe purge following an attempt on the life of President Siaka Stevens in 1971, which they allegedly executed. That period saw displacements of population, which eased but resurged since 1992, taking a violent form as guerilla incursions occurred from time to time in the country. Sierra Leone entered the 21st century in a state of heightened guerrilla warfare, forcing a strong United Nations presence in the country to try to institute durable peace.

Togo, 1970s and in 1991–92. In this country, there has been polarisation of the Ewe (who make up about 44 percent of the total population and who were dominant politically in the regime of President Sylvanus Olympio) and the Kabrai of the north who dominated the army. In a military *coup d'état*, the army assassinated the President to hand power to an opposition leader whom the army subsequently overthrew, consequently landing the country in a protracted military rule. To this day, ethnic tension has gripped Togo, reaching a crescendo in 1991–92 when attempts to introduce multi-party democracy floundered with the Togolese strongman, Gbyasinge Eyadema, holding onto power. Displacement of the Ewe, who straddle the Togo-Ghana border, saw Ghana grapple with the problem of refugee inflows at a time when the country was also receiving large numbers of Liberian refugees, following a serious civil war in which various ethnic groups were involved. Although Eyadema later “won” general elections, ethnic tension in the country has not ebbed.

Liberia, since 1990. The ethnic tension in the one other African country which never witnessed colonisation (the other being Ethiopia), has been between the natives and the *Creoles* (descendants of freed slaves). The latter dominated Liberia's political scene until Samuel Doe led the overthrow of Tubman's government in the military coup in 1979. In 1990, there was a counter coup against Doe, which plunged the country into one of the most serious episodes of genocide and bloodbath in the continent, making the country ungovernable until nearly a decade hence. Despite efforts of the Economic Community of West African States (ECOWAS) whose forces (ECOMOG) eventually intervened successfully in Liberia, the country's political situation was an immovable gridlock and ethnic strife therein

escalated until the general elections of 1997 in which the main warlord, Charles Taylor, triumphed, returning the country to civilian rule. However, Liberia remains a country at war and several guerilla groups still operate there.

Where in Sub-Saharan Africa is there no ethnic tension? Clearly all shades of ethnic problems—from rivalry to tension, conflict and violence—have permeated every fabric of society in most SSA countries. Ethnic conflict has raised various permutations of expressions—for instance, “federal character”, “ethnic arithmetic”, “ethnic balancing” and “ethnic proportionality principle” (Nnoli, 1989: 5), which have become so commonplace to require defining, but which have been used to rationalise tribalism and nepotism in high places. These expressions have influenced admissions to secondary schools and universities, recruitment for employment, parliamentary representation—indeed, practically everything, which those in power, considering them historical accidents and unjustified imbalances or inequities, wish to rectify. In many instances, however, rectification has taken the form of leaders confining redress within their ethnic enclaves, resulting in even greater imbalances than before and courting ethnic strife and its destructive consequences.

If the situation in Yugoslavia before its dismemberment is anything to constitute a lesson for SSA countries, it is probably that the ethnic factor holds the key to the future political map of these countries. An analysis on Sub-Saharan Africa (Ouchou, 1997: 113) aptly observes that:

Internal displacements of national populations have occurred in countries where ethnic conflict between larger or smaller groups or between those in leadership and those aspiring for it has sparked off violence (e.g. in Rwanda, Burundi, Nigeria and Kenya) where population pressure on land has pitted landlords against the landless; in countries where resettlement led to minority groups’ alleged invasion of their land by majority tribe (e.g. in Kenya where the Kalenjin have clashed with the Kikuyu “invaders”); in the creation of national parks and game reserves which have restricted population to much smaller areas; in the establishment of large development projects which have led to the eviction of formerly undisturbed inhabitants; and during the era of the multi-party democratisation which has not been well received by political leaders it found already in power.

Appendix B provides examples of the diversity of forces that precipitated conflicts in selected SSA countries. Yet, the forces might

only be the tip of the iceberg as other covert factors also make an important contribution.

Virtually all SSA countries have encountered any one or combinations of these factors. The threat to nationhood hinging on ethnic animosities becomes even more nagging when another historical accident has characterised the independence era, namely leadership by Presidents from minority groups. Examples include Ghana ever since independence in 1957, Nigeria where leadership eluded people from the southern part until democratic elections of 1999, Uganda ever since independence in 1962 (except for some brief episodes in the post-Obote II period), Kenya after the death of Jomo Kenyatta in August 1978, Togo since Gbyasinge Eyadema took over power and Tanzania ever since independence in 1961. Incidentally, is political leadership another example of political historical accident or an ingenious collusion between the minority groups and the former colonial powers? This question begs more research on the subject in order to gain insights into plausible threats to nationhood in the era of multi-party politics in Africa, especially in the 21st century.

1.6 *The Nature of Conflicts in Sub-Saharan Africa by 1998*

Conflicts in Sub-Saharan African (SSA) countries have varied considerably by predisposing circumstances. Invariably, they bear some ethnic complexion, even though other issues reinforce ethnicity. Selected examples will help to drive home this point (see Appendix A).

In West Africa, political conflicts among nationals occurred in Nigeria when the Ibo proclaimed the secessionist state of Biafra, which sparked off a bitter and bloody three-year civil war; in Liberia, leading to a seven-year civil war which had untold atrocities, and which produced large numbers of IDPs and refugees; by 1990–94 in Mali between the Tuaregs and the government which discriminated against them; in Sierra Leone since 1991 whence the country has undergone through military and civilian regimes; and in Senegal where a protracted rebels-government dispute persists. Ethnic conflicts took place in the 1990s in northern Ghana over land rights disputes and in 1989 between the so-called Negroid and Moorish populations in Mauritania over marginalisation of the former by a government dominated by the latter.

The neighbouring Central-East Africa sub-regions have witnessed some of the most heart-rending conflicts in post-colonial Africa. In

the Great Lakes Region, Burundi and Rwanda have experienced incessant conflicts between the majority Hutu and the minority Tutsi with the latter killed in large numbers, including the most atrocious genocide in Africa in April-July 1994. At the heart of this conflict are cultural animosities, competition for political hegemony and competition for the scarce land resources. The last point showed its ugly head in the ethnic clashes in Kenya's three provinces immediately before the 1992 multiparty general elections, and was repeated in Coast Province towards the second (1997) general elections. Both land and political scheming triggered this unhappy episode in Kenya's once peaceful political landscape. In both Democratic Republic of Congo (DRC) and Uganda, militia and rebels waging war against the national governments have caused considerable havoc and caused much loss of life and property, and produced IDPs and refugees. It is regrettable that wars in the Great Lakes Region have been waged by young boys ("child soldiers") whose exploits overthrew the regimes in Rwanda and DRC in the 1990s, following these successful operations led by Yoweri Museveni in Uganda in the mid-eighties; short of being mercenaries, these children have been exploited for their ignorance as well as vulnerability.

The Horn of Africa has perhaps been the most volatile sub-region where civil wars, ethnic and clan rivalries and natural disaster (mainly droughts and famines) have caused deaths and produced some of the largest numbers of IDPs and refugees. In this sub-region, both Eritrea and Ethiopia began by overthrowing in 1974 the fascist regime of Emperor Haile Selassie and bringing to a halt the long-standing Ethiopian monarchy; as Ethiopia went through a repressive regime from the seventies to the early nineties, Eritrea became an effective collaborator envisioning independence once the common enemy (the Ethiopian Socialist Mengistu Haile Mariam) was defeated. That took place in 1991 and Eritrea gained independence from Ethiopia in 1993. As for Somalia, rebel attacks on the military regime of Siad Barre created many factions along clan lines, factions which managed to overthrow the regime in 1991 but which subsequently failed to enter into a durable truce thereby plunging the country in such difficulties that have rendered it ungovernable by anyone particular faction. For Sudan, protracted dispute between the ruling Arab population in the north and the blacks in the reputedly rich southern region has taken on ethno-religious dimensions, killed many southerners and made them perennial IDPs and refugees.

Elsewhere, Southern Africa saw some of the bitterest wars of independence in the two Lusophone states of Mozambique and Angola, with South Africa creating problems for the new independent governments. While the civil war ended in Mozambique in 1992, that in Angola, with the stubborn UNITA rebel army, has been continual. In South Africa, the number of the dead, IDPs and refugees during the apartheid regime is a familiar fact of African history that need not detain us here. Although majority rule set in by April 1994, other factors, notably land rights and housing requirements, have generated some internal displacement of population and problems that the ANC government's Reconstruction and Development Programme was meant to resolve.

The above account is symptomatic of the salience of diverse conflicts in Africa, which often rock the foundations of co-existence between neighbouring ethnic groups. It lends support to the conceptual framework proposed for analysis of ethnic conflicts in the region (Figure 1). It would appear that many SSA countries are still in the embryonic stage of democratisation and independence enjoyable by the regular members of society. The past three decades of independence of these countries is too short a time-scale on which to base sound judgement of past performance, and from which to make meaningful projections in the future. Nonetheless, they have posed such important challenges that students of development, planners, policy makers and the political establishment cannot afford to ignore.

1.7 *A Conceptual Framework for Analysing Determinants of Conflict*

Conceptually, conflict is determined directly by sets of intermediate variables and indirectly by sets of exogenous variables that act through the proximate variables. Figure 1 illustrates a conceptual framework for studying determinants of conflict in Sub-Saharan Africa in general and Kenya in particular. At the extreme left are three sets of exogenous variables, which act through four sets of intermediate variables to influence conflict. First, there are factors that have origins in the colonial background. These include the country's administrative structure bequeathed to the independent government; and a host of other colonial legacies. Second, in the independence era, governance has exploited legacies of the administrative structure that is coterminous with the ethnic structure of the country and perpetuated certain

biases and prejudices toward some parts and against other parts of the country. The third factor is the world economic/political order which has brought the influence on international agencies to bear on the country's political and economic development. Within the African region, political instability in contiguous countries in different sub-regions has not only influenced the national political climate, but also provided some dangerous lessons to national governments. In Eastern Africa, Kenya has remained an island of political stability and impressive economic performance, surrounded by neighbours where these are unknown virtues. These exogenous variables affect a set of intermediate variables, which in turn precipitate conflict.

Four sets of intermediate variables also influence conflict. Geopolitical factors such as physiographic, climatic and environment conditions which affect survival and economic activity, as well as territoriality/regionalism which political regimes often exploit, contribute significantly to ethnic tensions and conflict. The second set of factors are historical—for instance, land alienation and land settlement to redress problems such as land shortage and maximise utilisation of land resources; ethno-linguistic balkanisation and inherent prejudices and animosities; and other historical accidents which remain unrectified even if they have become redundant. In the third category are population issues. As underlined in section 3.1, population factors have an impact on conflict as parameters multipliers and variables (Choucri, 1974: 92). It is important to underpin the role of population size, growth, ethnic composition, spatial distribution and population dynamics (fertility, mortality and migration) in conflicts.

Finally, state intervention is an exceedingly important factor in conflicts. In some instances, the state itself deepens prejudices in the country, preferring some parts of the country to others, in others the state sponsors insecurity along its conceited prejudices and in yet others the state is partisan in effecting development in the country and intervenes equally partisanly whenever conflict erupts between neighbouring regions or ethnic groups.

The above sets of variables are by no means exhaustive. Rather, they illustrate some of the major determinants of conflicts in Sub-Saharan African countries. Chapters 5 through 7 apply the conceptual framework to the Kenyan situation.

CHAPTER TWO

KENYAN SOCIETY: HISTORICAL AND SOCIAL BACKGROUND

This chapter introduces readers to Kenya as a land of contrasts in both physical and human terms, demonstrates this fact by the diversity of Kenyan peoples and explains the coterminous nature of its administrative and ethnic boundaries, examining some problems arising from these and shedding light on ethnic clashes and ethnic cleansing. Without understanding and appreciating geographical, historical, demographic, political and economic diversities of Kenya from the outset, readers may not easily follow the interpretation of facts unravelled in eight substantive chapters of the book.

2.1 *Kenya: A Land of Contrasts*

Although many English-speaking Sub-Saharan African states are creations of the British colonial administration, Kenya had one of the heaviest doses of colonial culture: in its politics, economy and social dynamics. At independence in 1963, Kenya became a multi-racial state where the predominant African population has lived in harmony with Asians (Indians, Pakistanis and other Asiatics who have immigrated only since independence) Arabs, Europeans of various stocks, Americans and other Africans and non-Africans of different nationalities. Several factors seem to have coalesced the various races: tolerance of the national government, peace and prosperity in the first three decades of independence, centrality of the country's capital in the North-South and West-East trade and communications system and the existence of many offices of international organisations, such as United Nations agencies, NGOs and foreign missions as well. To many of these races and organisations, Kenya has become the home that they identify with and anything threatening the country's security affects them as it does indigenous Kenyans. The next sub-section sheds light on some elements of Kenya as a land of contrasts.

Table 1: Main characteristics of coterminous geographical and population regions of Kenya

Region	Geographical Characteristics	Population Characteristics
1. Lake Victoria Basin	Well-water lacustrine environment extending to Uganda and Tanzania; rainfall range of 1016–1778 mm. Formerly an important mining region and minerals still believed to exist in good quantities.	Densely settled with the Luo, the Luhya and the Kisi as the main ethnic groups. Heavy out-migration, especially of the first two groups, due to population pressure and attraction to employment opportunities in the rural “economic islands” of region 2 and in urban areas.
2. Central Rift and Associated Highlands	A central north-south rift flanked by imposing escarpments and plateaus. Elevated volcanic highlands lying east and west of the rift floor have fertile volcanic soils that favour agricultural activity. Rainfall range is 762–1524 mm. Formerly, the heart of the “White Highlands”.	Densely settled in the fertile volcanic soils and well-watered areas, but sparsely populated in much of the rift floor. The region of land alienation in colonial times, settled in the independence era by immigrants from population pressure hot spots and land buyers.
3. Eastern Plateau Foreland	Vast plateau of ancient rocks with denuded parts and residuals. Has a rainfall range of 508–762 mm, highly unreliable, which hampers agricultural activity, makes human and animal life delicate.	Generally sparsely settled except on the hilly residuals. Region of out-migration to the coastal area and in-migration where modern agricultural activity was important in colonial times.

4. Coast Region	Extends along the entire length of the Kenya seaboard. Has geological diversity, resulting in a variety of soil types and vegetation associations. Exhibits climatic uniformity of temperatures above 27° C and rainfall range of 762–1270 mm.	Generally sparsely settled except for the urban areas (Mombasa and Malindi). A net in-migration area, to which upcountry people move. Important for tourist traffic and allied activities.
5. Northern and Southern Drylands	The most extensive region in the country. Has a generally high temperature above 27° C and extremely low rainfall in the range of 508–1016 mm, and lower. Mainly a pastoral region where human and live stock migration is strictly controlled by the availability of water.	The most sparsely populated region in the country where density is in terms of “square kilometres per person”. The country’s economic backbone which calls for special development programmes.

Other features may explain contrasts in Kenya. In terms of its peoples (see section 2.2), the country is a mosaic of different ethnolinguistic groups with widely varying cultures and responses to economic opportunities and political conditions. Economically, the development pattern exhibits significant disparities, whereby the Central Rift and Associated Highlands towers above all other regions. It began with Central Province during the country’s first independence regime and covered Rift Valley Province during the second regime. The rest of the country remains relatively underdeveloped, with the once vibrant sugar industry in Nyanza and Western Provinces dwindling and the tourist industry, once the mainstay of the Coast Region, ailing.

Coterminous Geographical and Population Regions

Kenya is conveniently divided into five broad, coterminous geographical and population regions: 1) the Lake Victoria basin, 2) the Central rift and associated highlands, 3) the eastern plateau foreland, 4) the coast region and 5a/b) the semi-arid, Northern, North-eastern and Southern Kenya (Ominde, 1968: 16–22 and 93–107). Highlights of these are summarised by Table 1 and details provided by Figure 2. The table reports vital information, which underlines the importance of the Central Rift and Associated Highlands where the drama of land settlement occurred. As Kenyans saw a sparsely populated area from which Europeans were emigrating towards independence, they soon seized the opportunity to settle the land as the landless, squatters and buyers. Thus, the small geographical extent of this region belies its importance in Kenya and the implications of conflicts for its contribution to the country's economy.

2.2 Classification of Kenyan Peoples

The African population of Kenya consists of 42 tribes who cherish their own values even when lumped into larger ethnic groups, which the colonial administration invented. Anthropological classification of Kenyan peoples, which all the censuses before 1989 adopted, are different from linguistic classification which links the peoples to their language roots and similarities. The former classifies the population into four broad categories: the Bantu, Nilotes, Nilo-Hamites and Hamites, while the latter, attributed to Greenberg (1962), adopts the categories Bantu, Nilotes (3 sub-categories) and Cushites. We use the latter as it has the blessing of historians who have extensively researched African history and made a major contribution to *Zamani* (Swahili for ancient times, antiquity or the past) in Ogot and Kieran (1969). Kenya's three major African linguistic groups can be subdivided into several groups on the basis of geographical origin in the initial stages of settlement of the country. Incidentally, the linguistic classification of the peoples of East Africa does not identify explicitly the hybrid ethnic groups of the Luhya and the Kalenjin (Sutton, 1969: 80–1).

The Bantu linguistic family includes the Lacustrine, the Central and the Coastal Bantu. The Lacustrine Bantu inhabit the Lake Victoria Basin in Western Kenya and include ethnic groups such as

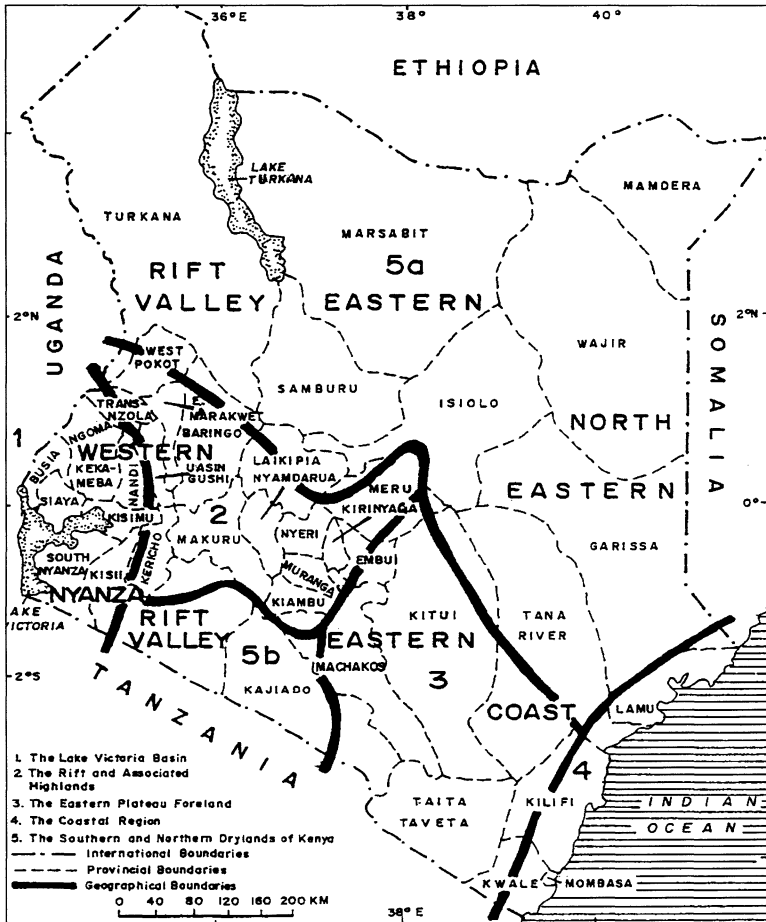


Figure 2: Geographical/Population Regions and Administrative Units of Kenya

the Luhya,¹ the Gusii (Kisii) and the Kuria. They are generally agriculturists and rear livestock in ecologically suitable areas. The Central Bantu group constitutes the largest group based on the slopes of the Aberdares and Mount Kenya as well as the plateau and residual uplands to the east. They include the Gikuyu (Kikuyu), the Embu, the Meru, the Kamba and other smaller ethnic groups whose main source of livelihood is agriculture. The Coastal Bantu inhabit the coastal plain bordering the Indian Ocean. They include the Mijikenda (literally meaning "nine tribes"), Pokomo/Riverine Peoples, Taveta, Taita, Swahili/Shirazi, Bajun and Boni/Sanye. External cultural contacts in a long historical perspective, which goes back many centuries past, have influenced this group.

The second linguistic family consists of the Nilotic group made up of three ethnic groups. The first one is the Lacustrine Nilotes, which is predominantly Luo-speaking and an extension of the Luo-speaking group in Uganda. They inhabit the Lake Victoria Basin where they practise a mixed economy including cultivation of crops, livestock rearing and fishing. Second, the Highland Nilotes, who consist of the Kalenjin-speaking group, namely, the Nandi, the Kipsigis, the Elgeyo-Cherangani and the Marakwet in Rift Valley Province, as well as the Sabaot or Sebei in Western Province, practise both cultivation of crops and livestock keeping.² Third, there are the Plain Nilotes who include the Maasai, the Turkana, and the Pokot and the Samburu; smaller groups include the Tugen, the Kony, the Pok, the Bungomek, the Tiriki (Nyangori) and the Okiek ("Dorobo"). As their sub-category name suggests, their settlement is confined to the plains where their main source of livelihood is cattle keeping. They lead a nomadic life, grazing their cattle over a large expanse of plains.

The Cushites, Afro-Asiatic groups, inhabit northern and north eastern Kenya. They consist of two groups who are Rendille and Galla-

¹ Gideon S. Were (1969: 190), an authority on the history of the Abaluyia (sic) (Were, 1967) explains that by about AD 1382 to 1706, the earliest settlers of this hybrid community founded by people of different origins and cultures, which were of Kalenjin origin, settled in the northern half of Buluyia whence they later migrated and settled on Mount Elgon. This verifies the fact that the present Luhya of Western Province are later comers in the area whose exploits must have reached Mount Elgon area where the Sabaot (a Kalenjin group) live. It also explains why this group has had persistent conflict with the neighbouring Bukusu.

² The Afro-Asiatic family, also known as *Erythraic*, has several divisions, of which the Cushitic division is entirely African (Sutton, 1969: 82).

speaking on the one hand and the Somali-speaking on the other.³ They inhabit North-Eastern Province and parts of Eastern Province.

At the time anthropological classification of African peoples was in vogue, a group known as "Hamites" was invented. Anthropologists like Seligman, imagining that the Hamites were a superior group of "more European-like" Africans—with lighter skins, thinner lips and straighter noses inhabiting northern and north-eastern Africa—claimed that "the civilisations of Africa are the civilisation of the Hamites" (Sutton, 1969: 96). Linguists and historians caution that the term "Hamites" does not stand the test of scientific classification of East African peoples by language groups. If the emphasis is placed on the lighter-skinned feature, then Hamites had better be referred to as "Caucasoid" (Sutton, 1969: 97) in the same manner the present-day Bantu and Nilotes are "Negroid" and the aboriginal inhabitants of East Africa are "Bushmamoid".

In the same vein, the term *Nilo-Hamites* fails to stand the test. In the colonial period, anthropologists and historians advanced the view that the Plains and Highland Nilotes were actually *Nilo-Hamites*, that is, the result of assimilation of Nilotes by Hamites or what have become known as Cushites. The *Nilo-Hamites* hypothesis was attributed to both linguistic borrowings of the Nilotes from the Cushites, though it must be argued that the borrowings were reciprocal rather than in one direction (Sutton, 1969: 98; Ehret, 1969: 159). Moreover, as certain linguists have noted, the so-called *Nilo-Hamites* do not constitute a single branch within the Nilotes; in Ehret's (1969: 159) words; "the Nilo-Hamitic viewpoint did historians the great disservice of making a unity of diversity". Thus, the so-called *Nilo-Hamites* are in fact the two Nilotic language groups of Plains and Highland Nilotes.

Those who claim ethnic purity probably live in a world of fantasy. African history is replete with numerous cases of mixtures of linguistic groups and sub-groups. Nilotes, Bantu and Cushites have

³ Linguistically the term *Kalenjin* refers to the language composed of several more or less mutually intelligible dialects, spoken by those populations (Daniels, *et al.*, 1987: 1). As a label of cultural or ethnic identification, *Kalenjin* was first used by a few speakers of the language in the 1940s, gaining widespread currency among these groups in the 1950s in keeping with their growing awareness of common ethnic and political identity in the context of proto-independent Kenya (Kipkorir, 1973: 74ff). Whenever different Kalenjin groups disagree, one hears them referring to their separate communities as Nandi, Kipsigis, Pokot or Tugen as, they distance themselves from an issue in which they do not wish to involve the larger, more embracing group.

absorbed each other for many centuries. For example, the Bantu of Central-Eastern Kenya (the Kikuyu, Meru, Embu and Kamba) have absorbed not only the original hunter-gatherers whom they encountered in the incipient stages of settlement but also pastoralists such as the Maasai, the Galla and other Eastern Cushitic groups. In the Rift Valley, Highland Nilotes have mixed with Plain Nilotes, as in the case of Kalenjin groups and the Maasai (Sutton, 1969: 93–6). The mixture of the Nilotic Lwoo with the Bantu in Uganda, of the Luo of Kenya with the Basuba (the so-called Luo-Abasuba studied by Ayot, 1979) and of the Luo on the one hand and the Teso (Plain Nilotes) on the other with the Luhya Bantu, are facts of Kenyan history which help to demonstrate the social intercourse among different ethnic groups. Against this background, ethnic tensions, inevitable as they are in the country, are bound to occur but should never tear apart Kenyan peoples.

2.3 *Coterminous Administrative and Ethnic Boundaries*

Another form of coterminous relationship is between administrative boundaries (districts and provinces) and ethnic boundaries. Figure 3 illustrates this fact, which the text elaborates.

The Roots of Coterminous Relationship

Although the names of provinces created by the Regional Boundaries Commission of 1962 were not ethnic, they reminisce the ethnic provinces proclaimed by Proclamation No. 54 of 1924 on the Colony and Protectorate of Kenya. Examples of these include Kerio Province inhabited by the West Suk (now Pokot), the Marakwet and the Elgeyo who had districts of the same names; Kikuyu Province which encompassed all the Kikuyu, the Meru and the Embu, the latter in districts with like names; Ukamba Province settled by the Kamba and the Taita (now in Coast Province); Maasai Province inhabited exclusively by the Maasai of the present day Narok district; and the Coast Province districts of Digo (now Kwale district) and Kilifi. Therefore, the present day provinces are largely a repeat of those created in 1924, apparently a deliberate attempt by the departing colonial administration to institutionalise tribalism or ethnocentrism in independent Kenya. By 1929, the situation remained virtually the same, when the country consisted of ten provinces—Turkana (inhabited by

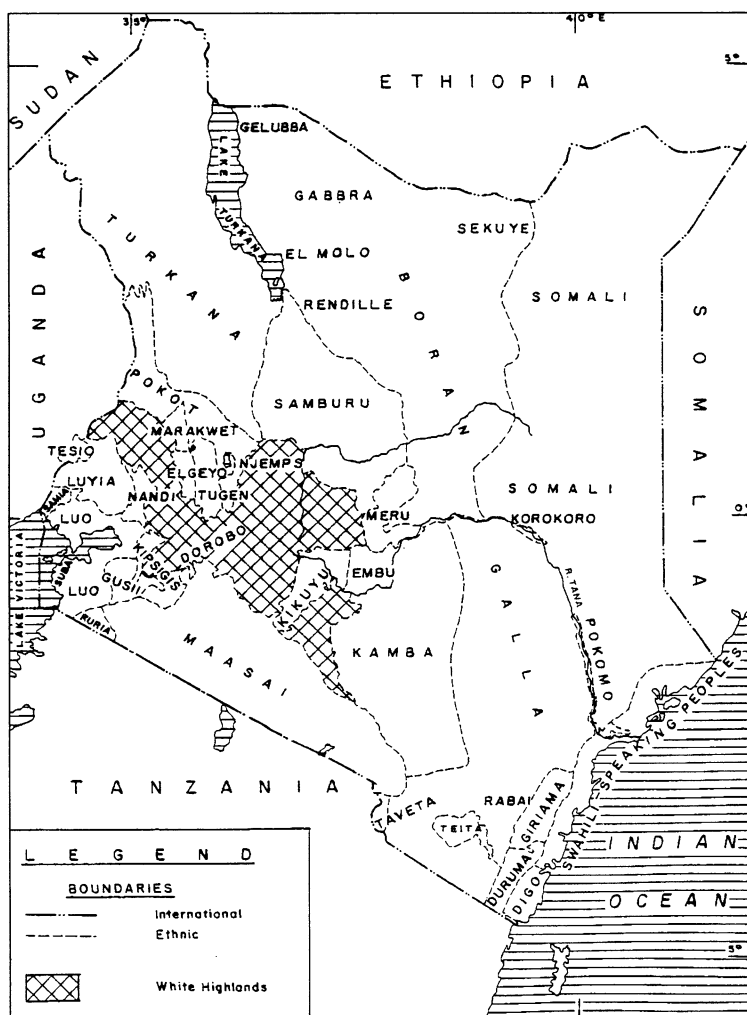


Figure 3: Ethnic Groups and Names in Kenya, 1978

the Turkana and the West Suk), Nzoia, Nyanza, Rift Valley, Naivasha, Kikuyu, Maasai, Ukamba, Northern Frontier and Coast. Figures 4 through 6 are too self-explanatory to warrant further discussion. They illustrate the power of ethnocentric administrative units in Kenya's ethno-geography and politics. In 1961, only two years before independence, Kenya consisted of six provinces, namely Nyanza, Rift Valley, Central, Northern, Southern and Coast (Figure 6). The present provincial boundaries took shape in 1963, even though the districts in all of them, except those in North-Eastern Province, have ethnic or clan-based boundaries. By December 1998, Kenya's districts had been so sub-divided that their structure portends intensified ethnocentrism and bright prospects for regionalism (Figure 7).

There is a further coterminous relationship between Parliamentary constituencies and ethnic boundaries. As Holmquist (1984: 185) observes: "The style of the leader [in Kenya] . . . is the ethnic and lineage-based constituency representative whose role is primarily as ambassador from a constituency and only secondarily as representative of government to the people." As Hazlewood (1979: 5) puts it, "although there have been shifts of population, even in quite recent years, the bulk of the population lives on what it—and others—regards as its own traditional land".

This has remained the style of Kenyan politics and the government's insistence on provincial administration. If anything, it has moved to a more advanced stage whereby many constituencies are no longer ethnic, but to say the least, clan-based. A study of the two decades 1978–1998 would provide some exciting facts on how ethnicity has been the fulcrum of administrative boundaries, constituencies and the development pattern in Kenya.

Reminiscence of the Colonial Government's Mischief

The Regional Boundaries Commission of 1962 was part of the constitutional conference set up by Great Britain in July 1962. Its terms of reference were twofold: "to divide Kenya into six regions and the Nairobi area for the purposes of giving effect to the Report of the Kenya Constitutional Conference of 1962 . . . , paying particular attention to: (a) the existing boundaries of the Provinces and the Nairobi Extra-Provincial District; and (b) the wishes of the people in any locality to be included in any particular Region or the Nairobi Area" (Ominde, 1968: 14). Although it is argued that "for the first time in

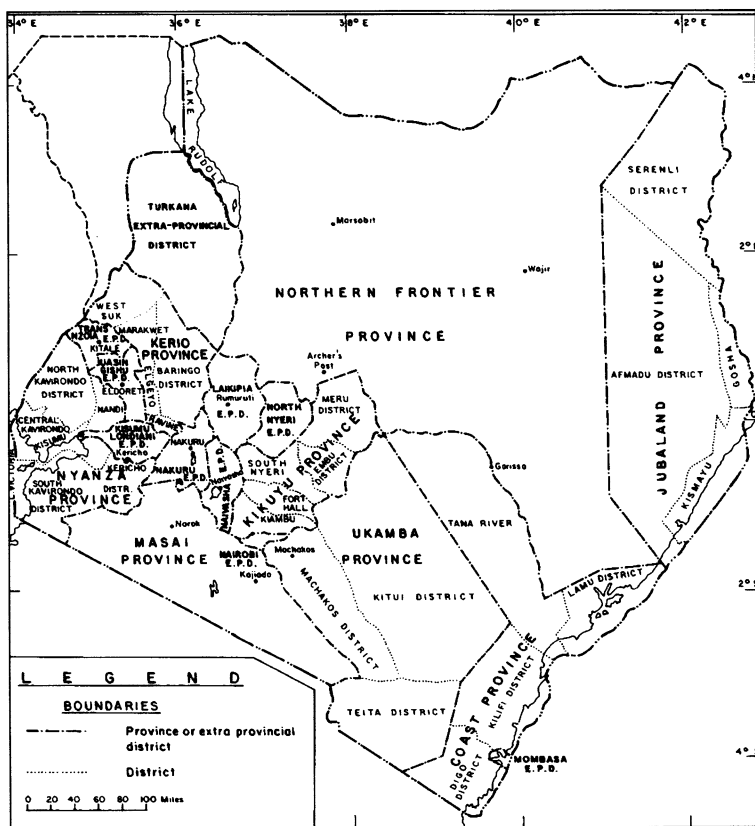


Figure 4: Administrative Boundaries of Kenya, 1924
Source: S.H. Ominde (1968)

history of the boundary changes the wishes of the people as a principle was given explicit recognition" (Ominde, 1968: 14), it is not clear how representative the sample was of the people interviewed by the colonial government. From authoritative political and historical works on Kenya, it would appear that the architects of the constitution were more concerned with the fears, in an independent Kenya, of the minority Kalenjin and Coastal peoples who became members of the Kenya African Democratic Union (KADU) alongside the Luhya. The latter, was an opposition against the more powerful Kenya African National Union (KANU) dominated by the two largest tribes, the Kikuyu and the Luo. The group formed KADU, which evolved close links with the European settlers who championed the interests of the minority tribes. Not surprisingly, the boundaries finally approved slotted ethnic groups within their own administrative units, either deliberately or inadvertently, heightening ethnocentrism throughout the country. Against this background, we now proceed to examine the coterminous administrative unit and ethnic unit boundaries in the independence era.

In Nyanza Province, the predominant Luo occupied three districts—Kisumu, Siaya and South Nyanza—before their sub-divisions into smaller districts since 1989. Together with Suba district settled by the Basuba, who are closely related with the Luo (Ayot, 1979), these districts have come to be known as "Luo Nyanza", a term coined by a Nyanza Provincial Commissioner to drive a wedge between the Luo and the Kisii (Gusii). The latter lived in their own Kisii district until its sub-division into three districts by 1997. The Kuria ethnic community were part of South Nyanza until it constituted itself into a new district with a similar name in the early nineties when Kenya's President unilaterally dished out districts without parliamentary approval.

Western Province is home to the Luhya stock, an amalgam of different linguistically close tribes—the Bunyore, the Maragoli, the Kisa, the Marama, the Tiriki, the Isukha, the Idakho, the Bukusu and the Samia—some of whom detest their inclusion in the composite group which was coined by the colonial government after World War II. This Bantu group is predominant, the only other groups being the Teso (a Nilotic group), in a minority and occupying the Teso district created by 1996, and the Sabaot (Highland Nilotes on the slopes of Mount Elgon) who belong to the Kalenjin ethnic group. Since 1989, Western Province has been sub-divided

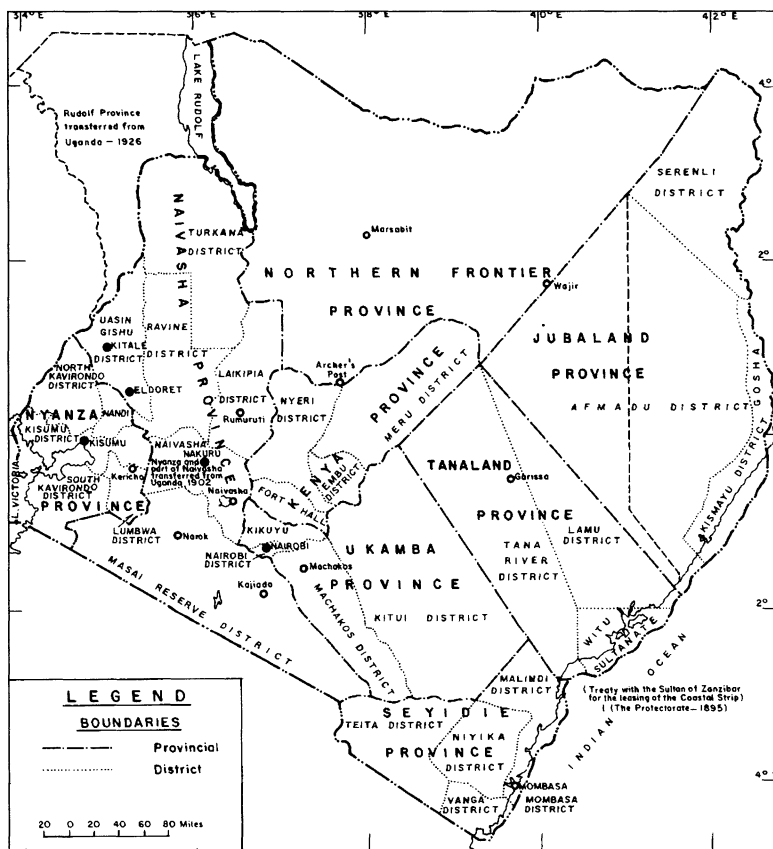


Figure 5: Administrative Units of Kenya, 1929

Source: S.H. Ominde (1968)

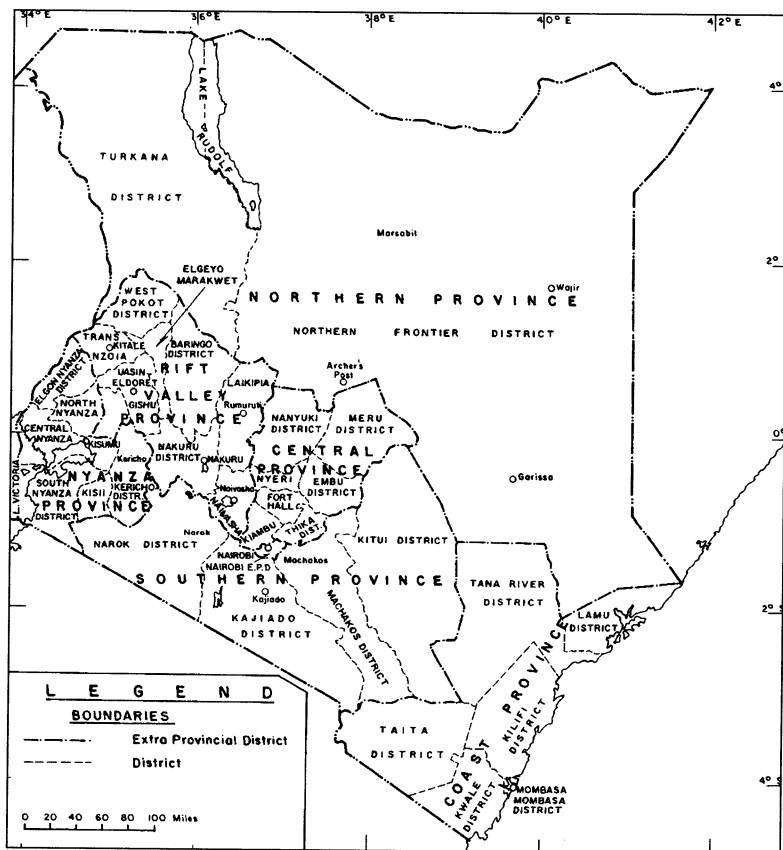
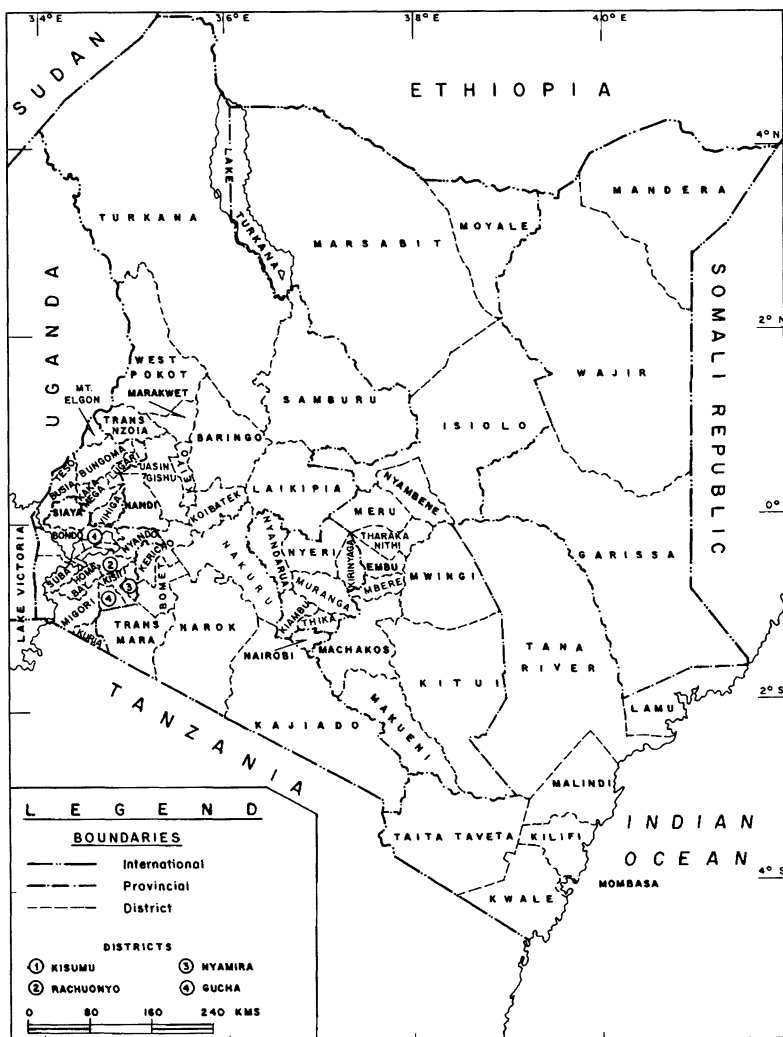


Figure 6: Administrative Boundaries of Kenya, 1961



into several districts, most of them occupied by a single ethnic community.

Rift Valley Province, by far the largest in size and population, is the traditional home of the Kalenjin, the Maasai, the Turkana, the Samburu and the Pokot. Like the Luhya, the Kalenjin is a composite group. Coined by the colonial government and formalised in the 1979 population census, the group consists of five tribes: the Nandi, the Kipsigis, the Keiyo, the Marakwet and the Tugen; smaller groups such as the Kony, the Pok, the Bungomek and the Okiek (formerly Dorobo) and the Sabaot who are included in the group live in Western Province.³ If in-migration of other ethnic groups did not occur during the land settlement programme, the Kalenjin (Highlands Nilotes) and the Maasai (Plain Nilotes) would be the only inhabitants of the province. Recognition of this fact by both groups probably accounts for their apprehensions about in-migrants in the province and, therefore, explains why they want the government to stem further in-migration. At one time in 1995–7, there was a move to broaden the group to become *Kamatusa*, which would have incorporated the Maasai, the Turkana, the Pokot and the Samburu, but the other groups resisted that move.

The Kikuyu wholly inhabits Central Province. The province consists of densely settled districts of Kiambu, Kirinyaga (carved out of Embu district of the colonial days), Muranga and Nyeri and the settlement district of Nyandarua. Population pressure on the diminishing land resources in these districts (Kiambu and Nyeri in particular), coupled with the local population's wealth, stimulated out-migration from them to neighbouring districts such as Nakuru and Laikipia in Rift Valley Province. That Central Province is coterminously a "Kikuyu Province" explains the solidarity of the Kikuyu in political and economic endeavours and their apparent dislike by other Kenyan peoples with whom they mingle in other provinces.

Eastern Province has the best ethnic mixture in Kenya. Bordering Rift Valley Province are the Rendille- and Boran-speaking group (the Rendille, the Gabbra, the Boran and Sakuye). On the border with North-Eastern Province are the Embu and Meru whose cultural affinity to the Kikuyu (Gikuyu) give rise to the Gikuyu, Embu, Meru Association (GEMA), which enabled the group to consolidate its political and economic hold of Kenya in the sixties and seventies. In addition, bordering the Maasai, the GEMA community, the

Taita of Coast Province and other parts of Coast Province are the Kamba. All these groups have been occupying their own districts, the Embu and Meru acquiring clan-based districts in the nineties.

