

**ETHNICITY AS A TOOL OF POLITICAL VIOLENCE: A CASE
STUDY OF THE NORTH RIFT, 1992-2009**

BY

MARK LELERUK

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DEDICATION

I dedicate this work to the police officers who work tirelessly in conflict areas of Kenya. Thanks to the sacrifice they make and their efforts to ensure peaceful co-existence of communities in Kenya.

ACKNOWLEDGEMENT

First and foremost I thank the Almighty God for bringing me this far. I also thank the Government of Kenya for giving me the opportunity to further my studies particularly the Administration Police Commandant Mr. Kinuthia Mbugua who supported me all through.

Equally, I thank my family, my wife Nicolleta Lekisaat and my daughter Irene Naanyu who have been with me during my academic struggle. Lastly I thank my Supervisors Prof. Vincent Simiyu and Dr. Mary Mwiandi who guided me in developing my project.

ABSTRACT

The focus of this study was to examine how ethnicity was used as a tool of political violence in the North Rift of Kenya. Although North Rift comprises of nine districts namely Uasin Gishu, Turkana, Trans Nzoia, Nandi, Keiyo, Marakwet, East Pokot, North Pokot and West Pokot , three districts, namely Uasin Gishu District (Ainabkoi Administrative Division), Trans Nzoia District (Cherangany and Saboti Administrative divisions), and Nandi District (Kipkaren and Tinderet Administrative divisions) were chosen. These areas were a hotbed of politically instigated violence during the general election period between 1992 and 2009.

The study posits that, ethnicity was used as a tool of political violence in the targeted districts. It argues that ethnicity stems back to the period of migration and settlement. After settlement communities interacted either through peaceful means or conflicting relations. Ethnicity was intensified by the British colonial administration which displaced some “perceived” indigenous communities in order to create room for the White Settlers. The settlers required labour which the displaced Africans were not willing to offer. The Colonial administration therefore was determined to force the Africans to work on these farms by putting into place laws that would ensure this was done. Africans from different communities were therefore forced to seek employment on the created ‘White Highlands’. These immigrants seeking employment were to remain in the region after the colonial rule leading to competition over resources such as land.

Ethnic violence broke out in 1991 prior to the 1992 multiparty general election and the subsequent elections because of political incitement. The politicians used the resource factor to mobilize their people against other communities hence leading to the violence that was experienced in the region. It is contended that the political urge for the federal system of government to counter the call for multi-party system of government featured prominently in the North Rift political campaigns.

Finally, the study shows that the conflict in the North Rift impacted on all areas of human life. There was disruption of the social, political and economic fabric of communities living in the region. The impact varied from loss of lives, displacement of thousands of people to destruction of property of great value.

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LIST OF ACRONYMS

D.P	:	Democratic Party of Kenya
FORD	:	Forum for the Restoration of Democracy.
GEMA	:	Gikuyu Embu, Meru Association
IBEAC	:	Imperial British East African Company
KAMATUSA	:	Kalenjin, Maasai, Turkana and Samburu,
KADU	:	Kenya African Democratic Union
KANU	:	Kenya African National Union
KNHRC	:	Kenya National Human Rights Commission
KHRC	:	Kenya Human Rights Commission.
NARC	:	National Rainbow Coalition.
NCCK	:	National Council of Churches of Kenya
ODM	:	Orange Democratic Movement
PNU	:	Party of National Unity

OPERATIONAL DEFINITIONS

Conflict

Conflict is actual or perceived opposition of needs, values and interests. A conflict can be internal (within oneself) or external (between two or more individuals). Conflict as a concept can help explain many aspects of social life such as social disagreement, conflicts of interests, and fights between individuals, groups, or organizations. In political terms, "conflict" can refer to wars, revolutions or other struggles, which may involve the use of force as in the term armed conflict.¹ In this study, the political definition will be used.

Ethnic Group.

A social collectivity whose members not only share such objective characteristics as language, core territory, ancestral myths, culture, religion and/ or political organizations but also have some subjective consciousness or perception of common descent or identity.²

Kipande

The Native Registration Ordinance, which had been recommended by the Native Labour Commission in 1915 and implemented from 1920. It was a pass carried by every African male above sixteen years as an identity document.³

¹ Wikipedia, the free encyclopedia.htm.

² Walter Oyugi, *The Politics of Transition in Kenya: From KANU to NARC*. Nairobi. Heinrich Boll Foundation. 2003., p 156

³ R. Maxon, "The years of revolutionary advance, 1920-1929" in W.R. Oching' (ed.) *A Modern History of Kenya 1895-1980* Nairobi: Evans Brothers Limited 1989.,p.72.

Majimbo

Majimbo is a Swahili term that is commonly used in Kenya to refer to the idea of political devolution of power to the country's regions. Is a system of devolving state power horizontally, federalism is viewed as accommodating and inclusive of diverse cultures and identities.⁴

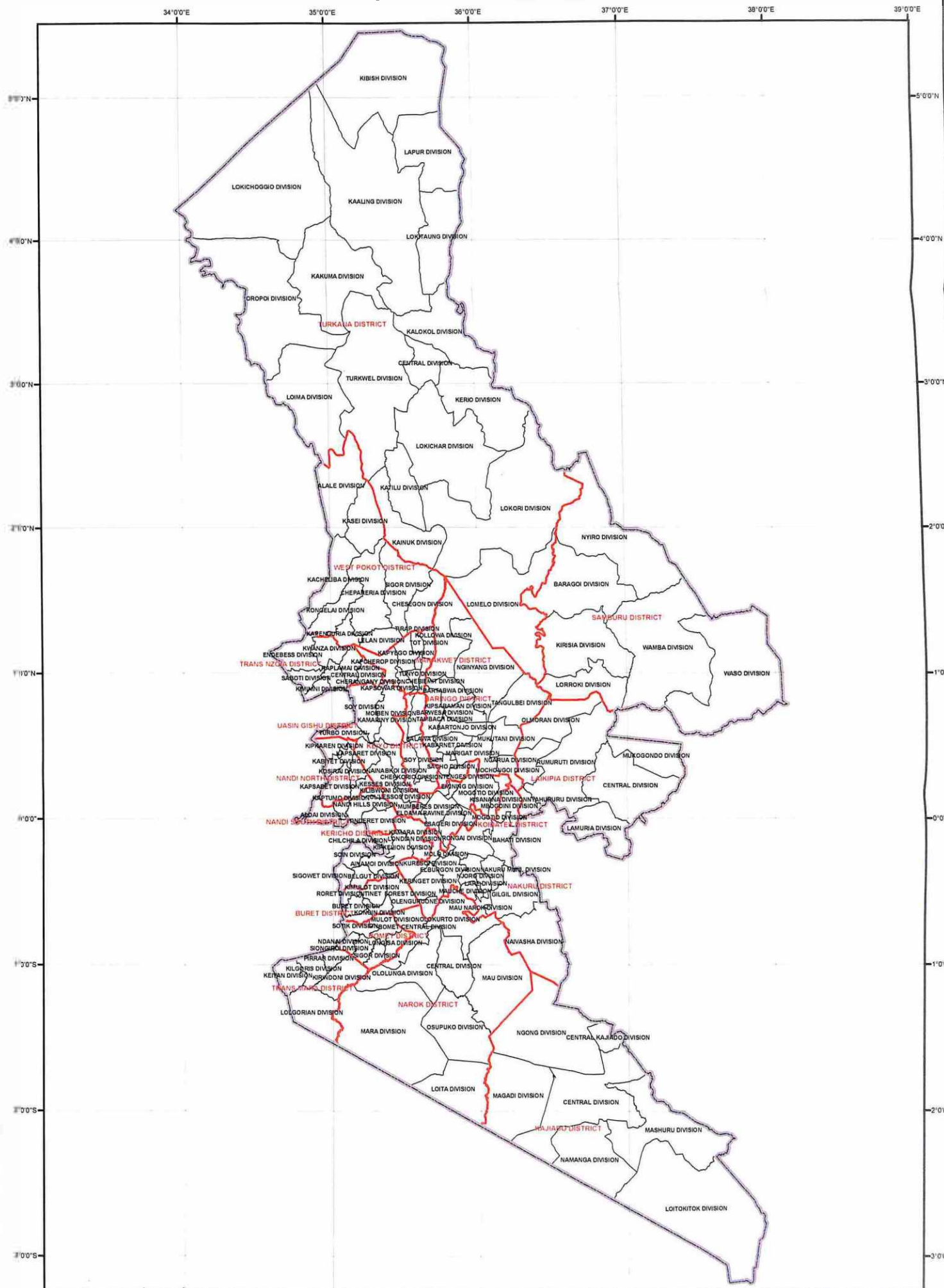
White Highlands

The term “White Highlands” describes an area in the central uplands of Kenya, so-called because, during the period of British Colonialism, white immigrants settled there in considerable numbers. The main motivation was to take advantage of the good soils and growing conditions, as well as the cool climate. The British East Africa colony, founded in 1905, encouraged British immigration. By the time the Kenya Colony came into being in 1920, about 10,000 British had settled in the area. Settlers got 999 year leases over about 25% of the good land in Kenya.⁵

⁴ P. Kagwanja and Willy Mutunga, “Is Majimbo Federalism? Constitutional Debate in a Tribal Shark-Tank” *The Daily Nation*, 20 May 2001. p. 6.