Coast Province is a province mainly of the *Mijikenda* (Swahili word for “nine communities”), who include the Taita and the Taveta of Taita Taveta district and smaller groups, some of whom are victims of assimilation through African-Arab intermarriages. All these are *watu wa pwani* (Swahili for coastal peoples) who detest invasion by *watu wa bara* (Swahili for upcountry people).

North-Eastern Province is an exclusively Somali-speaking region. These include the Ogaden, the Gurreh, the Degodia, the Hawiyah and the Somali-so-stated found in Garissa, Mandera and Wajir districts. These are the only districts, which remain intact during the nineties as Kenya’s President proclaimed the subdivision of many districts in other provinces. In the early years of independence, the people of this province were engaged in acts of hooliganism and banditry as they courted the idea of seceding to Somalia. After the situation normalised, its inhabitants have had sustained criss-crossing of movements with their cousins in Somalia.

This analysis has demonstrated that administrative unit and ethnic unit boundaries in Kenya’s provinces and districts are largely coterminous. It is a fact of the country’s evolution since independence and one that has fostered ethnocentrism or tribalism at all times. Indeed, it calls to question the country’s constitutional provision that any Kenyan has the freedom to move to and live anywhere in the country; interrogates some politicians’ claim to ethnic purity or even ethnic cleansing of their provinces; and poses serious challenges for Kenyans’ desire to foster sustainable solidarity, peace, love and unity.

2.4 *Ethnic Clashes and Ethnic Cleansing*

Ethnic clashes that occurred in Rift Valley Province were conceptually and substantively similar to ethnic cleansing which were witnessed elsewhere in the world, notably Yugoslavia in the nineties. The use of poisoned arrows and firearms in Kenya was comparable to acts of the German Association for the Extermination of Vermin (DEGESCH), which supplied poison gas to Nazi extermination camps (Bell-Fialkoff, 1996: 1). The fact that sponsors of ethnic clashes went

around distributing weapons and transporting warriors was a murderous act which rocked the country's well-founded unity, and which the country could not condone.

Simply defined as "the removal of an undesirable population from a given territory" (p. 1), *population cleansing*, in human history, has gone through three main phases. In antiquity, it was a political tool to ensure control over alien, recently conquered population as a source of slaves. During the Middle Ages, cleansing acquired a mostly religious character, although ethnic and political cleansing did not entirely disappear. Finally, in the early modern period, cleansing gradually lost its religious character and acquired the ethnic orientation similar to the phenomenon as we know it today, later superseded by colonial cleansing of indigenous people carried out by European settlers and in post-colonial times taking various forms, including ethnic (Bell-Fialkoff, 1996: 52). The last type of ethnic cleansing involved eviction of Kenyans from the former "White Highlands" to give room for white settlers who occupied the area for slightly more than seventy years. Ethnic cleansing is classifiable as "paradigmatic cleansing", that is, cleansing based on certain (undesirable) characteristics of a segment of the population, in this case culture, language and ascription (p. 53). This is the kind of cleansing observed in Rift Valley province as the Kalenjin fostered unusual unity to cleanse the province of undesirable elements—to use their offensive language, the "invaders". Yet, this, ideologically speaking, also amounts to political cleansing directed against political opponents and politically unreliable populations. It is reminiscent of political cleansing in the *poleis* of pre-classical Greece in the eighth and sixth centuries B.C. during a period of acute political struggle between the monarchy and "democracy" (p. 53). In the Kenyan situation the word "presidency" can be substituted for monarchy, and then the unfolding drama exhibits classical features of ideological or political cleansing. Thus, although the book concentrates on ethnic conflict as an expression of ethnic cleansing that gripped Rift Valley province and other pockets in Kenya, the cleansing process was multifaceted and reflected a variety of standpoints.

CHAPTER THREE

POPULATION AND ETHNIC ARITHMETIC

This chapter sheds light on the population of and the ethnic arithmetic in Kenya, which form the bedrock of undercurrents in ethnic conflict. Issues examined include the place of population growth in conflicts; the apparent relationship between population growth and ethnic arithmetic in post-independence census years; ethnic structure, growth and distribution in the country during the period, and the question of numbers (population size) and resource allocation.

3.1 Perspectives of Rapid Population Growth in Conflict-Predisposing Circumstances

The population factor has an important contribution to the ethnic arithmetic in many SSA countries. This chapter analyses perspectives of rapid population growth in conflict predisposing circumstances before underpinning the apparent relationship between population and the ethnic arithmetic in Kenya, population in relation to the ethno-administrative structure of the country, population size and the allocation of resources and political dimensions of population and ethnicity. The chapter begins by analysing population size and growth in Kenya by region (province), districts and ethnic groups (an important aspect of population composition around which conflicts have tended to pivot). It then moves to discuss population composition in terms of district-specific ethnicity and age distribution. The third section of the chapter discusses population distribution with particular emphasis on density. The chapter ends by analysing the general population change in which internal migration looms large, precipitating further changes in population growth, composition and distribution. The chapter cites localised examples of specific perspectives that assist in underscoring the nature and extent of population variables responsible for particular forms of conflict.

Population variables have an impact on conflicts as “parameters”, by shaping the situation itself; as “multipliers”, by aggravating underlying or existing hostilities; and as “variables”, by serving as critical

factors in the conflict, shaping its unfolding and/or determining its outcome (Choucri, 1974: 92; 1984).¹ It is in this light that population growth, composition, distribution and change are analysed in this section.

3.2 *Population Growth and Ethnic Arithmetic in Kenya, 1969–1989*

In the two decades 1969–1989, Kenya's total population more than doubled (Table 2) Explosive national population growth occurred in the decade 1969–1979, stabilising in the next decade 1979–1989. The pattern of both the size and growth of population by the largest administrative unit (province) portrays Kenya's population picture. At a glance, the highest percentage change and growth rate of population has been recorded in Nairobi, a phenomenon attributed to rural-urban migration and a relatively high natural increase given the high national natural increase of between 3.8 and 3.2 during the periods under review. Second to this metropolitan province, which also doubles as a district, is Rift Valley Province, another net immigration area, which witnessed a major influx of population during the land settlement period (Oucho, 1984; Oucho, 1988). The highest population growth rates occurred in the settlement districts of Uasin Gishu in 1962–1969 before declining a decade later. Nyanza province, a net out-migration region with high fertility readily cancelled by equally high mortality (resulting in a low natural increase), has been recording the slowest population growth of all the provinces. Apart from the high fertility-high mortality scenario, deliberate undercounting of the province's population is an additional plausible cause of this anomaly.² An interesting feature is the declining trend of population growth rate in Central province, which is due mainly to

¹ Despite the pioneering work of Choucri (1974) on population and conflict and the potential importance of political demography, demographers and other social scientists have neglected this subject, which is at the core of internal displacements of population (IDP) in many African countries. Here is a subject, which, in 21st century, promises to draw closer social scientists, scholars in the humanities, public servants, the civil society and the international community than in the past.

² In a compendium to the 1979 population census report, the Director of Kenya's Central Bureau of Statistics (CBS) conceded this point, a shortcoming which his successors perpetuated in the 1989 census to the chagrin of the inhabitants of Nyanza Province, especially the Luo. Surprisingly, the Luo's disapproval of census figures has been misconstrued as politically motivated.

heavy out-migration from the region to several settlement districts in Rift Valley province. The low levels of population change, except in Nyandarua (carved out in the sixties as a settlement district), verify this fact. Central is a province, which has already entered the demographic transition (whereby both low fertility and mortality rates obtain) as the rest of Kenya still grapples to do so with demographic characteristics that typify the vast majority of sub-Saharan African countries. Western province is another net out-migration region, which bears virtually similar features with those of Nyanza province. In that province, Kakamega district has lost its population due to both rural-urban migration and rural-rural migration to the settlement districts in Rift Valley province, notably Trans Nzoia. However, population growth by province in itself has never featured in any form of conflict in Kenya where growth rates by ethnic groups seem to have laid a firm foundation for ethnic and other forms of conflict.

Population sizes and growth rates by district (several districts comprise a province) depict the two situations better (Table 2). Majority of the districts have recorded population growth rates well above the national average in the neighbourhood of 3 percent or more. Three striking features are: the highest population growth occurred in the settlement districts, such as Lamu, Kajiado, Laikipia, Nakuru and Trans Nzoia; districts in Nyanza province recorded unusually low growth rates largely due to out-migration and under-count; and those in extremely dry areas—North Eastern province as well as Elgeyo-Marakwet and Turkana in Rift Valley province—experienced unstable population growth. Appreciation of the country's population distribution may stem from Figure 8, which shows parts of the country suffering from population pressure on the land. The heavy concentration of population in urban areas is evident and population density has increased considerably in the formerly sparsely populated Rift Valley region.

3.3 *Ethnic Structure, Growth and Distribution*

The ethnic factor is central to analysis of Kenya's population in the context of conflict or conflict-predisposing circumstances. Three ethnic parameters of importance in this regard are composition, growth and distribution of the six major ethnic groups in the country, namely the Kikuyu, the Luo, the Luhya, the Kalenjin, the Kamba and the Kisii.

Table 2: Distribution of Population Size, Percentage Change, and Inter-Censal Growth Rates: District, Province and National**

District/ PROVINCE	Enumerated Total Population			Percentage Change		Inter-Censal Growth Rate	
	1969 Total	1979 Total	1989 Total	1962 1969	1979 1989	1969 1979	1979 1989
NAIROBI	509,286	827,775	1,324,570	48.3	62.5	4.86	4.70
Kiambu	475,576	686,290	909,762	10.3	44.3	3.67	2.82
Kirinyaga	216,988	291,431	390,718	36.8	34.3	2.95	2.93
Muranga	445,310	648,333	858,063	20.4	45.6	3.76	2.80
Nyandarua	176,928	233,302	345,420	75.7	31.9	2.77	3.92
Nyeri	360,845	486,477	607,292	31.4	34.8	2.99	6.23
CENTRAL	1,675,647	2,345,833	3,111,255	25.5	40.0	3.36	2.82
Kilifi	307,568	430,986	591,903	24.1	40.1	3.37	3.17
Kwale	205,602	288,363	379,623	30.3	40.3	3.38	2.75
Lamu	22,401	42,299	56,783	-2.6	88.8	6.36	2.94
Mombasa	247,073	341,148	461,753	37.6	38.1	3.23	3.03
Taita Taveta	110,742	147,597	207,273	22.7	33.3	2.87	3.40
Tana River	50,696	92,401	128,426	18.7	82.3	6.00	3.29
COAST	944,082	1,342,794	1,825,761	27.4	42.2	3.52	3.07
Embu	178,912	263,173	370,138	32.8	47.1	3.86	3.41
Isiolo	30,135	43,478	70,090	-44.9	44.3	3.67	4.78
Kitui	342,953	464,283	652,603	20.5	35.4	3.03	3.40
Machakos	707,214	1,022,522	1,402,002	23.7	44.6	3.69	3.16
Marsabit	51,581	96,216	129,262	-11.1	86.5	6.23	2.95
Meru	596,506	830,179	1,144,594	26.0	39.2	3.31	3.21
EASTERN	1,907,301	2,719,851	3,768,689	22.5	42.6	3.55	3.26
Garissa	64,521	128,867	124,835	-20.0	99.7	6.92	-0.32
Mandera	95,006	105,601	123,787	25.8	11.2	1.06	1.59
Wajir	86,230	139,319	122,769	-23.6	61.6	4.80	-1.26

NORTH-EASTERN		245,757	373,787	371,391	-8.6	52.1	-0.60	4.19	-0.06
Kisii		675,041	869,512	1,137,054	28.3	28.8	30.8	2.53	2.68
Kisumu		400,643	482,327	664,086	32.7	20.4	37.7	1.86	3.20
Siaya		383,188	474,516	639,437	17.7	23.8	34.8	2.14	2.98
South Nyanza		663,173	817,601	1,066,583	37.7	23.3	30.5	2.09	2.66
NYANZA		2,122,045	2,643,956	3,507,160	29.9	24.6	32.6	2.20	2.83
Baringo		161,741	203,792	286,490	7.5	26.0	40.6	2.31	3.41
Elgeyo-Marakwet		159,265	148,868	216,487	-1.1	-6.5	45.4	-0.70	3.74
Kajiado		85,903	149,005	258,659	25.6	73.5	73.6	5.51	5.52
Kericho		479,135	633,348	900,934	40.7	32.2	42.2	2.79	3.52
Laikipia		66,506	134,524	216,395	8.5	102.3	62.8	7.04	4.75
Nakuru		290,853	522,709	849,096	27.6	79.7	62.4	5.86	4.85
Nandi		209,068	299,319	433,613	25.1	43.2	44.9	3.59	3.71
Narok		125,219	210,306	398,272	13.7	68.0	89.4	5.18	6.39
Samburu		69,519	76,908	108,884	22.8	10.6	41.6	1.01	3.48
Trans-Nzoia		124,361	259,503	393,682	44.5	108.7	51.7	7.36	4.17
Turkana		165,225	142,702	184,060	3.7	-13.6	29.0	-1.47	2.55
Uasin Gishu		191,036	300,766	445,530	107.6	57.4	48.1	4.54	3.93
West Pokot		82,458	158,652	225,449	39.8	92.4	42.1	6.54	3.51
RIFT-VALLEY		2,210,289	3,240,402	4,917,551	27.0	46.6	51.8	3.83	4.17
Bungoma		345,226	503,935	735,985	42.7	46.0	46.0	3.78	3.79
Busia		200,486	297,841	422,887	16.3	48.6	42.0	3.96	3.51
Kakamega		782,586	1,030,887	1,463,525	30.4	31.7	42.0	2.76	3.50
WESTERN		1,328,298	1,832,663	2,622,397	30.9	38.0	43.1	3.22	3.58
KENYA TOTAL		10,942,705	15,327,061	2,144,877	26.7	40.1	39.9	3.37	3.36

** The table shows population totals as enumerated in the censuses and inter-censal growth rates derived from them. Growth rates obtained from adjusted national population were 3.8 and 3.6 per cent for the periods 1969-79 and 1979-89 respectively.

Kenya is a land of physical and human contrasts, of which ethnic composition is no exception. Towards the country's independence in 1963, the country was politically polarised between the two dominant ethnic groups (the Kikuyu and the Luo) and the minority groups led by the only other dominant ethnic group, the Luhya. Although Kenyans have exhibited a strong sense of nationalism since then, they have sometimes fallen prey to ethnocentric tendencies that manifest themselves in the political game and economic manipulations. Sadly, ethnicity has crept into demographic accounting in which while the dominance of the Kikuyu has remained unchallenged, the Luhya as the second largest tribe has disputably surpassed the Luo since the 1979 census, and in which the Kalenjin, also disputably, became a close fourth in the 1989 census. Even if there are sound demographic grounds for these dramatic changes, they arouse suspiciously ethnocentric sentiments in the context of political representation, population size and growth as well as population policy and economic power-game. Many statements by Kenya's politicians both lack demographic facts and seldom acknowledge documented authoritative works on the country.

Successive population censuses have revealed an interesting picture of spatial distribution of Kenya's ethnic groups, in which three patterns emerge: the three largest groups—the Kikuyu, the Luo and the Luhya—are ubiquitous. The first group dominates both Nairobi city (which is proximal to their habitat) and Nakuru town into which they have migrated mainly since independence. The Kikuyu prefer migration for the purpose of agricultural land colonisation (or settlement), as opposed to the last two groups who migrate exclusively for purposes of wage employment in the formal sector in both urban and rural areas. Thus, while the Kikuyu migrate for largely economic reasons as commercial farmers and businessmen, most of whom break links with their original homes, the Luo and the Luhya do so as workers who maintain strong links with their rural home areas (Oucho, 1996b). The "footloose" nature of the Kikuyu makes them obvious candidates for discrimination and detestation by those whose property or territory (land in particular) they have been accused of "invading".

The growth rates of all ethnic groups in Kenya give a graphic picture of inherent pressures of ethnic struggle in the country (Table 3). Some of the striking features include the following:

Table 3: Inter-Censal Growth Rates of Kenya's Ethnic Groups, 1969–1989

Ethnic Group	Inter-censal Growth Rate		(Percentage Per Annum)
	1962–69	1969–79	1979–89
Kikuyu	2.9	3.7	3.3
Luhya*	2.9	3.8	3.7
Luo	2.8	2.5	3.1
Basuba	—	—	5.9
Kamba	2.5	3.7	3.5
Kalenjin*	2.8	3.3	4.0
Kisii	2.6	3.0	3.3
Embu	2.1	4.2	3.5
Mbeere	2.5	2.3	4.9
Meru	2.3	4.2	2.6
Tharaka	3.0	–16.8	22.6
Kuria	3.6	4.0	2.36
Bajuni	7.7	4.2	4.0
Boni-Sanye	–1.9	0.5	9.6
Mijikenda	2.3	3.4	3.2
Pokomo	1.5	1.2	3.9
Taita	2.6	3.4	2.8
Taveta	2.6	2.0	6.3
Swahili-Shirazi	1.4	–5.7	9.0
Dorobo	3.8	–10.7	12.2
El Molo	—	—	19.0
Masai	0.1	4.4	15.6
Njemps	3.3	1.5	7.4
Samburu	1.2	3.0	3.7
Teso	1.7	4.3	3.0
Turkana	1.1	0.2	3.1
Boran	–5.4	7.0	1.5
Gabra	3.4	6.4	1.6
Orma	3.4	6.8	3.5
Rendille	3.1	1.5	2.0
Sakuye	9.6	–8.7	17.7
Ajuran	–2.5	3.5	2.0
Degodia	—	4.0	0.8
Gosha	–9.1	–4.6	1.2
Gurreh	3.5	5.2	–0.4
Hawiyah	–30.2	–9.4	28.3
Somali so-stated	12.3	18.1	–12.4
Ogaden	–3.0	2.8	16.9
Kenya Asian		–6.3	4.9
Kenya European		1.3	–3.3
Kenya Arabs		–2.5	5.8
Other Kenyans		51.3	–6.9

Noted: * Consists of several sub-groups, some of whom resent the group name.

Sources: Calculated from Kenya Population Census reports 1962, 1969, 1979 and 1979.

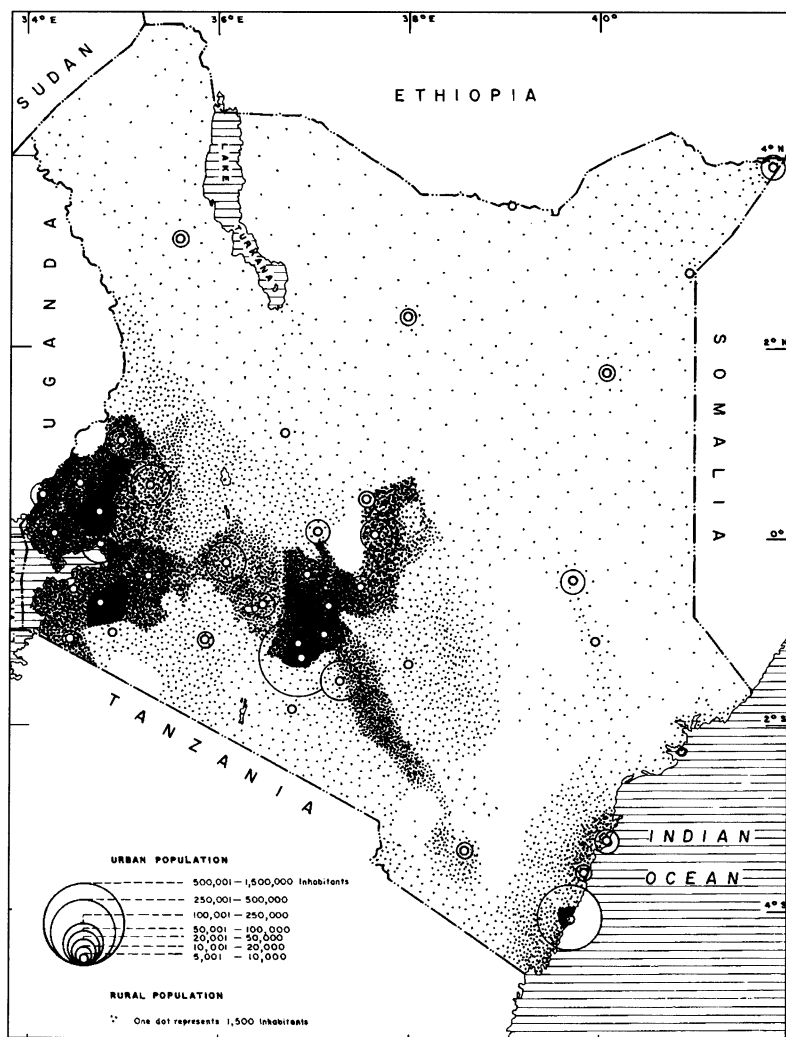


Figure 8: Kenya—Population Distribution, 1989 Census

the growth rates of the three largest tribes (the first three in Table 3) were almost identical, though the Luhya appear to have increased at the fastest rate. Surprisingly, the Kalenjin and the sub-tribes of the Embu and both the Meru and their close cousins (the Tharaka)—recorded inconsistent growth rates in the 27 years under review. Finally, much smaller ethnic groups—for instance, the Dorobo and El Molo (at one time feared to be becoming extinct), the Maasai and several tribes in the Galla- and Somalia-speaking stock exhibited inconsistent growth rates, some of them extra-ordinary for the human population unless significant in-migration has taken place. The inconsistencies observed are attributable to enumeration errors (under-enumeration as well as over-enumeration), the desire of some ethnic groups to assert their identities either by preferring to report what they were not in previous censuses or their expectation of more representation in political institutions as well as enhancing their access to the national cake.³ In fact, this aspect of political demography has indirectly triggered protracted ethnic strife bordering on conflict, violence and their undesirable consequences. In some African countries—for example, Nigeria, Tanzania and Uganda—the sensitivities surrounding the term “tribe” led to its exclusion in their latest censuses, the intention being to downplay ethnocentrism and eliminate tribal sentiments from national as well as sub-national planning strategies. On the contrary, that development shifted tribalism to the bedrock of socio-political struggles in many African countries, especially in the era of multi-party democracy that took place in the last decade of the twentieth century.

3.4 *The Question of Numbers and Resource Allocation*

Publication of Kenya's population census results immediately interests Kenyans of all lifestyles to enquire about or question their numbers along ethnic lines. Similarly, they are concerned with the allocation of resources that government is duty bound to provide, namely health and educational facilities, infrastructure such as roads, communications systems, water supplies and electricity, all of which constitute the foundation of development in general and socio-economic development in particular. A work published in the sixties on Kenya's

³ Classification of Kenyan peoples has not been consistent in successive population censuses, particularly since independence. Some ethnic groups like the Kalenjin and the Basuba were invented in the 1979 census, even though they had not been reported thus in earlier censuses. Moreover, the CBS still perpetuates usage of such archaic nomenclature and anthropological classification as “Nilo-Hamites”, which linguists and historians had abandoned way back in the sixties in place of the linguistic classification by Greenberg (1973) and others.

misdistribution of resources, reflecting disparate development levels, found the highest concentration of development in Central Province and the Kenya Highlands where white settlement had been confined (Soja, 1968). These “economic islands”, like the urban centres where the modern sector had developed at the expense of the poverty-stricken rural areas, magnetised migration streams, i.e. rural-rural and rural-urban migration (Ominde, 1968). Rural-rural migration for agricultural land colonisation, which occurred during the country’s land settlement programme, redistributed population further, resulting in a different ethnic mixture which could have not occurred in the absence of this development.

In the political sphere, the creation of districts and carving out of constituencies is theoretically justifiable on grounds of a correlation between population size and efficient administration. Yet, the stark fact is that no such correlation exists. The period 1989–1998 goes in Kenya’s history as one during which such correlation was inadvertently aimed at, but without a systematic approach to it. When the motto of Kenya’s second regime became *Nyayo* (Swahili word for footsteps of the first regime), which had institutionalised disparate development planning and widened the gap between the country’s more developed and poorer regions, it simply perpetuated disparate allocation of resources in a manner inconsistent with population size, population-resource relationship and its changes over time.

In the same vein of disparate development underlined above, land distribution among the so-called landless and purchases between the financially capable groups and the outgoing colonial administration in the sixties constituted a recipe for suspicion among Kenyans without political clout, economic muscle or any form of influence over land distribution. If a survey were to be carried out on resource allocation in Kenya, the vast majority of Kenyans would most likely assert that misdistribution exists to such an extent that it creates ripples in the country’s delicate political economy. In the multi-party democracy of the early 1990s, whose hallmarks are supposed to be transparency and accountability, such enquiries are bound to take place in the future, questioning the relationship between population size and resource allocation on an equitable basis.

3.5 *Population, Ethnicity and Politics*

Mawhood and Wallis (1993: 174–5) have argued that colonial rule affected the growth of Kenya's ethnic polities in four ways. The boundaries of the colonial state (unifying a wide range of ethnic groups) were different from those elsewhere; colonial polity was ethnic in nature, giving Kenyan politics an ethnic flavour; uneven development took place biased toward settler agriculture; and missionary influence was greater in the central and western parts of the country giving rise to political organisations in these regions. In Kenya, there is a symbiotic relationship between ethnicity and class in the national political arena (Muigai, 1995: 162). This explains why population, ethnicity and politics are intertwined in the country, and why these three issues give character to Kenya's districts and provinces. Table 4 gives insights of this fact. The Kikuyu, who account for one-fifth of the national population, are predominant in Central Province and constitute about one-third of the population of Nairobi metropolitan province. In the two provinces, the Democratic Party of Kenya (DPK) dominated the 1997 general elections, had a large share of seats in Eastern Province and dug into the strongholds of the Kenya African National Union (KANU) in Rift Valley Province. Another predominant group in its traditional province is the Luhya in Western Province.

Table 4: Distribution of Ethnic groups and political party affiliations in Kenya by province, 1989

Province	Total Population	Dominant Ethnic Group			Dominant Political Party ¹
		Name	Number	Percent	
Nairobi	1,324,570	Kikuyu	428,775	32.4	DPK
Central	3,112,053	Kikuyu	2,919,730	93.8	DPK
Coast	1,829,191	Mijikenda	994,098	54.4	KANU
Eastern	3,768,677	Kamba	2,031,704	53.9	KANU
North-Eastern	371,391	Ogaden	133,536	36.0	KANU
Nyanza	3,507,162	Luo	2,030,278	57.9	KANU
Rift Valley	4,981,613	Kalenjin	2,309,577	46.4	KANU
Western	2,544,329	Luhya	2,192,244	86.2	KANU
Kenya	21,443,636	Kikuyu	4,455,865	20.8	KANU

¹ In terms of Parliamentary seats in 1997 general elections which do not reflect the membership of the parties

Estimates from Volume 1 of the Kenya Population Census 1989 (Kenya, 1994) provide insights into the number and distribution of some ethnic groups in particular provinces. The proportion of the Luo in Nyanza Province understates their total national population of 2,653,932, also grossly understated. Of the 623,654 or 23.5 percent of the Luo enumerated elsewhere in the 1989 census, 12.4 percent resided in Nairobi alone. Insignificant out-migration of the Kisii from Nyanza Province, where the group accounts for 32.4 percent of the provincial total, exaggerates their number relative to that of the Luo. Another feature is the slim dominance of the Kikuyu in Nairobi where 26.8 percent of people from Western Kenya (14.4 percent Luhya and 12.4 percent Luo) and 11.5 percent Kalenjin take a large share (38.3 percent) of the metropolitan province. This explains the dominance of one opposition party (DPK) and the stake of all other opposition parties in the city. Coast Province has a large proportion of *watu wa bara* (Swahili for upcountry people), though its proportion of coastal peoples increases to 64.6 percent when the Taita, who neighbour Eastern Province, are included. Finally, the predominance of the Kalenjin in Rift Valley Province is a myth as census figures verify. The province was home to some 19.3 percent Kikuyu, 9.7 percent Luhya, 7.3 percent Maasai, 5.2 percent Turkana and 3.9 percent Luo—a total of 45.4 percent non-Kalenjin population in the 1989 population census. This explains why the Kalenjin tend to be hypersensitive about the non-Kalenjin whom they refer to as “invaders” as the non-Kalenjin claim an increasing stake of the provincial population. Clearly, this feature is a recipe for political wrangling and ethnic clashes in Rift Valley Province.

In the multi-party democratic process since the nineties, Kenyans belonged to five powerful political parties that have had a chequered performance. In both 1992 and 1997 general elections, KANU won Parliamentary seats but not votes cast. Ford Asili, which dominated Central Province, Nairobi and parts of Rift Valley Province in the 1992 elections, had a considerably dwindling support by the 1997 general election. Ford Kenya, which claimed seats in all provinces during the 1992 elections, has dwindled since then, losing most seats to the National Development Party (NDP) in its former stronghold of Nyanza Province. the Demographic Party of Kenya (DPK, better known as DP) exploited its glitter over Ford Asili in Central, Nairobi and parts of Rift Valley in the 1997 elections. Last but by no means least, the Social Democratic Party (SDP) generated a short-

lived euphoria that earned it some seats in its stronghold of Eastern Province. Thus, the various parties had strongholds in particular provinces where certain ethnic sentiments reigned. It would appear, therefore, that apart from the highly unpopular but cunning KANU, with its rigging machinery intact, other parties have amounted to ethnic parties that underscore particular ethnocentric desires. Against Kenya's constitution of "winner take all", KANU has remained in power since 1992 following its existence as the single party in a "single party democracy" since 1969. In such an ethnocentric set up, animosity among Kenyan peoples, provinces and political parties has had considerable ethnic overtones, with ethnic undercurrents shaping conflicts.

3.6 *Kikuyu Hegemony and Ethnocentrism*

The dominance of the Kikuyu over all other ethnic groups in Kenya is no new phenomenon.⁴ It goes back to the immediate post-independence years. In 1965, only two years after the country's independence, references were made in Parliament about the increasing problem of tribalism, making one Luo Member of Parliament warn in a public luncheon that there was no place "for establishing one clan or one tribe as a ruling class in African society" (Gertzel, 1970: 44). The Member of Parliament, Tom Okelo-Odongo, then Assistant Minister for Finance before he decamped to join the opposition Kenya Peoples Union (KPU), was a highly respected personality, the only brilliant economist who took to task the equally brilliant Tom Mboya (then his senior in the Ministry) in Parliamentary debates.

On the land settlement programme, there were strong disagreements in Parliament in successive budgetary debates in 1963 through 1965. Members of the august House kept challenging the Government's land and settlement policy. They complained about the squatter problem, the future of labourers evicted from former European farms, the organisation of the Ministry of Settlement, the behaviour of settlement officers, and the loans policy that required the new farmers

⁴ According to David Throup (1987), the 1969, 1974 and 1979 Cabinets were 30 percent Kikuyu (cited in Muigai, 1995: 174). While the first two years were in the Kenyatta regime, the last one partly was the end of the Kenyatta and partly the onset of the Moi regime (August 1978).

to repay their loans and at high repayment rates, within a very short period. The Members argued that the land so occupied in the process of settlement rightly belonged to the Africans and should have been nationalised, and either given to the *genuinely* landless, or worked as state farms (pp. 44–5) (emphasis mine). To assert their political stand, principled Members of Parliament, led by Jaramogi Oginga Odinga, decamped from KANU and formed KPU (Kenya Peoples Union) to the indignation of KANU stalwarts who branded them communists, traitors and what have you. The *Hansards* of Parliamentary debates show clearly that except for Bildad Kaggia, who relinquished his post as Assistant Minister for Education to join KPU, no Kikuyu in the House ever spoke about the land settlement question.

Even in KANU itself, complaints about Kikuyu domination persisted by 1968. As Gertzel (1970: 173) argues:

The antagonism expressed towards the Kikuyu was not merely or even primarily a tribal legacy rooted in divergent loyalties of the past. It was closely related to concern for the present. It was the contemporary issues and conflicts directly related to Kenya's economic development that raised these fears of dominance by one tribe in all aspects of Kenya's life: in government, commerce and business.

These sentiments lingered on three decades later, and the dominance of the Kikuyu in the economic sphere has remained a reality that Kenyans have had to live with. That dominance emanates partly from the Kikuyu's love for agriculture which reinforced their migration to Rift Valley Province even as squatters during the colonial period and since independence primarily for agricultural land colonisation, and partly due to their heavy involvement in economic activities. During the land settlement programme (see Chapter 7) other ethnic groups also benefited, but only to a smaller extent; however, "the Kikuyu gained the largest allocations, setting the stage for ever growing conflicts between the Kikuyu and other tribes over the distribution of fruits of independence" (Leonard, 1984: 148). More of this was yet to come.

When Jomo Kenyatta died suddenly in August 1978, Daniel Toroitich Arap Moi stepped in, first in the 90-day acting period, and in the new year assumed the country's Presidency.⁵ To the Kiku-

⁵ The politics of ethnic alliances dominated the One Party State, *de facto* from the late 1969 to the time of Kenyatta's death in August 1978 and *de jure* when a

yu, Moi was but a "passing cloud", a stopgap measure as the Kikuyu prepared to continue leadership of the house of Mumbi (the great grandmother of the Agikuyu). Everything seemed to go well as long as the economic dominance of the Kikuyu remained intact and as long as the powerful Charles Mugane Njonjo graduated from being the country's Attorney General (1963–1978) to the Minister for Constitutional Affairs and G.G. Kariuki a powerful Minister of State in the President's Office. Later it turned out that the seemingly Kikuyu loyalists were planning to take over from Moi by whatever means were at their disposal. The plan failed and Charles Njonjo, G.G. Kariuki the and Kikuyu lost out, including being consigned to political wilderness, to be rehabilitated much later to the indignation of most ordinary Kenyans.

Then came the multi-party politics at the turn of the nineties, championed by Jaramogi Oginga Odinga, the doyen of Kenya's opposition politics.⁶ The pressure group he formed, the Forum for Restoration of Democracy in Kenya (FORD), after the government had declined to register to the National Democratic Party (NDP), which he had tried to form way back in March 1991, reminisced the days of the Kenya African National Union (KANU) towards independence when both the Kikuyu and the Luo belonged to the latter. Yet, FORD was more; it attracted the Kikuyu, the Luhya, as

rushed change of the constitution was made in December 1991, holding until 1992. An analysis of the situation argues that once Odinga and his KPU party were out of the political scene in late 1969, Vice President Moi conceded the settlement of the Kikuyu in the Rift Valley as a significant political reward for the Kalenjin; for Kenyatta land was important for his Kikuyu people and for Moi, the reins of power had much political promise in the future (Muigai, 1995: 170).

⁶ It is important to state the accurate chronology of events leading to the second multi-party politics in Kenya in the 1990s. Before the nineties, Jaramogi Oginga Odinga and George Anyona had tried in vain to register an opposition party. Then, both Kenneth Matiba and Charles Rubia were ministers in Moi's government. In May 1990, both Kenneth Matiba and Charles Rubia called for an end to the political monopoly of KANU. By June, the government rounded up, detained and silenced the duo, thereby extinguishing the fire they had just lit. In the wake of the government reaction was a mass political rally held in Kamukunji on July 7 1990, known as *saba saba* (Swahili for seven seven), in support of the two, the para-military police broke up. The country went through political limbo until January 1991 when Odinga, determined to galvanise opposition to the Kenyan government, declared the year one of political pluralism in Kenya whether Moi liked it or not. The same year, the government released both Matiba and Rubia from detention. Readers should grasp well the sequence of political change in 1990–91: while Matiba lit the fire of the second episode of multiparty politics in Kenya, Odinga cooked on it a wholesome meal of sustained political pluralism in Kenya.

well as the Mijikenda in Coast Province. It was a vehicle that seemed destined to carry Kenyans bracing for change sooner than later. However, that was not to be. On his return from medical treatment in Britain after a brief detention without trial in Kenya, Kenneth Njindo Matiba, a Kikuyu tycoon, was determined to wrench the leadership of FORD from the ageing Odinga; Masinde Muliro, the undisputed Luhya leader, soon died under suspicious circumstances; and another Luhya, Martin Shikuku broke off ranks with Odinga to join Matiba.⁷ The result of all this was that FORD broke into two factions: FORD Kenya led by Odinga and FORD Asili led by Matiba.⁸ Soon the Kikuyu saw an opportunity begging and joined FORD Asili, unmistakably to vie for the country's leadership. Indeed, in all the parties including KANU, the Kikuyu secured strategic national positions that could easily land them the Presidency, not least the Vice Presidency. If that is not extreme ethnocentrism with the singular motive to dominate Kenya politically and perpetuate economic dominance, then the author regrets misreading the country's political barometer. When the 1992 general elections came, Odinga, Matiba and Mwai Kibaki who led the Democratic Party of Kenya (DP) that concentrated in Kikuyuland, all lost to Moi. The electorate have never excused the three for making them lose a golden opportunity to remove Moi from power; they blame Matiba in particular for not allowing the ageing Odinga to galvanise the opposition, defeat Moi in Presidential elections and pass the baton

⁷ In Githu Muigai's (1995: 82) opinion, FORD broke up because of three reasons, namely the generation gap, personality differences and the ethnic issue. While the second reason seems legitimate and compelling, the first and third reasons are not and belie the blend of seasoned and young politicians in FORD leadership. What generation gap was in FORD when the younger lot or the young Turks (Kijana Wamalwa, James Orengo, Paul Muite and Gitobu Imanyara) were as steadfast as the oldest group of Odinga, Muliro and Bamahriz and more committed to the party than those in between the two extremes Martin Shikuku and Kenneth Matiba? The ethnic issue that there was underscores the determination of the Kikuyu to lead the party, even by Kenneth Matiba who never knew the party emerged in the first place. If anything, FORD, to borrow from Joseph (1991: 20), was a pioneer broad-based and trans-ethnic movement opposing an authoritarian government which had perfected class ethnic favouritism of the head of state's own group.

⁸ There is no comparison between Jaramogi Oginga Odinga and Kenneth Matiba on the Kenyan political scene. While the former had a solid Luo support, he remained and died a nationalist; the latter remained and exited from politics a Kikuyu to the marrow. That only Odinga stood to command national support in the crusade for multi-party democratisation is therefore a foregone conclusion.

to Matiba who would have been the automatic Vice President had he joined Odinga who later died in January 1994. Thus, extreme ethnocentrism—of the Luo pinning their hope on Odinga and of the Kikuyu gambling with Matiba, Kibaki and Paul Muite as the first Vice-President of FORD Kenya under Odinga—dealt a serious blow to the hopes of Kenyans who had become increasingly restless in the twelve years (1979–1992) of Moi's rule.

This analysis of Kikuyu dominance and extreme ethnocentrism may appear an unnecessary digression. On the contrary, it helps to explain how the selfish ambitions of a particular ethnic group has taught other ethnic groups lessons in the virtues of ethnocentrism and how the other groups have sought to redress the past situations in which their interests were not taken into consideration. When an ethnic group dominates land ownership, the economic sphere and political leadership, what else is left to be shared by Kenya's over forty ethnic groups? Indeed, as Bienen (1974: 29) argued, the one colonial legacy was the accelerated thrust for Kikuyu participation and domination in the country.

CHAPTER FOUR

EVIDENCE AND PATTERN OF ETHNIC CONFLICTS IN KENYA

From a variety of sources it was possible for institutions such as UNDP and NGOs including church groups to provide impeccable evidence of ethnic conflict in Kenya's Rift Valley Province. The pattern of the conflicts was largely consistent with the longstanding land settlement question and political activity opposed to multiparty politics, which gripped Kenya at the turn of the nineties. This chapter draws attention on four issues: political alignments immediately before ethnic conflicts of the early 1990s; media coverage of ethnic clashes in 1991-95; the conflict areas within Rift Valley province and along its borders with Western and Nyanza Provinces; and the question of whether ethnic conflict exhibited a regular pattern or mosaic in the fast changing socio-political order. It relies heavily on authoritative sources, notably the reports compiled by local and international newspapers and magazines, the Human Rights Watch, the National Christian Churches of Kenya (NCCCK), the Parliamentary Select Committee to investigate Ethnic Clashes in Western and Other Parts of Kenya, the National Election Monitoring Unit (NEMU) and the United Nations Development Programme (UNDP).

4.1 Political Alignments Immediately Before Ethnic Conflicts of the Early 1990s

The multiparty politics adopted by the Kenya government, albeit reluctantly, provided Kenyans an opportunity to redress the shortcomings of single-party politics, which had gone on in Kenya since late 1969. More than anything else, it provided room for new political alignments as Kenyans braced for multi-party general elections in late December 1992. At the helm of this new political order was the late Jaramogi Oginga Odinga, the renowned doyen of opposition politics in which he was determined to see fulfilled the dreams of the rank and file of the Kenyan society; that is, a fair and just society where the citizenry enjoyed freedom without domination from

any quarters. His book *Not Yet Uhuru* (Odinga, 1969) underlined the failure of the new regime to adhere to its party manifesto and let all Kenyans enjoy the fruits of independence without any discrimination.

In his new year message to all Kenyans, Jaramogi, as he was often referred to, declared 1991 the year of multi-party politics, whether KANU liked it or not. This prophetic message constituted the rallying call to Kenyans irrespective of their ethnic, religious or other considerations. Soon he formed the Forum for Restoration of Democracy (FORD) in Kenya, to which trooped both notable and aspiring politicians, including those who came to be known as “young turks”. Membership of FORD embraced the Luo, Kikuyu, Luhya (47.5 percent of Kenya’s total 1989 census population) as well as the Kamba, Meru and the Mijikenda of Coast Province. It involved decamping—or in Kenya’s popular phraseology, defection—from KANU and the commitment to wrench power from KANU. Yet, the FORD euphoria was short-lived. On the one hand, FORD divided into two factions (FORD Kenya and FORD Asili), acknowledged after arbitration by the High Court of Kenya; on the other, more parties emerged on the scene. Kenya’s former Vice President, Mwai Kibaki, formed the Democratic Party of Kenya (DP); George Anyona, a former detainee, formed the Kenya National Social Congress; a former Assistant Minister, Johnstone Makau formed the Social Democratic Party (SDP), which he conveniently abandoned before the elections to re-defect to KANU, a move that earned him appointment as an Assistant Minister. Other smaller parties sprang up. As the parties marched to the 1992 general elections, four of them put up candidates for the country’s Presidency. For KANU, the incumbent, President Daniel Arap Moi, was the unanimous choice; Kenneth Njindo Matiba stood on the ticket of FORD Asili; Mwai Kibaki vied for the most coveted seat on DP’s ticket; and FORD Kenya prevailed on Jaramogi to contest for the Presidency. Their ranking in the total votes cast in their favour was in the descending order.

Thus, the political alignment towards the first multi-party elections reflected a new political order, but one in which regionalism, ethnicity and mending old fences loomed large. While KANU had a stronghold in Rift Valley Province where it had garnered some unopposed parliamentary seats even before the elections date, both FORD Asili and DP had their strongholds in Central and Eastern Provinces,

Table 5: Media Coverage of Ethnic Clashes in Kenya, 1991-1995

Date	Report	Newspaper/Magazine
*November 10, 1991	A Luo policemen trying to stop fighting kills a Kalenjin, sparking off Kalenjin-Luo fighting	Daily Nation, cited in NCCK (1992) report <i>The Cursed Arrow</i> , p. 25
*December 27, 1991	A Kikuyu bar owner and 5 others killed by Kalenjin at Endebess, Trans Nzoia district	Daily Nation
*December 29, 1991	A Kikuyu bar owner and 5 others killed by Kalenjin at Endebess, Trans Nzoia district	Standard, cited in the NCCK (1992) report <i>The Cursed Arrow</i> , pp. 25-6
December 31, 1991	Moi Warns of Tribal Conflict	Daily Telegraph
*January 20 & 24, 1992	Fighting continued in Nandi and Kakamega districts. Non-Kalenjin teachers in Trans Nzoia district threatened with lynching by Kalenjin youths	Daily Nation, cited in the NCCK (1992) report, <i>The Cursed Arrow</i> , pp. 25-6
*February 4 and March 7, 1992	Attack in Kabose village in Nandi district displaced 100 people and left 26 homes burned down	Daily Nation, cited in NCCK (1992) report <i>The Cursed Arrow</i> , pp. 25-6
*March 11, 29 and 31, 1992	Director of Forestry, Crispus Nyaga, reported that clashes had resulted in the burning down of 30,000 hectares of forest	Daily Nation, cited in the NCCK report, <i>The Cursed Arrow</i> , pp. 25-6
March 13, 1992	New spate of violence	Finance
March 20, 1992	Ethnic strife	Weekly Review
March 20, 1992	A Story of Indelible damage	Kenya Times
March 27, 1992	• Getting to grips with tragedy • Slaughtering of two school girls	Daily Nation
April 8, 9, 11 and 12, 1992	Attack in Bungoma district on April 12 left 18 people dead, 120 houses burned down and 37 heads of cattle stolen	Standard
	Feeling the heat?	Daily Nation
April 9, 1992	The Effects of Tribal Clashes on Children	Weekly Review
August 1992	Kalenjin Liberation Army	Weekly Review
September 15, 1992	The Clashes Report	Weekly Review
September 25, 1992	Maathai Stiring up Hatred	Weekly Review

January 31, 1993	Clashes: Moi Tells of NCCK's Role	Weekly Review
February 21, 1993	• Clashes "claimed 365"	Weekly Review
	• Only 365 Killed in Clashes-Government	
	• Clashes: Faulty Maths or Deliberate Distortion?	
May 6, 1993	The Fuse Burns Low in Bungoma and Trans Nzoia Districts— Part IV: Life in the Clash Areas Series	Daily Nation, cited in the NCCK (1992) report, <i>The Cursed Arrow</i> , p. 28
May 7, 1993	Who should Know if Not the PC?	Weekly Review
May 8, 1993	Victims Asked to Sell Their Farms	Child Watch, No. 9
May 11, 1993	Priority Issue is Food Security	Daily Nation
May 14, 1993	Priest Ordered to Quit	Daily Nation
May 14, 1993	High court Halts Priest's Deportation	Daily Nation
May 19, 1993	*Government Statement Refuted: Over 100,000 Killed in Clashes (NCCK Press Statement)	Daily Nation
May 20, 1993	Can <i>Majimboism</i> Work	Daily Nation
May 20, 1993	<i>Majimboism</i> : The Pros and Cons	Target
May 20, 1993	Reporter Robbed in City	Kenya Times
May 21, 1993	The Real Causes of Food Deficit	Kenya Times
May 23, 1993	Leaflets Back	Daily Nation
May 23, 1993	• The Lost Generation ⁹	Daily Nation
May 28, 1993	Officer impound Magazine in Raid	Daily Nation
May 29, 1993	Quotable Quotes from the Honourable Minister ⁷	Daily Nation
May 30, 1993	Why Ntimama Wants Kikuyu Out	Daily Nation
June 6, 1993	Stop This Plan [sic] of Private Armies	The People
Unknown	Wheat output fell from 195,000 to 125,000 tons from 1991 to 1992	The People

Table 5 (cont.)

Date	Report	Newspaper/Magazine
June 7, 1993	Nakuru DC Chairs Meeting on Clashes	Daily Nation
June 9, 1993	Ethnic Clashes "Caused by Black Colonialists" ³⁶	Reuters
June 19, 1993	Biwott Men Target Clash Victims' Land	Daily Nation
June 24, 1993	<i>Maingboism</i> : Stirring for Blood Hatred	Daily Nation
June 27-July 3, 1993	Indigenous or Native? How Ntimama sees it	The People
June 29, 1993	Fifteen Killed in New clashes, says Mungai ²	Nairobi Weekly
June 30, 1993	Kalenjin Liberation Army	Daily Nation
August 22, 1993	Armed Raiders Kill Two . . . 3 More Killed in Rising Violence	Daily Nation
August 26, 1993	Violence: 55 Schools "May Not Reopen"	Finance
September 2, 1993	Clashes: 13 MPs on Demo Charge . . . 13 Opposition MPs in Court	Daily Nation
September 4, 1993	Mukaru is Arrested in Molo ⁴	Daily Nation
September 5, 1993	Press Faces Curbs on Clash Issues	Daily Nation
September 6, 1993	• FORD-K Officials Want Press Allowed into Molo	Standard
September 6, 1993	• FORD-K Will Not Shift Its Mission	Standard
September 6, 1993	Kenyan Government Seals Off Tribal Battle Grounds	Daily Nation
September 6, 1993	Residents Won't Leave Narok	Daily Nation
September 22, 1993	Minister: No Regrets over Events ⁵	Daily Nation
	Opposition Ultimatum for Dismissal of Local Government	
	Minister Rejected	
October 1, 1993	Police Reinforcements Dispatched Following Reported Killings and Theft	Agence France Press
October 20, 1993	Remaining Kikuyu Told to Move out by Lotodo	Daily Nation
October 21, 1993	<i>Maingbo</i> is the Answer-Biwott	Daily Nation
	Tensions Rise in W. Pokot	
October 25, 1993	Police Brutality at the Kirigiti Stadium	KBC Radio

<i>Doctors Remove Arrow from Thessalia Victim</i>		
November 29, 1993		
November 29, 1993		
November 30, 1993		
January 11, 1995		
January 24, 1995		
October 25, 1993	Police Reinforcements Dispatched Following Reported Killings and Theft	Kenya Broadcasting
November 29, 1993	Remaining Kikuyu Told to Move out by Lotodo	Daily Nation
November 29, 1993	<i>Majimbo</i> is the Answer-Biwott	Daily Nation
November 30, 1993	Tensions Rise in W. Pokot	Daily Nation
January 11, 1995	Police Brutality at the Kirigiti Stadium	Standard
January 24, 1995	Doctors Remove Arrow from Thessalia <i>Victim</i>	Standard
February 20, 1995	Government Deregisters Law Work Body	Standard
February 24, 1995	Twenty Villagers Arrested over <i>Cusfew</i>	Daily Nation
February 27, 1995	Let Bodies, Individuals, Assist Maela Victims	Daily Nation
February 28, 1995	Catholic Priest and Seminarians in Court	Daily Nation
April 5, 1995	Five Arrested Opposition Activists Released	Daily Nation
April 10-16, 1995	The Catholic Bishops' Pastoral Letter [on repression of the oppositional political parties and violation of human rights]	Agence France Press The Economic Review

Notes: *The articles reported are contained in Human Rights Watch/Africa Watch (1993) and Human Rights Watch (1995) and are by no means exhaustive of the plethora of literature in local and international newspapers and magazines.

Italics = Newspaper/magazine reports

¹ PC is the Provincial Commissioner, the representative of the President's Office in the province. A PC's partisan stand in favour of those fomenting violence is clearly irregular and unconstitutional, but then he is the PC.

² Njenga Mungai was the Member of Parliament (MP) for Molo, one of the hardest hit areas during the ethnic clashes.

³ Rev. Njoya was an outspoken cleric on the desirability of multi-party democratisation and against ethnic clashes in Kenya.

⁴ Mukaru Nganga was the leader of KENDA, a small opposition party whose leader even failed to capture a Parliamentary seat in the 1992 multi-party election.

⁵ William Ole Ntimama, then Minister for Local Government, was an outspoken proponent of majimboism and eviction of the Kikuyu from Narok District.

⁶ The Kikuyu were dubbed "Black Colonialists" by the Kalenjin and Maasai because of their political hegemony and economic domination of Kenya, including land acquisition in the Rift Valley.

⁷ Attributed to Minister William Ole Ntimama whose quotes included calling non-Maasai "outsiders", warning the Kikuyu "to lie low like envelopes", asserting that "non-Maasais should not be allowed to vote" in Narok District, announcing that "we will protect President Moi—do or die" (April 1993), urging the Kalenjin and Maasai to be "ready to defend yourselves" and addressing his comments to "the original Rift Valley people" (Human Rights Watch/Africa, 1993: 52).

⁸ Professor Wangari Maathai was the originator of the "Green Belt Movement", an NGO determined to be the watchdog of Kenya's environmental management. Her political stand against discrimination on ethnic or gender grounds has won her fame in Kenya and internationally.

⁹ School-going and school age children were the lost generation given that ethnic clashes stopped their attendance when schools closed down and teachers fled for their lives.

and Nyanza, Western and Coast Provinces were dominated by FORD Kenya. However, in ethnocentric terms, KANU was a party of the Kalenjin, the Maasai, the Turkana and the Samburu (KAMATUSA); FORD Asili and DP belonged to the GEMA (Gikuyu, Embu, Meru Association) group; and FORD Kenya, dominated by the Luo, harboured the disgruntled Bukusu (a Luhya sub-group in Bungoma District) and some politicians in Coast Province who had lost out on KANU support, including those who joined the party because the Islamic Party of Kenya was refused registration.

Worried about prospects of defeat, KANU deployed a blend of both textbook theories and primitive brutality to fend off all other presidential aspirants. The Human Rights Watch/Africa (1997) asserts that the Kenya government instigated the violence which displaced an estimated 300,000 persons after being forced to concede to a multi-party system in order to punish and disenfranchise ethnic groups associated with the opposition, while rewarding its supporters with illegally obtained land. This implies that the ruling party, whose hawks called for regionalism before the 1992 general election, orchestrated ethnic conflict to yield a singular result, namely displacement of population in areas where the ruling party expected defeat at the hands of the opposition.

4.2 *Media Coverage of Ethnic Clashes, 1991–1995*

A sample of the media coverage of ethnic clashes in Kenya provides not only an incisive excursion of the whole drama but also heart-rending stories that are hard to believe in a country which had enjoyed peace for twenty seven years of independence (see Table 5). While the dailies—*Daily Nation*, *Standard* and *Kenya Times* (the KANU newspaper)—reported ethnic clashes as they occurred; the *Weekly Review* and *The People* gave detailed accounts of the problem, pointing out its implications. The high quality of reporting by the newspapers and magazines aroused the indignation of some politicians who prevailed on the law-enforcement agencies to arrest the journalists/reporters responsible.

It is not surprising that the National Christian Churches of Kenya (NCKK) quoted the newspaper/magazine sources extensively in its two reports, *The Cursed Arrow: Organized Violence Against Democracy in Kenya* (1992) and *Update on Politicised Land Clashes* (1993). Another

report with a most worrisome title is *Courting Disaster* (1993) by the National Election Monitoring Unit (NEMU), which, like the NCCK's reports, provides graphic details of ethnic clashes. Yet, the drama did not end with the elections and the swearing in of the Seventh Parliament (1993–1997) in January 1993. It continued intermittently well into 1995, with another upheaval in 1997 in Likoni and other parts of Mombasa town where *watu wa pwani* (coastal people) evicted *watu wa bara* (upcountry people) before the 1997 general elections took place. More clashes took place in 1995.

4.3 *The Conflict Areas*

The conflict which reigned in Kenya's Rift Valley Province in the early 1990s when the Kenyan scene became a sea of turbulence with conflict islands jutting out of the western part of the country, had never been witnessed before in the country's three-odd decades of independence. In terms of districts as of 1989, before the subdivision of many more Districts, there were nine main areas of conflict, all within or along the borders of Rift Valley with other provinces (Figure 9). Admittedly, the nine were not the only conflict areas for a problem that engulfed much of Rift Valley and parts of Nyanza and Western Provinces.

i. *Bungoma District, Western Province*

Both the Bukusu sub-tribe of the Luhya ethnic community and the Sabaot (a Kalenjin group) inhabit Bungoma District. The Bukusu-Sabaot conflict had strong political undertones which among other things culminated in the carving out of Mt. Elgon district (for Sabaot only) from Bungoma district, and which displaced population from the latter into the neighbouring Trans-Nzoia district, also settled by Luhya, the Kalenjin and smaller numbers of other ethnic groups.

The slopes of Mount Elgon and lower ground in Bungoma District produce maize, wheat, coffee and sunflower. This has resulted in farmers in the area being among their successful counterparts in the rest of the Kenya Highlands. Traditionally, the Sabaot and the Luhya have had uneasy co-existence in the area, largely due to land shortage but it never reached the scale of the 1991–93 ethnic clashes.

The period January-April 1992 saw ethnic clashes escalate in Bungoma and the neighbouring Trans Nzoia Districts, resulting in

deaths, houses burned down and cattle stolen as the clash victims fled for their lives (Table 5). *The Standard* (May, 1992) reported Hon. Mangoli, MP (a Bukusu) alleging that the Bukusu rescued the Sabaot (their Kalenjin neighbours in Bungoma District) out of the caves to work for and share some land with their rescuers. In response, Wilberforce Kisiero, MP (a Sabaot) retorted that the Sabaot lived where they were by their own right and warned the Bukusu against being the cannibals they had always been as they decimated the Sabaot population through cannibalism. As can be imagined, such utterances sparked off serious clashes between the two communities. Perhaps as a way of solving this longstanding ethnic animosity, the government later decided to create a separate Mt. Elgon District exclusively for the Sabaot, from the original Bungoma District which, after the sub-division became a District for the Bukusu and Tachoni.

ii. *The Nyanza Sugarbelt, Kisumu-Nandi Area*

The border of these two Districts—Kisumu in Nyanza Province and Nandi in Rift Valley Province—was created as a settlement area at independence within the framework of Kenya's land settlement programme which involved land transfers from the British settler farmers to indigenous or naturalised Kenya citizens. The new land owners consisted of both the landless (the criteria for which were not clearly stated) and purchasers who acquired land on a "willing buyer-willing seller" basis. The two neighbouring ethnic groups in the area are the Luo and the Kalenjin—Lacustrine Nilotes and Highland Nilotes respectively—who in pre-colonial times waged tribal skirmishes (based largely on livestock theft by the latter), which in any case never escalated into full-scale wars, not least protracted conflict.

This is a sugar cane growing area where three sugar factories—at Miwani (established in the colonial period), Chemelil and Muhoroni (both established since independence)—have been providing employment for both unskilled labour and skilled workers. All these factories crush the sugar cane grown in Kisumu, Kericho and Nandi districts, providing the farmers and their families with a steady, dependable income. The area also has mixed farms of maize and livestock. However, in the wake of conflicts and because of the government's neglect of the area, the sugar industry has dwindled to the detriment of sugar farmers and their families. Since the reintroduction of multi-party politics in Kenya in 1992, the sugar industry,

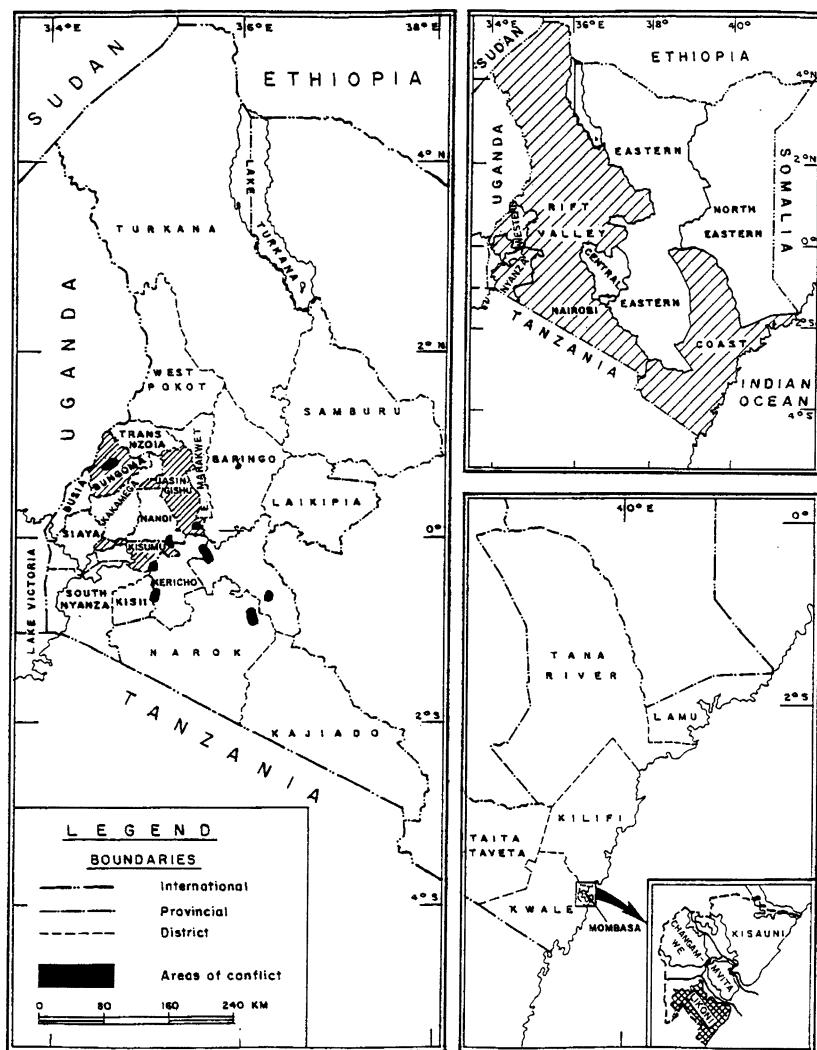


Figure 9: Areas of Conflicts in Kenya, 1991–1994

like many other agricultural enterprises, has slowly stopped, resulting in a deepening economic crisis that was ushered into the new millennium.

Clashes took place in this area between the Nandi and the Luo with whom they had lived in peace throughout the colonial period and ever since independence in 1963. But the situation was soon contained following the elders from the two communities invoking some longstanding cultural truces that had sustained their co-existence since pre-colonial times thanks to the apolitical elders in the area. By mid-2001 the displaced persons had never resumed their past status, and perhaps never will in the foreseeable future.

iii. *The Burnt Forest Area, Uasin Gishu District*

This agriculturally wealthy District is home to the Nandi, the most elitist sub-tribe of the Kalenjin, who live in one of the most agriculturally developed areas in Rift Valley Province. During the land settlement programme, Kenya's Father of the Nation, Mzee Jomo Kenyatta, settled many supposedly landless Kikuyu and gave an inspiration to many Kikuyu "land-buying companies" as well as individuals to purchase land in Uasin Gishu district. Thus, the post-colonial period has witnessed an increasing volume of in-migration into the district mainly from districts in Central province. Uasin Gishu is therefore a district where the Nandi views the Kikuyu as invaders who settled Nandiland because of a politically orchestrated move, that is, the land settlement programme. The production of multiple crops (maize, wheat, barley, wattle, pulse, sunflower and pyrethrum) and commercial livestock farming underline the agricultural importance of this area. Farmers in the area are some of the wealthiest in the country, since the colonial days having an important voice in national politics, particularly those affecting farmers.

Ethnic clashes in December 1992 and February 1993 hit hard the Burnt Forest area in the District. Reports include attacks on Rukini and Kondoo farms by about 300 warriors armed with bows and arrows, and by similarly armed 200 warriors at Ya Mumbi trading centre and yet another attack on Lokwania farm in April 1993. Those displaced had never returned to their farms by July 1993 (Human Rights Watch/Africa Watch, 1993: 34), and perhaps never will. By mid-2001, the displaced persons had never returned and to all intents and purposes, the case seems to be sealed.

iv. *Trans Nzoia District*

This settlement District exhibits unique ethnic pluralism, though the Luhya dominate. At the time of land settlement, the Kikuyu, Luo and Kisii swelled the numbers of the new settlers. These new settlers have so outnumbered the indigenous Kalenjin that the latter now forms a minority group. That Trans Nzoia District has borders with Bungoma and Uasin Gishu Districts meant that some ethnic clashes in the last two spread into the District. For instance, *the Daily Nation* of May 8, 1993 wrote of "The Fuse Burns Low in Bungoma and Trans Nzoia District" in reference to intimidation of as well as pressure and attack on the non-Kalenjin in the area from Chwele in Bungoma District to Saboti in Trans Nzoia District between January and February 1993, which left fourteen Luhyas dead. Camps pitched in Endebess and other places temporarily settled the displaced persons (Human Rights Watch/Africa Watch, 1993: 35). It is a well-known fact that Trans Nzoia District saw some of the worst election-related atrocities before and during the 1992 elections. By mid-2001, the displaced persons had never returned, and like all other cases, it is a lost cause.

v. *The Borders of Kisumu and Kericho Districts*

Two areas of conflict in the borders of these two Districts in as many Provinces were (a) in the Nyanza sugar-belt and (b) in a rural setting around Sondu township in the neighbourhood where the Luo and the Kipsigis sub-tribe of the Kalenjin community live. In the former, the conflict was politically manipulated as the border area had been a buffer zone of white settlers' farms in the colonial period—a buffer created to stop inter-ethnic warfare. The Sondu area was a case of the Kipsigis attacking their neighbours, the Luo, with modern weapons, unlike spears and arrows which characterised skirmishes triggered by livestock thefts during the colonial period. As the Kipsigis gunfire gripped the area, the Luo responded by using arrows, spears and sophisticated slings (*orujre* in Dholuo), which directed stones in at least three trajectories.

This area produces maize and pulses, which have provided sustained food security for a rapidly growing population. That it is a rendezvous for three ethnic groups—the Luo, the Kisii and the Kalenjin—also explains why Sondu market has been thriving on the sale of agricultural produce as well as livestock. The ethnic conflict,

in which the Kipsigis Kalenjin attacked the Luo along the border, eroded the cultural richness of the area and the long peaceful co-existence of the two neighbours.

In this area, there has been no resettlement of the IDPs (exclusively the Luo) temporarily held at Thessalia Mission. Kipsigis attackers, who attacked the Luo, burned their houses, destroyed property and killed some of them. Although it appeared that the problem would be resolved through the Moi-Odinga co-operation, it persisted after Jaramogi Oginga Odinga died in January 1994. The displaced persons had never returned by mid-2001.

vi. *The Border of Kisii and Kericho Districts*

Both the Kisii (more correctly Gusii) in Nyanza province and the Kipsigis in Rift Valley Province are neighbours in this area. Again, this was a politically inspired conflict, which was not necessarily founded on the problems relating to land ownership or any other property. While the two ethnic groups used to engage in skirmishes in pre-colonial times, they remained peaceful neighbours ever since the colonial period.

The two neighbouring Districts have tea and pyrethrum farms that have provided income for small-scale farmers and that provide employment for cheap unskilled labour, which is abundant in the neighbouring districts. Also important is livestock farming in places where population pressure on the land does not constrain this activity. Tension in this area has remained and, if anything, spread to the newly created Trans-Mara District inhabited by the Maasai and Kisii. In May-June 2001, the new District saw some of the worst Maasai-Kisii conflict, which resulted in destruction of a lot of property and the loss of many lives. Was this a harbinger of the 2002 general elections given the political polarisation of the two ethnic groups? The answer, it would appear, is an unqualified "yes".

vii. *Londiani Area in Kericho District and Settlement Schemes in Nakuru District*

A tongue of Kikuyu intrusion into Kericho District was in Londiani area, which adjoins the Haraka Settlement Scheme area as well as the Molo-Elburgon and Bahati settlement areas in Nakuru District. Formerly part of the large-scale farms of the white settlers during the colonial period, Nakuru District experienced the highest con-

centration of settlements during the land transfer and/or purchase period. It became the epicentre of ethnic conflict between the Kalenjin who consider it their ancestral home and the Kikuyu who gained ground there in the Kenyatta era (1963-August 1978) and the most explosive conflict area when the problem lasted. Rapid population growth of Nakuru District in Table 2 in the two decades 1969–1989 attests to this fact the process being a product of rural-rural migration for the purpose of agricultural land colonisation.

Characteristics of this area are more or less similar to those of area (iii) above. An additional resource is forestry whose products, which have sustained logging and inherent activities and charcoal burning despite the calls for programmes on forest conservation and reforestation. Naturally, the forest in the area provided a sanctuary for Kalenjin warriors who were marauding the vicinity during the ethnic clashes. The Okiek, a minority ethnic group who settle this area, have been engaged in a protracted court case with the Kenya government, which they have accused of evicting them from the only habitat the Okiek have ever known. Those displaced in this area had never returned by mid-2001.

viii. *Maela and Olenguruone Area, Nakuru District*

Traditionally a Maasai grazing area long before the colonial period, this area received large numbers of Kikuyu settlers since the land transfer/and or purchase in the independence era. It bears features similar to those in last two areas in Rift Valley Province. It would appear that the eviction of the Kikuyu during the conflict would be irreversible as the Maasai keep articulating their detestation of Kikuyu invasion.

Apart from having agricultural features similar to area (iii) above, this area is best known for large-scale ranching on a commercial basis. While it was virtually unpopulated in the colonial days, it has seen dramatic population increase since independence, mainly immigrants who settled it during the land settlement programme.

In both (vii) and (viii) above violence gripped the areas since February 1992. In its field visits to the conflict areas in June-July 1993, the Human Rights (Africa) Watch group saw large tracts of deserted and abandoned farmland as well as several camps for the IDPs where the living conditions were appalling. It is in Nakuru District that over 40,000 IDPs had been reported by June 1993, where

in Nakuru town four days of rioting took place in May 1993 when police had demolished 600 kiosks belonging to the Kikuyu local street hawkers and where the Molo area saw some of the worst attacks from August 1993 (Human Rights Watch/Africa Watch, 1993: 37).

An important caveat is necessary at this point: all the three “security operation zones”—Molo in Nakuru District, Burnt Forest in Uasin Gishu District and Londiani in Kericho District—had some of the most well established farmers who for long had sustained Kenya’s agricultural might. The displacement of these farmers put the agricultural industry in disarray, and the farmers, most of whom had severed links with their former origins, had nowhere else to go. The issue of ethnic clashes and the displacement they caused is a subject receding further in Kenya’s development challenges. The perpetrators of the ethnic conflict seem to have won game one by mid-2001. But we have no way of anticipating what the future portends for Kenya as Kenyans continue to seek redress for this scar on the country’s deceptive unity.

ix. *Enoosupukia Area, Narok District*

This was another explosive area of ethnic conflict in Rift Valley province. It is a classical case of the Kikuyu in-migrating into the Maasai-inhabited area, taking advantage of the ignorance and well-known generosity of the Maasai, whose land the Kikuyu inhabited for little or no payment. This has been one of the most nagging conflict areas in Kenya, from which ethnic clashes evicted some people who had lived in the area for a long time.

Much of Narok district is an area of commercial ranching as well as production of crops such as maize, wheat and pyrethrum grown by seasonally migrant farmers from elsewhere in the country, who depend on either sharecropping or farm rentals. The Maasai also move freely throughout the length and breadth of the district, grazing their large herds of cattle and detesting the interference of the farmers.

Briefly, conflict in Kenya centred in Rift Valley province, whether exclusively within it or some of its districts bordering districts in other provinces. The drama revolved around the Kikuyu as either the new settlers who replaced the white settlers or purchasers who, through their economic muscle, acquired land beyond their borders. In many instances, the Kikuyu settled in the Kalenjin territory and acquired

large chunks of land in Maasailand, settling on it as opposed to the Maasai who merely moved with their livestock in search of pasture. Research on Kenya's rangelands has revealed conflicts over land between pastoralists and agriculturists in the area (Talbot, 1986). Unfortunately, recommendations of this study went into the drains without the authorities bothering to consider them in any way.

The absence of conflict in the densely settled areas dominated by particular ethnic groups, the driest parts of the country and urban areas calls to question the issue of land and ethnicity as the primary causes of conflicts in Kenya. Moreover, for nearly the first three decades of Kenya's independence, no major conflict had occurred in the nine areas where the problem exploded at the turn of the nineties, creating a cleavage in the country's solidarity from which it might not recover for a very long time.

That ethnic conflict exploded at the height of political engineering which ushered in the era of multi-party democratisation in Kenya (culminating in the general elections of 1992) would appear not to be a historical accident, but a well orchestrated scheme in which land and ethnicity were used as scapegoats. Against this background, the next section draws attention to a discussion of whether there was a definitive pattern or mosaic of ethnic conflict in Kenya. Sensitivity of land and ethnicity makes them amenable to manipulation by sponsors of conflict that, explained along these two lines, understates the problem and shrouds undercurrents of conflict.

4.4 *Was There a Pattern or Mosaic of Ethnic Conflict?*

From the evidence presented in the previous section of this chapter, it would appear that there has been a clear pattern of ethnic conflicts in rural Kenya. Rift Valley Province has been and is likely to remain the centre of ethnic conflicts involving the Kalenjin and other ethnic groups who had a stake in the land settlement programme.

On the border of Nyanza and Rift Valley Province, the buffer zone of European settlement during the colonial period became, since independence, the Nyanza Sugar belt, with some mixed farming also practised. The latter settled the Luo middle class, most of whom, being teachers and civil servants, managed to purchase land in the area. Before this development in pre-colonial times, the Luo versus the Nandi and Kipsigis Kalenjins had sporadic skirmishes over live-

stock thefts by the latter that lay claim over all cattle that they can possibly lay hands on, and over land. Yet the two groups had customary security councils which resolved their problems and which enabled them to coexist until the colonial administration alienated the area under the pretext of creating a buffer zone between the two. In Kenya's independence up to 1991–93 ethnic clashes, the Luo and their Kalenjin neighbours had never had ethnic clashes. Their clashes erupted in 1991–92 at the onset of multi-party democratisation when Kenya's doyen of opposition politics, Jaramogi Odinga, bore the mantle of this necessary political change to the chagrin of President Daniel Arap Moi of KANU. It would seem that the state-sponsored ethnic clashes in this area were meant to punish the Luo for spearheading the change to multi-party politics, not least to prove the point that Kenyans were not ready yet for political pluralism.

The Kikuyu-settled areas in Rift Valley Province became predictable hotspots of ethnic clashes between the Kalenjin and the Kikuyu, the former disputing the invasion of their traditional territory. In this instance, Kenya's second regime was clearly not following the Nyayo (footsteps) of the first regime which had settled the Kikuyu in these areas. An industrious people on both the farm and non-farm enterprises, the Kikuyu invested heavily in their new acquisitions in Rift Valley Province; they even built schools and health facilities through *harambee* (self-help) fundraising, in which they contributed generously; and their political clout in the first regime enabled the newly settled areas to get the infrastructure necessary for other forms of development. When ethnic clashes gripped Rift Valley Province in 1991–92, it spurred eviction of most Kikuyu from their new homes, abandoning their domestic property, farms and businesses. Attempts by the Kalenjin to sell the abandoned farms had little success as other Kenyans became sceptical of such deals. The situation has remained volatile since 1992 and might remain unresolved for a long time to come. Like the Luo, the Kikuyu favoured multi-party democratisation to try to make a second onslaught on the country's political rule. Opponents of the Kikuyu were convinced that the migrant community deserved punishment partly because of their political ambitions, and partly to for the opponents to prove the point that Kenya was not ripe yet for multi-party politics.

Less atrocious clashes took place between the Kalenjin and the Luhya who had settled in Rift Valley Province. The skirmishes in Turbo area and Trans-Nzoia district are nothing to compare with

the clashes, which drove the Kikuyu and Kalenjin to the point of open war elsewhere in the province. However, in Western Province itself, there were clashes between the Sabaot Kalenjin and the Luhya (specifically Bukusu) in Bungoma district. The clashes reminisced the pre-colonial traditional animosity between the two groups, though in 1991–92 seemed to be state-sponsored. Both Bungoma district in Western Province and Trans-Nzoia district in Rift Valley Province were strongholds of opposition politics, led by Masinde Muliro who was the undisputed leader of the Luhya, and who had joined forces with Odinga in next-door Nyanza Province. Like the Luo and the Kikuyu, the Bukusu, in their opponents' view, deserved punishment for their non-conformist politics, and of course, to prove the point that Kenyans were not ready yet for multi-party politics.

The above analysis suggests that ethnic conflict in Kenya formed a pattern in Bungoma district of Western Province and within Rift Valley Province and a mosaic along some borders with the latter. These two conditions evince both the predictability of ethnic conflict in Rift Valley Province and its unpredictability elsewhere, including the major urban areas. Less serious ethnic clashes occurred between the Kipsigis Kalenjin and the Kisii in areas which the latter had settled during the land settlement programme. However, they soon dissipated.

In Coast Province, settlement areas did not experience any ethnic clashes in 1991–92, though the upcountry people remained apprehensive. These areas were settled almost exclusively by upcountry peoples, notably the Kikuyu who were perhaps too many to be easily attacked by the traditional Coastal peoples. Some clashes occurred, however, in Mombasa town where the local politicians instigated the people to attack upcountry peoples. This storm stirred later in 1997 when opponents of the upcountry people attacked and killed them, destroying and burning their property. The Likoni area where a large number of Luo in-migrants resided was the centre of attacks allegedly by thugs brought in from elsewhere. Because of this situation, many upcountry people fled the area, leaving behind many of their personal belongings.

Reports of commissions on ethnic clashes—the Kiliku Report sanctioned by Parliament (Kenya, 1992), that by the National Christian Churches of Kenya (NCCCK) (1992) and the Human Rights Watch/Africa Watch (1993)—point an accusing finger at the involvement of the state in the whole fiasco. In Kenya's characteristic style of

handling commissions, the Kiliku report was shelved and may only be revisited in the future to appease certain aggrieved parties. Its recommendations of the other reports draw some attention on how the country could resolve ethnic conflict during the present regime and in subsequent regimes when sanity will dictate redress of the past ills. Even the Akiwumi Commission set up a few years later, came to nothing, as its findings have never been made public.

4.5 *Chronology of Ethnic Conflict, 1991–1995*

Ethnic conflict of 1991–95 was a process which involved three stages, namely the call for majimboism accompanied by inflammatory statements by politicians in Rift Valley Province, pre-election violence in the form of ethnic clashes of October 1991 through December 1992 and the post-election conflict which lingered on up to 1995 (Human Rights Watch/Africa Watch 1993, Chapters 2–4). Table 6 presents the chronology of ethnic conflict during the period under review. The general scenario was that the Kalenjin and/or Masaai launched attacks on their victims—the Kikuyu, Luo, Luhya and Kisii—who fought back either to retaliate or in self-defence.

Two political (then referred to as *majimbo*) rallies held in September 1991 in as many localities in Rift Valley Province underscored the preparedness of the Kalenjin for majimbo government in Kenya. At the first rally on September 8, 1991, Hon. Joseph Misoi, KANU MP for Eldoret South said among other things “We are saying that unless those clamouring for political pluralism stop, we must devise a protective mechanism by launching this movement” (Human Rights Watch/Africa Watch, 1993: 12).

The movement was a majimbo system of government. Its definition by Human Rights Watch (1995: 6) is incisive and represents the interpretation of majimboists:

Majimbo is a form of ethnic regionalism that was promoted by the Kenya African Democratic Union (KADU) at independence . . . KADU voluntarily dissolved itself into KANU soon after independence, and the idea was dropped. However, KANU politicians close to Moi, from the Kalenjin and Maasai ethnic groups, revived the calls for majimboism as a way of countering the demand for multipartyism in Kenya . . . While many Kenyans have no quarrel with the concept of regionalism, per se, they view these calls as nothing less than ethnic persecution.

It is not surprising that majimbo rallies continued, simply to popularise the call. The second majimbo rally, on September 21, 1991, among other things declared multi-party advocates banned in Rift Valley Province; ordered Masinde Muliro, the undisputed Luhya leader (who had been KADU's Vice President when the party lasted but who had now joined FORD), to move out of his home in Trans Nzoia District, Rift Valley Province; and urged the Kalenjin not to let anyone wrench power from them (Human Rights Watch/Africa Watch, 1993: 14). Tables 5 and 6 show other rallies held in 1993. Suffice it to say, the majimbo rallies worked on the psyche of the Kamatusa group (Kalenjin, Maasai, Turkana and Samburu) to vent hatred against other Kenyans and to embrace ethnic clashes as the best means of redressing their complaints.

Inflammatory statements by majimbo advocates were an important feature of the political rallies and comments made on ethnic clashes as they gripped Kenya's western half (see Tables 5 and 6). It is indeed difficult to believe that the statements reported in the authoritative publications cited in these tables and elsewhere in this book ever came from Kenyans, especially the politicians who claimed to be patriotic. That dark period was the lowest ebb of Kenya's political history as the country joined the world community of nations in not only embracing but also seen to be embracing democratic principles. It will remain one of those bad dreams that any dreamer would want to forget finally.

Readers should study Tables 5 and 6 carefully in order to get insights of ethnic clashes and other activities that preceded, accompanied and followed them. To assist readers, note should be taken of the following salient issues: Violence erupted in the conflict areas—at the farms, residences and market places, and even in the camps where IDPs had taken refuge. There was a declaration of "security operation zones" and what the declaration portended for those (e.g. journalists, relief workers, etc.) who defied the order and visited them to ascertain the acquisition of abandoned farms and witness all manner of illegal events in the wake of displacement. Law courts exercised discriminatory application of the law in favour of the perpetrators and against the victims of ethnic clashes, engendering further disagreement between the two. This stalemate persisted as Kenya went to the second multi-party general election in 1997, and still obtained as arrangements were being made (since February 1999) to review Kenya's Constitution for adoption in the

Table 6: Chronology of Ethnic Clashes in Kenya and Attendant Events 1991–1995

Date	Event	Result/Remarks
<i>Setting the Stage</i> September 8, 1991	Hon. Joseph Misoj, MP (a Kalenjin) read a statement at a political rally in Kapsabet. Nandi District declaring that (a) a <i>majimbo</i> constitution had been drafted and would be tabled in Parliament and (b) multi-party proponents would be fought at disposal.	The <i>majimbo</i> fire was lit and burned until ethnic conflict erupted.
September 21, 1991	A second political rally held at Kapkatet, Kericho District that among other things banned multi-party advocates from setting foot in Rift Valley Province.	The Kalenjin were instigated to evict all other ethnic groups in Rift Valley Province.
October 29, 1991	The first ethnic clashes broke out at Metetei farm in Tinderet, Nandi District on the border of Rift Valley, Nyanza and Western Provinces. Leaflets were distributed in the area, warning the Luo and other non-Kalenjins to leave the area or "face the consequences".	Hundreds of Kalenjin warriors attacked the farm, burning the non-Kalenjins' houses. The Luo and others were displaced.
November 7, 1991	The Luo, Kikuyu and Luhya retaliated by attacking the Kalenjin in Nandi and Kisumu Districts.	Mayhem was let loose in terms of ethnic clashes.
December 1991	Parliament repealed Section 2(a) of the Constitution making Kenya officially a multi-party state.	Political parties emerged in readiness for elections.
December 27, 1991	Non-Kalenjins were attacked in Trans Nzoia District.	Many of them displaced and their property destroyed.
January 1992	Fighting continued in Nandi and Kakamega Districts. Non-Kalenjin teachers in Trans Nzoia District reported that Kalenjin youths had threatened to lynch them if they reported to work.	Interfered with normal schooling, affecting children and teachers.
February 1992–1993	Attacks of non-Kalenjins in Olenguruone area (Nakuru District).	An estimated 40,000 people already displaced in the district, most of them Kikuyu, by June 1993.

Table 6 (cont.)

Date	Event	Result/Remarks
February-March 1992	Clashes escalated in many areas (Nandi, Trans Nzoia, Bungoma and West Pokot Districts. Assistant Minister Kipkalia Kones (a Kipsigis Kalenjin) declared Kericho District a KANU zone, warning opposition elements that they would "live to regret it" and declaring war on the Luo community in the district.	Violence re-erupted where it had subsided. The Luo retaliated in Kisumu town. The Kalenjin were determined to remove <i>madoodaa</i> (Swahili for "spots").
April 12, 1992	Press reports about 14 killed, 12 houses burned down and 37 cattle stolen in Bungoma District. Use of vehicles registered in the name of a Member of Parliament reported by NCKK and the press.	No convincing denial made of the unnamed MP's involvement.
May 1992	The Parliamentary Select Committee to investigate Ethnic Clashes in Western and Other Parts of Kenya led by Kennedy Kiliku, set up by Parliament.	The 238-page report was released in September and tabled in Parliament, which eventually rejected it. It reported 779 deaths, 600 injured and 56,000 rendered homeless (HRW/AW, 1993: 31).
July 1992	Violence erupted in Chepkube, a Sabaot Kalenjin area in Bungoma District to the chagrin and awe of the local chief.	10 Kalenjin left dead.
October 14, 1992	The Report of the Parliamentary Select Committee rejected by Parliament.	Closure of the chapter on investigations.
December 3, 1992	Fighting broke out between the Kalenjin and the Kikuyu in the Burnt Forest area near Eldoret, Uasin Gishu District.	About 15 people displaced and took refuge at the Catholic church compound.
December 1992	Luhya homes attacked by the Pokot.	14 Luhyas left dead.

January-February 1993	Attacks on non-Kalenjins' farms from Chwele (Bungoma District) to Saboti (Trans Nzoia District).	Widespread population displacement took place.
February 1993	200 warriors armed with bows and arrows attacked Ya Mumbi (Mumbi's) trading centre near Burnt Forest. Attack repeated in April 1993.	Deaths reported, houses burned down, property destroyed and people displaced.
February 1993	Press reports indicated that government had begun to persecute people in the clash areas for possession of home-made guns, those arrested being non-Kalenjin.	The goal of government action remains unclear.
February 25, 1993	A 78-year old Kikuyu farmer (Zablon Kamau) from Burnt Forest, Uasin Gishu District was jailed for four years after pleading guilty to a charge of being in illegal possession of 117 rounds of ammunition.	Whether the clash victims possessed arms for self-defence mattered little to the courts.
March 1993	11 people from Burnt Forest were charged with the illegal possession of 7 homemade guns and ammunition.	
March-April 1993	Minister William Ole Ntuma made the famous quotes with which he has become associated in Kenya (see Human Rights Watch/Africa Watch, 1993: 52).	
April 1993	At a rally, William Ole Ntuma alleged that the political opposition was plotting to eliminate indigenous residents of the Rift Valley, declaring that the province would have only Kalenjin MPs.	It was surprising the Province was the only one with 18 MPs elected unopposed before the 1992 elections.
May 1993	600 kiosks housing mostly Kikuyu local street hawkers were demolished in Nakuru town.	Income curtailed for the self-employed.
June 24, 1993	Africa Watch visited Londiani, Kericho District, two days after about 400 Kalenjin warriors launched an attack on the area.	One person left dead; houses of the Kikuyu burned down; local schools closed, one leaving some 500 pupils stranded.

Table 6 (*cont.*)

Date	Event	Result/Remarks
July 1993	Attorney-General Amos Wako told Africa Watch that the 1,000 charges brought for crimes relating to ethnic violence led to 582 convictions (fines or jail sentences of four to fifteen years), 196 acquittals, 532 still pending and eight under investigation.	Africa Watch found out that most cases had not been pursued forcefully and some of those charged were out on bail.
July 1993	Njenga Mungai, MP for Molo South, was arrested and interrogated for urging the Kikuyu in the area to defend themselves from Kalenjin attacks.	The MP went through a stormy period of arrests, court cases and humiliation.
August 1993	About 300 Kalenjin warriors armed with bows and arrows attacked Molo, sparking off another month of violence.	The typical destruction of lives and property encountered.
September 2, 1993	President Daniel Arap Moi declared "security operation zones" in Molo (Nakuru District), Burnt Forest (Uasin Gishu District) and Londiani (Kericho District). <i>Note:</i> The zones were restricted areas inaccessible to the general public as enshrined in Section 85 of Kenya's Constitution which empowers the President to invoke Part III of the Preservation of Public Security Act by an order published in the <i>Kenya Gazette</i> . However, the President's proclamation was never subsequently approved by Parliament, even by March 1995 when the proclamation was rescinded (HRW/AW 1993).	No visits allowed to such zones without prior permission of the government authorities. Unauthorised visitors arrested and prosecuted.
September 3, 1993	A Red Cross food convoy containing 7 tons of grain for clash victims was barred from entering Molo.	The clash victims went without food.
September 5, 1993	5 people arrested in the Burnt Forest security operation zone for being in possession of seditious literature and illegal weapons.	
September 5, 1993	Two journalists from <i>Standard</i> and <i>Daily Nation</i> respectively had their cameras confiscated at Molo Hospital from them by police after they took pictures of hospitalised clash victims.	The journalists' attempt to publish the information was crippled.
September 6, 1993	A group of Dutch Parliamentarians visiting Kenya were prohibited access to the Molo area. A journalist from the <i>Daily Nation</i> was evicted from the Molo area where he was covering ethnic clashes.	This move contained attempts for first-hand information and evidence on ethnic conflict.