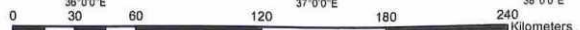
⁵ Online free Dictionary.

RIFTVALLEY PROVINCE

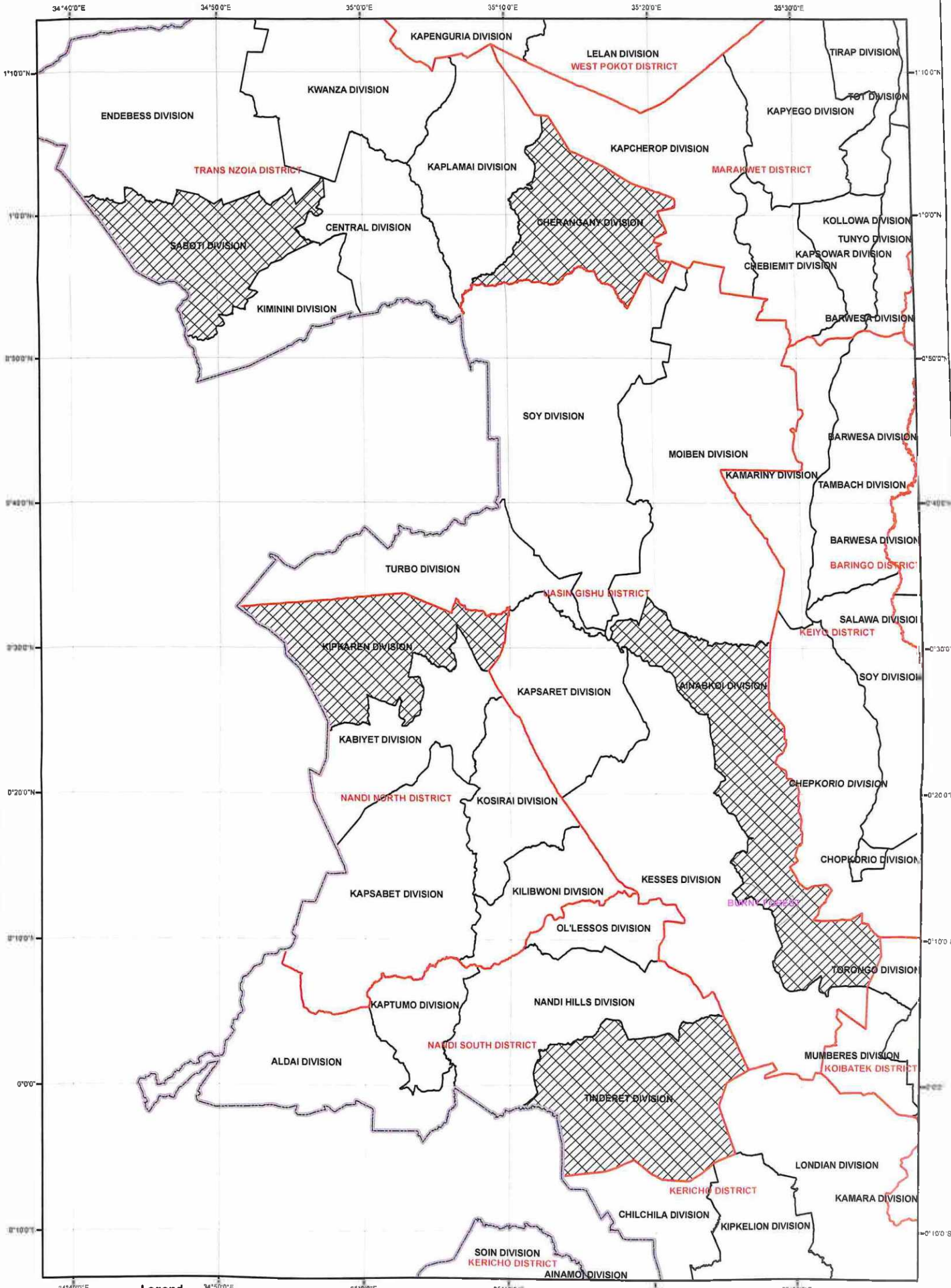


Legend

- Provincial Boundary
- District Boundary
- Divisional Boundary



NORTH RIFT REGION



Legend

- Provincial Boundary
- District Boundary
- Divisional Boundary
- Study Divisions