September 22, 1993	7 of the eight people arrested between September 1990 and January (including a prominent government critic, Koigi wa Wamwere) brought to court in Nakuru, charged as above.	The case dragged on until 1997 with the accused eventually acquitted. Both careers and political ambitions of the accused were quashed.
October 11, 1993	All eight were released on bail, though other charges were preferred later.	Houses of Kikuyu torched by the Maasai, leaving 14 dead.
October 12, 1993	Clashes broke out south of the security zones in Enosupukia, Narok District.	The Kikuyu fled and sought refuge in the nearby Mission church.
October 15, 1993	About 500 armed men wearing traditional Maasai dress (<i>stukas</i>) were encountered in Enosupukia carrying knives and sharpened sticks, threatening to attack the Kikuyu.	The police destroyed the camp, looted and burned the IDPs property; 2000 IDPs were forcibly transported to Central Province; and IDPs were separated at the expense of family cohesion and without informing UNDP who had looked after them.
December 24, 1994	Administration Police and KANU youth wingers raided the Macla camp near Naivasha where some 30,000 people, predominantly Kikuyu, had sought refuge since October 1993.	The concept of "alien" is a contravention of the Kenya constitution.
December 28, 1994	The government acted on its threats to expel certain "alien" ethnic groups from the Rift Valley.	Some 25,000–30,000 people displaced.
1994	Widespread violence occurred in the Burnt Forest and Molo areas in Rift Valley Province.	
January 1995	An attack made on over IDPs who had taken refuge in Thessalia Mission and at Kagecha, Kericho District and near Naivasha where the Maasai killed 10 Kikuyus.	
February 1995	22 house destroyed by arsonists in Burnt Forest which had been attacked before by Kalenjin groups.	
March 1995	4 people were killed and Kalenjin attackers at Kolongolo displaced an estimated 800 families.	

Sources: Compiled from Human Rights Watch/Africa Watch (1993); 1991–1993 and Human Rights Watch (1995); 1994–5.

2002 general election. Clearly, there does not seem to be a predictable scenario for resolving the country's ethnic conflict which will soon join the ranks of all other fashions in the national lifestyle.

4.6 *Was Ethnic Conflict of 1991–1993 Spontaneous or Politically Instigated?*

The answer to this question cannot be given completely in any piece of work on Kenya's ethnic conflict which has attracted a growing body of literature. Part Two of this book, which is devoted to the forces that have been at play in this complex problem, provides part of the answer to the question posed. However, against the previous sections of the present chapter, ethnic conflict in Kenya was far from spontaneous, to say the least anything but spontaneous. All indications are that it was essentially political, politically charged while it was on, and unsuccessfully resolved by political means. While the political tag is paramount, and a necessary stance, it is insufficient in unravelling the undercurrents of ethnic conflict in the country.

It was political for several reasons. First, the majimbo rallies preceding, fuelling and retrospectively rationalising it were political. The lawmakers of the land addressed them; speakers at these rallies were leaders to whom the led looked for guidance and those who knew quite clearly what their constituencies would gain and what they themselves stood to gain collectively and individually from the clashes. It is not surprising, for instance, that after the clashes, most politicians came to own large tracts of land, that their constituents occupied the abandoned farms and houses and that they became committed to majimboism as enunciated by the leaders. Secondly, the clashes were a well-calculated political move that enabled KANU to garner 18 unopposed seats in Rift Valley Province even before holding the 1992 general election. It was like saying: "drive out *madoadoo* (Swahili for 'spots') in order for the indigenes and natives—sons of the land—to be elected unopposed to Parliament." Thus, the clashes were a harbinger of the coming race for political hegemony. Thirdly, a few people in Rift Valley Province who cautioned the perpetrators of clashes about both short- and long-term implications of their move were either publicly humiliated or attacked in political platforms. The former were worried of what future their children and grandchildren would have once the Kalenjin political hegemony ended.

While this is an issue which worries politicians least, it bothers anyone who recognises that Kenya is a plural society where love, peace and unity—the tenets of Kenyatta's Kenya and of the Nyayo philosophy—have helped to sustain peace and tranquillity. A fourth reason is that after the 1992 general election, ethnic clashes continued intermittently and the perpetrators of conflict went on to complete the unfinished agenda. The perpetrators of conflict ensured that IDPs never returned to the areas from which they had been evicted, occupying the abandoned farms to render return untenable; and they continued to act and make statements that further helped to scare possible returnees and bragged of remaining free and going about their businesses freely despite legitimate accusations against them. Finally, a repeat of the 1991–95 ethnic clashes in Likoni area and other parts of Mombasa town towards the 1997 general elections, which evicted large numbers of upcountry people, was a perfection of the state-of-the-art in using ethnic clashes for a political end. This was simply to displace prospective voters in constituencies that were well-known opposition strongholds in the town. Not surprisingly, ethnic clashes between the Maasai and the Kisii erupted in May–June 2001. How does one explain this against the Nyachae factor in Kisii politics and the Sunkuli factor among the Maasai as the 2002 general elections cling on the horizon?

In sum, one does not need to be an accomplished political analyst to interpret accurately Kenya's political barometer occasioned by ethnic clashes as a political move to maintain continuity and deny the opposition any chances of assuming leadership. Nor does one have to be a devil's advocate to see the political mission of ethnic conflict, namely to place the country in a deceptive state of emergency in order for those in power to get a way with their designs, not least counter decency in the power game.

PART TWO

TRIGGERS OF CONFLICTS

CHAPTER FIVE

EXOGENOUS DETERMINANTS OF CONFLICT

There are considerable difficulties in attempting to unravel all determinants of conflict. Therefore, a proposed conceptual framework provides a meaningful basis for identifying and explaining some important determinants of conflict in Kenya (Figure 1). The framework facilitates discussion of factors that have influenced conflict in Kenya. These fall into three categories of variables: exogenous variables, intermediate variables and conflict as the dependent variable. Exogenous variables are those external to, but do influence, ethnic conflict either directly or through a host of intermediate variables. They include colonial legacy, governance in the independence era, world economic/political order imposed on the country and heightened political activity preceding elections.

5.1 *Colonial Background*

The first variable is the colonial background of Kenya, which laid firm foundations for the situation that has unfolded since independence. First, it established the administrative structure of provinces and districts, which slotted either similar or different ethnic groups in the respective administrative units to which either the groups belonged willingly or which they resented. Second, the colonial administration alienated land in high potential areas (for instance, those settled by the Kikuyu and the Kalenjin) and extracted both cheap and skilled labour from the less attractive African Trust Land areas (Native Reserves) such as the Western Kenya region settled by the Luo and Luhya as well as from Central Kenya settled by the Kikuyu. Finally, at independence, the colonial government bequeathed to Kenya some problems of governance, which have often threatened nationalism and solidarity. This colonial past has kept haunting Kenya and Kenyans as the country and its people fall back on stereotypes such as “us” versus “them” and as people lay territorial claims to places which they have inhabited for one reason or another.

Kenya's political history is replete with systematic appropriation of land and its alienation by the white settlers from African peoples, mainly in the former "White Highlands". The most affected ethnic groups included the Kikuyu who were subsequently confined to areas too small for their burgeoning population; the Maasai and Kalenjin whose pastoral and agricultural lands conditioned them and their livestock to make do with insufficient land; and the Luhya, Kisii and Luo, part of whose land was alienated despite high population densities and stable settlements which they had made their homes. To all intents and purposes, the rights of African peoples did not matter and even the Carter Land Commission of 1933 did much less than was expected to ameliorate the situation. Moreover, the farms run by African peoples languished in traditional subsistence agriculture as those owned by the white settlers thrived on commercial agriculture which sons and daughters of the soil were forbidden to engage in for much of the colonial period.

A more pertinent aspect of Kenya's colonial background is the way ethnocentrism became institutionalised as a way of life: in recruitment in the armed forces, in employment in various sectors of the economy, in the administrative structure of the country and in its political life as the country braced for independence. Ethnocentrism is a problem that Kenyans have not been able to abandon, let alone redress successfully, as a step toward fostering national unity of "one people one nation". Rather, jigsaw puzzles of ethnic enclaves still exist as a form of diversity in a delicate unity. These differences feature in any disagreements, however small, and often ethnic conflict easily manifests itself as the means to settle issues. Unfortunately, while Kenyans have put everything aside to foster national unity, they have allowed themselves to be divided by ethnocentrism whose origins in the country's political evolution they are very well aware of.

5.2 *Independent Governance*

The second variable is the independent government, which inherited from the colonial administration an administrative structure that made all provinces and districts virtually ethnocentric rather than pluralist. Kenya's two independence regimes up to the turn of the 21st century have not only embraced but also fathomed this style of governance. Deepening instances of bias and prejudices have resulted

in government preferring particular districts and provinces as well as ethnic groups, polarising them between the privileged and the underprivileged and creating an atmosphere of mistrust among different administrative units and peoples. Largely, Kenya has been a nation of many "nationalities" who are sharply divided along administrative unit, ethnic, political and economic lines. Therefore, any irksome situation easily precipitates conflict, which manifests itself in various ways.

Kenya's political history in terms of regionalism, ethnicity and land provides convincing evidence of the interrelationships of these three issues. In 1962, the Regional Boundaries Commission recommended among other things the grouping of some tribes (e.g. the Kamba, Meru and Embu) within regional boundaries, and the separation of others (e.g. the Maasai and the Kamba) that had previously shared administrative units. On the settlement programme, the commission made provision for settlement of Kenyans along ethnic lines, for example, by allocating the land between the Rift Valley and the western side of the Aberdare Mountains exclusively to the Kikuyu. The colonial government had earlier evicted the Kikuyu from what is now Lugari settlement scheme in Western Province to make room for the Luhya, and non-Kikuyu living on the eastern side of the Rift Valley evicted to make way for the Kikuyu (Leo, 1984: 109–111). This shows that the seeds of regionalism as well as ethnic and land conflicts were sown in the eve year of Kenya's independence, germinated and grew during the incipient stages of nation-building and the large tree of nationalism was uprooted at the onset of the country's second attempt at multi-party democracy in 1991–92.

The independent Kenya government inherited from the colonial power the divisive institutions that have been entrenched in the Kenyan society to this day. The institutions have also precipitated overt bias against some ethnic groups and instilled prejudices that seem to be normal rather than unfortunate. Biased treatment of citizens include the identification of the landless who were exclusively the Kikuyu during the land settlement programme and who have been prejudiced to believe that land acquisition was their birth right given their eviction when white settlers alienated their land, and given their contribution to Kenya's independence struggle through the Mau Mau rebellion. Kenya's independence struggle may have begun with a rebellion but it was certainly accomplished by political negotiations in which the Luo, Luhya, Kamba, Mijikenda and

other Kenyan communities contributed immensely while the other freedom fighters languished in jail.

The two independence regimes in Kenya have perfected partisan politics and partisan division of the national cake even if this is baked by Kenyans of all walks of life. During the Kenyatta regime (December 1963–August 1978), the Kikuyu dominated the country's political and economic life. They were dominant in the cabinet, in the civil service at all the rungs of the civil service hierarchy, in the economic sphere, especially banking and financial institutions—indeed, in everything political and economic. All other Kenyans, their qualifications and experience notwithstanding, were relegated to be servants of the policy and decision makers who were invariably Kikuyu. The same trend continued during the Moi regime (since August 1978), but with some exceptions. Unlike the Kikuyu, the Kalenjin had inferior educational qualifications, less experience and occupied less significant positions at the time of Moi's inauguration. Over the years, they have attained better education, trained in varied skills and have been deliberately promoted to positions which they do not necessarily deserve. Therefore, the Kalenjin see the Kikuyu as the challenger of the first resort in the country's political and economic domination. Evicting them from Rift Valley through ethnic clashes was probably a strategy, which the Kalenjin adopted to work in their favour. Eviction of all other ethnic groups—the Luo, Luhya and Kisii—was either to camouflage the Kalenjin's sole intention to target the Kikuyu or to demonstrate to all the groups that power was now in their (Kalenjin's) hands. These are hypotheses worth testing in future studies on ethnic tensions in Kenya.

5.3 *World Economic/Political Order*

During Kenya's land settlement programme, the (World Bank, 1961) played a key role in land deals and transfers. It assessed the quality of agricultural land; wrote a detailed report on land development and settlement, which influenced the work of the Land Development Settlement Board (LDBS), later the Department of Settlement; and cautioned against the Kenya Government's "small holder scheme" that would most likely provide an outlet for less desirable types of settlers. In the end, the World Bank financed land purchases to facilitate orderly transfers. As the new farmers settled to work, the

World Bank later changed its apprehensive stance on realising the benefits of small-scale agriculture (World Bank, 1961).

Since the mid-eighties, Kenya, like all other developing countries, has felt the weight of the world economic order, which subsequently took on a political dimension. For instance, the Bretton Woods Institutions—the World Bank and the International Monetary Fund (IMF)—since the mid-eighties prevailed upon the country to adopt economic reforms within the broad framework of the Structural Adjustment Programmes (SAP). The major economic reforms include trimming the size of the civil service which involves retrenchment of workers through the “golden hand shake” on early retirement; privatisation of parastatal organisations and formerly public sector institutions; and decentralisation of development management. These institutions and other donor agencies have recently put tags such as “human rights record”, “transparency and accountability”—ingredients of good governance—to aid thereby withdrawing from funding many aid-and grants-supported development programmes. These have triggered economic disempowerment, which often triggers political instability, which in turn and precipitates conflict.

The strictures by the Bretton Woods Institutions have dealt such a serious blow to the Kenyan economy that those privileged to be, or who rub shoulders with those in power, have had to hold tightly to what they have looted. What emerged as ethnic conflict could very well be a class struggle on the political as well as economic plane, overt to its perpetrators and concealed from the masses. It might be the outcome of the drastic changes in the world economic/political order and its dramatic effects on national economic/political order.

5.4 *Regional Political Instability*

Political instability that is rampant in many African countries, including Kenya's neighbours, has yielded lessons which have tended to influence perceptions, attitudes and practices of once docile and peace-loving Kenyans. For example, political strife and civil wars in the neighbouring Horn of Africa (Somalia and Ethiopia) and the Great Lakes region countries (Rwanda and Burundi), while yielding discouraging lessons, might have demonstrated the extent to which even minority groups could contain the majority through organised crime,

ambushes, civil wars and so on. In any case, many of the nationals of these countries immigrated into Kenya, some of them such peace-averse syndicates that could easily sponsor or cause chaos. Museveni's Uganda, undergoing rehabilitation after fifteen years (1971–1986) of political turmoil and decadence, provides hope for Kenyans looking forward to political change which they seek through the ballot box rather than the power of the barrel whose destructive effects have been acknowledged in the region. In 1997, Kenyans became even more hopeful following the overthrow of Mobutu Sese Seko in May of the same year, resulting in the Kenyan Press referring to their president as “Moibutu”, that is, Mobutu and Moi both wrapped in one being. With their hopes frustrated, Kenyans adopted confrontation with the government, precipitating serious episodes of conflict.

Clearly, examples of instability in Kenya's neighbours are lessons Kenyans loathe. Kenyans are a people who love their country, who agree to disagree without tearing the country apart and who are determined to preserve peace at all costs. As a Luo saying goes, *chiro ka chiro ni gi janeko ne* (which translates as “every marketplace has its mad person”). Without proper monitoring of immigrants, including criminals, which the country has received over the last three decades, there is likelihood that immigrants could poison the minds of mad men/women in some market places and towns to engage in violence as a means of settling scores. That would certainly fail, as did the ethnic clashes, which were anything but spontaneous. The history of immigration all over the world has shown that immigration countries are at risk whenever they host large numbers of foreigners (migrant labour including self-employed persons, refugees and asylum seekers) without judicious scrutiny of their backgrounds and records and without thorough and constant monitoring. This is not to assume that Kenyan immigration authorities did not do these; rather, it is to urge the authorities to do that through both orthodox and non-conventional approaches. Adelman and Suhrke's (1999) edited book, *The path of a genocide: the Rwanda crisis from Uganda to Zaïre*, contains well-researched papers that point to the Tutsi's well-organised scheme to achieve their ambition of settling scores with the Hutu as well as those who supported the latter. Therefore, analysis of ethnic conflict in any country within the so-called Greater Horn of Africa—which spans the Great Lakes region states, the three traditional East African states and, the Horn of Africa states (based on

some USAID projects)—cannot afford to avoid happenings in this large region even if they are confined to only one country.

The exogenous variables analysed in this chapter help to illustrate how external factors have influenced ethnic and other conflicts in Kenya. They show the extent to which ethnic conflicts of the early nineties are rooted in Kenya's political history, its changing economic conditions and the inability of the Kenya government to exercise transparency and accountability in its administration of the country. Has the government been playing games to which the citizenry has fallen prey? The next chapter attempts to provide some answers to this important question.

CHAPTER SIX

NATIONAL HISTORICAL, POLITICAL AND DEMOGRAPHIC FACTORS

Throughout Kenya's post-colonial history, cultural affinities, local social issues and economic interests have originated and sustained ethnic conflicts. Gertzel (1970: 91) cites three instances of these. In the days of KANU-KPU politics, the Kalenjin joined forces with the Kikuyu on grounds of the shared cultural imperative of male circumcision, as opposed to the uncircumcised Luo; in the tea estates where many Luo labourers worked, the Nandi (a Kalenjin group) had poor relations with the former against the background of their pre-colonial traditional conflicts over land and cattle thefts; and all manner of social and economic issues were translated into ethnic terms). The Maasai and the Kipsigis (Kalenjin) also fought over stock thefts and increasing invasion of Maasailand by the latter. In the first Parliament (1963–1968), two Parliamentarians traded accusations about which ethnic group caused clashes along their borders. While Alexander arap Bii, a Kipsigis (Kalenjin), accused the Maasai of attacking the Kipsigis in Emarte and Esoit Naiborr where they took up land, J.L.N. Ole Konchella, a Maasai, accused the Kipsigis of aggression (Gertzel et al., 1969: 38). The truth as to whether land or cattle were at the centre of the serious ethnic conflict is not quite clear. Yet, these were localised and less volatile conflicts, which did not measure up to the ethnic conflicts in the nineties, but which ushered in sustained poor relations on the political scene, constrained economic activities and widened social gaps wherever they existed.

The conceptual framework (Figure 1) identifies a number of intermediate variables. But as no empirical research has been undertaken to unravel determinants of ethnic conflicts in Kenya, this chapter relies on existing literature, which points to four main factors: geo-political factors, politically oriented historical factors, partisan state intervention, other plausible factors and population issues, including spatial as well as urban-rural distribution of population and internal migration. Apart from articles in journals and books by human rights scholars and institutions, UN agencies and NGOs, newspapers pub-

lished in Kenya in 1991–1995 and 1997 carry dreadful stories of conflict, some of them tracing events back to the colonial days when seeds of discord were sown (see Tables 5 and 6). The chapter has drawn considerably from these sources, notwithstanding sensational reporting that characterises newspaper reports in particular.

6.1 *Geo-Political Factors*

Three main factors are at play in the geo-political realm: geography, territoriality and politics. The section briefly examines each of them.

First, geography (physiography and climate in particular) has shaped the country's physical and biological environments, which in turn account for its disparate endowments (e.g. farmland and pasture for livestock) whose ownership or control have often sparked off conflict. In some instances, environmental problems—such as floods, drought and famine—have driven some ethnic groups to the territories of other ethnic groups, precipitating conflict between them.

Second, territoriality—administrative or ethnic, both of which are coterminous in Kenya's provinces and districts—has led to implicit (at times made explicit) zonation of the country, paving way for regionalism and regional or ethnocentric sentiments which generally explode into conflict whenever any two ethnic groups disagree. On several occasions, some Kenyan politicians have survived on fomenting regionalist feelings among their constituents without considering the consequences of such expressions for conflict-predisposing responses from the message recipients. Politicians in Rift Valley Province, as this section will show, have adopted this approach on several occasions, plunging the country into considerable difficulties, not least placing it on the brink of civil war.

Third, the country's political systems, shifting from a brief multi-party system in the period 1963–69, to one-party system which the country adopted for a large part of the independence era (1969–1992) and changed again to multi-party democracy from 1993, have provided a recipe for conflict. Ethnic clashes in Kenya around 1991–93 started immediately before and continued during the multi-party democratisation process. Evidence points to the fact that these clashes were by no means accidental; rather, they seem to have been the last bid by opponents of multi-party democracy to try and prove the

point that the country, sharply divided along ethnic lines, was not ready yet for the system, and that the system could not work. Kenya's oft-quoted contrasts have been noticeable in the mosaic of political groupings that have emerged in the era of multi-party democracy, groupings that have clear ethnic complexion.

Regionalism and Politics: An Elaboration

It is important to stress that Kenya became independent under a quasi-federal constitution that attempted to reduce the effective power of the central government by strengthening the regions. This "Majimbo" constitution established a bicameral legislature and a series of regional legislative and administrative bodies designed to protect the minority party's (KADU) scattered bases of support (Okumu, 1984: 51). The constitution provided for Regional Assemblies, which were "Provincial Parliaments" at which regional representatives delved into purely region-specific issues. Introduced in the wake of the Regional Boundaries Commission, Regional Assemblies inadvertently institutionalised tribalism and were centrifugal forces as opposed to the Parliament or National Assembly, which was a centripetal force. The national legislature comprised the House of Representatives and the Senate, with the latter abolished in 1966 at the same time, as were Regional Assemblies. Among other things, the Regional Boundaries Commission's recommendations precipitated boundary disputes between neighbouring regions (provinces), districts and ethnic groups. Some of the disputes led to ugly criminal incidents such as arson; conflict over land between agriculturalists and pastoralists; and political instability, incessant or recurrent. Selected cases will amplify problems pertaining to regionalism and politics as far as they have caused conflict in Kenya.

Available literature shows that *majimboism* (an English form of a Swahili word for regionalism in Kenya) is the artefact of Great Britain, the former colonial power (Throup, 1987; Furedi, 1989, Kanogo, 1989). In the heat of ethnic clashes, at the turn of the nineties, Ole Kantai (1992) traced majimboism to the days of colonial rule. He rejected the popularly held view that there was a connection between regionalism and pluralism and those proponents of the view had revived it "out of fear and uncertainly about their ability to survive opposition or any other political competition in their own constituencies". The rationale for this rejection is that in the

heyday of majimboism, "the country harboured, entertained and had the capacity to accommodate divergent tribal and racial shades that constitute Kenya's colourful political and social mural and simultaneously to hold together as a cohesive nation". At the heart of majimboism is land, for, as Ole Kantai (1994) puts it in the *Daily Nation* of 16 July 1992:

whoever controls land in Kenya can be said to control the nerve centre of political power. And if one group can wrest the control of land from the other groups and monopolise it, that group will dominate the other groups. It is for this reason that the Maasai, for instance, had reigned supreme over the present day the Rift Valley, the main area of contention during the tribal clashes.

There could be no better illustration of the correlation between land politics in Kenya and for wrong claimants (the Kalenjin and the Kikuyu) to the areas in dispute during the clashes. Selected statements by anti-majimbo politicians in Kenya's dailies as well as monthly magazines in December 1993 through October 1994, do suggest that majimbo could dismember Kenya, a nation which, unlike many African countries, has enjoyed the longest episode of relative peace and tranquillity in the post-colonial era. Some of the opponents of majimboism included the leaders and activities of opposition parties, religious leaders and those who cherished Kenya's unitary system of government, in reaction to their counterparts. The following samples of political statements opposing majimboism are self-explanatory:

- Ngengi Muigai, Democratic Party (DP) activist: "Proponents of majimboism are targeting the Kikuyus for eviction and massacre" (*Daily Nation*, July 31, 1994).
- Hon. Raila Odinga, M.P., FORD-Kenya Party: "Those calling for majimboism are confused. In fact, we can equate their call as akin to black apartheid, because they are not talking about federalism in the modern form, as we know it. They are calling for ethnic cleansing. They are for ethnic balkanisation of the country" (*Daily Nation*, August 14, 1994).
- Njenga, DP Kiambu Branch Chairman: "The calls for majimbo are nothing but an expression of selfishness of some leaders from the Rift Valley" (*Standard*, July 7, 1994).
- Hon. Kamaru, M.P.: "The aim of majimbo crusade is to ensure the presidency remains in the Rift Valley after President Moi retires" (*Daily Nation*, October 9, 1994).

- Harun Lempaka, Ford Asili: “Majimboism will never work. As . . . we are a Kenyan nation . . . it is not good to start federalism. I was there before independence . . . You may at the same time ask me about GEMA (Gikuyu Embu Meru Association) . . . The GEMA communities feel they have been pushed to a position that makes them want to regroup and look for identity, for our own recognition let us be one of our own . . .” (*Sunday Nation*, 24, 1993).

It should be realised, however, that the first call for a majimbo constitution goes back to September 1991 when Kalenjin politicians announced their vehement support for it at a political rally in Kapsabet, Nandi District (See Table 6). Those politicians and their cronies in Coast Province have persisted in their call since then.

Yet, these criticisms of majimboism did not deter its proponents, a sample of whose statements tell the whole story:

- Hon Sharif Nassir, M.P. and Assistant Minister, a KANU stalwart and chairman of the party’s Mombasa Branch: “Mr. Kamotho (KANU Secretary-General) opposes majimboism in order to continue protecting the economic interests, social privileges and dominance his people enjoyed in the past and which he would obviously like perpetuated at the expense of underprivileged minorities”, (*Standard*, July 7, 1994).
- Hon. Kipkalya Kones M.P.-KANU and Assistant Minister in the Office of the President. “the system (majimboism) will ensure equal opportunities in social economic spheres and will check the domination by some communities on others” (*Standard*, October 9, 1994).
- Hon. Nicholas Biwott, M.P.-KANU Party: “Majimboism system of government would bring governance close to the people, unlike the present unitary system where issues affecting different parts of country are legislated on unilaterally. Majimboism will ensure that each region decides on its needs and priorities at a local level. Federalism would enhance accountability and remove friction among various tribes” (*Daily Nation*, December 19, 1993).
- Hon. William Ole Ntimama, M.P.-KANU Party and Minister for Local Government: “Democracy . . . means that you consolidate democratic principles at the local level before you really get established on the national level . . . I think this word majimbo stinks but it means a confederation of groups of people . . . but some

local people should have the right to make their own decisions” (*Sunday Nation*, 24, 1993).

To these proponents majimbo denotes “ethnic regionalism” in which a region would have only the indigenes or natives, forcing the so-called aliens to return to their regions of origin. Nothing could be more absurd and naive. Indeed, rarely take on this form. Rather residents in a state or province of a federal state choose to be where they prefer and they can change residence as that suits them.

The two sets of diametrically opposed views by people with political clout, leading politicians who make policy decisions in the legislature for implementation by the executive and overseen by the judiciary, all of whom had taken sides in the debate, go to demonstrate two things. Either Kenya is a divided nation or politicians do make their own selfish statements at the expense of the people they purport to represent. It would appear that pre-independence political engineering surrounding regionalism resurfaced during the majimbo debate in the years immediately preceding multi-party elections, with KANU taking the position or occupying the saddle of the defunct Kenya African Democratic Union (KADU) which was a party dominated by minority groups. Unfortunately, the majimbo debate raged when the post-*uhuru* (independence) population—the silent majority—sat outside the corridors of power to ever participate in it. The Kenyan youth must have wondered why all of a sudden the majimbo debate was sacrificing unity, which the country had enjoyed for several decades.

The two perceptions of majimboism were contradictory and nursed an ensuing political situation “that provided an ideal recipe for ethnic animosity and conflict” (Ogot, 1995; 250). Yet, they dominated the political scene in Kenya in the wake of ethnic clashes that occurred in different parts of Rift Valley and Western Kenya in 1991–95 (see Figures 1 and 9). It is clear from the foregoing that the coming of multi-partyism could not convincingly explain why conflict and ethnic clashes rocked Kenya after her first twenty-eight years independence of peace and tranquillity. Rather, political leaders used political machinations and incitement of the common man, as a strategy to spark off ugly incidents, which, to those who know Kenya very well, read like fairy tales.

The Kenya Government (meaning the ruling party and its functionaries in the executive) has not been saved the blame either.

Allegedly, the government (read KANU) armed the raiders (e.g. providing bows and arrows as well as using security forces or militia) and empowering political thugs to terrorise anti-establishment ethnic groups. The Parliamentary Select Committee on clashes and the UNDP reported in the *Standard* of June 6, 1992 the transportation of the Kalenjin warriors to Molo area of Nakuru district simply to fight the Kikuyu and cause chaos. This was a follow-up to ethnic alarm and anonymous leaflets that in January 1992 had warned non-Kalenjins to leave their homes in the Rift Valley: in Bahati division of Nakuru district, in Muhoroni area in Kisumu district, and in parts of Kericho district. The Kalenjin irredentists were determined to evict non-Kalenjins from their traditional land. For details, see Tables 5 and 6.

6.2 *Politically Oriented/Historical Factors*

Historically, land and ethnicity were at the centre of Kenya's colonisation, struggle for independence and strife in the post-colonial era. In the colonial period, fertile land was alienated in the Kenya Highlands which were settled exclusively by the white farmers after systematic eviction of indigenous Africans who were pushed to the African Trust Land Units (Native Reserves) that were condemned to subsistence agriculture until 1954 when the Swynnerton Plan permitted Africans to engage in smallholder farming in commercial crops. Kenya's political struggle for independence pivoted around the call for its own traditional owners, which implied wrenching it from the colonisers. The second historical factor is the land settlement programme immediately before and after Kenya's independence in 1963, which sanctioned both land transfers from the white settlers to the new Kenya Government to settle landless people, and land purchase on a "willing buyer-willing seller" basis (see a detailed analysis in Chapter 7). Yet, empirical evidence shows that the land settlement programme in settlement districts such as Nyandarua district in Central Province and Nakuru, Kericho and Uasin Gishu districts in Rift Valley Province benefited the Kikuyu more than any other single ethnic group in Kenya.

The Kikuyu, given their political leadership in the period 1963–1978, were favoured as the landless and their economic muscle enabled them to purchase land either exclusively as individuals or through

land-buying companies. Obviously, the apparent invasion of Rift Valley Province by the large and rapidly increasing Kikuyu population drew the wrath of the much fewer Kalenjin who are indigenous in the province. For about three decades the land question and ethnocentrism simmered, eventually exploding in the form of ethnic clashes, which dented the country's longstanding unity, disturbed its peace and tranquillity, rocked its constitution and undermined its once coveted human rights record. For the first time since its independence, Kenya experienced forced migration, more correctly the flight of internally displaced persons (IDPs) from their usual place of residence. Finally, in a country of physical and human diversity, it is necessary to examine the place of socio-cultural issues on ethnic conflict. In both demographic and socio-cultural terms, the diversity obtained in the country's population composition whereby its tribes belong to three ethno-linguistic groups. The Bantu inhabit the western, central and coastal parts of the country; the Nilotes (lacustrine, plain and highlands) in the Lake Victoria occupy lowlands/uplands and in Rift Valley Province; and the Cushitic speakers inhabit parts of Eastern province and all districts in North-Eastern province (see section 2.2). Despite the past political alliances that have worked to a point, socio-cultural sentiments have often overridden political co-existence and put the country on the threshold of ethnic strife.

6.3 *State Intervention*

In a country where one and the same party—the Kenya African Union (KANU)—had entrenched its brand of one-party rule for several decades, it is not surprising that the government had a skewed development agenda. Depending on how it perceived its support in different provinces and among ethnic groups, the government implemented a skewed development programme whereby it preferred parts of the country to others. The disparate pattern of development has remained virtually similar to that inherited at independence (Soja, 1968), with the politicisation of development planning injecting some dramatic changes. Even the theoretically attractive decentralisation systems such as the “growth centre” approach of sixties and seventies or the District Focus for Rural Development (DFRD) strategy of the eighties, only made the rich regions better off and the poor regions slide into deeper poverty. When in the (multi-party) post-

elections period the government (party) in power threatened to develop only districts that supported the ruling party in the elections, it merely made public the obvious prejudices or biased expressions to which the underdeveloped regions had become accustomed. As districts in Rift Valley magnetised development at the expense of those outside the province, scramble for the scarce resources became more intricate, manifesting itself in ethnic clashes and other forms of conflict.

Another factor has been state security partisanship/intervention whereby the state security apparatus are applied discriminatively to favour some ethnic groups and to intimidate other groups in the course of conflicts or violence. There have been allegations, and in some cases evidence, of how perpetrators of ethnic conflict armed the Kalenjin to attack other groups who had “invaded” their “territory”. The Kenya government has not come out clean in this allegation, and perhaps never will.

6.4 *Other Plausible Factors*

Other factors would seem to have contributed to ethnic conflicts in Kenya. These include boundary disputes between neighbouring ethnic groups, the various groups’ advocacy of regionalism or sectionalism, economic factors and blatant criminal behaviour of some ethnic groups or individuals within them. Highlights are made of these factors.

Boundary Disputes

Clashes that were engulfing virtually the whole country made ethnic groups along common borders engage in boundary disputes, which often triggered conflict. In Nyanza Province, a boundary dispute arose along the border of Kisii and Migori (formerly part of South Nyanza) districts in early 1996. Not until the government deployed the dreaded paratroopers—the General Service Unit (GSU)—was the situation contained in the area. What was at stake in the Kisii-Luo conflict? There was controversy about 41.5 hectares of land which lies in Kisii district since the demarcation of boundaries in 1971. Allegedly, the Luo who claim that piece of land had never accepted the post-1971 boundary. Although there had been violence between the two neighbours before this recent incident, it had not been as heightened as this time around. This time

around, the government, through both the state invention machinery and the involvement of elders from both groups in peacemaking talks, managed to prevent a potentially deadly conflict.

De facto Majimboism and Ethnocentric Districts

The Sabaot who live on the border of Kenya and Uganda, around the slopes of Mt. Elgon, clashed with the Bukusu not over land or political differences, but apparently because they wanted to assert their distinctiveness in order to eventually have their own district. Historically, the White settlers evicted the Sabaot from their original home in Trans-Nzoia district around Kitale. They were pushed into the forests around Mt. Elgon where, like many other Africans—the Nandi and the Kikuyu, for instance—they became squatters in a “foreign” land of the Bukusu who forced the Sabaot to work for them. In the race towards multi-party politics, the Sabaot sparked an already volatile situation, in the end convincing the KANU government to carve a Sabaot district out of the former Bungoma district. The Sabaot move became instructive for other ethnic groups desiring ethnocentric districts in the country: the Kuria, Basuba, Mbeere, Teso and so forth. Clearly, these were simply cases of sectionalism rather than majimboism as the first two sought “independence” from the Luo, the Mbeere from the Embu and the Teso from the Luhya.

As these ethnocentric districts try to safeguard their “independence” of the larger districts of which they had been part—South Nyanza (later Migori), South Nyanza (later Basuba), Embu and Busia respectively—they are likely to create conflict-predisposing circumstances in future. The relationship between what ideally should be partners in development could be correct, the larger districts often blamed for “imperialistic tendencies” and the larger ethnic groups for underdeveloping the smaller ones. There is a sharp division of opinion between proponents and opponents of the creation of more districts. On the one hand, proponents argue that subdivision of smaller districts would make the administrative units administratively and developmentally cost-effective, and on the other opponents see the process as a political game whose consequences could be inimical to peaceful co-existence of formerly friendly neighbours who might engage in conflict and violence to settle their scores.

Overt Hatred of Up-country Peoples at the Coast

In many urban areas of Kenya, rural-urban migration has transferred large numbers of rural people, especially from Western Kenya (the Luo and the Luhya), to work in both formal and informal sectors of the economy. For Western Kenya, Kisumu constitutes the destination of short-distance intra-regional migration (Oucho, 1974); Nairobi that of longer-distance migration of both unskilled and skilled labour, employed and unemployed persons; and Mombasa that of the longest-distance migration in which these *watu wa bara* (up-country people) are considered “invaders” of the Coast Province. To the coastal peoples, these in-migrants have marshalled such economic strength that the only way to remove them would be to institute majimboism and thereby drive away those from other regions. The misconception majimboists have been having is that this system of government would rid all provinces of non-natives, leaving the natives to run their own affairs uninterrupted by “foreigners”.

This explains why the Digo of Kwale district chose to clash with the Luo whom they blamed for their economic domination by, for instance, constituting the largest workforce at the local quarries, and why the Giriama of Kilifi district also clashed with and threatened to wipe out the Luo who had been working in Vipingo sisal estates and their environs. Surprisingly, the coastal peoples were never as hostile to the Kikuyu and the Kamba, for instance, who had settled on their land and who were economically more powerful than the Luo. As these events unfolded during the majimbo debate, powerful pro-establishment politicians in Mombasa called for the expulsion of up-country peoples who belonged to opposition parties. However, the raging storm subsided temporarily then. A few months towards the 1997 general election, well-armed coastal peoples attacked up-country peoples, murdering and maiming some of them and destroying their property. Critics pointed an accusing finger at the Kenya government, which has failed to come out clean in that mess. Those evicted had not returned by mid-2001 and it is not difficult to imagine their plight since their eviction.

Criminal Behaviour

In a situation where the once-united state of Kenya was drifting between ethnic clashes leading to loss of life and property, some groups of people took advantage to foment crime. For example, in

November 1990 the Pokot terrorised people in Elgeyo-Marakwet district (their Kalenjin cousins) through cattle rustling. Another incident occurred in Buru farm in Kericho district where suspected cattle rustlers descended on the farm, taking with them a large herd. On Thessalia farm on the border of Nandi and the Luo, a similar incident sparked off ethnic clashes; up to the end of the last century, they remained displaced and under the care of well-wishers. In Kwanza division of Trans-Nzoia district, there were some ugly incidents of clashes, including cattle rustling. In July 1995, two neighbouring tribes in Marsabit district involved in fighting which also triggered livestock thefts, arson and damage of crops; clashes between the Burji and the Rendille took this form, with local politicians peddling rivalry between administrative divisions and taking advantage of longstanding hatred among the communities to try and win votes. The country was in the mood of conflicts, some of them having nothing to do with ethnic animosity.

To recapitulate this analysis of evidence of conflict in Kenya, it suffices to stress that in the first three years of the nineties Kenya was on the brink of a civil war that would have obliterated everything that the country had gained in the independence era. Fortunately, Kenyans have a way (or is it an instinct?) to vent their disagreements and anger through bitter quarrels and even skirmishes, but not to let these graduate into uncontrollable civil unrest and civil war. It would appear that the wounds of the Mau Mau rebellion and the fact that Kenya remains the island of peace in a region that has known untold suffering because of civil war and guerilla warfare, have connived to make Kenyans save their beautiful country from chaos, anarchy and total collapse.

6.5 *Spatial Distribution of Population, Internal Migration and Urbanisation*

Kenya's population was a great source of concern to the colonial government and engaged the attention of the nascent independent government which pronounced a national population policy in 1967 even before the country's demographic profile was well understood (Oucho, 1989). Rapid population growth generated population pressure on the land, unemployment and posed significant challenges for the national economy. This section examines spatial distribution of population, internal migration and urbanisation, focusing on their

bearing on ethnic conflicts in the country. It concludes by examining the contradictions of the Rift Valley in terms of in-land out-migration during different historical epochs.

Spatial Distribution of Population

In Kenya, as in many Sub-Saharan African countries, the population factor underlies conflict and violence. Two districts in Central Province of Kenya—Kiambu and Nyeri—have large, rapidly growing populations who generally have been out-migrating to the sparsely settled neighbouring districts in Rift Valley with much smaller populations. In terms of population composition by ethnicity, other ethnic groups have taken the dominance of the Kikuyu unkindly, particularly because the ethnic group has used it to entrench its political position and to assert its economic power. However, the mere presence of the Kikuyu outside their home district does not necessarily constitute a source of worry. Rather, it is the permanence of their move, as opposed to the migration of the Luo and Luhya—often workers who ultimately return to their home areas after their sojourns, thereby not drawing as much wrath from their host communities as do the Kikuyu.

Kenya's geography has also determined the spatial distribution of population (see Table 1 and Figure 8). The hot, wet Lake Victoria Basin constitutes the largest population cluster made up of three dominant ethnic groups: the Luo, the Luhya, the Kisii as well as smaller ethnic groups. In the temperate, wet central part live the Gema stock of Gikuyu (Kikuyu), Meru and Embu, the last two having the Tharaka and Mbeere who resent being lumped in the groups. The smallest cluster is in the coastal belt with hot, wet conditions. While all districts in Central province are so densely settled that they exhibit the classical case of population pressure, most districts in Rift Valley province illustrate the sparse distribution of Kenya's population. This explains why the latter became the centre of the land settlement programme, which redistributed the country's population, pitting the redistributed population against the indigenes.

Ominde's (1968) seminal work on spatial distribution of Kenya's population in the process of internal migration against the background of land potentiality provides details for those who wish to understand population-land relationship and appreciate the demographic perspective of conflict. It set the stage for subsequent studies

on internal migration in the country. The next sub-section explores this subject.

Two Decades of Internal Migration: The Rift Valley In-migration Stream

Analysis of the 1979 population census of Kenya has shown that apart from Nairobi, Rift Valley is by far the most important in-migration province in the country (Oucho, 1988). The Kalenjin and the Maasai who live in the province therefore consider in-migrants as temporary residents who must return to their areas of origin after their sojourns. The farm labourers who still maintain strong links with their origins acknowledge this fact, but not permanent residents like the Kikuyu who had severed such links with their areas of origin.

In the two decades 1969–1989, the ethnic composition of Rift Valley province as well as of the major in-migration districts therein shows a clear dominance of the Kikuyu compared with the non-Kalenjin and the Maasai (Table 7). The proportion of the Kikuyu increased steadily in the province in general and in Laikipia and Narok districts in particular; it declined consistently in Kericho, Trans-Nzoia and Uasin Gishu districts; and it more or less stabilised in Nakuru district where the Kikuyu far outnumber the Kalenjin. Second, while the proportion of the Maasai has been increasing consistently, though insignificantly, in Rift Valley province in general and Laikipia districts particularly, it has been decreasing in both Kajiado and Narok districts in which the ethnic group is indigenous. These are the results of in-migration whereby the Kikuyu have come to dominate Laikipia, Nakuru and Narok, the last two emerging as the arena of ethnic clashes of the early nineties. The Luhya dominate Trans-Nzoia district where clashes occurred between the Luhya and the Kalenjin in the same period. Chapter 7 provides additional information on inter-district migration.

However, the above analysis should not give the impression that all migration from one ethnic community or ethnocentric district to another provided a recipe for conflicts. Migration triggered other events that conspired to cause conflict. In a study of migration of the Marigoli of Western Province to South Nyanza district in Nyanza Province, over 200 kilometres away, Migot-Adholla (1975) found that while the Maragoli maintained their cultural identity, they lived in peace with the Luo whom they found in Kanyamkago area of the district. That the 1989 population census reported 30,406 Luhya

in South Nyanza District (Kenya, 1994: 6–31) or 2.8 percent of the total population confirms the importance of Luhya in-migration in the district. In fact, the number of Maragoli who have been in the area since the fifties has increased to such an extent that they have representatives in the local council (not necessarily representing the ethnic group only) and have had some of their lot contesting for the local Parliamentary seat. The same was the case of the Bukusu of Western Province who resettled in Trans Nzoia district in Rift Valley Province, and who had a peaceful co-existence with the Kalenjin until ethnic clashes were orchestrated in the district in the course of multi-party elections fever. Another example is the constant settlement of the Kikuyu in Maasailand through inter-marriages and mutual agreements long before and ever since Kenya's land settlement programme of the sixties and seventies.

We have argued earlier that migration alone has not necessarily pitted ethnic groups against each other for competition over land ownership or political control in Kenya. Rather, it is a bait, compounded when considered along ethnic lines, which politicians have always used to trap emotional sentiments of their supporters whom they instigate to redress their grudges by whatever means are at their disposal.

Analysis of internal migration, particularly into and out of the Rift Valley of old (the Southern Province towards independence) and since independence is clearly incomplete without considering contradictions of this region. The next sub-section, therefore, examines at greater length how voluntary in-migration and forced out-migration have been persistent contradictions of the Rift Valley from the colonial period.

Contradictions of the Rift Valley: Voluntary In-migration versus Forced Out-migration

Although all provinces in Kenya fall neatly within two compensatory mobility states, net in-migration and net out-migration, Rift Valley Province has consistently exhibited two contradictory features since the colonial period. In both colonial and independent-era epochs, the region has been on the one hand the most important in-migration destination of migrants from other provinces, notably Nyanza, Western and Central and on the other the source of forced out-migration of internally displaced persons (IDPs). This explains why

conflict has been a constant feature of in-migrants whom the indigenes of Rift Valley Province dislike, undesirable elements that they are determined to remove from their area. The phenomenon does not seem to have made an impression on decision makers, and in particular practising politicians; the stark fact is that Rift Valley Province occupies such a central place in national politics and development that treating it like all other provinces downplays this attribute. To stress this point, we provide evidence on the contradictions of the Province.