CHAPTER ONE

1.0 INTRODUCTION

Politically instigated ethnic conflicts are common in Africa. Many countries including South Africa, the Democratic Republic of Congo, Rwanda, Burundi, Somalia, Ethiopia, Nigeria, and Kenya to mention a few, have fallen victims of such conflicts. The phenomenon of ethnicity continues to eat into Africans democratization struggle like cancer. During election periods politicians rally members of their ethnic communities for support other communities perceived to be opponents resulting in ethnic hostilities.⁶ Although politicians claim to be acting on behalf of and for the benefit of their respective ethnic communities, their main objective is to aggrandize themselves in terms of economic and political power.

Conflict between the settled and the semi-pastoral communities, is as old as history itself, and it was not undertaken to devastate the surrounding countryside. In some instances, ethnic conflict has brought fresh lands under control. That was how some communities acquired what they later called 'their ancestral lands'. War was primarily a means of collecting cattle for a marriage dowry or to increase the size of one's herd, and over natural resources such as pasture and water. The Kalenjin like many other African communities did not lend themselves to excessive cruelty. Women and children were seldom attacked or captured, and victorious forces would often withdraw rather than massacre an enemy group.⁷

⁶ J. Oloka-Onyango, Kivutha Kibwana and Chris Maina Peter, (Ed) *Law and the Struggle for Democracy in East Africa*, Nairobi: Clarion

⁷ A. Morton, *Moi: The Making of an African Statesman*. London; Michael O Mara Books Limited, 1998. p. 40.

However, in Kenya with regard to the 1991 clashes this was changed as the country moved towards the multi-party elections. The 1991 inter ethnic fighting broke out after Moi's warnings that Kenyan society was not cohesive enough for multi-party politics. Kalenjin political leaders ordered their warriors to evict non Kalenjin from the Rift Valley as a means of proving Moi's thesis that multi-party politics were unworkable in Kenya.⁸

As elections moved close it was always common for ethnic clashes to be experienced in most African countries, Kenya included. In Kenya, the North Rift has always been the worst hit by such ethnic conflict since October 29, 1991. This was the first time clashes were reported at Meteitei farm, Nandi District.⁹ One then, asks, why did ethnic conflicts erupt during election period? This study inquired on ethnicity as a tool of political violence in the North Rift.

Kenya is not only multi-ethnic but also multi-racial. With such a setup the citizens have freedom of movement and settlement in any part of the country. This freedom was interfered with by the ethnic clashes that affected the country at general elections since the re-introduction of multi-party politics in 1992. The ethnic clashes had not only been political overtones but were basically direct consequences of the politics of

⁸ Africa Watch, *Divide and Rule: State-Sponsored Ethnic violence in Kenya* Nairobi: Africa Watch 1993. p.3

⁹ KHRC, *Killing the Vote: State Sponsored Violence and Flawed Elections in Kenya*, Nairobi: KHRC, 1998. p.14.

intimidation.¹⁰ Such politics has left Kenya divided along ethnic lines, threatening peace that had been experienced since independence.

1.1 Background to Political Violence in the North Rift's Trans Nzoia, Uasin Gishu and Nandi Districts, 1895-1963.

The Ethnic violence experienced in the North Rift of Kenya has its roots in the colonial period. The British Government took over the administration of its zone of influence in East Africa from the IBEAC in 1895 and declared the zone East Africa Protectorate. The colonial government then assumed control of the alienation of land to immigrants under the authority of the East Africa Protectorate (Lands) Order in Council, 1901, and the Crown Lands Ordinance, 1902.¹¹ This legislation was drafted on the assumption that Africans had no right to waste or unoccupied and un-cultivated land, and that, accordingly, the Crown could assume a right and title to such land and alienate it to immigrants.¹² The earlier legal document that the British Government used to acquire land in Kenya was the India Land Acquisition Act as Applied to East Africa Protectorate, 1894.

The 1901 Order in Council gave legal effect by defining Crown Lands not as unoccupied or waste land, but as all 'public' land subject to control of Her Majesty Queen Victoria of England. This, definition in allowed the protectorate authorities to assume power to

¹⁰ NCKK, *The Cursed Arrow: The NCKK Contemporary Report on the Politicized Land Clashes in Rift Valley, Nyanza and Western Province*, Nairobi: NCKK 1992. P.1.

¹¹ M.P.K. Sorrenson, *Land Reform in the Kikuyu Country, a Study in Government Policy* Nairobi: Oxford University Press. 1967. P.17.