In-migration of Farm Labour and Eviction of Squatters in the Colonial Period

Literature on Kenya's land, political and labour history is replete with evidence on the contradictions of voluntary in-migration and evictions in the Rift Valley. During the colonial period when the "White Highlands" was a beehive of agricultural activity, farm labour was initially forcibly recruited and later moved voluntarily to work on the large-scale farms. Among the farm labourers were some (e.g. the Luo and the Luhya) from Western Kenya who had adequate pieces of land for subsistence agriculture and others from Central Province (exclusively the Kikuyu and parts of present day Western Province) who were repelled by land shortage in their home areas. The Kalenjin and the Maasai, who are indigenous in the Rift Valley, never constituted a sizeable nor dependable labour force in the agricultural plantations, for instance (Oucho, 1981). Previous migration studies in Kenya (Stitcher, 1976; Ominde, 1968; Gould, 1985; Oucho, 1996a) have underlined the circulatory nature of migration from Western Kenya and permanence or indefinite nature of that from Central Kenya. The latter is amplified to provide evidence of voluntary in-migration—forced out-migration scenario in the Rift Valley.

The Native Authority Ordinance of 1912 empowered colonially appointed headmen to arrest and compel Africans to work without pay for at least 24 days in a year. Amendment of this Ordinance in 1920 extended to 60 the number of days for this forced labour (Wolff, 1974: 124). The system was partly reinforced by the "pass" system whose original enactment in 1915 was formally promulgated in the Native Registration Ordinance No. 56 of 1921. It required every adult male African to carry a certificate (pass) in which each employer recorded the time worked, kind of work performed, the wages earned and general comments on the individual and which,

Table 7: Ethnic Composition of Major In-migration Provinces and Districts of Conflict in Kenya, 1969–1989

Ethnic group	PERCENT OF PROVINCIAL/DISTRICT POPULATION*							
	In-migration province/district							
	Rift Valley	Kajiado	Kericho	Liakipia	Nakuru	Narok	Trans-Nzoia	Uasin Gishu
(a) 1969								
Kikuyu	15.4	18.9	5.5	57.4	58.2	3.7	14.2	21.7
Luhya ¹	6.7	1.4	1.6	1.4	8.3	0.5	47.1	15
Kisii	1.3	0.2	4	0.4	1.3	0.6	0.4	0.4
Luo	1.9	1.9	5.6	1.2	7.1	0.7	3.2	2.8
Kalenjin ¹	0.4	0.4	81.7	11.1	12.8	25.7	9.4	53.2
Masai ²	6.8	68.6	0	1.7	1.3	66.5	9.8	0.6
Kamba	0.8	5	0.2	1.3	1.8	0.6	0.4	
(b) 1979								
Kikuyu	18.5	22.6	4.2	64.4	60.8	8.3	10.2	19.3
Luhya	9.1	1.5	1.7	0.9	6.9	0.9	49.3	15.9
Kisii	1.2	0.5	3.6	0	2.4	2.1	2.1	0.8
Luo	3.8	2.1	6.3	1.1	6.9	1.3	2.8	3.8
Kalenjin	48.4	0.6	82.6	8.8	15.6	28.4	28.6	55
Masai ²	7.1	62.	80.1	7.5	0.9	56.1	0.8	0.4
Kamba	0.7	5.9	0.1	0	1.4	0.3	0.5	0.5
(c) 1989								
Kikuyu	19.3	23.7	3.6	67.8	59.7	11.3	9.6	16.9
Luhya	9.7	2.1	1.8	1.1	7.4	1	52.00	18.5
Kisii	2.5	0.7	4.6	0.6	3.5	5.1	2.8	1.4
Luo	3.9	3.1	6	1	7.3	1.6	2.5	5
							Kikuyu	
Kalenjin	46.4	0.5	82.7	7.3	15	30.4	21.3	52.6
Masai ²	7.3	56.6	0	5.5	0.7	47.3	1.1	0.3
Kamba	0.9	0.8	0.2	0.1	1.3	0.4	0.5	0.7

* Percentages given are proportions of the respective ethnic groups in the total populations of Rift Valley and the in-migration districts; the total population include non-Kenyans who, however, account for very small proportions.

¹ An amalgam of several sub-tribes who speak different dialects.

² The correct spelling in Maasai, but the one used in the table is consistent with usage in census reports.

Source: Calculated from 1969, 1979 and 1989 census figures

when lost, made the holder liable for punishment (Wolff, 1974: 116). There was also the imposition of tax, which made it mandatory for all adult male Africans to seek employment. The labour shortage experienced in the wake of World War I (1914–18) forced the colonial officials to expand the labour supply through “actively encouraging” Africans to engage in wage labour recruited by chiefs and headmen (p. 122). So much for a system of labour recruitment that provided a steady flow of farm labour in the commercial farms in the Rift Valley.

How then did the Kikuyu of Central Province become involved in migration to the European farms? How did most of them become “squatters?” And how were they, as migrant labour and squatters, evicted from their new abodes? Brief answers to each of these questions are appropriate.

Simply stated, the Kikuyu took to migrant labour following the alienation of their land by European settlers in the first two decades of the twentieth century. Those who stayed put either became “squatters” or remained confined to economically unviable pieces of land. Three main factors which stimulated out-migration of the Kikuyu were land shortage, taxation of adult males and the chiefs’ oppression; minor factors included the fear of witchcraft, hostile neighbours and family feuds (Kanogo, 1987: 11–13). Naivasha district of 1918 had a population of 9,116, of whom 6,600 or 72.4 percent belonged to Kikuyu squatter families. To entice farm workers, the first white settlers to recruit labour in Kikuyuland promised their prospective squatters large tracts of land for grazing and cultivation. Unlike the contract workers from Western Kenya, the Kikuyu labour-force brought their women and children to the settler farms, and other belongings, which rendered them potential permanent migrants (p. 14). Thus, the Kikuyu labour migrants enjoyed preferential treatment as opposed to their counterparts from Western Kenya who were considered temporary and, therefore, expected to return to their home areas at the termination of *ogirimiti* (Luo corruption for labour “agreement” between employers and employees). However, as we shall show shortly, some of them also became squatters.

Kikuyu migration to the Rift Valley started before World War I. The Nakuru District Annual Report of 1915–1916 shows that of the total population of 5,348, more than half (2,648) consisted of Kikuyu squatters and another 1,800 were farm labourers (Kanogo, 1987:

17). This suggests that 4,448 or 83.2 percent alone worked on the settler farms, the vast majority being Kikuyu.

Yet squatting was not uniquely a Kikuyu phenomenon. Before World War II, there were Kamba, Nandi, Kipsigis, Marakwet, Keiyo and Tugen in Naivasha and Nakuru districts and in the wake of the War emerged Luo, Luhya and Kisii squatters (p. 27). Some of the Kalenjin, like the Kikuyu, were victims of land alienation by European settlers and others were those frustrated by the much-reduced grazing land for their livestock. Nevertheless, squatting had a systematic geographical pattern. The Kalenjin were mainly in the Rift Valley districts of Uasin Gishu, Trans-Nzoia and Elgeyo-Marakwet; the Luo were in Muhoroni-Koru-Londiani area bordering Nyanza and Rift Valley Provinces; the Luhya squatted in Uasin Gishu and Trans-Nzoia districts along the border of the present Western (then Nyanza) and the present Rift Valley Provinces; and in Kericho tea plantations (then in Nyanza Province up to the time of the Boundaries Commission of 1962) were the Luo, Luhya and Kisii. By 1945, in spite of stiff legislation passed to reduce or eliminate squatting, there were 200,000 squatters, 122,000 of them Kikuyu (Leys, 1975: 47), which represents nearly three-fifths of the total population of squatters.

Emergence of the squatter system demonstrates the similarity between Kenya's colonial system and South Africa's apartheid system. The term "squatter", derogatorily referred to as *maskini* (Swahili for "poverty-stricken" or destitute), was offensive and had later to be struck off Kenya's official publications after independence. Colin Leys (1975: 46) puts it cautiously that squatters were sometimes the original inhabitants of the land which had been appropriated by the colonial administration and 'alienated' to a European settler. Indeed, "the term 'squatter', which originated in South Africa, denoted an African permitted to reside on a European farmer's land, usually on condition he worked for the European owner for a specified period . . . [I]n return for his services, the African was entitled to use some of the settler's land for the purpose of cultivation and grazing" (Kanogo, 1987: 10). It is likely that this apparent concession was necessitated by the Kikuyu's love for agriculture and short-distance migration to Naivasha district (present day Nakuru district) in the Rift Valley. The migration of squatters then is very consistent with recent migration shown by post-colonial population censuses: those from Kiambu and Muranga districts moved to Naivasha and Nakuru districts (now Nakuru district), while those from Nyeri moved to Laikipia district (see Table 7).

A problem that soon faced squatters was the requirement for de-stocking, which started with *kifagio* (Swahili word which literally means “broom”, i.e. the “sweeping away” of livestock) (Kanogo, 1987:46). The privileges of the squatters both to keep livestock and cultivate land “given” to them by the settler farmers were consistently eroded over the years; among other things the farmers complained of the squatters’ depletion of the land resources through over-stocking and indiscriminate cultivation without fallow period. Ultimately, the violation of the squatters’ privileges was intended to transform them from part-time labourers to full time wage-labours (pp. 59–61). As would be expected, the tension between settlers and squatters grew thicker from time to time, forcing squatters either to conform or to face eviction by their employers. The 1937 Resident Native Labourers Ordinance (RNLO) inflicted the heaviest blow. It devolved power over squatters from the central government to the settler-controlled District Councils; empowered the European farmers to limit the amount of land under squatter cultivation; eliminated squatter stock; increased the number of working days from 180 to 240 (in Subukia, Rongai and Ravine) and in some cases 270 (in Njoro and Molo/Mau Summit and Solai) per year; and emphasised that as squatters were not tenants, the right to remain in the White Highlands lasted only so long as they worked for a settler (pp. 9–99). Under these circumstances and, no doubt the strangest of conditions, the situation rendered the squatters helpless.

Glimpses of the confrontation between the settlers and Africans appeared in settlers-squatters wrangles. In Olenguruone area of Maasailand which government purchased in 1939 for squatters within the proviso of RNLO 1937 and where many Kikuyu squatters had resided, the government, obsessed with land improvement schemes including conservation measures, put restrictions which ignited defiance by the squatters. Olunguruone gave the Kikuyu a rallying opportunity whereby both the Kikuyu in diaspora (who were resettled in the area) and those in Kiambu where the proscribed Kikuyu Central Association (KCA) had gone underground, came together to confront “the slavery of the white settled areas” (Kanogo, 1987: 106–107, citing KNA Lab 9/10 attributed to G. Simpson, Labour Liaison Officer, Report, 15 May 1945). Thus, the disgruntled elements slowly but surely sowed the seeds of Mau Mau. Although the government relented on noticing the Kikuyu resistance, the rising tide was never to ebb as by 1943–44 the residents of Olunguruone were already administering oath. Among the Kikuyu, oathing or taking an oath

is a means of swearing to act in solidarity. By 1946–47, there were complains of Kikuyu infiltration even in areas which had been occupied by other ethnic groups, and where they had extensive cultivation, not to mention their rapidly growing population.

Enter the Mau Mau, which started with the Kikuyu (squatters) fighting for land in the Rift Valley. As Kanogo (1987: 125) puts it: “People (Kikuyu squatters) in the Rift Valley fully supported the Mau Mau Movement. They hated the Europeans. They had lived next to them for a long time and had seen their mistakes”.

The Olunguruone resistance, membership of the KCA and the emergence of the elitist multi-tribal Kenya African Union (KAU) in 1944 conspired to strengthen African resistance in Kenya. Added to this was the Mau Mau, which was destined to terrorise Europeans wherever they lived—in their farms and in urban or urbanising areas alike. For the moment, we confine ourselves to the Mau Mau and how it triggered eviction of the Kikuyu and aided their return to the White Highlands.

Consistent oath-taking among the Kikuyu reinforced Mau Mau, and having started in Olunguruone it spread to Njoro and Elburgon areas of Nakuru district by 1948 (Kanogo, 1987: 129). Kanogo (pp. 130–1360) disagrees with Furedi’s (1974) contention that Mau Mau started with the squatter elite and petty traders in the Settled Areas of the district. On the basis of her comprehensive research, she considers Mau Mau the outcome of political mobilisation of the masses in the heat of political consciousness. It has also been argued that as the movement spread like bush fire, there were several Mau Maus: it appeared in Nairobi in 1948, in parts of Kiambu such as Githunguri in 1949 (Kershaw, 1997: 220) and elsewhere in Central Province which then encompassed Embu and Meru districts. The eight years 1948–1953 witnessed the peak of Mau Mau and its incredible impact on the White Highlands, and on the Kenyan scene as the militant cog in the wheel of the country’s decolonisation process. The history of Mau Mau has generated such voluminous literature that this book cannot and should not make pretences to relay it at greater length. Suffice it to say, Mau Mau spread among the Kipsigis, Kamba, Luo and Luhya (Kanogo, 1987: 150) thereby becoming a nationalist movement. Large numbers of discontented Kikuyu, Embu and Meru peasants joined the Mau Mau freedom fighters in the forest (p. 162).

We now attempt to answer the last of the three questions, namely how the authorities evicted the squatters who had resided in the Rift Valley. To contain the explosive political situation, the colonial government embarked on a human *kifagio*, this time to evict Mau Mau enthusiasts, mainly the Kikuyu, from the Rift Valley as well as some urban areas.

The New Settlers' In-migration and Displacement in the Independence Era

Chapter 7 details the history of land settlement in the independence era because it is extremely important in Kenya's political, social and economic change as well as ethnic interrelations that it has generated. In the sixties and seventies, this programme triggered in-migration into the Rift Valley and settlement along the border of Rift Valley Province and the neighbouring provinces. Three decades later, a retroactive review of it stimulated heightened ethnocentrism, which among other things displaced the new settlers, setting in motion forced out-migration during changed circumstances in the country.

To the Kikuyu, migration to the Rift Valley for agricultural land colonisation was but a return of the squatters to the White Highlands. It was also an opportunity for the former loyalists (collaborators with the colonial administration), who either claimed to be landless or had the money to buy land or both, to acquire land in the region. In the five years 1955–1960, the Kenya Land Freedom Army (KLFA), comprising the ex-Mau Mau fighters, put pressure on the colonial administration at a time the fire of Mau Mau had been virtually extinguished (Kanogo, 1987: 165). It threatened the colonial administration and later the nascent independent government with having its members return to the forest and continue the war unless they received their dues in free land allocations. By 1971, the total number of the former squatters resettled had reached about 31,000 squatters (p. 175). However, the numbers settled during the land settlement programme appear in several tables contained in Chapter 7.

In response to very high population densities even before independence, the Luhya (the Bukusu sub-tribe in particular) had settled in, and as settlement intensified, the Kisii strengthened their hold of, Trans Nzoia and Uasin Gishu districts, both of which form the “bread basket” of the former “White Highlands”. Like the Kikuyu, they became victims of ethnic conflict of 1991–93.

*Urbanisation: Ethnic Structure and Implications for Conflicts**Urbanisation*

Kenya's Central Bureau of Statistics (CBS) has adopted the United Nations recommendation of using the threshold of 2,000 people in a settlement to designate an urban centre. In the 27 years 1962–1989, the number of urban centres tripled in Central, Eastern, Coast and Rift Valley Province and increased phenomenally in Nyanza and Western Provinces (Table 8a). By 1989, Nairobi metropolitan province accounted for slightly more than one-third of the national urban population, followed by Rift Valley and Coast in descending order. Among the provinces outside the drylands, Western province had the smallest percentage of urban population. Inter-censal (1979–1989) growth rate of urban population was highest in Central Province, followed by Rift Valley province; while the former is attributable to the province's population size and absolute increment, the latter is presumably due to the fast urbanising settlements in the wake of land settlement.

The small size of urban centres other than Nairobi and Mombasa is a blessing in disguise for the absence of ethnic strife in those centres (Table 8b). Because of ethnic mix of the two principal cities, it is relatively easy to sponsor conflict among otherwise a peaceful urbanites or to work on their psyche with a view to making them disagree violently. That was the case when ethnic conflict erupted in Mombasa's Likoni residential area and in some slum areas of Nairobi city towards the 1997 general elections. In regional towns, such as provincial headquarters (e.g. Mombasa, Kisumu, Nakuru, Nyeri, Garissa, Embu and Kakamega), the risk of sponsoring ethnic conflict is that the local groups by far outnumber the groups considered outsiders, tipping the scale in favour of the former.

Table 8: Number of Urban Centres and Distribution of Urban Population by Province, 1962–1989

(a) Number of Urban Centres

Province	Number of Urban Centres				% Change
	1962	1969	1979	1989	1979/89
Nairobi	1	1	1	1	—
Central	5	6	13	19	46.15
Coast	5	8	11	15	36.36
Eastern	7	7	15	22	46.67
Nyanza	2	4	7	19	171.43
Rift Valley	13	19	30	42	40.00
Western	1	2	6	14	133.33
North Eastern	—	—	8	7	–12.50
All Provinces	34	47	91	139	52.75

(b) Distribution of Urban Population by Province

Province	<u>Urban Population Province</u>				Percent of total 1989	Inter- censal growth rate 1979– 1989
	1962	1969	1979	1989		
Nairobi	343,500	509,286	827,775	1,324,570	34.14	4.7
Central	35,047	45,955	128,932	309,821	7.99	8.8
Coast	195,834	283,652	406,991	588,470	15.17	3.7
Eastern	28,746	37,965	233,316	354,359	9.13	4.2
Nyanza	28,068	43,829	207,757	352,527	9.09	5.3
Rift Valley	112,517	148,576	341,696	672,177	17.33	6.8
Western	3,939	10,645	105,743	186,049	4.81	5.6
North Eastern	—	63,486	—	90,724	2.34	3.6
All Provinces	747,651	1,079,908	2,315,696	3,878,697	100.00	5.2

Source: Republic of Kenya (1996) Kenya Population Census 1989: Analytical Report, Volume VI: Migration and Urbanization, Nairobi: Central Bureau of Statistics, tables 5.2 and 5.3, pp. 36 and 7.

CHAPTER SEVEN

THE LAND SETTLEMENT PROGRAMME: A RECIPE FOR ETHNIC CONFLICT?

Kenya's land settlement programme is one of the most important developments in the country immediately before and after independence. It involved long and difficult negotiations between London, the Kenya Government, African nationalists and white farmers. Criticised widely for only benefiting Kenya's elite, it also split the nationalist movement between not only KANU and KADU but within KANU itself (Bienen, 1974: 161). This chapter surveys the history of the programme against the background of land alienation in the colonial period and ends up posing the question whether land settlement was a recipe for ethnic conflict three decades later.

7.1 *Land: Implications of Its Alienation and Settlement*

The centrality of land in Kenya's political and economic history has appeared in such detailed studies that it need not take much space in this book. While in the pre-colonial period land was communally owned by most Kenyan tribes, in the colonial period it was alienated from indigenous peoples by the white settlers who grabbed the Kenya Highlands known as "White Highlands" during that period; to say the least, land settlement was part of the bargain for the country's independence in 1963. Among the Kikuyu, there were different types of land rights, which were neither individualistic nor communal, two over-simplified and misleading interpretations (Njonjo, 1977; Leo, 1984: 31).

7.2 *Land Alienation and Its Implications*

European settlers alienated from the Africans the fertile, well-watered highlands as well as some drier land for ranching, confining the latter to "native reserves"—the so-called Kikuyu reserve, Luo reserve, Kamba reserve and so forth (Leo, 1984: 4). At the same time, the

reserves became the dependable labour reservoirs for the farms created in the highlands. Land alienation had two major consequences. First, it intensified the problem of population density, the Africans whose areas were alienated being confined to smaller areas where they were experiencing population pressure on the land. Kenya's agrarian system resulted not in proletarianisation but "peasantisation" of the forces of production because a substantial majority of Kenyans wanted either to own land or simply to survive (Leys, 1971). Second, land alienation forced some of the landless farm labourers to become squatters on the farms at which they worked. Farm labourers from the alienated areas were in a dilemma whereby they were but transient farm residents as long as their labour *was* required and had no claim to land from which they had been evicted in their areas of origin.

Although the colonial history of Kenya places emphasis on the Kikuyu as those who suffered most from land alienation in the Kenya highlands, other ethnic groups in this physiography suffered the same fate. For example, the Maasai on whose land the Kikuyu had encroached even in pre-colonial times, during colonisation and in the independence era, had a substantial proportion of pastures for their livestock drastically alienated by the white settlers. This land became the large European ranches on which animal husbandry as well as mixed farming thrived. A European-Maasai "agreement" of 1904 which gave the Maasai northern (Laikipia area) and southern (Narok and Kajiado districts) portions was abrogated in favour of the 1911 "agreement" in which the Maasai vacated Laikipia in return of the southern reserve (Leo, 1984: 39). Another ethnic group who became victims of land alienation were the Kamba living east of Kikuyuland. Just as a reminder, Masaku's (now Machakos) in Kambaland was the first colonial headquarters of Kenya before Nairobi, lying a few kilometres from it, assumed that status. Suitable areas of land that the Kamba occupied were "exchanged" with the areas preferred by the white settlers. The third ethnic group was the Nandi, whose strong resistance a British punitive expedition crushed at the onset of colonisation in 1905, resulting in the conqueror's acquisition of some 3,200 square kilometres of the land for European settlement. The acquisition expanded with time. Finally, the Kipsigis lost grazing land in the Sotik area, not to mention the land alienated for tea plantation in the Kericho area (Oucho, 1981). All the land deals were sealed and approved. In a further development in the interest of the

White settlers, the Kenya Land Commission of 1933 approved and sealed all the land deals, to the detriment of the natives. According to the Colonial government's estimate (or shall we say underestimate?), the "White Highlands" constituted 21,000 of Kenya's 356,000 square-kilometre area; some 243,000 square kilometres—two-thirds of the country—is arid area which is settled by nomadic peoples (Leo, 1984: 42). Thus, some 74 percent of Kenya's land area was out of reach of the vast majority of Kenyans, 6 percent made up of white-settled areas and 68 percent of the marginal lands—arid and semi arid land (ASAL).

Landlessness in Kenya is rooted in two events: the squatter system and the colonial policy during the Mau Mau rebellion when loyalists among the Kikuyu received land removed from the rebels. According to the Resident Native ("squatters") Ordinance, there was a government-supervised labour contract whereby "the squatter agreed to work for a specified number of days per year in return the settler allowed him and his family to live on the farm and cultivate a plot of their own" (Leo, 1984: 43). By legitimising the employer-employee relationship in this way, the colonial government put Africans in a disadvantageous position. In a well-researched study, *Land and Class in Kenya*, Leo (1984: 60) paints a graphic picture of how the Mau Mau, which began as a revolt against colonial rule and European occupation of African land, took on the aspect of a Kikuyu civil war, a class conflict pitting Kikuyus with land against the swelling ranks of the landless. When land adjudication and registration became the land tenure policy within the framework of the Land Registration (Special Areas) Ordinance of 1959, the land belonging to the Kikuyu was confiscated and registered in the names of the loyalists. Among the loyalists were over 100,000 "Home Guards" who fought and defeated the Mau Mau at the level of households and ridges, and who divided the spoils (land) of the Mau Mau among themselves (Odhiambo, 1995: 41). For formerly repatriated people resident outside their traditional areas, the problem of landlessness was so acute that it precipitated criminal behaviour, for instance, murders over land disputes. Add to this the squatters evicted from farms in the Rift Valley for being untrustworthy during the Mau Mau, and the situation of landlessness assumes a crisis proportion.

7.3 *Land Settlement and Its Perpetuation of "Divide and Rule"*

As Kenya's land settlement programme has been the subject of considerable research and writing, this discussion highlights only some salient issues. It has been argued that "one of the problems encountered in the implementation of the programme was its inability to accommodate prospective settlers who wanted to take up farming in the home area rather than in another part of the country (Leo, 1984: 82). Thus, whereas the Kalenjin groups, the Luo and the Luhya craved for this, the Kikuyu were "footloose" and could go wherever land was available, its productivity notwithstanding. This explains why the Luo settled in the Nyanza sugar belt in the neighbourhood and the Luhya in both Turbo-Lugari area and Trans-Nzoia district in their neighbourhood. Moreover, the Kikuyu were favoured, first, especially the loyalists and subsequently the warriors who had to be appeased in light of their involvement in the Mau Mau; and during Kenya's first post-colonial regime (May 1963–August 1978) of Jomo Kenyatta which openly favoured the Kikuyu over all other Kenyans: in the land settlement programme, economic opportunities and political domination. The criteria for the new settlers securing land in the settlement schemes were (a) landlessness and (b) purchase through a "willing buyer – willing seller" arrangement.

As can be imagined, prejudice or bias taints the first criterion, for instance the whims of settlement officers, the influence of powerful politicians and so on. In November 1960, for instance, the Minister for Agriculture acknowledged that there were 130,000 landless families in Kenya (Leo, 1984: 62) but fell short of showing their distribution by province. It would, therefore, appear that the landless were those displaced in the process of land alienation during the colonial period, squatters evicted from farms during the Mau Mau and the lucky ones acknowledged thus by political friends or the establishment. Certainly omitted from the category of landless were the landless peoples whose land had exchanged hands from other indigenous peoples to Europeans or who were inherently landless on account of very high population densities, as in Kakamega, Kisii, Embu and Meru districts of the country.

The second criterion—land purchase—gave the Kikuyu a firm foothold in the Rift Valley, sharply divided between the propertied and the propertyless with different inputs into the politics of independence in the 1956–63 period, which led to the Kikuyu (Kikuyu)

reconquest of the Rift Valley under Kenyatta's leadership afterwards (Odhiambo, 1995: 43). Land purchases took place on both individual bases and more significantly through "Land-Buying Companies", for example the 55,000-member Ngwataniro Mukutanio Farmers' Company (Leo, 1984: 185), which was later, riddled with corruption and exploitation of the members by political heavyweights among the membership.

The land issue forms the bedrock on which the distinction between the propertied and the propertyless in Kenya have co-existed. It also explains why the Kikuyu, who benefited more from land transfers than any other single ethnic group in Kenya, have figured prominently in ethnic conflict based on either land ownership or lack of giving considerate treatment to other Kenyans. It would appear that whether a group of Kikuyu had stayed in a non-traditional Kikuyu area for successive generations is irrelevant to de jure claimants of such land. It is the Kikuyu's expansionist tendency, inherent in their land tenure system, that has landed them in problems with other Kenyans: the warlike peoples of Rift Valley and the relatively peaceful but silently complaining peoples of Coast province.

Several factors account for the importance of land in the Kenya Highlands. First, the area was already an established settlement area where independence portended replacement of the White farmers by African farmers. Second, its utility in terms of ranching, plantations and forests had earned it international reputation, which the independent Kenya government wished to sustain. Finally, settlement of the Africans meant appeasing a very bitter group whose land had been alienated against their will, who became squatters and had worked as serfs for white settlers on the latter's racist terms. Figure 10 illustrates the scene of all these.

7.4 *The Land Settlement Programme: A Recipe for Ethnic Conflicts?*

Historical Background

Both colonisation and decolonisation provide significant perspectives of the Kenyan land settlement programme. At the onset of colonial administration, architects of colonialism saw Kenya as an unracial (sic) society (Elliot, 1905; Huxley, 1935) and later as a multi-racial society. The first two decades of the British administration marked

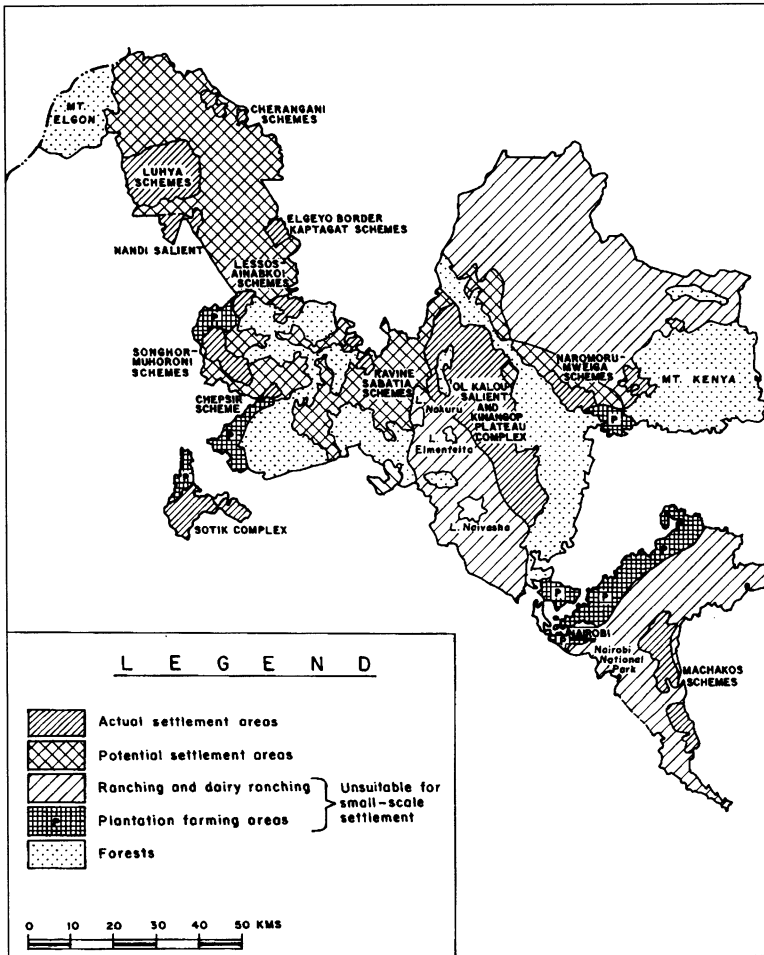


Figure 10: Kenya's Actual and Potential Settlement Areas, Forests and Their Utility

Source: R.S. Odingo (1971), p. 198.

the establishment of firm foundations of land colonisation: by 1915, some 5,275,121 acres (2,344,450 hectarages) of land had been alienated in Kenya, the bulk of it becoming pastoral land (Sorrenson, 1968: Appendices 1 and 2). Issues pertinent in land acquisition included a new set of land tenure as well as land use systems, and determining who could use the land and the manner of its usage (Wolff, 1974: 51). Of a series of Crown Land Ordinances, which institutionalised land alienation for white settlement, that of 1915 had the most far-reaching repercussions because, *inter alia*, it extended the lease from 99 to 999 years, encouraged the establishment of Ex-Soldier (meaning British soldiers from World War I) Settlement Scheme and restricted ownership of land to Europeans. The alienated area became the famous "White Highlands" (later the Scheduled Areas"), confined to a minimum altitude of 5,000 feet or 1,524 meters which had tempered tropical conditions to temperate, very much like the settlers' home country (Morgan, 1972: 210).

In functional terms, the Highlands complex consisted of cropland, ranches or mixed farms of both crops and livestock (Table 9). Several factors facilitated colonial agricultural activity. These included high potential land; agricultural labour through the hut- and poll-tax system, reinforced by a "Master and Servant Ordinance", which bound the African worker to serve under a contract on pain of imprisonment; government services provided; and the most profitable cash crops such as coffee and tea which Africans were prohibited from growing, until the late 1950s (Leys, 1975: 34). Contractual labour was particularly significant in colonial Kenya, having institutionalised the so-called "squatters" since the legislation of Resident Labourers Ordinance in 1918. An agricultural dualism (only paralleled by Zimbabwe and South Africa in Sub-Saharan Africa) emerged, in which European settlement occupied some 716 million acres (290 million hectarages) owned by 3,600 European farmers (Ruthenberg, 1963). The African population grappled with exacerbating population densities in the "Reserves" up to the time of independence whence the land settlement programme ameliorated population pressure only to a limited extent.

During the decade preceding independence in 1963, two notable events injected useful changes to which land settlement was later to relate. The first was Swynnerton's (1954) revolutionary recommendations: that land colonisation and enclosure be effected in areas with high quality land; that "progressive" farmers be considered

Table 9: Geographical and Functional Characteristics of the Scheduled Areas in Colonial Kenya

Area	Geographical Characteristics			Functional Characteristics	
	Altitude (metres)	Annual Rainfall (mm)	Land Holding	Farming Activities	
1a Machakos-Athi Plains	1219-1524	508-762	Large estates	Beef cattle, sisal plantations	
1b Kiambu and Kikuyu	1676-2195	762-1270	Large estates	Dairy cattle; tea and coffee plantations	
2a Southern Rift Valley		508-762	Large estates &	Beef cattle, sheep	
2b Northern Rift Valley		762-1270	Medium estates	Dairy cattle, sheep, pigs, poultry; maize, wheat, barley, oats, sisal, pyrethrum	
2c Kinangop-Dundori	2134-3962	762-1016	Large estates	Dairy cattle, sheep, pigs, wheat, barley, oats, pyrethrum	
3a North Nyeri	1829	381-762	Large estates	Mixed farming; coffee, wheat	
3b Laikipia			Large estates	Mixed farming; coffee, wheat	
3c Laikipia		762	Large estates	Mixed farming; wheat, barley	
4a Molo-Kericho	Up to 3048	1270-1778		Sheep (Molo lamb); Pyrethrum, tea (echo area), wheat, barley, oats; forestation	
4b Miwani	1219		Medium estates	Sugar can (Asian-owned)	
4c Songhor-Nandi Hills			Medium estates	Tea (Nandi Hills and Kaimosi areas)	
5a Uasin Gishu				Wheat	
5b Trans-Nzoia Plains				Maize; coffee (Mt. Elgon slopes)	

Source: Adapted from W.T.W. Morgan (1972), pp. 217-221.

eligible for credit facilities to farm their land and be given title deeds from the changed land tenure in order to provide adequate security; and that African farmers be allowed to grow cash crops that were limited to the Scheduled Areas hitherto. Needless to emphasise, the Swynnerton Plan, its merits notwithstanding, was unwieldy only two years after the Colonial Government proclaimed a state of Emergency (as a result of the Mau Mau rebellion) in Kenya. Its primary focus was reform of the land tenure system, from communal (African traditional) ownership characteristic of the customary tenure to individual ownership, consolidating land under enclosure. The latter was already in place in Central Province by 1960 and much later in the rest of Kenya. In the context of land settlement, the Kikuyu of Central Province were presumably keener than any other ethnic groups on land settlement in order to further their ambitions for individual ownership. Therefore, most of them either became conveniently landless or formed land-buying companies to purchase land on a "willing buyer – willing seller" basis. Thus, political patronage, domination of Kenya's political and economic life and changes in land tenure system conspired to sharpen the Kikuyu's taste for land settlement when it lasted. The second event was the report of the East African Royal Commission 1953–1955, which made even more radical recommendations including removal of all racial and political barriers which inhibited free movement of the factors of production (land, labour and capital) and the recognition of private interests in land (Great Britain, 1955: 366–7). Although the two recommendations were accepted with some modifications to suit the European farmers, they set the stage for an impending land settlement programme intended to formalise greater African participation in agriculture, the mainstay of Kenya's economy. Political analysts contend that the Mau Mau rebellion (1952–1955), whose leading proponents, the Kikuyu, were among those whose land had been alienated for white settlement, accelerated the pace of land decolonisation if not the whole decolonisation process (Rosberg and Nottingham, 1966).

The Kenya land settlement programme was essentially a compromise between the departing British colonial government and the incoming Kenya government, as a smooth transition to independence and as a challenge to the new farmers to maintain Kenya's good reputation in modern agriculture. It was a "bargain" between colonialists and nationalists (Wasserman, 1976: 129) intended among

other things to check and counteract the storm of African politics without economic objectives to improve the lot of rural Africans (Harbeson, 1971: 231). The transfer of land ownership had twin preconditions spelt out by European farmers: that Africans (the incoming farmers) must pay for the land they were to receive, and that settlement must be accomplished as far as possible before independence (Harbeson, 1971: 244). Thus, the white settlers assured their returns before independence, handing over to an independent government all the expenses these preconditions entailed.

Kenya's land settlement programme was an important ingredient in the country's package deal with Great Britain for independence. While some analysts consider it an important mileage in the country's peace and tranquillity since independence, to others it constitutes a recipe for ethnic conflicts that ripped the country in the early nineties.

Objectives of the Land Settlement Programme

The broad objectives of the programme were as follows:

- (i) To "seal the bargain" over the land issue which had precipitated considerable strife in Kenya and which was, therefore, expected to stop further hostilities.
- (ii) To settle the landless, notably the Kikuyu who had been victims of white settlers' occupation of the highlands, and of purging during the Mau Mau Emergency when they allegedly lost employment to other African ethnic groups.
- (iii) To foster a decolonisation process that would ensure a smooth transition towards independence.
- (iv) To maintain and increase agricultural production by allocating land to those with capital and some farming experience.
- (v) To exploit frontier land for national security reasons.
- (vi) To redistribute population from high density to low density areas.

From the foregoing, it may be appreciated that the land settlement programme was largely a post-independence aspect of land reform reminiscing earlier reforms inherent in the so-called African Land Development Organisation (ALDEV) as well as the Swynnerton Plan of 1954, which among other things introduced land adjudication and consolidation in terms of title deeds. The Plan took root in Central Province, awakening the Kikuyu on the virtues of land adjudication

and title deeds, which the ethnic group looked forward to adopting under the land settlement programme. The second objective of the programme implies that the scales tilted toward the Kikuyu rather than other ethnic groups in Kenya. The final objective appears benevolent on face value because it could target the areas settled by the Luhya, the Kisii and the Kikuyu; and that it did to varying degrees.

Typology of Land Settlement Schemes

The settlement areas consisted of two major categories. The first category consisted of land capable of intensive farming, with good rainfall of over 762 millimeters (30 inches) per annum and considered suitable for sub-division into small units—the smallholder schemes. The second one comprised areas with low rainfall below this mark or land of impeded drainage and unsuitable for subdivision into small units—the large scale units (Due, 1970: 597). While smallholder schemes comprised both high density (HD) plots of 7–10 acres, (2.8–4.0 hectares) and low density (LD) plots of 20 acres (8.1 hectares) or more, the large-scale farming units (e.g. two plots of more than 100 acre or 40.5 hectares) included co-operative ranches, assisted (yeoman) schemes, the “Nandi Salient” and compassionate farms. Table 9 presents the types of scheme, their geographical characteristics, eligible settlers and the state of settlements in the incipient stages of the process; Figure 9 provides information on actual and forestry utility of the Kenya Highlands; and Figure 10 shows the main settlement schemes in Western Kenya, Rift Valley Province as well as Central and Eastern Provinces.

1. The Million-Acre Settlement Scheme

This scheme was the first to be established in 1962, the eve year of Kenya’s independence, and was expected to be completed by 1966. Landlessness was the primary reason for selecting a high proportion of these new farmers; those lacking both capital and regular income, indeed two shortcomings that made them start farming in debt almost to the full value of their land and stock.

In the settlement process, greater importance was attached to high-density settlement, which had a higher number of, plots allocated than its low-density settlements (see Table 11). Central Province was by far the most favoured source area for high density while Rift Valley Province assumed greater importance in low-density settle-

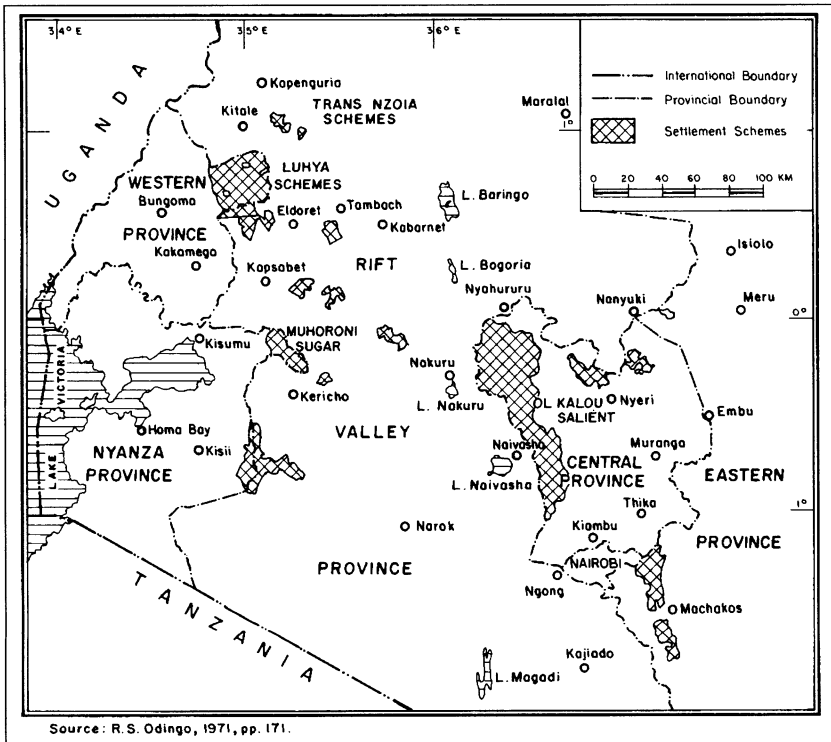


Figure 11: Settlement Schemes in the Kenya Highlands
 Source: R.S. Odingo (1971), p. 171.

ment. Nyanza Province had the highest number of low density plots allocated while Eastern Province was unimportant in both hectareage settled and plots allocated. This picture suggests that settlement was implemented in the initial stages in accordance with the relative gravity of land hunger in the provinces. We present highlights of “high density” and “low density” schemes.

a) High Density Schemes: Basic information about high-density (HD) schemes appears in Table 10. That these schemes claimed 84.6 per cent of financial loans and grants provided by the British Government for the Million Acre Schemes (Holtham and Hazlewood, 1976: 109) suggests the magnitude of concern for settling those who needed resettling most. Although supposed to be within the economic reach of target farmers, HD schemes experienced fluctuating crop yields farmers’ failure to repay loans and, therefore, much lower incomes than anticipated.

Table 10: Types of Settlement Scheme: Their Geographical Conditions, Target Settlers and State after Settlement

Types of Scheme	Geographical Conditions (Area/ Climate/Soil)	Eligible Settlers	State of Settlement and Related issues
1. The Million Acre Settlement Scheme ^a	80,940 hectares (200,000 acres) purchased annually in 1962–66	Absorption of unemployed landless African population	Plots purchased from loans land purchase (51.8%), administration (24.5%), development loan (23.7%). 23,700 families settled by 1964–65
a) High Density (HD) schemes	Covers 62% of settlement area in high rainfall, high potential land. Plot sizes of up to 10 acres.	Unemployed landless	Intended for 25,000 families but actual number of settlers unknown
b) Low Density (LD) schemes	Plot sizes of 20–100 acres in medium potential and drier areas.	More educated farmers with agricultural expertise and capita.	Some 4,967 families settled on 7,286 hectares (18,003 acres) in 1962–66.
2. The “Salients”			
a) Ol Kalou Salient	Covered 152,611 hectares (377, 106 acres) pur-	In theory, co-operative farmers but in practice,	By 1966–70, some 40,470 hectares (100,002 acres)

table (cont.)

Types of Scheme	Geographical Conditions (Area/Climate/Soil)	Eligible Settlers	State of Settlement and Related issues
	chased by the Kenya Government	met co-operative, commercial land industries interests.	was transferred, 30,376 hectares (75,060 acres) to the LD scheme type.
b) Nandi Salient	Covered 6,900 hectares (17,050 acres) returned to the Nandi	The Nandi whose land had been wrongly alienated since 1918.	Resettled as intended and owned jointly by Settlement Department and Nandi District Council.
c) Kilombe	Covered 5,032 hectares (12,434 acres).	The Tugen of Baringo District.	Numbers of settlers not specifiable
3. Squatter Settlement Schemes	A cross-section of Kenya peoples	Squatters in the former Scheduled Areas, generally unemployed land-less, and without capital. Later under "Commissioner of Squatters".	Classical example is Nyandarua District where 64,872 plots in "JET" schemes were acquired. 13,000 squatters settled on 29 squatter settlements by 1968.
4. The Co-operative (Shirika) Settlement Schemes	Ranching and Plantation areas	Planters and live-stock farmers	Proliferation of co-operative societies most of which soon became extinct.
5. Irrigation Schemes ^b	Ecologically dry areas drained by perennial rivers where plots sizes vary widely.	Tenant farmers	Schemes specialise in crop produce: Paddy, cotton, rice chillies or onions. Areas experiencing production movements.
6. Other Schemes:			
a) Harambee Settlement Scheme	Small plots for 300-400 families with target incomes between those of LD and HD schemes, i.e. 40-75.	Middle-income group of farmers.	Schemes abandoned, settle-mint occurring on a single scheme of about 6,880 ha (17,00 acres) occupied by 450 families in 1969-70.

table (cont.)