¹² Ibid.

alienate any land in the protectorate.¹³ The 1902 Ordinance allowed the colonial government to sell or lease the crown land to European at 2 rupees per 100 acres or rent the land at 15 rupees per 100 acres annually. In 1915 the Crown Lands Ordinance was enacted which redefined Crown lands to include land occupied by Africans. It provided for leases of nine hundred and ninety nine years (999 years).

1.2 British Colonialism, 1895-1963

The last quarter of the 19th century witnessed an increase in European interest in Africa, which was ignited by political, economic and social events in Europe. Powerful European nations partitioned Africa among themselves after which they began the process of conquering and occupation. Kenya fell under the British sphere of influence. The subjugation of Africans in Kenya to British rule had been accomplished by 1905 when the seat of colonial administration was shifted from Zanzibar to Nairobi.¹⁴

After the conquest, the colonial government consolidated their colonial power over Kenya. The European settler farmers were brought in to take over the land as a means of making the colony self sustaining in terms of capital. This was also aimed at making the settler economy to pay back the funds that had been used to construct the Uganda railway and to finance the government.

¹³ M.P.K. Sorrenson, *Land Reform in the Kikuyu Country, a Study in Government Policy* Nairobi: Oxford University Press, 1967. p.17.

¹⁴ Assa Okoth, *A History of Africa Volume One: African Societies and the Establishment of Colonial Rule, 1800-1915*. Nairobi: Oxford University Press, p.187.

The British administration and white settlement in Kenya made the North Rift ethnic groups restless as a result of their ethnic lands being alienated to the white settlers. The Africans lost almost all their land rights to the Europeans. They were pushed into the Native Reserves which were created by the colonial administration. The Africans were therefore concentrated into Native Reserves where they lived in inhuman conditions. The Africans also lost their property making them a bitter group who were unwilling to cooperate with the colonial administration in terms of offering labour to the settlers.¹⁵

The colonial government, therefore, passed and enforced laws such as the Vagrancy Ordinance Law of 1896, the African Passes Ordinance of 1900, the Native Porters and Laborers Ordinance of 1902, the Crown Lands Ordinance of 1902 which allowed the government to sell or lease Crown land to Europeans at 2 rupees per 100 acres or rent it at 15 rupees per 100 acres annually while that of 1915 provided for registration of a land for settlers. Crown Land included land occupied and reserved for Africans who could be evicted any time.¹⁶ It was stated in the official Colonial Government Gazette that;

“Crown Land” shall mean all public lands in the Protectorate which are for the time being subject to the control of His Majesty by virtue of any treaty, convention, or agreement, or by virtue of His Majesty’s protectorate, and all lands which shall have been acquired by His Majesty for the public service or otherwise howsoever, and shall include all lands occupied by the native tribes of the Protectorate and all lands reserved for the use of the members of any native tribe.¹⁷

¹⁵ P. M. Shilaro, “Colonial Land Policies: The Kenya Land Commission and the Kakamega Gold Rush, 1932-4 in William Ochieng’ *Historical Studies and Social Change in Western Kenya Essays in Memory of Professor Gideon S. Were*, Nairobi: East African Educational Publishers 2002. p. 110.

¹⁶ *East Africa Protectorate Ordinances and Regulations Vol. xvii. January 1st to December 31st, 1915* Nairobi: Government Printer.

¹⁷ *Ibid.*

These ordinances were aimed at destroying the African economy and forcing the Africans to supply cheap labour to white settlers.¹⁸ Africans depended fully on land for their survival and the act by the colonial government to take the land meant cutting them from their main supply of their livelihood. The only means of survival that Africans were left with was to provide cheap labour.

The colonial government further introduced the 'Kipande' system in 1919 which was a segregative system of laws. It required Africans to carry registration certificates worn around the neck. On this card was information on the owner's previous and current labour history.¹⁹ The Kipande system made desertion of duty very difficult and turned the African labourer into a virtual prisoner.²⁰ Africans who were found without it were liable to heavy fines and imprisonment or both. The move was to ensure all African men worked whether they wanted or not. The Kipande system, therefore, meant that Africans of different ethnic background who had gone to the North Rift in search of work would remain in the region and even if they wanted to return to their ancestral land, the land ordinances still was a barrier.

The Crown Lands Ordinance of 1902 and 1915 deprived the Africans of the right to use their land and made them tenants at will on their own land.²¹ The ordinances empowered the colonial governor to confiscate, lease or transfer any land belonging to Kenyans

¹⁸ Maina wa Kinyatti, *History of Resistance in Kenya 1884-2002* Nairobi: Mau Mau Research Centre 2008 p.30.