Types of Scheme	Geographical Conditions (Area/Climate/Soil)	Eligible Settlers	State of Settlement and Related issues
b) 100 acres 2 plots	Large plots surrounding capital development such as houses: A total of 234 plots created and sold involving 11,092 hectarages (27,408 acres).	Mainly civil servants who had been following developments of these plots.	Settlement type ceased and large-scale farms were settled on a co-operative (Shirika) basis).
c) Sugar Settlement	Started for purposes of growing sugar cane in blocks consisting of individual plots. Apart from sugar cane, some area was for subsistence crops and home-stead.	The Luo and the Luhya in the neighbourhood (Nyanza and Mumias sugar-belts)	Plots leased to plot-holders the first five years and later sold to them. Apart from large farms under settlement authority, settlers had land operations and received loans.
d) Compassionate Schemes	Special case schemes intended to appease white farmers who wished for quick land sales.	Both Africans and European farmers (who wished to stay on with some farming knowledge and capital.	Lack of adequate management crippled these schemes. In addition, drought and poor supervision have been problems.
e) Spontaneous ^c Settlements	To be regularised on Government land occupied by squatters. Plot sizes vary between 1 to 100 acres (0.404 to 40.74 ha)	Squatters	To be noted when the settlements have matured.

^a Name derives from the target of 1 million acres, which were to be transferred in the period 1962–1966.

^b Managed by the National Irrigation Board (NIB) and not allowing for private ownership and, therefore, no title deeds.

^c Expected to be more important in future given the tendency of migrant farmers and squatters to acquire land even in hostile, dry environments.

Farmers' indebtedness to agricultural credit institutions increased over the years, discouraging not only those institutions offering credit facilities but also up-and-coming farmers from acquiring the facilities.

(b) Low Density Schemes: These schemes were readily financed by both the Commonwealth Development Corporation (CDC) and the World Bank or the International Bank of Reconstruction and Development (IBRD), the objective being to provide the plot holder with subsistence and minimum annual income of £100. The so-called "yeoman scheme" supposed to be incorporated therein did not take off and had to be abandoned. In order to maximise their use and settle more farmers, it became necessary to subdivide LD schemes into numerous plots among farmers' families or tenants for specific farming activities.

Considerable changes have taken place in both HD and LD schemes. By 1978, 800,000 hectares had been resettled to smallholdings and 860,000 hectares transferred as large farms but operated as smallholdings and individual large farms, some divided into numerous plots and others run as large group farms (House and Killick, 1983: 48–49). The number of households settled increased from 45,900 in 1968 to 51,300 in 1973 and 71,000 households in 1978 (House and Killick, 1983: 49), representing an increase of 11.8 percent in the period 1968–73 and more than tripling to 38.4 percent during the period 1973–78.

2. *The Salients*

(a) Ol Kalou Salient: This salient was bought by the Kenya Government for purposes of turning it into large-scale co-operative farming units under the managers of Salient, one of the former European owners (Osolo-Nasuho, 1977: 230). However, in practice, the area accommodated co-operative, commercial and industrial interests thereby confusing the situation. Each family was to have a subsistence plot besides working as a member of the co-operative society on sub-divided land devoted to livestock and crops (wheat, barley and oats); the target net income for each settler to be £100 or more (Harbeson, 1973: 248).

(b) Nandi Salient: The "Nandi Salient" exemplifies land transfer in the light of political expediency (Odingo, 1971a: 192). Land belonging to the Nandi, which the European settlers had alienated after World War I (1914–1918), was transferred to them at a cost of £179,563. As may be imagined, the Nandi, a Kalenjin sub-tribe, continued to

use the land in the same way as their traditional land units instead of as settlement schemes par excellence. Initiated in a similar manner is Kilombe, which was bought to settle the Tugen of Baringo District. In both schemes, it is difficult to ascertain the number of families settled (see Table 10).

3. *Squatter Settlement Schemes*

"Land squatting" in Kenya (squatters being people living on, cultivating and generally also grazing, land that does not belong to them) has been a menace in colonial and post-independence periods alike. A cross-section of Kenyan peoples displaced by colonial land alienation—the Kikuyu in Central Province, the Nandi and Kipsigis in the Rift Valley, the Kamba in Eastern Province and Mijikenda along the 10-mile coastal strip—were forced into becoming squatters (Mbithi and Barnes, 1975: 42–45). Squatters were caught in a squeeze as their access to land in both the reserves and the Scheduled Areas diminished, the balance between supply and demand for labour shifted to their disadvantage, their real income diminished to a pittance and their insecurity became acute (Leo, 1981: 207). Sometimes there was inhuman eviction of squatters from the former Scheduled Areas, in some cases even involving police action (Seidman, 1970: 25). In the context of Kenyan land settlement programme, squatters were the unemployed landless with more genuine and immediate desires for settlement; but they lacked even the minimum financial capacity to reinforce their desires.

Squatter settlements dot different parts of Kenya. Nyandarua District, an administrative unit created because of the Regional Boundaries Commission extending the boundaries of Central Province to include part of the Rift Valley (Great Britain, 1962), is a classical example of these settlements. Such settlements were an expression of the government's magnanimous consideration of the squatters' plight. Registered squatters under the "Commissioner of Squatters" occupied other squatter settlements. They include Haraka schemes, which were high-density schemes (2.4 hectares per settler, totalling up to 59,000 hectares), and which had no provision for development loan of any kind (Kenya, 1970: 207). Later on, some squatters spontaneously occupied even marginal areas where the government had of necessity to provide infrastructure and services to the settlers.

4. *The Co-operative Settlement Schemes*

In areas where ecological conditions discouraged land fragmentation and where it was economically advisable to preserve the farming system inherited from the white settlers, co-operative settlement schemes were considered more viable than all other options. Plantation and ranching areas were the best examples of such farming schemes. In spite of their potential for insuring farmers' undertaking, co-operative societies became the scene of much political intrigue, embezzlement of funds, poor administration and a host of other problems. These were the so-called *Shirika* (the Swahili word for co-operative) schemes.

5. *Irrigation Schemes*

There are irrigation schemes in different parts of Kenya where perennial rivers can proxy for rainfed agriculture. The major schemes including Mwea in Kirinyaga district in Central Province; Ahero and West Kano along the ever flooding Nyando River east of Kisumu town in Nyanza Province; the Tana River Scheme at different points along its course to the Indian Ocean; the Perkerra scheme in Baringo District, Rift Valley Province; and the Bunyala scheme along the Nzoia River in Western Province. These schemes specialise in paddy (Mwea, Ahero, Bunyala), cotton (Tana River) and onions/chillies (Perkerra), though a mixture of crops is the rule rather than the exception.

6. *Other Settlement Schemes*

In addition to the foregoing, there were various schemes established alongside the foregoing to solve specific problems in particular parts of Kenya. They include the Harambee Settlement Scheme, the two interrelated so-called Yeomen and Peasant Schemes (which were later abandoned) and spontaneous schemes. The latter category was envisaged as an appropriate step toward recognising spontaneous settlers who had often caught planners unaware and who, like other settlers, required government assistance.

Another category of settlement scheme was the "100-acre plots", that involved the transfer of 11,092 hectares of well-developed farms in the former Scheduled Areas. However, subsequent to their creation, they became the scene of farm division whereby the large farms were settled on a co-operative basis.

A third type were the "Compassionate Case Farms" bought from European settlers who wished to sell their land quickly on grounds

of ill health, widowhood, old age or poverty (Abrams, 1979: 31). Both Asian farmers and European settlers who wished to continue staying (as citizens) in Kenya qualified for these farms provided they had the necessary minimum capital and farming knowledge. The major problems with these farms were their seclusion from other settlement schemes and lack of adequate advice to the new farmers.

Finally, there were the sugar settlement schemes that became an important aspect of rural agro-industrial development in Kenya. The Muhoroni scheme in Nyanza Province, which settles mainly the Luo,

Table 11: Major Components of the Kenyan Land Settlement Programme by Type of Scheme

Type of Settlement Scheme	Component					
	Number of Units	Area in Hectares)	Number Families settled	Number of Farms Bought	Purchase Price (In K £) Total	Price Per Ha.
High Density Scheme	80	308,321	27,690	687	7,415,077	24.05
Low Density Scheme	32	61,838	3,709	134	1,532,522	24.78
Co-operative Farms & Ranches	16	75,784	4,206		840,876	11.10
Assisted Owners		26,253	133	133	138,437	5.27
Compassionate Case Farms		43,026	138	138	1,285,605	29.83
100 Acre 2 Plots		11,092	234		784,113	70.69
Sugar Settlement Schemes	7	20,507	2,525		582,447	28.40
Oi Kalou Salient	7	52,758	2,501	80	998,409	18.92
Haraka Scheme		56,581	15,052	35	t.b.p.	n.a.
The Nandi Salient		6,872	—	20	179,563	26.13
Kilombe		5,032	—	1	10,400	2.07
Harambee Schemes	2	6,529	431	4	109,259	16.73
Shirika or Co-operative Schemes (Price includes farm livestock & equipment)	93	94,900	9,700	93	5,486,703	57.82
All Schemes	272	769493	66319	1325	19363411	26.32*

t.b.p. = to be purchased;

n.a. = not applicable

* = Average

Source: All columns except the last one, P.D. Abrams (1979), p. 19; see references.

is a good example of this (see Figures 10 and 11). Apart from growing sugar cane as the main cash crop, farmers have been producing subsistence crops in the area, with some practising mixed farming. The major components of these schemes are area, the number of families settled, number of farms bought and the purchase price (Table 11). It is clear that High Density Scheme was by far the most important type, followed by Shirika or Co-operative schemes. In 1973, the Million Acre Scheme (High Density) had a total expenditure of K £10.8 million attributed to land purchase alone, K £5.4 million to development (Kenya, 1975: 11), or 43.2 per cent of all items of expenditure, administrative expenses and settlement development in Haraka Schemes accounted for 29.6 per cent of all expenditure. The bulk of funds came from grants and loans provided by the British Government (64.0 per cent) followed by the Kenya Government (24.7 per cent).

Table 12: National Summary of Settlement Schemes in Kenya as at May 1984

Type of Schemes	Number of Districts	Total Number of Schemes	Total Area Schemes (in ha.)	Total Length of Roads (in km.)	Number of Families/Settlers
Conventional (Million Acre)	17	137	438,418	19,303	38,798
Haraka	12	38	184,814	5,671	21,406
Shirika	8	95	146,842	5,875	24,602
State/Trust Land	4	8	146,347	5,692	14,070
Total	41	278	916,421	36,540	98,876

Source: Republic of Kenya, Department of Settlement, 1984. (Unpublished).

A decade later, the state of settlement schemes had changed considerably (Table 12). The total number of districts settled is not necessarily all districts (up to 1989 there were 40 districts excluding Nairobi) in Kenya. Since 1979, the area settled and the number of settlers increased steadily, a percentage change of 19.1 and 49.1 respectively. The former Million Acre Schemes were renamed Conventional Schemes because they reflect the principal objective of the Kenyan land settlement programme. Like Haraka and Shirika schemes, their settlement was complete by the late seventies. Thereafter, interest centred on State/Trust Land Settlement Schemes, established on land belonging to the State and land held in trust by local authorities for the local population. The idea was to maximise utilisation of

idle land and to allow free movement of people whose primary objective was to settle where they could best establish as well as maintain agricultural production. During the Kenyatta regime (1963–August 1978), the Kikuyu benefited immensely from the last category of schemes. They settled large parts of Rift Valley Province to the indignation of the Kalenjin whose local authorities had no control over land transferred to the Kikuyu. The Kalenjin held their well-calculated cool until the Nyayo era when they swore to redress this indiscriminate grabbing of their land by the Kikuyu. Ethnic clashes that ensued in the process were enough to spark off civil war in Kenya if some powerful local NGOs (e.g. the National Christian Churches of Kenya—NCCCK), the UNDP and other agencies did not prevail on the Kenya Government to stop the mayhem. Fortunately, Kenyans have a way of maintaining peace in a country which has remained the haven of peace as wars raged in the neighbours of Uganda, Sudan, Ethiopia and Somalia, with a tounge of persistent strife extending into the countries of the Great Lakes Region. We pick out for further analysis some of the issues considered pertinent in the land settlement programme. These are the selection of settlers, sizes of settlements, chances in the types of farming, employment opportunities created, infrastructure and social services in the schemes, effect of settlement in population distribution and complaints arising from the whole programme.

Selection of Settlers

Settlers' selection was the responsibility of the Provincial Administration rather than the settlement authority. There were District Selection Committees chaired by District Commissioners; membership of these committees varied from District to District but invariably included the District Agricultural Officer, the District Co-operative Officer and a number of chiefs together with the Senior Settlement Officer (S.S.O.) for the area. The District Commissioner invited applications from eligible candidates (e.g. landless and unemployed), the successful of whom paid 10% purchase money plus legal fees, and were given letters of allotment specifying the conditions, such as loan facilities, farm requirements and membership of co-operative societies in the schemes.

The criteria for selection of settlers differed between High Density and Low Density Schemes. In the former, preference was given to

those with at least four years' farming experience in the environment where they were to be allocated farms. The main advantages were that on the one hand those selected were acquainted with climatic regime, soil conditions and crop types, and on the other enjoyed a community spirit since they already knew one another. In the Low Density Schemes, the selection process was easier and simpler: candidates with enough capital and four years' farming experience were chosen irrespective of tribal background (Abrams, 1979: 52-3). However, it turned out that the actual situation in settlement schemes was contrary to this ideal situation. With the District Focus' strategy of the mid-eighties, the settlers' selection being done by District Committees was a continuation of what happened in the colonial period (with District Councils) but with provincial concerns too.

Eligible settlers were either poor or landless or those with limited capital and agricultural experience. An important element of settler selection was regional bias, settlers conveniently confined within their provinces of origin, except in a few cases where settlers in-migrated into Rift Valley Province, mainly from Western and Central Provinces (see Tables 13 and 14). We highlight some issues first before turning to analysis of ethnic bias in settler selection in the last part of this section. The criteria for determining poverty, unemployment and landlessness on the one hand and genuine possession of capital on the other seem highly doubtful, if not elusive. Judgement seemed to rest heavily on populations destabilised by the Mau Mau rebellion, but it so turned out that such destabilised populations (exclusively Kikuyu) still staked claims of land in their areas of provenance. As such, they were not necessarily landless; and they were poor or unemployed because they underutilised available land or used it largely for subsistence agriculture. Those with some capital and farming experience were mostly powerful political and other leaders who merely stepped in the shoes of the departed white settlers; incidentally, it is this category who became "telephone farmers", i.e. attempting to be farmers while retaining other positions or property in urban centres farther away from their farms to which they communicate by telephone. Finally, the practice of confining different ethnic groups within settlement schemes in their regions did not resolve the problem of settling the poor, unemployed landless people. In some of the provinces, notably Western, Nyanza and Central, population density was already so high that settlement schemes had to be too small for the eligible population (settlers and their families). It should be

remembered that in the wake of World War II, the Governor of Kenya colony, Sir Phillip Mitchell (1947) recognized population as a major cause of the country's agrarian problem.

It became expedient to select three main categories of settlers. These were (a) the poor, unemployed landless persons farming small-holdings in High Density Schemes; (b) the middle-income group with some capital which reinforced their candidacy, occupying larger holdings in the same schemes; and (c) the rich, most privileged persons capable of buying more land (mainly in Low Density Schemes) including those settled by (a) and (b) respectively. Land thus transferred was sold to new owners rather than distributed to the poorest, and benefits accrued to a minority who were by no means the poorest (Holtham and Hazlewood, 1976: 223). For the poorest, the schemes simply offered opportunities for perpetuating subsistence farming and providing family units with the bare means of survival; and the richest with better capacity to farm the schemes either exploited the new opportunities as absentee landlords or subdivided their farms for sale in order to augment their incomes.

Size of Settlements

Earlier parts of the book have underlined the significance of High Density settlement schemes, which settled large numbers of landless Kenyans. That these schemes were successful (in the intensity of utilisation and relative economic returns) before politics and intrigue pervaded them explains why the Kenya Government pursued the policy of subdividing large farms. Although indiscriminate subdivision of farms lacked economic foresight, it had a most rewarding political appeal. On the latter score, land became instrumental in advancing corruption in the country. Powerful politicians, civil servants and others at the helm of the land distribution exercise, not only acquired large chunks of land, but also used it to bribe and corrupt those whose confidence they wished to win. The latter included civil servants, politicians and university dons, whose support many powerful politicians enlisted, thereby silencing opposition from various quarters, particularly academia. Information poured out by the media in Kenya leads one to suspect that all land in rural and urban Kenya alike in the country—even unsuspecting individuals' homesteads—has been allocated to those favoured by the political establishment. Invariably, any middle-class Kenyan who does not have a

Table 13: Settlement Growth and Size of Settlement in Kenya by Province, 1968 and 1979

Province	Hectarage Settled 1968	Hectarage Settled 1979	Number of Settlers 1968	Number of Settlers 1979	Per Capita Hectarage 1968	Per Capita Hectarage 1979
Rift Valley	78969	241,031	5,350	34,253	14.8	7.0
Central	179,996	253,108	14,734	23,878	12.2	10.6
Western	87,033	76,335	7,712	7,453	11.3	10.2
Nyanza	39,831	40,041	3,220	4,106	12.4	9.7
Eastern	64,384	86,962	1,635	9,774	39.4	8.9
Coast	—	93,448	—	7,863	—	11.9
Total	450.183	790.925	32.651	87.327	13.8	9.1

^a Hectarage settled by 1968 was mainly in One Million Acre Schemes, and that settled in 1979 included other schemes (Table 11).

Sources: 1. Republic of Kenya, Department of Settlement Five-Year Review and Annual Report 1967/68, p. 2.

2. Republic of Kenya, Department of Settlement Annual Report, 1979 (unpublished).

farm in the settlement areas has a plot or so of land in an urban area. Land ownership by whatever means has become the yardstick for measuring success, even at the expense of genuinely landless Kenyans, including those who have lost their land in shady deals.

There are regional disparities in the size of settlement schemes (Table 13). During the decade 1968–79 the total hectarage increased by 75.7 per cent, increasing in all areas but contracting in Western Province probably due to redefinition of provincial boundaries. The greatest increase was in Rift Valley (205.2 per cent), followed by Central (40.6 per cent), Eastern (35.1 per cent) and Nyanza (0.5 per cent) with only a slight increase; Western Province recorded a decrease of –12.3 per cent. The total number of settlers more than doubled, increasing more than six times in Rift Valley and Eastern Provinces and about twice in Central Province. Per capita hectarage decreased consistently in all the provinces, a phenomenon attributable to population increase within a finite land area. The most dramatic decrease occurred in Eastern Province where the settlement programme intensified during the period under review.

Four components of settlement schemes, namely type of scheme, hectarage and the number of settlers shed light on the state of these schemes in different districts at the peak of settlement (Table 14). Conventional Schemes (originally the Million Acre Schemes) cover seven districts in Rift Valley Trans-Nzioa, Uasin Gishu, Nandi,

Kericho, Baringo, Laikipia and Nakuru; Nyandarua, Nyeri, Kiambu and Murang'a districts in Central Province; Bungoma and Kakamega districts in Western Province; Kisumu and Kisii districts in Nyanza Province; and Meru and Machakos districts in Eastern Province (see Figure 11). The size of per capita hectarage in both Rift Valley and Eastern Province, which had relatively large settlements for fewer settlers, exceeds the national average of 12.5 hectarages.

Table 14: Settlement Schemes, Hectarage Settled, Number of Settlers and Districts by Type of Scheme and Province, 1979

Types of Scheme and Province	Schemes	Hectarage	Settlers	Districts	Per Capita hectarage
CONVENTIONAL SCHEMES					
	<u>137</u>	<u>483,666</u>	<u>38,795</u>	<u>17</u>	<u>12.5</u>
Rift Valley	41	119,409	8,114	7	14.7
Central	50	179,966	14,870	4	12.1
Western	19	76,335	7,453	2	10.2
Nyanza	16	39,725	3,866	2	10.3
Eastern	11	68,231	4,492	2	15.2
Haraka Schemes	<u>38</u>	<u>139,817</u>	<u>21,406</u>	<u>12</u>	<u>6.5</u>
Rift Valley	9	14,184	3,189	3	4.4
Central	8	13,138	4,832	4	2.7
Nyanza	2	316	240	1	1.3
Eastern	8	18,731	5,282	1	3.6
Coast	11	93,448	7,863	3	11.9
Shirika Farms	<u>30</u>	<u>97,862</u>	<u>15,963</u>	<u>7</u>	<u>6.1</u>
Rift Valley	28	37,858	11,787	5	3.2
Central	2	60,004	4,176	2	14.4
Turned Conventional Schemes*					
	<u>50</u>	<u>69,580</u>	<u>11,163</u>	<u>4</u>	<u>6.2</u>
National Summary					
Conventional Schemes					
Haraka Schemes	137	483,666	38,795	17	12.5
Shirika Farms	38	139,817	21,406	12	6.5
Turned Conventional Schemes	30	97,862	15,963	7	6.1
	50	69,580	11,163	4	6.2
Total	225	790.58	87,327	40	9.1

Note: Computed from the available data: cols. 2 & 3 of the table.

* Rift Valley only

Source: Republic of Kenya, Department of Settlement (Mimeo), 1979.

Haraka or Hasty Schemes cover twelve districts: Nyeri, Nyandarua, Murang'a and Kiambu in Central; Uasin Gishu, Kericho and Nakuru in Rift Valley; Kisumu and Machakos districts in Nyanza and Eastern respectively; and Kilifi, Kwale and Lamu districts in Coast Province. Except for Coast Province, per capita hectarage is small (in fact below the national average) in the rest of the provinces.

Shirika farms are found in only two provinces: Rift Valley where Trans Nzoia, Uasin Gishu, Nandi, Laikipia and Nakuru are settled; and Central in which Nyandarua and Nyeri are occupied. Much of Nyandarua consists of the Kalou Salient (see Figures 10 and 11) where co-operative farming has been important. There is, however, a substantial difference in per capita hectarage between these two provinces. Only Rift Valley Province had all the Conventional Schemes (formerly One Million Acre Schemes), created in the primary settlement districts of Nakuru, Nandi, Uasin Gishu and Trans Nzoia. They are nearly of the same size as Haraka Schemes and Haraka Farms. As Chapter 4 has shown, these districts constituted the heartland of ethnic conflicts of the early nineties.

Thus, the size of settlements eventually exceeded that planned in the early years of the settlement programme. On completion of the various types of schemes, emphasis shifted to settlement on State and Trust Lands, which explains why Coast Province became prominent in the later years of the settlement programme. Together with spontaneous settlements, these schemes settled more settlers than were envisaged for settlement thereby reducing per capita hectarage.

Some Changes in Farming Typology

Settlement schemes have experienced some changes in farming typology, largely emanating from two previous agriculture-based reports: the Swynnerton Plan of 1954 and the East Africa Royal Commission 1953–55 Report as well as Kenya's political independence. These reports initiated some changes in the types of crops grown and in livestock farming (Table 15).

The most striking feature of the table is the emergence of high value cash crops never before grown by African farmers: the beverages (coffee and tea), pyrethrum and sugar. These crops have come into the scene as maize and other cereals disappeared in some of the traditional growing areas, a phenomenon partly responsible for the "famine clout" which gripped Kenya at the turn of the eighties,

and which has recurred several times. Some statistics shed light on the the situation: in 1973, 88 schemes (73 alone in the One Million Acre Scheme) produced pyrethrum and 19 (17 alone in the One Million-Acre Scheme) grew tea. This compares well with 111 schemes (only 68 in the Million Acre Scheme), which produced maize, 68 for wheat and 56 for potatoes important subsistence crops (Kenya, 1975: 44–53). Taken together, an impressive diversification in crop production occurred in Kenya to the satisfaction of both the farmers and the Kenya Government, and to the surprise of sceptics of the land settlement programme.

Table 15: Changes in Farming Types in Selected Settled Districts of Kenya

District/Area	Former Farming Type	New Settlement Type
Trans Nzoia–SW	Mixed maize and beef	Maize, dairying and sisal
Trans Nzoia–NW	Mixed maize and dairying	Tea, coffee and dairying
Uasin Gishu–NE, SE	Mixed wheat and dairying	Pyrethrum, tea, maize and dairy produce/ pyrethrum and dairying
Lumbwa/Songhor (Kipkelion)	Mixed maize, dairying and beef	Sugar and dairy produce
Sotik (most of the former district affected)	Mixed maize, dairying and beef and tea	Maize, coffee, tea pas sion fruit and dairy produce
Nakuru–NE	Mixed wheat, dairying and sheep	Pyrethrum, potatoes, dairy produce and sheep
Naivasha/Laikipia (Kinangop plateau)	Mixed wheat, dairying and sheep	Pyrethrum, potatoes, dairy produce and sheep
Nyeri area (Mount Kenya)	Mixed wheat and dairying	Pyrethrum, maize, wheat and dairy produce
Machakos–NE	Dairying ranching	Dairying ranching

Source: R.S. Odingo (1971a), table 10.7, p. 211.

Among the more ambitious new farmers were those in co-operatives (Shirika), especially in much of Rift Valley Province. Ranching, live-stock farming and pyrethrum production have depended largely on the co-operatives, not to mention coffee in which the co-operatives are most effective. This fact is borne out by the distribution of live-stock products. In 1983, a total of 165 schemes had dairy produce, out of which 136 (82.4 percent) were the Million Acre Scheme; of the 51 schemes which produced beef, 22 (43.1 percent) were Shirika

Settlement Scheme compared to 18 (35.3 percent) under the Million Acre Scheme; and sheep were predominantly reared in the latter, which accounted for 84.4 percent of all the 64 schemes at which sheep were reared as opposed 9.4 percent in the former type of scheme.

These changes in farming type suggest that settlement schemes have bolstered agricultural production in Kenya and that they have witnessed considerable modern agricultural activity. Dairy produce increased from an average of 117 gallons per cow per year in mid-1968 to 462 in 1973, a phenomenal increase of 294.9 per cent in barely five years (Kenya, 1968: 48–53; 1975: 49–54). In spite of these developments, the total turnover dropped in co-operative societies, from KShs. 48.5 million in mid-1968 to 38.4 million in 1973, a decrease of 20.8 per cent. Although these societies have considerable potential particularly for cash crop and livestock production, their turnover depends on other structural problems within the societies themselves.

Employment Opportunities

Settlement schemes have created more self-employment opportunities for settlers and their families and continued to provide wage employment for migrant labour. But the new settlers, due to heavy reliance on family labour, erratic incomes and meagre capital outlays, have not employed migrant labour in the same magnitude as the colonial settlers who had better farming know-how and were more economically capable of employing larger numbers of migrant labour, of course at abysmally low rates.

Since wage employment in the modern agricultural sector (large farms and plantations) has been declining, it is expected that subdivision of large farms and the growth of small scale farming by families would cause wage employment to decline further (World Bank, 1980: 70). In isolated cases, notably the sugar industry, seasonal employment opportunities have emerged but generally declined due to large influx of migrant job-seekers. The settlers' reliance on family labour suggests their inability to hire wage labour, an adverse fact for employment potential. As independence years wore on, agricultural employment in the settlement areas became even more precarious. In the sugar growing areas, for example, factories have been working below capacity as interferences such as sugar importation

cripples their production while sugar cane farms remain stranded with dried or over-matured cane. This has laid off large numbers of cane-cutters, factory workers and other personnel, putting both the sugar farmers and employees in great difficulties, together with their dependants.

The tendency for retired workers with a foothold in settlement schemes to return there rather than to their original areas of provenance augurs well for self-employment opportunities. Retirement is a time of greater commitment by the farmers who have of necessity to rely on their own farming initiative, even though they might have been mere "telephone farmers" while employed elsewhere. As those settlers grow older, their children (second-generation settlers) inherit all that there is to inherit and sustain farming activities in the schemes. Given that the schemes provide facilities midway between urban centres and traditional rural settings, they are likely to attract second-generation settlers (who are more footloose than their settler parents) than either of the two settings. Moreover, the schemes provide facilities that are closer to urban centres thereby attracting second-generation settlers and their capacity to augment incomes generated from self-employment for ordinary Kenyans is certainly higher than that of urban centres.

Availability of Infrastructure and Social Services

The provision of both infrastructure and social services is pertinent in the settlement schemes because upon it depends the integration of the schemes into the national system and general life as well as stabilisation of settlers therein. Basic infrastructure includes transport and communication and utilities such as power and water supplies; social services for inhabitants include education, health, housing and recreational facilities.

Transport and communication in settlement schemes have improved greatly since independence, following deliberate efforts to integrate the schemes into the nation-building strategy. This has involved classifying Kenyan roads (from A–F), the last category being "special purpose roads" which include tourist, township, agriculture, fish and strategic roads (Kenya, 1980: 180). These F roads, generally bituminised and earth/gravel, have improved transportation in settlement areas, enhanced their integration regionally or nationally (by connecting to other road categories) and facilitated transporting farm

produce to the appropriate markets or break-up points. There are also health services at health centres and dispensaries for all cases of ill-health, with more serious cases generally referred to district or provincial hospitals, which are connected with the former by road networks. Again, settlement areas are superior touch of rural Kenya in this regard. Unfortunately, recreational facilities are generally lacking, which partly explains why there is rampant drunkardness, apparently compensating for cinemas, theatre and other forms of recreation. Over the years, however, these facilities have improved over the years as most of the market areas or growth poles in the settlement areas have grown into larger urban centres with more population and more non-agricultural activities.

Availability of infrastructure and social services in Kenya's settlement schemes depicts typical features elsewhere. An extensive World Bank (1978) survey made some important findings. The settlement agencies found it difficult to provide housing at a cost, which the project and settlers could reasonably expect to amortize. In the health sphere, the settlers were willing to pay a substantial share of operating costs for adequate health services if the services were available. Finally, it stressed that a sound agricultural base could enhance the provision of the needed infrastructure and social services (pp. 33-4). This implies that once settlers' net incomes continued to improve and settlers committed themselves to developing the schemes relative to their areas of origin, there would be a sound agricultural base with improved infrastructure and social services. The World Bank study is now a historical piece and settlement schemes have lost their past glitter, partly because of ethnic conflict, which radically changed their profiles in every respect.

Effect on Population Distribution

Although one of the objectives of the Kenyan land settlement programme was to alleviate population pressure in the densely-populated areas through redistributing the population, actual population redistribution has been constrained by regional and ethnic barriers. It is clear from Figures 10 and 11 that settlement schemes were to settle specific ethnic groups who were indigenous in the settlement districts. Redistribution of population two to three decades after the settlement programme began helps to explain significant demographic changes the eight most important settlement districts (Tables

16 and 17) and provides a graphic picture of the most affected ethnic groups (Table 18). It is surprising, in fact contrary to conventional wisdom, that Nyandarua, Laikipia, Nakuru, Trans/Nzoia—well known settlement districts—experienced net lifetime out-migration in 1979; the same goes for recent (one-year) migration except for Trans Nzoia district (Table 15). Not surprisingly, the four districts had the highest percentage of population born elsewhere in Kenya.

The pattern of lifetime and recent migration (Table 16, last two columns) is nearly identical. The four districts in Rift Valley Province have markedly low percentages of non-migrants (those born in the same district) and high proportions of migrants from elsewhere in Kenya. This suggests important extra-provincial sources of migration into the four districts. High proportions of those born in the same districts mask intra-district migration, and that of settlers redistributed in the districts in question. All the districts, with the exception of Kirinyaga, Kisumu and Bungoma, are in-migration areas, that is, receiving rather than sending their populations. The importance of Nyandarua in Central Province and the four districts in Rift Valley as receiving areas attests to the significance of in-migration into them. Even over a period of only one year (recent migration), the figures are certainly staggering.

By 1989, the six settlement districts had evidently demographic profiles different from the profile a decade ago (Table 17). The absolute population numbers increased from nearly 1,000,000 in Kirinyaga district to over 300,000 in Nakuru district. The districts in which the population born exceeded that of the enumerated population in 1989 were Kirinyaga, Kisumu and Bungoma.

These districts recorded net out-migration, with Bungoma as the affected most of the three. The other five districts were net in-migration areas with Nakuru leading the pack, followed by Uasin Gishu; these two were hot spots of ethnic clashes in 1992–3. Yet when the difference between 1979 and 1989 is taken into consideration, adjusted for 1979, Kirinyaga, Nyandarua, Laikipia and Bungoma experienced net out-migration as opposed to the other half that were net in-migration districts.

Ethnic structure of the eight districts of settlement is partly the outcome of population redistribution in the process of resettling the needy, and partly due to other forms of migration (Table 18). While the dominance of all the four ethnic groups in their usual residence

Table 16: Total Population, Percentage of Population Born in Same District, Elsewhere in Same Province, Elsewhere in Kenya and Net Migration by District of Settlement in Kenya, 1979

District (Province)	Total Population	(Per cent)	Born in same District ^a	Percentage of Population Born Elsewhere in same Province	Born Elsewhere in Kenya	Life-time ^d	Net Migration Recent ^e
Kirinyaga (C)	291,431	100.0	89.8	5.2	5.0	14	-8
Nyandarua (C)	233,302	100.0	60.0	27.5	12.5	-53,349	-136
Laikipia (RV)	134,524	100.0	43.7	14.2	42.1	-56,843	-6,287
Nakuru (RV)	522,709	100.0	49.6	12.9	37.5	-190,000	-17,386
Trans Nzoia (RV)	259,503	100.0	53.3	15.7	31.0	-89,283	379
Uasin Gishu (RV)	300,766	100.0	50.3	27.0	22.7	-117,169	-14,677
Kisumu (N)	482,327	100.0	77.5	12.8	9.7	31,142	5,968
Bungoma (W)	503,935	100.0	89.0	6.5	4.5	33,247	3,647

Note: denotes negative out-migration, i.e. net gain to a district.

^a Non-migrants, being enumerated in district of birth; ^b Extra-District in-migrants, i.e. migrants from elsewhere in the same province; ^c Extra-Provincial in-migrants, i.e. migrants from another province in Kenya; ^d Migrants whose place of enumeration is different from place of birth; ^e Migrants whose previous residence 12 months before the census is different from place of enumeration. Provinces: C = Central, N = Nyanza, RV = Rift Valley, W = Western.

Source: Calculated from Analytical Report of the Kenya Population Census 1979.

Table 17: Total Population and Net Migration of the Main Settlement Districts, 1989

District (Province)	Total Enumerated Population	<u>Born in the District</u>		1989	<u>Net Migration 1979</u>		Difference 1989– Adjusted 1979
		Number	Per cent		Adjusted for 1979 Mortality		
Kirinyaga (C)	3,907,18	404,635	103.6	–13,917	374	348	–14,265
Nyandarua (C)	343,130	301,000	87.7	42,130	54,123	50,334	–8,204
Laikipia (RV)	213,756	128,464	60.1	85,292	57,943	53,887	–31,405
Nakuru (RV)	845,762	570,953	67.5	274,809	195,157	181,496	93,313
Trans Nzoia (RV)	391,055	290,727	7.3	100,328	93,594	87,042	13,286
Uasin Gishu	445,485	312,608	70.1	132,877	120,554	112,115	20,762
Kisumu (N)	655,548	677,049	103.3	–21,501	–24,306	–22,605	1,104
Bungoma (W)	734,337	789,451	107.5	–55,114	–26,693	–24,824	–30,290

Note: *Proportion of population born to population enumerated.

Source: Republic of Kenya (1996) Kenya Population Census 1989: Analytical Report, Volume III: Population Dynamics of Kenya, table 2.2.1, p. 30.

(Table 18, last column) is as expected, their proportions in the principal settlement districts (Laikipia, Nakuru, Trans Nzoia and Uasin Gishu) is a most striking feature. For purposes of more refined analysis, the change in proportions between the largest and second largest groups gives indications about the effects of in-migrant “settler” group. Ethnic plurality has emerged in Rift Valley Province where new comers, such as the Kikuyu and the Luhya, have joined the indigenous Kalenjin, and where the highest proportion of the former Scheduled Areas became various types of settlement. Although the settlers’ high commitment would inevitably result in effective utilisation of the newly acquired farms, all has not been well in Kenya where it has been difficult to eradicate ethnic prejudices, animosity and arrogance—major constraints to cohesion in the multi-ethnic society.

Literature on the land settlement programme suggests that while the Kikuyu received some 45 per cent of land in the Million Acre Scheme, for instance, thousands of Kikuyu farm labourers were displaced by the Kalenjin and the Kisii who were settled on the former Rift Valley European farms, mainly on the most fertile land (Bienen, 1974: 152). Segal (1967) noted that the two ethnic groups received the most land in relation to population and needs, even though the perception of majority of Kenyans is that the Kikuyu benefited disproportionately in the land settlement programme. Perhaps

the silence of the Kalenjin and the Kisii over their land acquisition, a sign of those too satisfied to complain over anything, may have deluded Kenyans in their belief. Moreover, the Kalenjin do not want to recognise one important historical fact: that large numbers of Kikuyu had remained without land or employment following their repatriation from the Rift Valley during the Mau Mau Emergency, and that as political detainees were released they augmented the pool of people pressuring for redress of grievances. Some of them, the Land Freedom Army, were still in the forests, threatening to start a new uprising (Bienen, 1974: 163). Meanwhile, the Maasai, relegated politically for the time being, had their traditional grazing areas settled by speculators for agricultural land.

Table 18: Distribution of Total Population and Percentage of the Dominant Settlement Districts in Kenya, 1979 and 1989

District	Ethnic Group					
	Total Population	Largest Name	Per cent of Total	Second Largest Total	Percent of Total	Initial Ethnic Group
(a) 1979						
Kirinyaga (C)	291,431	Kikuyu	96.8	Kamba	1.2	Kikuyu
Nyandarua (C)	233,302	Kikuyu	95.1	Kalenjin	1.1	Kikuyu/Kalenjin
Laikipia (RV)	134,524	Kikuyu	64.4	Kalenjin	8.8	Maasai/Kikuyu
Nakuru (RV)	522,709	Kikuyu	60.8	Kalenjin	15.6	Kalenjin
Trans Nzoia (RV)	259,503	Luhya	49.3	Kalenjin	22.6	Kalenjin
Uasin Gishu (RV)	300,766	Kalenjin	55.0	Kikuyu	19.3	Kalenjin
Kisumu (N)	482,327	Luo	89.9	Luhya	5.2	Luo
Bungoma (W)	503,935	Luhya	81.3	Kalenjin	9.9	Luhya/Kalenjin
(b) 1989						
Kirinyaga (C)	399,516	Kikuyu	97.0	Kamba	0.9	Kikuyu
Nyandarua (C)	345,420	Kikuyu	95.7	Kalenjin	0.8	Kikuyu
Laikipia (RV)	216,395	Kikuyu	67.7	Kalenjin	7.2	Maasai/Kikuyu
Nakuru (RV)	849,096	Kikuyu	99.6	Kalenjin	15.0	Kalenjin
Trans Nzoia (RV)	393,680	Luhya	52.0	Kalenjin	21.3	Kalenjin
Uasin Gishu (RV)	445,530	Kalenjin	52.6	Luhya	18.5	Kalenjin
Kisumu (N)	664,086	Luo	89.2	Luhya	5.7	Luo
Bungoma (W)	679,146	Luhya	82.8	Kalenjin	9.8	Luhya/Kalenjin

Notes: Provinces—C = Central, N = Nyanza, RV = Rift Valley, W = Western (Provinces)

Source: Calculated from Kenya Population Census, 1979, Vol. I, Table 2; and Kenya Population Census 1989, Vol. I, table 6.

We have dwelt at length on the land settlement programme because of several considerations. First, the programme marks biased consideration of those finally settled in the schemes on account of ethnic preference rather than the demographic imperative for qualifying as landless. This bias favoured the Kikuyu more than any other ethnic group and alienated more land from the Kalenjin who became irredentist and determined to recapture their invaded territory. Second, land settlement planners seemed to have conceived the system more in static than dynamic terms. Its dynamism in terms of population growth, internal migration, urbanisation, ethnic mixture and changed social, economic and social relations were never given due attention during the planning stages. These events have unfolded on their own, resulting in situations, including ethnic conflicts, which architects of the land settlement programme did not envision. Third, settlement schemes became home to so many people and their dependants that any irksome situation within them is bound to cause problems whose ripple effects can take rather long to resolve. Nearly a decade after the ethnic conflicts of 1992–93 erupted, dependable peace has not returned to the conflict areas, agricultural activity has ground to a halt and the economic might of the affected areas has diminished to an all time low. Recovery or normalcy in the areas is only a remote possibility, if anything a dream. Finally, the state has forgotten the very essence of land settlement programme, systematically ruined its agricultural personality and pauperised the farmers and their families who have nothing else to support them. Thus, ethnic conflict rendered the settlement areas a great liability and not the asset the architects of the settlement programme conceived them to be. As can be imagined, ethnic clashes had deleterious effects on the settlement areas and in turn a telling effect on their population and produce.

Kaninga (1998) made an incisive study of squatters in Kenya, which underlines the extent of relationship between politics and land rights. He argues that land alienation and acquisition were based on the English property law, which stressed title and private property rights in the alienated areas; that the Swynnerton Plan of 1954 deepened and diversified this process; that the people whose land was alienated became landless, some of them (e.g. the Kikuyu) later redressing the problem through the Mau rebellion; that alienation contributed to “ethnicisation” of the land question, the squatters moving into Rift Valley where they sold labour to the white settlers; and

that the ethnic tension in Rift Valley, where the Kalenjin and the Maasai had their land alienated, deepened in tandem with the consolidation of the independence struggle (Kaninga, 1998: 3). The picture portrayed is a fact of Kenya's political history in which the "land question" is generally crucial. However, it overstates the issue of squatters, particularly their sale of labour. The vast majority of unskilled labour in the plantation and ranching farms in Rift Valley came from Western Kenya, the labour reservoir for the modern sector of the country's economy in both urban centres and "economic islands" of development in rural areas (Ominde, 1968; Stitcher, 1976; Oucho, 1981, 1996).

The centrality of the land question in the political transition in Kenya has influenced the formation of political parties. Towards independence, the dominant party, KANU belonged to the two dominant ethnic groups, the Kikuyu and the Luo, who favoured a centralised state and unitary form of government. KADU was a party for another large group—the Luhya—and the minority ethnic groups who include the Kalenjin, Maasai Turkana and the Samburu (Kamatusa), the Somali and the Mijikenda and who preferred *majimbo* (Swahili for a federal system of government). The New Kenya Party belonged to the white settlers, specifically to protect and preserve their interests in land (Kaninga, 1998: 4). Kaninga's analysis corroborates other literature which underscores the centrality of land settlement as a package of Kenya's independence after a bitter peasant rebellion, spirited trade union movement and effective representation of Africans by a handful of their elected representatives in the Legislative Council (Legico).

Voices Crying over Land Hunger vis-à-vis Greed

Immediately after independence, there were a few level-headed Kenyans who cautioned, albeit unsuccessfully, about greed over the acquisition of land in the former Scheduled Areas and its ownership by the incoming farmers. The drama occurred in Parliamentary debates that pitted opponents of the dubious land at the market rates, against a minority of those considerate of the landless.

The greatest advocate of the plight of the landless was Bildad Kaggia, a fellow detainee with Jomo Kenyatta, who chose to resign his position as Assistant Minister for Education and join the opposition party, Kenya Peoples Union (KPU). In a scathing attack in

Parliament while still in government, Kaggia decried the problem of squatters who had been evicted from the white settlers' farms through trickery and even by the incoming African settlers who were blind to the centrality of their new farms as the only source of employment for the squatters. His description of the trickery tells the whole story (Gertzel, *et al.*, 1969: 130):

Evictions took place when land is sold to another farmer [through] this so-called willing seller, willing buyer [claiming] "I do not want any of the employees who are here, I want to bring my own", or "I want only one-third of the employees and all the rest are discharged" . . . As they are discharged, then tomorrow they can be picked up by the police as illegal squatters and evicted . . . It is a great shame . . . to realise who are these illegal squatters . . . you will . . . that some of these people . . . were born on the farms, have lived there for many years and just because the settlers go, and do need them, they are declared illegal squatters, liable to eviction.

This graphic description of a former freedom fighter who lived in poverty throughout Kenya's independence simply because of his insistence on better treatment of sons of the soil, is a historical landmark by which future generations of Kenyans will judge political leadership in the country, at least in the first four decades of independence era. It can be argued that the so-called squatters (a term which was later abandoned for its derogatory tone) were the genuinely landless, but most of them were never settled under that banner nor had they enough economic muscle to purchase land on a willing seller – willing buyer basis. Again Kaggia (Gertzel *et al.*, 1969: 130–1) makes a heart-rending description of the squatters' plight:

There were only two things open to them: either to be evicted the following day, or buy the land and remain there on their own land. Now, you find in many cases that the price of land is so high that even if the squatters are more than a thousand they cannot raise the required amount to buy the land. So these people to protect themselves from eviction, do everything they can, they sell everything . . . including their bedding and utensils, to raise the required amount to buy the land . . . When they ask for a loan . . . sometimes they are told: "You cannot get this loan because you have not raised 50 percent or the given percentage", or they are told they cannot get a loan because their co-operative has so many members, more than forty-one.

While these were legal provisos for land purchase during the land settlement programme, they precipitated a situation whereby the rich, on their own or as leaders of co-operatives or land-buying compa-

nies, bought large tracts of land to themselves at the expense of the poor squatters or genuinely landless individuals. Kaggia drew attention to "homelessness", which has been of great concern to the United Nations Centre for Human Settlements (Habitat) since its inception in 1976. Landlessness and homelessness, accompanied by poverty for which no end seemed to be in sight, did a great blow to the land settlement programme. It polarised Kenyans not only between the "haves" and the "have-nots" but also the "landed gentry" and the "serfs".

As the debate on land ownership in the former white settlement enclaves raged in Parliament in 1964–1966, Parliamentarians suggested various solutions to the problem. Kaggia and his associates called for free acquisition of the land from the settlers and its free distribution to the genuinely landless, arguing that the white settlers had stolen, not bought the land from the Africans. A highly vocal politician, Zedekiah Anyieni and his associates, put up a Motion in Parliament, which read as follows (Gertzel *et al.*, 1969: 132):

That this House notes with great concern the attitude of a few money possessors who are buying as much land as possible in the former Scheduled Areas, and urges the Kenya Government to set up a committee to recommend the maximum acreage an individual or a group of individuals may be permitted to buy and own in the former Scheduled Areas.

During the debate on this Motion, some Parliamentarians opposed it for its socialist tone and others for its attempt to interfere with individual ownership of property. In the end, the Motion was defeated in the House, with the Minister for Economic Planning and Development, Tom Mboya, saying that: "The vote . . . is not against the principle outlined but against the unfortunate timing and unfortunate insistence on a vote, even after Government assurances of what was being done. Why there was this insistence, I do not know, and I do not wish to go into it." (Gertzel *et al.*, 1969: 136).

These were the days of serious Parliamentary debates when Government never trivialised issues and when Parliamentarians acted above their ethnic springboards. That the proponents of the views of the landless were Kaggia (a Kikuyu) and Anyieni (a Kisii), and the opponents were Assistant Ministers such as Khasakhala (a Luhya) and Gachago (a Kikuyu) with the Minister Tom Mboya (a Luo) debating the land issue in such a spirited fashion explains it all. Vestiges of these lively debates remained during the One-Party rule

in 1970–1992 but the fire of advocating for the concerns of the silent majority burnt more slowly until it was finally extinguished by powerful Kenyans who acquired any kind of land during this period and thereafter. It is not surprising, therefore, that Rift Valley became the epicentre of ethnic clashes over land. As the problem unfolded, the likes of Kaggia and Anyieni must have been both smiling for their prophetic pronouncements and pitying the country for abandoning them at the hour of serious reflections those past thirty-odd years. Their ally over the land grabbing problem, J.M. Kariuki, was brutally murdered in 1975 thereby silencing the sole voice of conscience when Kaggia was out of the political scene and Oginga Odinga destined for detention and proscription of his opposition party in late 1969. The landless recoiled and disappeared in thin air; the more politically correct and blessed Kenyans acquired as much land as they needed; and those who settled in Rift Valley, whether as landless or as new purchasers, were in for surprises at the turn of the nineties. The ethnic clashes of the early nineties awaited them.

PART THREE

CONSEQUENCES AND SOLUTIONS

CHAPTER EIGHT

CONSEQUENCES OF CONFLICT

Ethnic conflict, like any other form of conflict, has far reaching consequences for individual victims, their communities and the entire country. After presenting a conceptual framework for analysing the consequences of conflict, this chapter examines national and societal consequences of ethnic conflict for the displaced population as well as demographic processes and economic, political and social consequences for the affected people, areas and the country. Although there is a need for systematic research on the aftermath of conflict in order to articulate the consequences more vividly, systematic research is impossible in a situation where accusing fingers are pointed at the government and the political establishment who are vested with the powers to authorise any research in the country. Therefore, this chapter may suffer some shortcomings because of data inadequacies.

8.1 *A Conceptual Framework for the Consequences of Conflict*

The framework proposed for analysing the consequences of conflict is illustrative rather than exhaustive. Broadly speaking, there are two main consequences considered in the Kenyan case: demographic and national or societal (Figure 12). This general categorisation is far from satisfactory but it serves the purpose disciplining our interpretation.

Effects of Conflict on Demographic Behaviour/Processes

Conflict has tremendous effects on the victims' demographic behaviour which cumulatively shapes demographic processes. This is especially the case when conflicts occur around important national events such as the general elections and the census. There is often gross undercount of population in unfavoured regions and over enumeration in those favoured by government; perhaps it is a deliberate effort to politicise the country's population census. The result is politicisation of the process and people's distrust of the census returns. A second consequence is the internal displacement of population (usually the victims) with a chain of disruptive circumstances. Displaced

persons, who had severed any links with their original home areas, may remain helpless unless some charitable organisations come to their aid. Nevertheless, even that is a palliative measure. Conflict also disrupts marital/consensual unions thereby disrupting fertility in the same way divorce or separation does among populations in the reproductive years. On the other hand, conflict causes morbidity, often resulting in mortality among the victimised groups. Apart from those dying of arrows or firearms wounds, others die because of famine and malnutrition, as well as diminished health and welfare. Finally, widowhood and orphanhood increase because of mortality among couples and children respectively. As can be imagined, the widows and orphans are plunged into a desperate situation, from which they rarely recover. Thus, the resultant demographic situation is inimical to the population's capacity to sustain a healthy demographic scenario.

National/Societal Consequences of Conflict

At the national or societal level, conflict has important economic, political and social consequences. Economic consequences include disruption of agricultural and non-agricultural activities as well as loss of income-generating activities. Political consequences include political zonation of the country into strongholds of political parties, government's biased allocation of the national cake in terms of apportioning development projects and its subdivision of a country's administrative units along ethnic or clan lines. Social consequences have to do with the dismemberment of families (as family members flee for their lives) and inter-ethnic tensions, distrust among different ethnic groups and the disruption of children's education and socialisation. The list of national societal consequences is inexhaustible.

Both population and conflict have important consequences for Kenya as a nation and its component regions or peoples, not to underscore their implications or the lessons they yield for other African countries. The Kenyan case already analysed in the two previous sections has yielded instructive lessons. First, there has been contravention of fundamental human rights, which the country's constitution articulates. Second, perpetrators of conflict orchestrated ethnic animosities in a nation that has been the pride of Africa as the haven of peace and tranquillity. The third consequence is erosion of the country's economic base—agriculture and allied activities—

INDEPENDENT VARIABLE

DEPENDENT VARIABLES

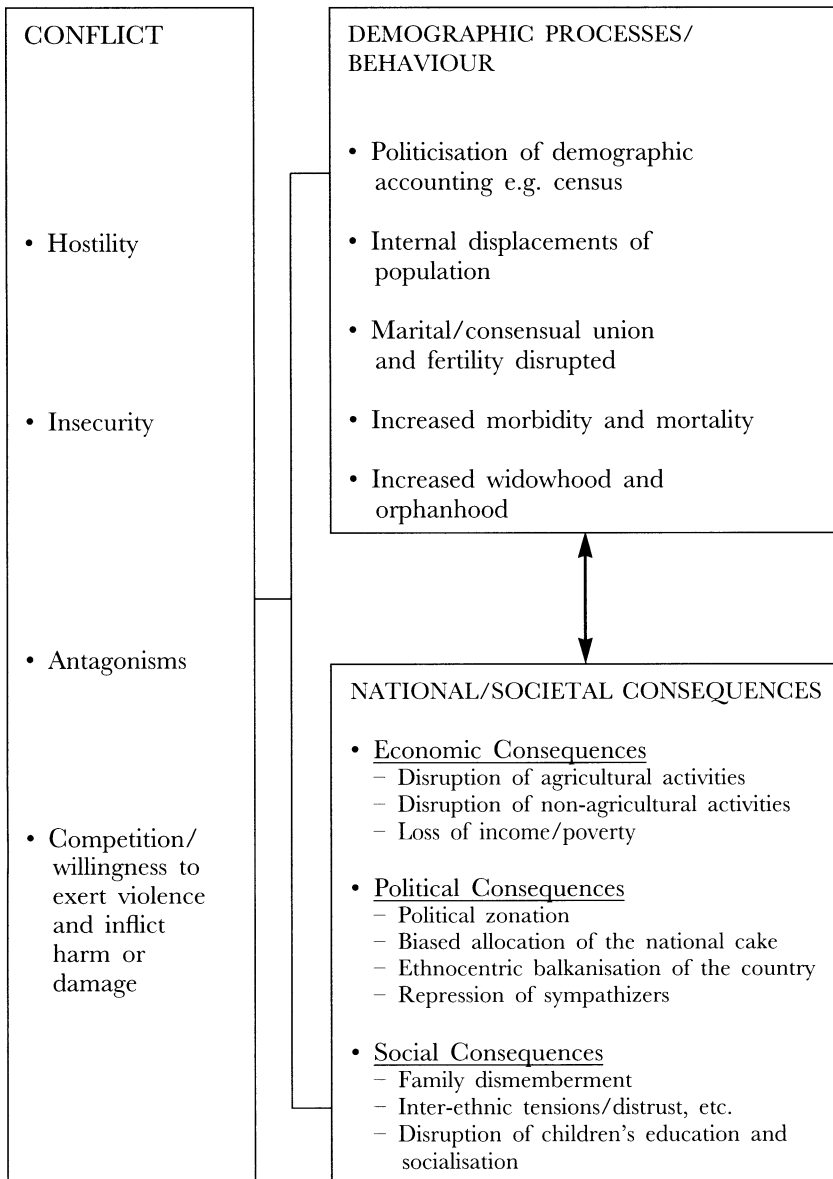


Figure 12: A Conceptual Framework for Analysing the Consequences of Conflict

which plunged the country in an agricultural crisis from which it has never recovered. The conflict in Rift Valley halted agricultural production: both food production in the country's food basket and commercial agriculture, in the process denying the farmers and the country a reliable source of income. Finally, conflict engendered a host of liabilities, including rewinding the hands of the political clock to the dark days of pre-independence struggle; not least, it permitted opportunistic invocation of old-time, traditional jealousies, animosities, arrogance and isolationism among the country's ethnic communities.

8.2 *Consequences for Displaced Population and Demographic Processes*

Conflict affects the internally displaced populations (IDPs) in three principal respects: politicising demographic accounting undertaken in censuses and surveys; disrupting fertility and increasing morbidity and mortality; and generating a colony of IDPs who remain thus indefinitely.

Politicisation of Demographic Accounting

Violence, which engulfed the conflict areas already mentioned in Chapter 4, sparked off displacement of population, which in turn changed the population composition of the affected areas. The various reports and Kenyan newspapers give shocking information of large numbers of people evicted from their farms in practically all the conflict areas. This aspect of forced migration, which had occurred in Kenya only during the Mau Mau rebellion at the time of colonial rule, was unknown in independent Kenya until the time of the 1991–3 ethnic clashes. It disrupted the lifestyles that its victims had already cultivated, family cohesion, children's school attendance, income-generating ventures and so forth. It is not surprising that the Kenya government ruled against collecting information on tribe in the 1999 census and prevailed on the Census Bureau of Statistics (CBS) not to publish information on tribe in the 1989 census. Nor can one fail to understand why the complete publication of 1989 population census results delayed until April 1996, exactly six years and four months after the census count. What of the indiscriminate sub-division of the country's districts (from 41 in 1988 to 69 in 1998)

that might have been aimed at making it difficult to determine population change in the enumeration units?

Effects on Fertility and Mortality

In demographic terms, conflict disrupted demographic processes. For instance, as the victims fled for their lives, couples parted ways, resulting in temporary marital dissolution and, therefore, a temporary halt to reproduction and family formation. It would be interesting to have researchers investigate effects of conflict/violence, and more specifically population displacement, on fertility in the five years 1991–95 in Kenya. Conflict also ushered in rising mortality and morbidity, which researchers have yet to delve into, and retrospective surveys conducted in future could shed light on effects among communities and families who suffered losses through the death of their members. This is because, except for the more authentic Human Rights/Africa Watch, UNDP and NCKK reports, the politically charged Kiliku Report as well as newspaper/magazine reports may not provide dependable data on mortality and morbidity among the affected populations. That for the first time since independence displaced Kenyans were living in camps under appalling conditions and without adequate food and health facilities is indicative of their fate at that dark period. It reminded Kenyans, especially the Kikuyu, of the camps with home guards during the Mau Mau, and made them feel no different from Somali, Ethiopian and Sudanese refugees in refugee camps in the country.

Emergence of Internally Displaced Persons

Finally, the consequences of forced migration and displacement included transferring the problem to other districts (e.g. the ancestral home areas of in-migrants in the affected areas), which were definitely unprepared and never had the resources to handle such a deluge of forced return migrants. For example, the densely populated Kiambu district in Central Province could not accommodate large numbers of people displaced from Maela and Enosupukia in Rift Valley Province and had to do with pitching camps for them in playgrounds and schools to the discomfort of their frequent users of these facilities. It is tempting to conclude that the victims of conflict might never live normal lives any more, a consequence that will

adversely affect their intrinsic demographic potential and effective participation in national development.

The exact number of internally displaced persons (IDPs) in a situation where national governments are reluctant to release figures, leave alone acknowledge the problem, is difficult to arrive at. In Kenya, the number of IDPs in Rift Valley, Western and Nyanza Provinces during the 1991–93 ethnic clashes remains a mystery, a guarded secret only known to government or those who may have sponsored the mayhem. About 300,000 people purported to have been supporting opposition parties were driven from their land in large-scale attacks (Nowrojee, 1998: 66). The number appears to be a gross underestimate. Local newspapers reported that the ethnic conflict in Coast province in August 1997 (incidentally four months preceding the general elections) resulted in the death of 40 people and displacement of more than 120,000. Leaflets distributed in some areas stated in part: “The time has come for us original inhabitants of the coast to claim what is rightly ours. We must remove these invaders from our land” (Nowrojee, 1998: 65). It echoed the same sentiments as the leaflets distributed in the areas of ethnic clashes in the early 1990s. At that time “Kikuyu, Luhya and Luo-owned farms were attacked by organised groups of Kalenjin or Maasai ‘warriors’ armed with traditional weapons such as bows and arrows”. Officials of the ruling party had allegedly paid some attackers a fee for each house burned down and person killed, government vehicles had been used to transport the attackers and security forces often stood by during an attack with appeals for protection going unheeded (Nowrojee, p. 66). Such distressing stories might seem incredible in a country where peace and tranquillity had reigned for nearly thirty years of independence. Indeed, they took place at a time when the vast majority of Kenyans were yearning for political tolerance and a positive break with the past.

Although evidence from national wars and civil strife generally does not attest to this fact, meso- and micro-level evidence may be on the contrary. It is not surprising that politicians from the so-called minority groups kept calling for their tribesmen and tribeswomen to reject “family planning propaganda” and, instead, to step up their fertility in order to have their numbers catch up with the larger ethnic groups. This assumption by such politicians is both absurd and unrealistic given that multifarious factors, over which ethnocentric responses have no control, influence the pattern of population growth in Kenya.

8.3 *National/Societal Economic Consequences*

Economic consequences of conflict, and more particularly clashes, for Kenya's economy were more far-reaching than the government and proponents of majimboism envisaged. Kenya's bread basket and rural economic islands in Rift Valley province and its borders with neighbouring provinces ground to a sudden halt as clashes gripped the conflict areas. The production of food crops, including the staple foods, dwindled, resulting in famine and poor nutrition that had never occurred in the affected areas. In fact in the 1992 general elections, it is alleged that the distribution of food by the KANU government to famine-stricken areas in Kitui and Machakos districts, for instance—lured voters more easily to the KANU camp than the dishing out of money which, as the voters argued, did not give them food directly. In the same vein, the production of cash crops (mainly sugar in the Nyanza sugar belt), food as well as surplus food crops (such as wheat and maize) for sale and livestock products, declined considerably. Ethnic conflict triggered the flight of cheap labour on which these labour-intensive activities relied in the conflict areas, leaving a vacuum that the so-called "indigenous" population in the conflict areas could not fill given their lack of knowledge and skills in agriculture. For the Kenya government to blame the Structural Adjustment Programme (SAP) for its downturn in agricultural activity in an environment where conflict reigned as SAP was also biting hard is the height of absurdity. Elsewhere the collapse of sisal and sugar estates in Coast province is a case in point attributed to the fleeing of up-country labour when *watu wa bara* (people from up-country) had their lives threatened in order to leave room for natives of the province who have little or no experience in these important enterprises. Kenya's agricultural production has never recovered since the 1991–93 ethnic clashes, and recovery might take longer than expected.

Economic indices of the Kenyan economy paint the gloomy picture that it was at the lowest ebb from the late eighties to the early nineties, largely for other reasons, such as the world economic order, economic reforms, increasing costs of imports as opposed to decreasing costs of exports, withdrawal of aid and grants, rapid population growth which cancels out economic achievements and so forth. Yet ethnic clashes that the country witnessed in the first three years of the nineties added their toll to the already deteriorating economic situation of the period. Even after relative, fragile peace was restored

in the conflict areas, the displaced people were reluctant to return to them and resume their previous lifestyles; the high economic standards that were associated with these areas became a thing of the past or simply a lost glory. After a long lull, economic activity might resurge in the areas of conflict, which might take longer to gain the pre-conflict productivity. Human Rights Watch/Africa Watch (1993: 36) gave a graphic account of a Luhya victim of ethnic clashes, who expressed their fear to return their former homes in Trans Nzoia and Bungoma Districts where they had no homes and where as the Luhya planted crops, the Kalenjin grazed their cattle on the crops and stole property. In such a situation, food shortage became persistent and real famine loomed large. An important consequence of ethnic clashes is the drastic change in land ownership which temporarily, and in certain circumstances permanently, halted agricultural activity, resulting in food shortages and decreased volume of cash crop production. Land was both hastily purchased and hastily transferred, even to those who had never been, and had no time to become, farmers. Indeed, the land-grabbing venture that gripped the Rift Valley soon sharpened the quest for more land, including urban land that urban planners had designated for specific uses. Land transferred was sold "by the original owners at a pittance". In Uasin Gishu District, the displaced Kikuyu were offered Kshs 20,000 (US\$250) while the market price for an acre of land before the clashes was Kshs. 80,000–100,000 (US\$1,000–1,250). At Sirisia, Bungoma District, a Luhya man who owned a twenty-five acre plot had been offered Kshs 25,000 (US\$312) for the land while the market price would have been Kshs 750,000 (US\$9,375) before the clashes. In some cases, sons of the land prevailed upon non-Kalenjins to give up their land for other land in another province, and in others, the clash victims were explicitly instructed by local Kalenjin authorities to exchange their plots with Kalenjin authorities to exchange their plots with Kalenjins from outside Rift Valley (Human Watch/Africa Watch, 1993: 77–8). It was an untidy tale of woes unto the ethnic clash victims and good tidings to sons of the soil.

Another important blow to the Kenyan economy was that the country's breadbasket, the Rift Valley, had its agricultural power base completely grind to a halt, from which it has never fully recovered. The government correctly predicted food shortage by the end of 1993 (not that Kenya had not experienced the problem before) as the farmers had been displaced and the "in-coming farmers" had

no clue about what the farming business entailed in the world of agricultural commodity competition. Production of maize, the country's staple food, had a shortfall of 390,000 tons below average in 1992 and wheat output fell from 195,000 to 125,000 tons from 1991 to 1992 (Human Rights Watch/Africa Watch, 1993: 85). A Food Agriculture Organization (FAO) report noted that the IDPs of Rift Valley Province would need 7,200 tons of cereal and 1,080 tons of pulses and other food items in emergency aid in 1993. (*Daily Nation*, May 14, 1993 and May 23, 1993), cited in Human Rights Watch Africa Watch, p. 85. In Molo area, the milk supply dropped from 75,000 litres a month to 29,000 litres (*Daily Nation*, June 19, 1993, cited on p. 85). While this was happening, the effects of the Structural Adjustment Programme (SAP) on agricultural activity in general were biting hard on the Kenyan economy. It is not surprising that Kenya ended the 20th century with an ailing economy in which agriculture, for a long a time the country's mainstay, was but a pale shadow of what it used to be before ethnic clashes. Kenya's significant economic blue print by Gatheru and Shaw (1998), *Our Problems Our Solutions: An Economic and Public Policy Agenda for Kenya*, at which all manner of Kenyan leadership participated, addresses some of these issues in one of the rare frank expositions unknown for a long time in the country. Yet an important challenge remains, namely implementation of the prescribed solutions and strategies in order to resuscitate the economy. Is it any wonder that when the Minister for Finance announced his budget for fiscal year 2001/2002, he conceded that Kenya's economy was growing at -0.3 per cent, the lowest ever experienced by the country since independence. The economy fell badly after many years of remarkable success.

8.4 *Political Consequences*

Before the clashes set in, Kenya was a model of a peaceful country, even though there were incidents of political repression, violation of human rights, contravention of the country's constitution and other adverse political developments. Clearly, conflict and clashes pitted the once friendly neighbours against each other, quarrelling and engaging in violence with far reaching consequences. For once since Kenya attained independence in 1963, conflict and clashes rocked the foundation of its nationhood. Politicians, on their own

volition and without due support of the electorate, began the balkanisation of Kenya into “KANU zones” vis-à-vis “opposition zones” claimed by FORD-Kenya, FORD-Asili and Democratic Party. This absurdity baffled political pundits and confused the electorates who became suspicious of the virtues, if any, of multi-party democracy.

Sadly for Kenya, falsification of census figures was not a remote possibility, following some powerful politicians’ utterances, including claiming their ethnic groups’ numerical strength in the country without any convincing scientific basis. It is not surprising that provisional reports of Kenya’s population census held in August 1989 did not appear until 1994, and that analytical reports, which are more informative and useful for planning, delayed until April 1996. The argument being advanced here is that Kenya’s demographic accounting—including census, surveys and civil registration—had apparently been politicised to the discredit of a country, which earlier had won international reputation as a reservoir of rich, dependable demographic data.

Politics also crept into the country’s administrative structure in which politicians took the centre-stage as officers within the executive arm of government abdicated their responsibilities. Kenya consisted of 41 districts (including Nairobi Extra—Provincial District) up to 1989. With multi-party politics in the offing, 39 districts (excluding Nairobi and Mombasa) were sub-divided into “ethnic districts” (e.g. exclusively for the Kuria, Basuba, Mbeere, Teso, Sabaot) or “clan districts” (e.g. Rachuonyo); and some former administrative divisions (e.g. Vihiga, Migori, Bondo etc.) were upgraded to districts. This move admittedly enhanced the administration of smaller and more cohesive districts, a point that its proponents advocated. Conversely, it became grossly counter-productive in several respects. It occurred at a time the Kenya Government had no money to spend on the developing basic infrastructure for the new districts that the government advised to do that on their own. Based on no convincing criteria, the move was personified in the presidency as the President dished out districts like gifts to the people, allegedly as an expression of the ruling party’s magnanimity. The move made the term “district” lose its former conception as a carefully defined administrative unit, carved out on the basis of some convincing physical, human, economic and socio-cultural criteria. Consequently, Kenyans have come to view districts as less important institutions than their ethnic or clan obligations. By the end of 2000, the country

consisted of 69 districts, a move that, however, augurs well for sub-division of constituencies in the 2002 general elections:

As Kenya prepared for the 1997 elections, the political smoke screen became hazy. There was a resurgence of conflict and clashes in the areas already affected, and or even in new areas; political zonation of the country took place indiscriminately; the economy was ruined beyond recovery in the few remaining years of the 20th century; and Kenyans became more divided than before. Apart from genuine prayers for the country, which went on in all churches, mosques and other prayer houses, Kenyans need to take a new and more serious look at what the country was in the past, is now and since conflict started; and will be in future if the past and present trends continue or are reversed for the better. A bill passed in Kenya's Eighth Parliament in December 1998 to review the country's constitution portends a lot for the last point. Many hurdles stood on the way of the Constitutional Review Commission (appointed in the late 2000) to complete work before the 2002 general election.

In July 1998, the Government of Kenya set up a Commission of Inquiry into Ethnic Clashes, chaired by Justice Akilano Akiwumi, assisted by two other senior judges. Evidence presented to this Commission, reported in the media, underscored the role of politics in the whole affair. In the city of Mombasa, for instance, *watu wa bara* were attacked by marauding militia of *watu wa pwani* in order to evict the former and pave way for the latter and the President winning the 1997 elections for the ruling party. In Rift Valley Province, security personnel made incredible revelations to the Commission. The Commission submitted the report to the President who never allowed it to be publicised. The report contains information that must be publicised at some stage to avoid a repeat of the situation, which made Kenya return to the dark period. At that point in time, a critical look will have to be made of the country's political, economic and socio-cultural milieux in order to form a basis for prescribing lasting solutions to conflict of any kind.

8.5 *Social Consequences*

Since the late seventies, Kenya has seen systematic destruction of the social networks that had already evolved in it over time before the outbreak of ethnic conflict. Social networks have been so destroyed

that they might never be restored. Because of ethnic clashes, the post-*uhuru* (Swahili for independence) generations, who had started living as Kenyans rather than particular ethnic communities, have come to distrust one another through ethnic lens. Even the rate of inter-ethnic marriages, which had become acceptable between formerly socially distant neighbours, are bound to nosedive considerably as the past animosities are relived. In the midst of rampant animosity, ethnic groups in or along the borders with Rift Valley Province stopped sharing social services such as public schools, health facilities and, local markets where they had been meeting frequently before the hostilities erupted. Ethnic conflict compromised the needs of school-age and school-going populations and of users of all other facilities. Briefly, the social life has taken a downturn and youth in the society unsurprisingly seem to cherish ethnocentric tendencies, which their socialisation in the school system and work settings was increasingly obviating before the clashes.

After ethnic clashes and peace were seemingly returning to the area, top Kikuyu leaders engaged in talks aimed at normalising relations initially with the Kalenjin, later incorporating the Kamatusa group. Regrettably, the talks failed to yield the expected results, leaving unresolved the plight of the internally displaced persons and further widening the social gap between the two parties. Unless there is a suitable formula for bringing durable peace in the conflict areas, these ethnic groups will continue to live as sworn enemies, each waiting for an opportunity to avenge their aggression on another group.

It is appropriate to refer to the children's population among the IDPs as the "lost generation" (*Daily Nation*, May 29, 1993). Had such children had been refugees, they would have easily received humanitarian aid from the United Nations system and other organisations as "children under specially difficult circumstances". Many of them showed signs of infectious diseases (e.g. respiratory problems and tuberculosis) as well as scabies and malnutrition, some suffered from the clashes themselves and all of them missed playing with each other like before. In some areas, schools were so crowded with children from displaced areas that many missed school places; even in schools where the children were admitted, many of them went without textbooks which they lost in the attacks. The NCKK estimated that by June 1993, over 10,000 children in Bungoma District and over 5,000 in Uasin Gishu District had been displaced and were no longer in school (Human Rights Watch/Africa Watch, 1993: 80-1).

Clearly, this was complete wastage of human resources, not to mention a denial of innocent children an opportunity to develop capacity to participate in national development in the near future. It is incredible that was happening in Kenya where top political leaders have been urging Kenyans to be mindful of others, not least the children whom they claim to love or adore, as the future leaders.

Another social scar is the deepening hatred between and among ethnic groups, especially between the Kalenjin on the one hand and the Kikuyu, Luo, Luhya and Kisii on the other. Whatever fence-mending strategies have been adopted since the 1991–93 ethnic clashes seem to amount to no more than political gimmicks, at best short-lived face-saving devices. On realising the government's inaction and reluctance to bring to justice the perpetrators of ethnic clashes, the clash victims prepared their own strategies for self-defence. The opposition party FORD-Asili threatened to form private "armies" in June 1993, and oathing reminiscent of the Mau Mau days started in some areas but this time involving the aggressor and aggressed and their were calls for using lethal weapons, including home-made weapons (Human Rights Watch/Africa Watch, 1993: 87–9). As can be seen from such happenings, the charged atmosphere forced the perpetrators of ethnic clashes to accept responsibility for the mayhem. Even the "eye for an eye" retaliatory move by the victims of clashes seemed inadvisable as it merely prolonged rather than curtailed ethnic conflict.

Ethnic conflict also inflicted considerable damage to communities that had lived peacefully before ethnic clashes erupted. At Owiro Farm in Songor—a 2,600-acre plot formerly owned by the Governor of Kenya during the colonial period and bought during independence (in 1970) by a co-operative society of 4,000 Luos—the Parliamentary Select Committee came across an excruciating experience, namely "no single person in sight". The clash victims had dispersed, some of them renting houses at the market centre and all having not returned to the farms by July 1993 (Human Rights Watch/Africa Watch, 1993: 84). It is hard to believe that this was happening in the one time buffer zone between the Luo and Nandi who had long forgotten their pre-colonial wars based on stock thefts rather than eviction of the other. That ethnic conflict was rekindling the fire of pre-colonial skirmishes and prejudices shows how low Kenya's moral fibre had gone during ethnic clashes.

CHAPTER NINE

POST-CONFLICT ENVIRONMENT: THE SEARCH FOR DURABLE SOLUTIONS

This chapter seeks to elucidate viable efforts made and prescribe appropriate strategies for durable solutions to ethnic conflict in Kenya. It begins with a selective survey of theory, research and practice of conflict resolution, including other approaches such as conflict management, regulation and reduction, which have been deployed elsewhere. Therefore it analyses what was, and continues to be, done in Kenya's ethnic conflict. The third section three of the chapter explains how two international organisations—the Human Rights Watch and UNDP—responded to the problem, demonstrating that the two worked at different wavelengths; the fourth section considers some options that were worth trying out to resolve conflict. The final section provides tips to what stakeholders should have addressed to resolve the problem. The Organization of African Unity (OAU) and other African states have a lot to learn from not only the analysis made, but also Kenya's strand of conflict resolution and management. In the past, the OAU was preoccupied with the prevention and resolution of conflict at the international level, that is, involving neighbouring countries. That is clearly a redundant, if not an anachronistic episode. With the escalation of conflict, violence and massacres as well as civil wars in several African countries—e.g. Liberia, Sierra Leone, Comoros and Burundi and Rwanda in the Great Lake region—the OAU has become increasingly involved in national conflicts. To this end, economic sanctions imposed on Burundi, following a military take-over in July 1996 goes on record as an unprecedented step taken by the OAU and Burundi's neighbours to contain the situation in the war-torn country. However, that move signifies only one option, and rarely a durable one in conflict resolution.

9.1 *Conflict Resolution: Theory, Research and Practice*

This heading is borrowed from Schellenberg's (1996) book which treats the subject in such detail that researchers and professional

practitioners of conflict resolution must surely pay attention to. Towards the end of the 1960s, academic bias against ethnicity began to erode due to two changes. The first change was one in which ethnicity has fought and bled and burned its way into public and scholarly consciousness (Horowitz, 1985: xi). Secondly, in the academic world, the international relations discipline came under attack because of its state-centric approach (Ryan, 1995: 19). As a result, conflict resolution specialists realised that a true understanding of many conflicts was not possible from the state-centric perspective; rather, they demanded that more attention be given to "identity groups", such as ethnic communities (Azar and Burton, 1986; Azar and Marlin, 1987, cited in Ryan, 1995). Although the state-centric approach is appropriate for inter-state conflict, recognition of identity groups makes it applicable to intra-state conflicts where it is possible to deploy in-state mechanisms for conflict resolution.

Literature search has revealed that "ethnic conflict has not yet captured the interest of most conflict resolution scholars" (Richardson and Wang, 1993: 173). The bulk of the available literature concentrates on "international conflict resolution", with a surprisingly small number on "ethnic conflict resolution" (p. 174). As the latter more easily captures intra-state conflict, it is more relevant to our study hence our concentration on localised conflicts.

Conflict resolution studies vary as widely as scholars and practitioners on the ground attempting to resolve conflicts against the background of their disciplinary training and careers. Richardson and Wang (1993: 175–7) identify studies relating to theory, practice and experience as follows: There are theories of conflict resolution which propose that lessons learned from resolving conflicts at one level will be broadly applicable to others. Other theories hold that different forms of conflict may require different conflict resolution strategies, such as negotiation, alternative dispute resolution, mediation or second-track diplomacy. However, this is only possible where disputants are willing to have a third party reconcile them. In Schellenberg's (1989) view, theories of conflict resolution must be based on a broad understanding of theories that address the causes and dynamics of conflict. To Deutsch (1973), the challenge of conflict resolution is to transform destructive conflicts into constructive ones, a "win-win" strategy. Burton (1969) underlines the importance of communication in conflict resolution, confessing that communication represents only one facet of conflict resolution. Richardson and Wang (1993: 176) note that of the architect revolutionary Mao Tse Tung's rarely cited

works on conflict resolution, *On the Correct Handling of Contradictions Among the People* (1957), merits attention from the students of ethnic conflict. He noted that both "chauvinism of the majority" and "parochialism of the minority" are potentially divisive problems in multi-ethnic societies. In Kenya, the apparent chauvinism of the Kikuyu and parochialism of the Kalenjin fuelled ethnic conflict in Rift Valley Province, leave alone being a source of considerable disquiet in the country. The politicians' contagious pronouncements cited in chapter 6 attest to this fact. Pedersen and Jandt's (1996) caution is appropriate: that it is important to acknowledge two approaches to conflict resolution, namely competition and co-operation. Competitive strategies are typically adversarial, sometimes relying on force, focused on short-term victories and can result in long-term destructive consequences. Co-operative strategies are non-adversarial and generally inclined toward positive long-term consequences.

Case studies and comparative studies surveyed by Richardson and Wang (1993: 177-9) provide useful lessons for such studies as form the subject matter of this book. They include studies of Lebanon, the Sudan, Sri Lanka and Uganda. Some of them—of Cyprus (London-Zurich Agreements, 1959), of the Sudan (Addis Ababa Agreement, February 1972), of India (Punjab Accord, July 1985), of Canada (Meech Lake Accord, June 1987) and of Sri Lanka (Indo-Lanka Accord, July 1987)—were ethnic peace accords (p. 186) which failed to achieve lasting peace. In a study of the peace process in the Sudan, Rothchild and Hartzell (1990) identify five preconditions for the success of negotiations involving third party mediation: (a) the emergence of identifiable bargaining parties; (b) evidence of a mutually hurting statement; (c) the existence of leaders determined on a practical solution; (d) external political actors supporting conflict resolution; and (e) the presence of a mediator actively on the scene (Richardson and Wang, 1993: 177).

Yet Horowitz (1985: 597) believes that in ethnically diverse societies, conflict reduction is a more practical goal than resolution. He identifies five basic mechanisms of conflict reduction, namely (i) creating proliferating points of power; (ii) raising the saliency of intra-ethnic conflict; (iii) creating incentives for inter-ethnic co-operation; (iv) encouraging ailments based on interests other than ethnicity; and (v) reducing disparities between groups so that dissatisfaction declines (Richardson and Wang, 1993: 178). All these are challenging pre-

requisites for conflict reduction, which is a necessary precondition for conflict resolution.

In a work based on six comparative studies—of Belgium, the Netherlands, Austria, Switzerland, Lebanon and Malaysia—Nordlinger (1972) argues that the common characteristics of these cases point to a general theory of conflict management. He asserts that these six “divided societies” were free of conflict for long periods because elite leaders of protagonist groups were both dominant and politically skillful. Their political skillfulness is attributed to their successful implementation of one or more of six conflict regulating practices: (1) a stable coalition between governing parties; (2) the principle of proportionality; (3) acceptance of a mutual veto; (4) purposive depoliticisation; (5) mutual adjustment of conflicting values and interests through compromise; and (6) concessions by the stronger group (Richardson and Wang, 1993: 178). These rarely obtain in African countries where political parties in power have tended to be authoritarian, dictatorial and unwilling to make concessions to the weaker groups, leave alone ever sharing power.

There is a distinction between conflict management strategies and conflict resolution. Whereas conflict management brings the problem under control, conflict reduction attempts to terminate the conflict (Pedersen and Jandt, 1996: 4). Where either is lacking, as has been the case in many African countries before the latest proactive stance of the OAU, conflicts have been open to chance hence their exploitation by external forces to their advantage.

Lund *et al.* (1994) advise that culture centred models that incorporate sensitive assessments of each conflict in its cultural context may be more appropriate than any universal intervention model. To this end, they pose a series of questions (Pedersen and Jandt, 1996: 5–6), such as: When is a conflict defined as a conflict requiring intervention? What model of conflict management is most important? What kind of intervention is most appropriate? How should the conflict be managed or resolved? Should a mediator be neutral? How are successful outcome measures defined? What are the criteria of a “fair” solution? What are the criteria of competency in mediation? What special skill or knowledge is required by the mediator? How are the necessary competencies acquired or asserted? What kinds of training are available for mediators? What are the accountability mechanisms? Most of these questions would never feature in conflict

such as that experienced in Kenya in 1991–1993. They would most likely put to question the setting up of parliamentary committees and commissions to investigate allegedly state sponsored conflicts.

These questions are by no means exhaustive of all the possible questions. By focusing on the definition of a conflict to be resolved, models of conflict management to be adopted, the criteria for successful resolution of conflict and the various characteristics of mediators, the questions provide a basis for coming to grips with conflict in any setting. Duryea's (1992) assertion raises even more curiosity. He asserts that in conflict resolution, "insiders" are preferred to "outsiders" and high-status persons are preferred to lower-status persons, who function broadly as "fact-finder, thinker, educator, philosopher, diplomat, advisor, go-between, planner, social co-ordinator or advocate" (LeResche, 1990: 203, cited in Pedersen and Jandt, 1996: 9).

From results of the Harvard Negotiation Project, Fisher and Ury (1981) propose four basic principles to guide negotiation processes: (1) separate the people from the problem; (2) focus on interests, not positions; (3) invent options for mutual gain; and (4) insist on objective criteria (Richardson and Jandt, 1993: 180–1). These are difficult ideals to achieve, especially in African countries where people themselves constitute the problem, leaders' positions overrule any commentaries on vested interests, biased options are generally prescribed and subjectivity is preferred to objectivity.

Some of the popular approaches to the resolution of conflicts include coercion, negotiation and bargaining, adjudication through the power of the state and its legal system, mediation using a third party and arbitration also using a third party. These constitute the elements of Schellenberg's (1996) book.

The foregoing literature survey points to one important fact, namely that there are as many ways and means of managing, regulating, reducing and resolving conflicts as the disciplines involved in research undertaking and the practitioners of these approaches. Clearly, conflict resolution or any aspect of these is a multi-disciplinary field with disciplines such as psychology, philosophy, political sciences, sociology, anthropology, law and so on involved in its study. Therefore, any pretence at resolving ethnic conflict in Kenya, based on the so-called practical measures at the expense of sound research springing from these and other disciplines, might not achieve much. Against this excursion of theory, evidence and practice, the next section focuses on conflict resolution in Kenya. Table 19 presents a schema of actions

involved in efforts to find durable, and even temporary, solutions to conflicts. Such a schema may constitute a checklist of possibilities open to those trying to prevent, alleviate or resolve conflicts. Many African countries have tried out only limited options, without much success.

In the heat of bad blood between upcountry people who bought land in Magarini Settlement Scheme in Coast Province and the Mijikenda who had rightful territorial claims over the land, the Kenya Government made a categorical pronouncement: that all land in Kenya was “national land” on which anyone could be settled irrespective of ethnic identity and that “Magarini was not a scheme only for the coastal people” (the Weekly Review, May 4, 1984, quoted in Kaninga, 1998: 8). That pronouncement was consistent with the Kenya constitution, which allows Kenyans, irrespective of race, religion or creed, to settle and own property anywhere in the country, either of these two requirements qualifying individuals to contest elective positions. Yet in many instances, land “grants from above”, because of political favours to loyal party members, close relations and friends, contradicted the government’s position. Such grants intensified disputes over control of land and widened divisions between the local residents on the one hand, and new land owners, officers of the Ministry of Lands and Settlement and the Provincial Administration on the other (Kaninga, 1998: 7). With such a broad spectrum of parties with stakes, it turned out that the local residents lost out, had their constitutional rights transgressed and had to wait for an opportune time to rectify the situation. For Rift Valley Province the opportune moment was the clamour for multi-party democratisation at the turn of the nineties and it was the same in Coast Province where an outcry was made against *watu wa bara* who had to be evicted, murdered and their property destroyed towards the 1997 elections.

9.2 *National Healing of Wounds and Coverage of Scars*

A credit to Kenya is that the country resolved and managed its dark phase of history on its own, assisted by UNDP and NGOs. It would appear that conflict ceased when the majimbo euphoria died out. The majimbo debate provided an occasion for quarrelling and letting out all the political venom and one charged with undue emotionalism

Table 19: Schemes of Actions for Prevention, Management and Resolution of Conflicts

Action	Strategy/Mechanism
Prevention ¹	– Preventing the emergence of violent conflict through the creation of capable states with democratic governance observing the rule of law, with widely available economic opportunity, social safety nets, protection of fundamental human rights and robust civil societies – Preventing ongoing conflicts from spreading by creating political, economic and military checks for the spread of conflicts – Preventing the re-emergence of violence by creating a post conflict safe, secure and peaceful environment – Early reaction to signs of trouble through early detection and skilled analysis of developing trends – Adoption of a comprehensive approach to alleviate the pressures that trigger violent conflict – An extended effort to resolve the underlying root causes of violence
Reduction ²	– Creation of proliferating power points – Raising the saliency of intra—or inter—ethnic conflict – Creation of incentives for inter—ethnic co-operation – Encouraging ailments based on interests other than ethnicity – Reduction of disparities between group to reduce dissatisfaction
Negotiations involving third party mediation ³	– Emergence of identifiable bargaining parties – Evidence of a mutually hurting statement – Existence of leaders determined on a practical solution – Availability of external political factors supporting conflict resolution <i>Note:</i> Basic principles to guide negotiations include separating people from the problem focusing on interests, not positions; inventing options for mutual gain; and insisting on objective criteria.
Regulation/management ⁴	– Stable coalition between governing parties – Acceptance of a mutual veto – Purposive depoliticisation – Mutual adjustment of conflicting values and interests through compromise
Resolution	– Concessions by the stronger group – Cessation of conflict or elements of it based on the success of the various options – Ensuring non-recurrence of conflict and sustainability of peace

Source: Based on: ¹ Canergie Commission on Preventing Deadly Conflict (1997: xviii–xix); ² Horowitz (1985: 597); ³ Nordlinger (1972); ⁴ Richardson and Wang (1993: 178, 180–1) and other readings.

at the expense of rationality and good judgement. Once the debate dissipated, rational thinking, including the debaters' careful assessment of the pros and cons of majimboism and the conflict it precipitated, superseded it. It would appear that the cons triumphed and saved the country from imminent anarchy. The Kenyan case provides a lesson which the OAU should use to assist countries such as Rwanda, Burundi, Somalia and Liberia, which have not known peace for several years now. The questions that the OAU and its member states should toy with are: what sparked off conflict in Kenya and in each of the countries mentioned? What were the consequences of conflict from various perspectives? How did the countries manage to resolve it? How sustainable is the resolution? With both hindsight and foresight, it is necessary to raise and provide answers to the twelve questions posed by Pedersen and Jandt, (1996: 5-6) in the context of Kenya's conflict.