¹⁹ T. Kanogo *Squatters and the Roots of Mau Mau 1905-63* Nairobi: Heineman Kenya, 1987. p.38.

²⁰ Ibid.

²¹ Maina wa Kinyatti, *History of Resistance in Kenya 1884-2002*, Nairobi: Mau Mau Research Centre 2008 p.30.

without their consent. The act gave the British the monopolistic control of resources in the country. The seized land was turned over to the individual white settlers and companies to exploit it for their benefit and that of their mother country. The settlers took over control of large pieces of land that formally belonged to the Africans.

Land alienation from Africans intensified displacement of indigenous people from their land to look for alternative means of survival. Land alienation created squatter populations on the European farms famously known as the White Highlands where they went to look for wage paying jobs. There was much need for labour on the European farms but some Africans were unwilling to work on British farms. These forced the colonial government to impose the Labour Ordinance and tax laws which were enacted in order to force the Africans to provide the settlers with cheap labour.²²

The Africans who lived in fertile land, especially in the highlands lost their land to the whites. They lost the right to their land and were forcibly and viciously herded into special areas famously known as Native Reserves. These areas were congested and characterized by famine due to inefficient means of food production combined with the imposed heavy taxation. The situation forced thousands of peasantry Africans to abandon their homes in search of employment in the European occupied plantations. Most of these plantations were to be found in the North Rift region.²³

²² Maina wa Kinyatti, *History of Resistance in Kenya 1884-2002* Nairobi: Mau Mau Research Centre 2008, p. 33

²³ Oral interview, Jasson Kawas, Saboti, 4/7/2009.

The migration of Africans in search of work on the White Highlands altered the composition of ethnic groups in the North Rift. The region is known as the North Rift because its in the northern part of the Rift Valley province of Kenya. The White Highlands were those fertile regions in the Kenyan highlands which were established in the Protectorate as a White Man's Country on the model of the colonies in south and central Africa.²⁴ Some of these highlands were in the current districts of Uasin Gishu, Trans Nzoia and Nandi which are located in the northern part of the Rift Valley hence known as the North Rift. Africans migrated from the central region which included the Kikuyu, Embu, Kamba and Meru while the Luhya who had also lost their land moved into the region from the Western Kenya reserves.²⁵ These African migrants joined hands with the indigenous people, mostly the Kalenjin groups, worked and related in harmony mostly because they faced similar problems of land alienation, taxation and forced labour. The Nandi, Kipsigis, Luhya, Kikuyu, Kamba, Embu, Meru Gussi and Turkana young men were employed on settler plantations in the Eldoret, Kitale, Soy, Kipkarren, Londiani, Molo and Mogotio areas.²⁶

1.3 Independence Period 1963-2009

The land question remained a thorny issue in both colonial and post colonial governments. In 1962 there was massive program for the settlement of the landless, who had been displaced during the colonial land alienation mostly the Kikuyu, the Kalenjin

²⁴ M.P.K. Sorrenson, *Land Reform in the Kikuyu Country* Nairobi: Oxford University Press, 1967, p.16.

²⁵ Oral interview, Jasson Kawas, Saboti, 4/7/2009.

²⁶ T. Kanogo, "Colonial Labour and Trade Unionism in Wester Kenya" in William R. Ochieng' (ed) *A Modern History of Kenya 1895-1980*, Nairobi: Evans Brothers Limited 1989, pp. 129-140.

and the Luhya squatters.²⁷ Thousands of families were settled in settlement schemes in the Rift Valley. Majority were the Kikuyu, who joined with those who had moved to the Rift Valley starting from 1909.²⁸ At independence the government was faced with the problem of settling the landless and displaced people. The people mounted pressure on the government to give them land that they had fought for.²⁹ During this settlement the lands question activated ethno-regional divisions in Kenya. The Maasai and the Kalenjin communities' were naturally concerned with the massive presence of the Kikuyu in the Rift Valley. The land question generated intense political conflicts between the various African political organizations.³⁰

Contestations over land in the Rift Valley had roots in the massive migration of the Kikuyu, Luhya, Kisii, and other communities into the Rift Valley. Of all these communities the Kikuyu who had lost most of their land through alienation constituted the larger population which was land hungry. The Kikuyu prominent economic and political position at the time of transition to independence in 1963, made them to have a strong bargaining power for land in the Rift Valley.

The political conflict that ensued was basically between an alliance of the Kikuyu and Luo ethnic groups against the agro pastoralist communities namely the Kalenjin, Maasai, Turkana and Samburu. Different groups interested in land caused socio-political divisions

²⁷ C. Leo, *Land and Class in Kenya*, Toronto: University of Toronto Press, 1984. pp. 86-150.