This case study of Kenya is instructive for Africa for several reasons. As one of the few African countries, which enjoyed significant economic development in a relatively (though deceptively) quiet political climate, Kenya has a remarkable record for going through conflicts which sometimes result in violence but which have never rocked its foundations as one united nation. Thus, despite political engineering, sensitivity of land as the most dependable resource and ethnic animosities, Kenyans and the Kenya Government have perfected the art of upholding national integrity and saving the country from collapse. To borrow from Pedersen and Jandt (1996: 4), positive (functional) conflict characterised independent Kenya up to 1992-3 when negative (dysfunctional) conflict plunged the country into trying moments.

Analysis of population and conflict interrelation calls for application of a conceptual framework consisting of exogenous variables which Government often takes for granted but which operate through a number of intermediate variables to determine conflict (Figure 12). While some of these have persisted in Kenya since independence, others have recurred several times and yet a few others have accompanied the multi-party democratisation process of the nineties.

Demographic factors play a role in conflict-predisposing circumstances. As fertility increases, population size and mortality/morbidity repels population, out-migration redistributes population to other areas thereby pitting in-migrants against natives, both groups competing for land and other resources. Where land and other resources

are in short supply, the two parties disagree violently and often engage in conflict, which sometimes explodes into violence. This explains why all the conflict areas have been within or along the borders of Rift Valley Province. The policy implications of the role of demographic factors include the need to underpin them in research on, and analysis of, conflict and the need to formulate population and development policies that take cognizance of potential conflict.

Discriminatory state intervention in conflict areas sustained rather than resolved the problem. The Kenya Government did not come out clean of the accusation that it armed warriors in Rift Valley Province who used superior arms to attack and evict Kenyans from other provinces, notably the Kikuyu. It would have been expedient for the government to appoint an independent commission to be responsible for forecasting, monitoring and managing conflict as objectively as would avoid suspicion of the government's subjective response to the problem. That Kenya Government appointed two commissions of inquiry into ethnic clashes of 1992–93 and towards the 1997 general elections was a commendable move. The findings of these commissions were disgusting and pointed an accusing finger at the sponsors of the clashes who included powerful individuals (mainly political heavy weights) and the state security apparatus such as the police. However, that the recommendations of the reports came to nought suggests the lack of seriousness on the part of the Kenyan government to address pertinent issues.

Another conclusion to be drawn is that politicians, particularly KANU hawks in Rift Valley Province, through their venomous political outbursts, reinforced conflict in the country. There is, therefore, a need for civic education among the general population to challenge irresponsible or divisive statements by politicians, not least to deny them votes in light of their poor leadership quality.

In a country where administrative and ethnic units are coterminous, further taking the form of clan divisions in the wake of the conflict observed in 1991–93, it is now time to redraw administrative boundaries to encompass several ethnic groups. Such a move would downplay ethnocentrism and foster solidarity in larger and more economically viable administrative units. The time has come for Kenyans to take a critical look at Kenya's administrative map to redraw the boundaries of administrative units closer to what they were before the Regional Boundaries Commission of 1962. For the sake of national solidarity, there is a need for serious reconsideration

of scrapping, reversing or further redefining the sub-divided and expensive administrative units, which the country has acquired since 1989. Kenyans should learn to appreciate one another's similarities and differences (which have earned the country cultural richness) and to uphold conditions, including diversity in unity, that make them a united nation, notwithstanding trials and tribulations.

The centrality of land in Kenyan politics has wrought havoc on ethnic relations, which often have deteriorated, causing conflicts and violence. Obviously the two criteria for determining those who deserved to be settled during the land settlement programme—landlessness and “willing buyer-willing seller” arrangement—led to considerable abuse, bias and discriminatory tendencies. Land became a simmering volcano, which, on exploding, destroyed every fabric of the Kenyan society, the country's economic base and the capacity of its economy to serve the fast growing population. A plausible policy option is for the Kenya Government to review critically its land policy including land settlement, tenurial systems and conflict-predisposing conditions with a view to reformulating policy to address issues that architects of land settlement did not envisage three decades ago. The reformulated policy should relate land to spatial distribution of population against the background of the country's physical constraints and land grabbing by politically correct individuals. Even land adjudication and registration, which stalled in some districts, need finalisation to save bickering and murders, which have occurred in the absence of these legal requirements.

In future the bitterest conflict will most likely appear in urban areas where powerful and politically correct Kenyans have acquired all the land they desire without caring about the consequences of their action for urban planning and environmental management, leave alone the plight of the urban poor who, due to dwindling urban incomes and unemployment, are increasingly becoming urban destitute. Ethnic clashes, more correctly attacks on upcountry people, which occurred in Likoni area in Mombasa towards the 1997 elections, are a warning about how destructive urban conflicts can be in the country.

Overall, the consequences of conflict in Kenya were inimical to the country's national unity, ethnic solidarity, development efforts and its formerly enviable position in the international community. It is now time for the country, and more specifically the government and politicians, to take stock of the consequences of conflict in order

to resolve the problem finally. While everyone in the country is unanimous that the consequences of conflict were destructive, there is no unanimity in how to contain the situation and avoid it ever recurring. Population issues alone or in concert with other issues, caused conflict, which in turn reshaped demographic behaviour in the country and hurt an already ailing economy. The ethnic conflict that occurred in Rift Valley Province was largely irredentist whereby the Kalenjin were determined to have returned to them all the land which those they dubbed invaders had settled soon after independence.

9.3 *Operating at Different Wavelengths: Human Rights Watch and UNDP*

The Displaced Persons Programme

The UNDP/Kenyan Government *Displaced Persons' Programme: 1993–1995* was the result of pressure put on the government to resolve the problems of IDPs. It was based on a field visit of the affected areas in May 1993 by the United Nations Disaster Management Team whose report, *Mission to the Affected Areas of Western Kenya Affected by the Ethnic Clashes*, had solicited views from the IDPs, the local administration, NGOs and church groups. The Human Rights Watch Africa (1997: 44) quotes a most irksome part of the report (pp. 1–2), which shows that the IDPs were living in:

appalling conditions of up to one and half years, with irregular supplies of food, no adequate shelter, no access to schooling for the children and only occasional access to basic health facilities . . . people who had trusted in the Government's assurances that security had been re-established had returned home to face sudden death at the hands of their neighbours.

The United Nations Disaster Management Team saw the need for the United Nations to play a positive role in addressing this “ongoing national emergency” by sending technical teams to develop strategies and programmes. UNDP was appropriately selected for the programme which broadened the agency’s traditional development mandate to encompass more emergency-type situation with national development implications (p. 45).

The joint UNDP-Kenya government “Programme for Displaced Persons”, estimated to cost \$20 million, was announced in October 1993. It had a three-pronged objective, namely “the integration of

displaced population into local communities, prevention of renewed tensions and promotion of the process of reconciliation" (p. 46). As a corollary to this joint venture, "The Rogge Reports" (after John Rogge, the Canadian UNDP consultant), on needs assessment and a programme proposal for rehabilitation, provided a vivid synopsis of the situation. The reports identified three groups of IDPs as: (i) those who had returned and were in the process of rehabilitating their homes and farms, (ii) those who were commuting to their farms, but were not able or willing to return because they suspected continued insecurity and (iii) those who would probably never be able to return to where they had been evicted either because the claimants of the land were determined to disallow their (IDPs) return or because the IDPs considered themselves squatters without any claim to return. The reports also identified short-term needs (food, shelter, agricultural materials, and a revolving credit scheme for cash-crop farming or small-scale businesses), medium-term needs (more general development initiatives for the entire community and for rehabilitating destroyed educational and health facilities, etc.) and long-term reintegration which addressed mainly protection and security issues and such development issues as land registration and tenure security) (p. 47). Evidently, these were brilliant, well-conceived suggestions and recommendations, but whose successful application depended upon the sustainability of UNDP-government collaboration. When John Rogge visited the conflict areas in August 1994, he found to his satisfaction that the programme had worked as expected and that ethnic violence had decreased, security had improved, cultivation of crops had resumed in the clash areas and there had been a positive turnaround within the government (p. 49). Yet the statement in his report that some 20 percent of the IDPs would probably never be able to return to their land without "circumspect and realistic political intervention" (cited in Human Rights Watch Africa, 1995: 50) does a devastating blow to the credibility of all other positive findings. It would appear that the diplomatic language used in the report underplayed facts on the ground. Indeed, UNDP would only be happy with a report which acknowledged the success of its joint venture with the Kenya government—a unique emergency programme, which was conventionally outside the mandate of the UN development agency.

Appraisal of the Programme by Human Rights Watch Africa

Contrary to what the last Rogge report (1994) found and documented as a glowing success, the Human Rights Watch Africa (1997) criticised the joint UNDP-Kenya government "Programme for Displaced Persons", dismissed it in the work titled, *Failing the Internally Displaced: The UNDP Displaced Persons Program in Kenya*. The penultimate chapter, for instance dwells on "missed opportunities: an assessment of the UNDP Program". Beginning with an anecdote quoting a former UNDP employee who said that "Time has healed the wounds, not UNDP", Human Rights Watch Africa (1997: 83) pays tribute to UNDP

for initiating a program, for creating a national forum for dialogue, providing relief assistance to the displaced, and serving as a calming intermediary in a tense situation which assisted thousands of Kenyans to return to their homes.

In an interview with Human Rights Watch Africa on August 22, 1996, the UN Resident Representative in Kenya, Frederick Lyons, considered the Kenya Programme a resounding success. He arrived at that conclusion because the \$12 million spent corresponded with 170,000 to 180,000 IDPs resettled people, because UNDP learned a lot from the process as the agency built bridges between the communities, the donors and the local and national government and because things had calmed down (Human Rights Watch, Africa, 1997: 83).

Yet Human Rights Watch Africa blames the Kenya government for its recalcitrance and the UNDP for thousands of IDPs who remained unresettled by August 1996 and presumably thereafter. Among other things, it criticises UNDP for the following (pp. 83–128):

- Failure to take into consideration a number of factors that could have strengthened the programme. These included not putting in place a working agreement with the government setting out basic operating conditions for the programme. Another was misreading the situation and thereby not putting in place mechanisms to avoid falling prey to government abuse. The third factor was lack of prioritising data collection as a basis for accurate interpretation of the issues at stake. A fourth point is that the programme did not design a monitoring and reporting mechanism for sustained follow-up or as a means of identifying the IDPs expelled from camp-

like situations. Fifth, it did not play a vigorous and outspoken advocacy and protection role to safeguard IDPs from human rights abuses. Finally, it kept silent on the need for accountability, while accepting and propounding arguments to blame a few officials instead of confronting the government's betrayal of the very premise of the programme. If the Kenya government were guilty of fostering conflict, as was believed in many circles, it would be the height of folly to expect UNDP, just because it is a UN agency, to convince the government to be less than capricious.

- Implementing a programme which did not move from emergency relief to durable solutions whereby immediate assistance and protection needs were to be blended with long-term rehabilitation and development strategies; whereby UNDP coordinated the relief assistance side with the NGOs already operating, while at the same time concentrating primarily on addressing the fundamental political and human rights impediments that required removal to prevent and address government abuses against the IDPs; and whereby UNDP remained an unflinching advocate for the IDPs, pressing for conditions conducive to return. In an emergency, however, it was not possible to do all of these. The shortcomings required that a UNDP national office that was well equipped with necessary expertise, even on a temporary basis, to address the issues.
- In providing relief to the IDPs to return and rebuild their homes and cultivate their land as well, UNDP did nothing more than acknowledge the causes of displacement and the attendant violations that needed addressing. Apart from UNDP documents citing the importance of addressing human rights issues, the rule of law, protection and development issues, UNDP neglected all these in the course of implementing the programme. It can be argued, that the small size of a UNDP national office and especially the lack of diverse functions clearly constrained its efforts, however well intended. Perhaps it was necessary to recruit some consultants to take care of these challenging functions.
- The second Rogge report (1994), issued at mid-point of the programme, gave the misleading impression that things were going better than they actually were and that integration was proceeding at a brisk pace with government blessing. But in all honesty, what did one expect of a report by a consultant commissioned by a UN agency with whom the consultant might have wished to have perpetual contracts thereafter?

- The manner of implementing the joint UNDP-Kenya government programme was flawed in five main respects. First, UNDP allowed the government to deflect international criticism of the prevailing ethnic discrimination and to obtain donor and investment funding ostensibly for reintegrating the IDPs. Second, the programme spent huge amounts of money which, in retrospect, might have been used more effectively had it been applied differently. Third, UNDP's long-term contribution to addressing the issues raised by the ethnic violence and the resultant displacement is questionable because it left a Kenya in which further ethnic violence could occur in future, if that suited the government—indeed, the *Mombasa violence towards the 1997 general elections proves the point* (emphasis mine); many IDPs were never fully resettled and their commuting to the farms did not help much and some became urban squatters. Fourth, UNDP's silence in the face of continued discrimination against the IDPs allowed the government to consolidate its political gains by allowing its supporters to “legalise” and profit from their ill-gotten gains, through occupying the land left by the IDPs as well as fraudulent land sales and transfers. Finally, UNDP's credibility, independence and impartiality were damaged by the joint programme: IDPs and NGOs accused UNDP of colluding with the government at the expense of the victims' welfare. Overall, the programme failed to address the fundamental issues critical for long-term development, (including the underlying tensions of land distribution) and UNDP's silence and inaction dented the agency's credibility among Kenyans.

It was a long, treacherous road for UNDP and its partner the Kenya government, a case of two hands not knowing what the other was holding inside its palm and a sad episode for partners who before the ethnic conflict had worked in an exemplary unison. UNDP felt it had discharged itself well in the midst of confusion, mounting tension and suspicious parties. In April 1997, the UNDP Administrator in New York, James Gustave Speth, communicated the UNDP response to the criticism of the Human Rights Watch/Africa (1997), appended in the latter's book (pp. 143–151). The response, polite and couched in the usual UN diplomatic language and tone, made a frontal rebuttal of HWR's criticisms. UNDP pointed out numerous factual errors and distortions made by HWR with regard to the two “Rogge Reports” but did not vehemently dismiss the general

premise of HWR's arguments. It disapproved of the government's harassment of the IDPs, relief workers and journalists, in a letter from the UNDP Administrator to Kenya's President in October 1994; and made efforts, in liaison with other donors, to prevail on the Kenya government to accept technical assistance (which the government declined) for resolving land registration and reform processes. Furthermore, UNDP initiated the creation of the National Committee on Displaced People (NCDP) that, regrettably, the government refused to recognise and therefore failed to exist. UNDP acknowledged the difficulties inherent in trying to collect comprehensive data in a risky situation, but insisted the estimates that its consultant John Rogge made, actually sufficed.

To conclude this analysis, it would appear that neither UNDP nor HWR won the day in prescribing lasting solutions to the ethnic conflict whose shadow still hangs on Kenya's political skyline. The two organisations were talking at cross purposes: countering each other's argumentation in a situation where only the IDPs remained helpless and were being assisted, through data collection by HWR and a joint UNDP-Kenya government programme, without involving them at any stage of the processes. Such was the passivity of IDPs whose plight persisted even after the 1997 general elections.

9.4 *Conflict Resolution Options Worth Trying Out*

This section revisits issues surveyed in section 9.1 in order to assess their applicability to conflict resolution in Kenya. The Akiwumi commission of inquiry into ethnic clashes set up in 1998 provided an opportunity for protagonists, law and order personnel and neutral observers to give evidence on events that had occurred in Rift Valley in 1992–93, and in the Likoni massacre in Mombasa district towards the 1997 general elections. Still, some questions beg answers.

What Conflict Resolution Approaches Were Adopted?

Section 9.1 shows that there are several approaches to resolving conflicts, namely management, regulation, reduction and resolution. At all times the third parties interested in the problem—the NCCK, the Catholic Secretariat, UNDP and others—saw conflict resolution as the only logical option. However, it is not clear whether they were unanimous on their interpretation of particular variants of the

concept of “resolution”. It may have been necessary to bring all the third parties together to think through their preferred approaches and the mechanisms for realising them.

Co-operation among Scholars and Practitioners of Conflict Resolution

As in other facets of life in Kenya, scholars and the more pragmatic practitioners rarely work in teams to find solutions to conflict. Scholars’ writings are dubbed academic and the practitioners considered unappreciative of sound theoretical constructs from which suitable frameworks for conflict resolution may be developed. That rhetoric is unnecessary. It is useful to consider conflict resolution as a process that begins with researchers (preferably multi-disciplinary research teams) defining the problem, collecting and analysing data to study it using appropriate research designs, and producing results as evidence of the situation; that stage is followed by dissemination seminars for planners and policy makers, at which salient issues are teased out; and the process terminates with policy prescriptions for addressing conflict resolution. This strategy is superior to that adopted so far in Kenya whereby particular groups of concerned parties went about their business unarmed with facts and unreceptive to other parties with whom they failed to foster viable working relations. Conflict resolution calls for the full participation of various interested parties including, of course, the victims of conflict themselves.

Majority Chauvinism and Minority Parochialism

In Kenya the majority ethnic groups have held some chauvinistic tendencies, such as: they have the right to live anywhere (even at the expense of the minority groups), the country cannot do without them and, in the case of conflict, they would always end up triumphant. Nothing could be farther from the truth. The acknowledged Kikuyu chauvinism failed to triumph in Rift Valley province, even when Kamatusa-Kikuyu talks were stage-managed to resolve the conflict between them. The minority group, like the Kalenjin, have also been overly parochial. Political statements by Kalenjin leaders during *majimbo* rallies preceding the time of conflict (see Chapter 6), their faith in the power of warfare funded by a sponsor and their attempts to instill fear in all other Kenyans, reflect this parochialism. Yet such parochialism failed to settle the Kalenjin’s scores with the Kenyans with whom they had clashed, including the

abortive talks between Kamatusa and the Kikuyu after the clashes stopped. What the Kamatusa-Kikuyu talks should have emphasized are the five preconditions for the success of negotiations, prescribed by Rothchild and Hartzell (1990) in the Sudan; the adoption of Horowitz's (1985: 597) five basic mechanisms of conflict reduction; or political skill necessary for the successful implementation of conflict regulating practices, suggested by Nordlinger (1972) with respect to the six comparative studies he undertook in some European and Asian countries. Here are lessons for scholars and resolution practitioners of ethnic or any other conflict in Kenya to revisit in the future.

What Options Were Used in the Search for a Durable Solution?

Section 9.1 explains the various options in the search for prescribing solutions to conflict. Evidently, none of the options—conflict reduction, regulation, management, resolution through coercion, negotiation and bargaining, adjudication and mediation—were applied in any systematic manner in Kenya. Some of the elements tried out did not register marked success. In a work based on Asian and the Pacific case studies, Pedersen and Jandt (1996: 5–6) raised twelve key questions that are instructive for Kenya as a way forward to resolving ethnic conflict that rocked it. Also, Fisher and Ury's (1981) four principles, on which the author has commented in section 9.1, should serve as a warning on the context of efforts to prescribe lasting solutions to ethnic or indeed any other conflict in Kenya. Readers should take time to read these cited works that are not summarised in detail in this book due to space constraints.

Efforts of the United Nations Development Programme: Further Perspectives

Section 9.3 has shown that among the agencies that were keen in resolving the problem of ethnic clashes of the early nineties in Kenya was the United Nations Development Programme (UNDP). Taking the initiative to create a reconciliation and reintegration programme in 1993, UNDP (jointly with the government) placed the greatest premium on relief, which was the easiest option and the least politically controversial. However, it neglected protection, human rights and long-term needs; for example, UNDP's return programme resulted in some IDPs being forcibly relocated by the government (Cohen and Deng, 1998: 178). The Human Rights Watch Africa blamed

UNDP for collaborating with government, which violated human rights through brutality against IDPs, forced relocations and dispersal of camps (p. 200). By 1995, the UNDP was immobilised because of several reasons: lack of political will, lack of involving its expertise to address the long-term development issues for reintegration and insufficient pressure on the government. On the other hand, the government became reluctant to work with UNDP and to seek long-term solutions for redress and prevention, particularly with regard to the issue of land registration and tenure. Without any systematic data collection or regard for census figures, UNDP became helpless, paving the way for NGOs working with displaced people to inflate the numbers and needs of reintegrated people for the sake of gaining career mileage. As if that were enough, land continued to be fraudulently transferred, illegally occupied and sold or exchanged unfairly, further disempowering the IDPs and contributing to the removal of certain ethnic groups from Rift Valley Province (Nowrojee, 1998: 67–8). Soon the situation calmed down after the general elections in December 1992—at least in Rift Valley Province—but not so in Coast Province where large numbers of upcountry people were later attacked and displaced towards the 1997 general elections.

As expected, the United Nations had to operate according to the established procedure, that is, work with the government or its recognised agency(ies). The blame on United Nations is not in its doing that. Rather, it is on choosing to work with the local arm of government that had already been accused of arming the perpetrators of ethnic clashes and, therefore, being construed as an accomplice which, in fact, it (UN) could not be. The criticism of UNDP by the NGOs involved in working with IDPs is not blameless either. It came to light eventually that some NGOs became involved for pecuniary reasons, behaving like mercenaries who's seeming philanthropic stance was shrouded in profiteering. Such accusations and counter-accusation inevitably emerge in an environment where institutions with diverse missions, objectives and *modus operandi* are involved, often without taking on board the IDPs themselves.

A careful reading of what happened in areas of conflict in Kenya leads to the tempting conclusion that the tide had ebbed temporarily, but could rise again in future when the IDPs begin to revenge their mishandling by fellow citizenry. How and when that might happen cannot be anticipated, but it looks more likely than not, unless the Kenya government and the various institutions find a

durable solution to the ethnicity menace in the country. As Nowrojee (1998: 68) concludes, "the grievances that allowed for the manipulation and explosion of ethnic tension can easily be fanned today as they were in the early 1990s". Indeed, Hampton's (1998) work on internally displaced people provides such useful regional profiles across the world that need to be called to attention in a country such as Kenya where the storm subsided for a while, but could resurge unexpectedly in the future.

Efforts of Local Church Groups, NGOs and Local Communities

The problem of ethnic clashes also engaged the attention of local church groups and some local groups. While local church groups provided considerable assistance to the IDPs, human rights organisations investigated the causes of displacement. Meanwhile, local groups working with IDPs blamed UNDP for ignoring and marginalising NGOs' advice and for doing everything itself without protecting NGOs from government's criticism of the work NGOs were doing (Cohen and Deng, 1998: 46–7). The church groups felt that the United Nations "should have tapped into existing structures which the NGO community in Kenya had already set up. Instead, they came in, centralised their programme through the local government administration structures, and completely marginalised the NGOs" (Human Rights Watch/Africa, 1997, cited in Cohen and Deng, 1998: 47).

What Then is the Ideal Partnership/Network for Assisting IDPs?

The ideal situation would have been one in which all the key players became involved based on clearly defined criteria. These would include the capacity (institutional and resource) and capability (proven track record) to make a well-defined contribution; well-designed proposals on the work envisaged including the expected outcome; clearly defined channels of partnership/networking with other institutions; and recognition as well as observance of the established rules and procedures. Such a schema could have avoided the "gold rush" of assistance to IDPs without proper institutional, resource and operational mechanisms. However, in Kenya where NGOs have mushroomed in virtually all facets of life, it is difficult to make a careful selection of viable ones and to expect much contribution from them as other greener pastures appear in the horizon to distract their

attention and thereby undermine their work for a localised problem such as ethnic clashes in Rift Valley Province.

It has been argued that UNDP had a successful reintegration programme in Central America between 1989 and 1995 whose lessons were appropriate enough to warrant replicating the programme in Kenya (Human Rights Watch Africa, 1995: 3). Yet, that could only have happened if the Kenya government was a willing partner in the whole exercise.

9.5 *Tips for Stakeholders in Conflict Resolution*

A singular stakeholder can never resolve ethnic conflict in a multi-ethnic society such as Kenyan whatever strategies are in place for that. Conflict resolution requires that all the principal stakeholders work as a team with a common objective to find a durable solution for the problem. Africa Watch's four-pronged recommendations—to the Kenya government, to the country's political opposition, to the Kenyan relief NGOs and to the donor nations and international relief organisations—provide useful tips for teamwork by different stakeholders. Blames are useful to a point, but after them solution must necessarily be found to narrow the differences and reach common goals. This section, therefore, revisits Africa Watch's (1993: 94–97) recommendations in the light of developments in Kenya since they were made.

Africa Watch (1993) urged the Kenya government to observe certain issues that would help in resolving the conflict. First, it urged the government to take immediate steps to end the violence and to resettle the IDPs. Second, in view of previous investigations of the problem it asked the government to implement recommendations of the Parliamentary Select Committee (Kiliku) report and thereafter set up a new Parliamentary Select Committee to replace the former and update its recommendations. Other requests to the government was for it to investigate the attacks and bring the perpetrators to justice; to end its discriminatory application of the law; and to provide additional and adequate security to the IDPs up to the time they return permanently to their land (p. 93). What happened thereafter would be of interest to readers. Although violence ended, the government did not resettle all IDPs, it failed (in fact, ignored) recommendations of the Kiliku report (at best, the report was shelved),

it set no other Parliamentary Select Committee. Several investigations of the conflict made important revelations, including mentioning the names of some powerful figures mentioned among the sponsors of clashes, yet the government did not prefer any charges against the perpetrators of conflict and, if anything, discriminatory application of the law continued. The government instituted no spectacular security measures to have the IDPs return and settle on their land. Stalemate reigned, and reigns still in the clash areas. The hypothesis that the Kenya government sponsored ethnic conflict has an intuitive appeal considering that it has yet to find lasting solutions to the problem.

Africa Watch made three recommendations to the Kenyan political opposition: to stop polarising the political debate on ethnic lines and through politicians' inflammatory statements; to treat ethnic clashes as a matter of national importance, demanding systematic debating of the Kiliku report; and to form cross-party coalitions to promote relief, reconciliation and resettlement efforts in the clash areas (p. 97). Yet, what Kenyans have witnessed of opposition politics in Kenya since the Seventh Parliament (1993–1997) makes them sceptical of the role the opposition is playing in national politics. Kenyans have witnessed increasing bickering of the opposition, its splintering along ethnic lines (most parties having ethnic strongholds) and sometimes its indifference when ethnic clashes occur in particular areas or affect particular ethnic groups. The Likoni disturbances just a few months before the 1997 general election, where the Luo were reportedly more affected than any other Kenyan ethnic groups, never bothered parties such as FORD-K, FORD-A, DP and SDP. Only the nascent NDP, faced with positioning itself for a debut in the national elections, made an outcry and visited the scene, presumably to commiserate with the stronghold population that could have augmented its vote in that constituency of Coast Province.

Kenyan relief NGOs had three recommendations directed at them. These were continuation of their efforts to provide relief and to encourage both reconciliation and resettlement; a comprehensive and coordinated registration system of the dead and displaced population; and putting in place a mechanism to document and record clashes as they occurred and to accompany the IDPs to the police to file a report following an incident (p. 96). Unfortunately, most local NGOs, starved of finances and resources, saw the Kenyan problem more in terms of making money than finding lasting solutions

to it. In the event of the problem being resolved, some NGOs saw themselves going out of business or even becoming redundant.

Directed at the donor nations and international relief organisations were three other recommendations. These included continued withholding of suspended non-development aid to Kenya until ethnic violence had been curbed and the IDPs resettled; foreign governments publicly raising human rights concerns with the Kenya government; and government and international relief organisations giving aid having to consult and co-operate with the local community in distributing relief to the IDPs (p. 97). These were grand recommendations, but ones that the Kenya government easily went around through well-designed schemes of convincing the donor nations and international relief organisations to uphold their support to it. Even when Kenya went without substantial foreign aid in the period 1994–2001, it remained recalcitrant to its aid donors. This was happening as the *wanainchi* (Swahili for citizens) became increasingly disappointed with the government's posture.

This book begins by underscoring the fact that Kenya is a land of contrasts. This attribute implies that any simplistic models or approaches for resolving ethnic or any other conflict run into great difficulties, exclusion of some stakeholders in typical conflict resolution teams reflects lack of foresight and the notion that conflict resolution as a once and for all undertaking is misguided. Conflict—whether positive or negative—will continue to be an expression of ethnic, social and other relations in a multi-ethnic society such as Kenya. All that is needed is to sustain positive conflict for Kenyans of all walks of life to appreciate one another's strengths and weaknesses and to constantly eliminate negative conflict which threatens to disrupt what the country has been able to achieve as an island of peace in the stormy sea of wars and violence in Eastern Africa. This is an ideal that the country should achieve and bequeath to future generations of Kenyans to cherish.

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APPENDICES

APPENDIX A

NATURE AND SCOPE OF CONFLICTS IN SELECTED SSA COUNTRIES BY SUB-REGION, YEAR AND MAIN CAUSES

Sub Region/ Country	Year	Nature and Scope of Conflict	Main Trigger
<i>West Africa</i>			
Ghana ¹	– Feb. 1994	2,000 deaths and 150,000 IDPs	Land rights dispute between the Konkombas and the Dagombas of northern region.
	– March 1995	Fighting between the Konkombas and the Dagumbas: 150 deaths and 15,000 IDPs	Land rights dispute between two neighbouring ethnic groups
Liberia ²	1990–July 1997	750,000 IDPs and a large number of refugees	Civil war following the overthrow and murder of President Samuel Doe
Mali ³	– Mid-1990 to 1991	Many IDPs and about 150,000 refugees	Ethnic unrest between the Tuaregs and the central government on grounds of marginalisation
	– 1st half of 1994	Resurgence of violence, resulting in many deaths	
Mauritania ⁴	1989	Persistent Negroid-Moorish Mauritanian conflict; 750,000 black (Negroid) Mauritaniens expelled by government	– Biased governance of the predominantly Moorish government – Natural disaster (drought)
Nigeria ⁵	Since Nigerian-Biafran war (1967–1970) The 1990s	2 million dead, 10 million IDPs	The Ibos' quest for secession from the Federal Republic of Nigeria
		(i) Cross-River States e.g. Ogoniland (ii) S.E. States (Anambra, Imo, Cross River, Akwa-Ibo (iii) Muslims vs. Christians and between Muslims sects	Conflicts (i) in oil-producing areas; (ii) over communal land; (iii) ethno-religious conflicts; and (iv) conflicts related to

Appendix A (*cont.*)

Sub Region/ Country	Year	Nature and Scope of Conflict	Main Trigger
		(iv) Widespread	democratisation. Some 1.2 million IDPs by 1998.
Senegal ⁶		Much of independence era in Southern region (Casamance rebel territory): 40,000 IDPs by 1993	Protracted rebel- government dispute
Sierra Leone ⁷	1991–present	– 1991 – 1992 – May 1997: many deaths, IDPs and refugees.	Invasion from Liberia by the Revolutionary United Front (RUF) Military coup against President Momoh Military coup against President Ahmad Tejan Kabbah (restored in 1998)
<i>Central and Eastern Africa</i>			
Burundi ⁸	1992–6	Since independence 200,000 killed since 1993. Some 10% (551,000) of population consisted of IDPs; also many refugees encountered	– Protracted Hutu-Tutsi conflict – Offensive by the Hutu over the air crash death of the Hutu President Melchior Ndadaye
Democratic Republic of Congo (DRC) ⁹	Oct. 1996– May 1997	Some 504,000 IDPs among refugees in eastern DRC, some of them from Rwanda, include the Banyamulenge.	
Kenya ¹⁰	1992–3; 1997	Some 300,000 IDPs in Rift Valley, Western and Nyanza Provinces (1992–3) and Coast Province (1997)	Land and politics at the centre of ethnic clashes shrouded in the mood of general elections.
Rwanda ¹¹	1992–6	Since independence. April–July 1994 saw genocide of 500,000– 1 million Tutsis and disloyal Hutus and many IDPs and about 1.5 million refugees	Protracted Hutu-Tutsi conflict Hutu-Tutsi conflict over the air craft death of the Hutu President Habariyamana

Appendix A (*cont.*)

Sub Region/ Country	Year	Nature and Scope of Conflict	Main Trigger
Uganda ¹²	1986 to present	West Nile and Western/ Northern districts of the country, with over 400,000 IDPs	Armed conflict between rebels and government forces
<i>Horn of Africa</i>			
Eritrea ¹³	Early 1960s– 1991	Fight for self-determination to create a separate state from Ethiopia resulted in many deaths, IDPs and refugees.	– Civil warfare early – Intermittent droughts and famines
Ethiopia ¹⁴	Mid 1960s– 1991	Many deaths, IDPs and refugees encountered	– Overthrow of the fascist royalty followed by incessant civil war since the 1970s. – Intermittent droughts and famines.
Somalia ¹⁵	Early 1980s– present	Overthrow of President Siyad Barre (1969–1991). Inter-factional wars and secessionist regime (Republic of Somaliland). 350,000 IDPs in 1995; many deaths and refugees	– Rebel movements since the 1980s – Inter-clan disputes and wars – Intermittent droughts and famines.
Sudan ¹⁶	30–40 years	Civil conflict: 4 million IDPs especially in the Southern region	– Ethnic (Arab-Black) conflict with regionalist and religious over/ undertones
<i>Southern Africa</i>			
Angola ¹⁷	30-odd years	Over 300,000 (3% of total population) dead; innumerable IDPs (estimated 1.2 million) and refugees	Occurrence of 3 wars: independence war (1963–74), the post- independence war (1974–92) and the post-multiparty election war (October 1992–November 1994 and often recurring); the last two due to UNITA-government wars.

Appendix A (*cont.*)

Sub Region/ Country	Year	Nature and Scope of Conflict	Main Trigger
Mozambique ¹⁸	Before 1976 and 1976– 1992	Many dead, IDPs and about 2 million refugees by time of the 1992 peace accord.	Independence war (before 1976) replaced by the ruling party (FRELIMO) and rebel (RENAMO) post-independence war (1976–1992).
South Africa ¹⁹	Before April 1994	Many dead, over 3.5 million IDPs and refugees	– Repressive apartheid regimes up to majority rule in April 1994. – Eviction from land and housing for other purposes since 1994.

Sources: Based on country reports in Janie Hampton (1998: 141–97) as follows: 1,4,6, and 7 = Iain Beattie; 2 and 10 = Binaifer Nowrojee; 3 = Shyla Vohra; 5 = Okechukwu Ibeanu; 8 = Patrick Mullen; 9 = B.A. Sangara; 11 = S. Kleine Ahlbrandt; 12 = Geoffrey Mugumya and Erin Mooney; 13 = Art Hansen and Mark Davidhleiser; 14 and 15 = Steve Redding and Art Hansen; 16 = Laurel Fain, Art Hansen, Steve Redding and Patty Swahn; 17 and 18 = Alex Vines; and 19 = Bronwen Manby.

APPENDIX B

CONFLICT-INDUCED INTERNAL DISPLACEMENT IN AFRICAN COUNTRIES, 1997/8

Country	Number of IDPS
Angola	1.2 million
Algeria	unknown
Burundi	551,000
Congo-Brazzaville	240,000
Democratic Republic of Congo	1 million
Eritrea	unknown
Ethiopia	15,000
Ghana	20,000
Kenya	100,000
Liberia	725,000
Mali	100,000 (+10,000 demobilized soldiers)
Mozambique	30,000–50,000
Nigeria	470,000
Rwanda	180,000
Senegal	5,000
Sierra Leone	200,000
Somalia	250,000–350,000
South Africa	20,000 +
Sudan	4 million
Uganda	40,000

Source: Janie Hampton (1998)

APPENDIX C

ADOPTION OF UN GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT

In response to a request of the UN Commission on Human Rights to develop an appropriate normative framework for the protection and assistance of the internally displaced, the Representative of the Secretary general on Internally Displaced Persons has prepared these Guiding Principles on Internal Displacement in collaboration with international legal experts and in consultation with UN agencies and other organizations, international and regional, intergovernmental and non-governmental. The Representative to the Commission on Human Rights at its fifty-fourth session submitted the Guiding Principles.

(UN document E/CN.4/1998/53/Add.2)

GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT

Introduction: *Scope and Purpose*

1. These Guiding Principles address the specific needs of internally displaced persons worldwide. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.
2. For the purposes of these Principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.
3. These Principles reflect and are consistent with international human rights law and international humanitarian law. They provide guidance to:

- (a) The Representative of the Secretary general on Internally Displaced Persons in carrying out his mandate;
 - (b) States when faced with the phenomenon of internal displacement;
 - (c) All other authorities, groups and persons in their relations with internally displaced persons; and
 - (d) Intergovernmental and non-governmental organizations when addressing internal displacement.
4. These Guiding Principles should be disseminated and applied as widely as possible.

SECTION I GENERAL PRINCIPLES

Principle 1

1. Internally displaced persons shall enjoy, full equality, the same rights and freedoms under international and domestic law, as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced.
2. These Principles are without prejudice to individual criminal responsibility under international law, in particular relating to genocide, crimes against humanity and war crimes.

Principle 2

1. These Principles shall be observed by all authorities, groups and persons irrespective of their legal status and applied without any adverse distinction. The observance of these Principles shall not affect the legal status of any authorities, groups or persons involved
2. These Principles shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law instrument or rights granted to persons under domestic law. In particular, these Principles are without prejudice to the right to seek and enjoy asylum in other countries.

Principle 3

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.
2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

Principle 4

1. These Principles shall be applied without discrimination of any kind, such as race, colour, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or on any other similar criteria.
2. Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

SECTION II**PRINCIPLES RELATING TO PROTECTION FROM
DISPLACEMENT****Principle 5**

All authorities and international actors shall respect and ensure respect for their obligation under international law, including human rights and humanitarian law, in all circumstances, to prevent and avoid condition that might lead to displacement of persons.

Principle 6

1. Every human being shall have the right be protected against being arbitrarily displaced from his or her home or place habitual residence.
2. The prohibition of arbitrary displacement includes displacement:

- (a) when it is based. On policies of apartheid “ethnic cleansing” or similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the affected populations;
 - (b) in situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand;
 - (c) in cases of large-scale development projects, which are not justified by compelling and overriding public interests;
 - (d) in cases of disasters, unless the safety and health of those affected requires their evacuation; and
 - (e) when it is used as a collective punishment.
3. Displacement shall last no longer than required by the circumstances.

Principle 7

1. Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimise displacement and its adverse affects.
2. The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated.
3. If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with:
 - (a) A specific decision shall be taken by a State authority empowered by law to order such measures;
 - (b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation;
 - (c) The free and informed consent of those to be displaced shall be sought;
 - (d) The authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation;

- (e) Law enforcement measures, where required, shall be carried out by competent legal authorities, and
- (f) The right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

Principle 8

Displacement shall not be carried out in manner that violates the rights to life, dignity, liberty and security of those affected.

Principle 9

States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.

SECTION III PRINCIPLES RELATING TO PROTECTION DURING DISPLACEMENT

Principle 10

1. Every human being has the inherent right to life, which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against:
 - (a) Genocide;
 - (b) Murder;
 - (c) Summary or arbitrary executions; and
 - (d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death.Threats and incitement to commit any of the foregoing acts shall be prohibited.
2. Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances. Internally displaced persons shall be protected, in particular, against:
 - (a) Direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted;

- (b) Starvation as a method of combat;
- (c) Their use to shield military objectives from attack or to shield, favour or impede military operations;
- (d) Attacks against their camps or settlements; and
- (e) The use of anti-personnel landmines.

Principles 11

1. Every human being has the right to dignity and physical, mental and moral integrity.
2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:
 - (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of amender-specific violence, forced prostitution and any form of indecent assault;
 - (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children; and
 - (c) Acts of violence intended to spread terror among internally displaced persons.

Threats and incitement to commit any of the foregoing acts shall be prohibited.

Principles 12

1. Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.
2. To give effect to this right for internally displaced persons, they shall not be interned in or confined to a camp. If in exceptional circumstances such internment or confinement is absolutely necessary, it shall not last required by the circumstances
3. Internally displaced persons shall be protected from discriminatory arrest and detention as a result of their displacement. In no case shall internally displaced persons be taken hostage.

Principle 13

1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.
2. Internally displaced persons shall be protected against discriminatory practices of recruitment into any armed forces or groups

because of their displacement. In particular any cruel, inhuman or degrading practices that compel compliance or punish non-compliance with recruitment are prohibited in all circumstances.

Principle 14

1. Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.
2. In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.

Principle 15

1. Internally displaced persons have:
 - (a) The right to seek safety in another part of the country;
 - (b) The right to leave their country; and
 - (c) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

Principle 16

1. All internally displaced persons have the right to know the fate and whereabouts missing relatives.
2. The authorities concerned shall endeavour to establish the fate and whereabouts of internally displaced persons reported missing, and cooperate with relevant international organizations engaged in the task. They shall inform the next of kin on the progress of the investigation and not them of any result.
3. The authorities concerned shall endeavour to collect and identify the mortal remains of those deceased, prevent their despoliation or mutilation, and facilitate the return of those remains to the next of kin or dispose of them respectfully. Grave sites of internally displaced persons should be protected and respected in all circumstances. Internally displaced persons should have the right of access to the gravesites of their deceased relatives.

Principle 17

1. Every human being has the right to respect of his or her family life.

2. To give effect to this right for internally displaced persons, family members who wish to remain together shall be allowed to do so.
3. Families which are separated by displacement should be reunited as quickly as possible. All appropriate steps shall be taken to expedite the reunion of such families, particularly when children are involved. The responsible authorities shall facilitate inquiries made by family members and encourage and cooperate with the work of humanitarian organizations engaged in the task of family reunification.
4. Members of internally displaced families whose personal liberty has been restricted by internment or confinement in camps shall have the right to remain together.

Principle 18

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (a) Essential food and potable water;
 - (b) Basic shelter and housing;
 - (c) Appropriate clothing; and
 - (d) Essential medical services and sanitation.
3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.

Principle 19

1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.
2. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses.
3. Special attention should also be given to the prevention of contagious

and infectious diseases, including AIDS, among internally displaced persons.

Principle 20

1. Every human being has the right to recognition everywhere as a person before the law.
2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents.
3. Women and men shall have equal rights to obtain such necessary documents and shall have the right to have such documentation issued in their own names.

Principle 21

1. No one shall be arbitrarily deprived of property and possessions.
2. The property and possessions of internally displaced persons shall in all circumstances be protected, in particular, against the following acts:
 - (a) Pillage;
 - (b) Direct or indiscriminate attacks or other acts of violence;
 - (c) Being used to shield military operations or objectives;
 - (d) Being made the object of reprisal; and
 - (e) Being destroyed or appropriated as a form of collective punishment.
3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

Principle 22

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminate against as a result of their displacement in the enjoyment of the following rights:

- (a) the rights to freedom of thought, conscience, religion or belief, opinion and expression;
- (b) The right to seek freely opportunities for employment and to participate in economic activities;
- (c) The right to associate freely and participate equally in community affairs;
- (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and
- (e) The right to communicate in a language they understand.

Principle 23

1. Every human being has the right to education.
2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, received education, which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.
3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.
4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

SECTION IV PRINCIPLES RELATING TO HUMANITARIAN ASSISTANCE

Principle 24

1. All humanitarian assistance shall be carried out in accordance with the principles of humanity and impartiality and without discrimination.
2. Humanitarian assistance to internally displaced persons shall not be diverted, in particular for political or military reasons.

Principle 25

1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.

2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or no interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.
3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

Principle 26

Persons engaged in humanitarian assistance, their transports and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.

Principle 27

1. International humanitarian organizations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.
2. The preceding paragraph is without prejudice to the protection responsibilities of international organizations mandated for this purpose, whose services may be offered or requested by States.

SECTION V

PRINCIPLES RELATING TO RETURN, RESETTLEMENT AND REINTEGRATION

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned for resettled internally displaced persons.

2. Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

Principle 29

1. Internally displaced persons who have returned to their homes or places of habitual residence or who have resettled in another part of the country shall not be discriminated against because of their having been displaced. They shall have the right to participate fully and equally in public affairs at all levels and have equal access to public services.
2. Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions, which they left behind or were dispossessed of upon their displacement. When recovery of such property and possessions is not possible, competent authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation.

Principle 30

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.

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