²⁸ T. Kanogo, *Squatters and the Roots of Mau Mau 1905-63*. Nairobi: Heinemann Kenya 1987. pp. 13-18.

²⁹ S.C, Wanjala "Land Ownership and use in Kenyan: Past, Present and Future in Smokin Wanjala, *Essays on land law : The reform Debate in Kenya*. Nairobi: Faculty of Law , University of Nairobi 2000 p.31

³⁰ Karuti Kanyinga, "Beyond the colonial legacy. The Land Question, Politics and Constitutionalism in Kenya" in Smokin C. Wanjala, *Essays on Land law: The Reform Debate in Kenya*. Nairobi: Faculty of Law, University of Nairobi. 2000. p.45.

that spilled over to the political party formation. Kenya African National Union (hereafter KANU) for Kikuyu –Luo alliance while the group of leaders championing the interests of minority ethnic communities led by Ronald Ngala, Daniel arap Moi and Masinde Muliro launched the Kenya African Democratic Union (hereafter KADU).³¹

The resettlement provided grounds for further inter-ethnic conflicts. This had its origin in the amount of land apportioned to the Kikuyu in the Rift Valley. About 40% of total land set aside for resettlement was allocated to the Kikuyu.³² Because of their prominent political and economic position which was as a result of their control of the Kenya's independence government, the Kikuyu found their way into schemes meant for other ethnic groups in the North Rift in general and in particular Trans-Nzoia and Uasin Gishu.³³

The issue of land emerged again in 1990s during the time when Kenyans pressured the KANU regime to re-introduce the multi-party politics. The KAMATUSA alliance was revived by the Rift Valley politicians to counter the pressure for multi-party which was seen as a move against President Moi, their own kinsman. The alliance was used in 1990s as a platform to fight for the groups political and land rights. The Majimbo project was revived in 1991 leading to the re-activation of ethnic differences that previously threatened evictions of the Kikuyu from the Rift Valley.³⁴ The KAMATUSA mobilized the numerically smaller ethnic groups and other non-Kalenjin in the Rift Valley to

³¹ *Ibid*, p.45.

³² *Ibid*.

³³ *Ibid*.

³⁴ *Ibid*.

counter the Kikuyu in Democratic Party of Kenya (hereafter D.P) and FORD-ASILI and the Luo in FORD Kenya. KANU won the 1992 multi-party elections but left behind a highly ethnically divided political landscape in Kenya.³⁵

Although the history of conflict between communities in Kenya is as old as the history of migration and settlement of Kenyan communities, the dawn of multipartism brought wrangles and death on a much larger scale than before. The politicians who campaigned against the re-introduction of the system broadcast hate that targeted some communities in some regions. The attempts in September and October 1991 to restart 'Majimbo' debate resulted in the ugly manifestations of the so called land clashes.³⁶ Analysis done by different bodies revealed that the clashes were politically motivated. With the clashes, energies and focus were redirected and ethnicity became an important factor in the political debate.

Members of the Kalenjin ethnic group seemed to be initially on the offensive against the other neighboring ethnic groups namely the Luhya, Luo, Kikuyu and the Gusii.³⁷ It is the consciousness of political identity mingled with the old ethnic sentiments that caused tension between ethnic communities. The tension led to violence created by organized groups which were transported on Lorries to the areas of conflict by certain unknown individuals in 1991 and 1997.³⁸ In 2002 and 2007 the same situation was repeated.³⁹

³⁵ *Ibid.*

³⁶ NCKK, *The Cursed Arrow: The NCKK Contemporary Report on the Politised Land Clashes in Rift Valley, Nyanza and Western Province*. Nairobi: NCKK 1992, p.1.

³⁷ *Ibid.*

³⁸ KNRC *Killing the Vote: State Sponsored Violence and Flawed Elections in Kenya*. Nairobi: KHRC. 1998. pp.6-20.

Some leaders spoke openly urging their people to arm themselves and fight. It is after these stirring of ethnic violence that actual conflict started spreading beyond control.

1.4 Statement of the Research Problem

The first General election in Kenya was held in May 1963 which ushered in independence. Before another election was done in 1969, KADU had been dissolved and the KANU ruling elite had forced nine constitutional amendments aimed at strengthening the executive especially the presidency. KANU ruling elites weakened political parties and frustrated opposition members making the ruling party [KANU] an institution of dominance which did not allow any trouble or challenge during elections.⁴⁰

Subsequent elections were held in 1969, 1974, 1979, 1983 and 1988. The elections in 1969, 1974 and 1979 were held during the *defecto* one party system of government, hence were state-controlled and semi-competitive because of the KANU government authoritarianism.⁴¹ In 1982 the KANU government survived a coup, which saw a drastic change of the political scenario to the worst as KANU crushed its 'perceived' opponents. Elijah Mwangale the then Minister for Tourism and Wildlife named Charles Njonjo the then Minister for Constitutional Affairs, as the traitor who had been involved in the *coup d' Etat*.⁴² All those in the civil service and the police who owed their posts to Njonjo were retired. The KANU executive also expelled from the party the former Attorney General and a number of his supporters including G.G Kariuki, Stanley Oloitiptip and

³⁹ Oral interview, Jasson Kawas, Saboti, 4/7/2009.

⁴⁰ A. Morton, *Moi; the Making of an African Statesman*. p.141.

⁴¹ KNRC, *Killing the Vote: State Sponsored Violence and Flawed Elections in Kenya*. Nairobi : KHRC. 1998. p.6

⁴² A. Morton, *Moi: The Making of an African Statesman*. p.219.

Joseph Kamotho. The elections of 1983, therefore, were meant to get rid of Njonjo and his allies.

The Fifth Parliament was dissolved on February 05, 1988 and the fifth general election was held on March 21, 1988. The fifth general election went down in the annals of the political evolution of Parliamentarism in Kenya, as the only election that were preceded by the preliminary nomination process in the much publicized, *Mlolongo* (Queue Voting) process. The Mlolongo nomination process for parliamentary and civic election had been preceded by the KANU nomination process in 1986. The 1988 election were held through the Queue system of voting without major events of conflict.⁴³ At the same period the KANU regime detained those who were perceived as threatening its survival. Some were expelled from the party and kept in the cold for there were no alternative parties.

From 1988 there were struggles of those in the periphery to come to the centre through democracy. Pressure mounted on the KANU regime to legalize pluralism. In countering the pressure KANU turned its wrath on those segments of the population perceived to have supported the pro-democratic movement. KANU youth wingers and the provincial administration armed with whips, clubs, machetes and guns battered opposition groups, demolished their houses, destroyed their property and killed innocent people.⁴⁴

⁴³ Queue or Mlolongo system of voting was the method adopted for elections where a candidate stood in line several yards apart with their supporters formed up behind them. The candidate having the greatest number of supporters was declared the winner.

⁴⁴ D.M. Anderson, "Yours in Struggle for Majimbo. Nationalism and the Party Politics of Decolonization in Kenya, 1955-64" in *Journal of Contemporary History*. Vol. 40, No. 3 (Jun., 2005). p. 547.

The powerful wind of change forced KANU to resort to instigation of ethnic violence, especially in Kenya's multi-ethnic and multi-racial provinces. KANU invoked the Majimbo card. In 1990's Majimbo was refurbished to an ideology of ethnic cleansing. The crusade for Majimbo was set by two high profile rallies attended by senior KANU politicians among them Nicholas Biwott and William ole Ntimama, held in Kapsabet, Nandi District and Kapkatet, Kericho District on September 8 and 21, 1991 respectively.⁴⁵ How then did ethnicity play-out in 1990s and not in the earlier elections?

The ethnic clashes that followed were a direct consequence of these inflammatory rallies. On October 29, 1991 ethnic clashes erupted for the first time at Miteitei farm, Nandi District in the North Rift. By November 1993 over 1500 people had been killed and more than 300,000 displaced by the so-called Kalenjin warriors and Maasai Morans clad in traditional costumes, wielding traditional weapons such as bows, arrows, spears, machetes and clubs. The warriors and Morans were trained at camps in secret places.⁴⁶

The North Rift was the hardest hit by the clashes as the districts in the region emerged with the highest number of displaced people. For instance Elgeyo – Markwet had 22, 300 people displaced, Turkana had 16, 635, Trans Nzoia had 18,525, Uasin Gishu had 82,000, Nandi had 17,000 and Nakuru had 40, 700.⁴⁷ Majority of those in IDP were the Kikuyu, the Kisii, the Luo and the Luhya.

⁴⁵ D.M. Anderson "Yours in Struggle for Majimbo. Nationalism and the Party Politics of Decolonization in Kenya, 1955-64" in *Journal of Contemporary History*. Vol. 40, No. 3 (Jun., 2005). p. 547.

⁴⁶ A.M. Abdullahi "Ethnic Clashes, Displaced Persons and the Potential for Refugee Creation in Kenya: A Forbidding Forecast" in *International Journal of Refugee Law* Vol. 9 No.2 Oxford: Oxford University Press 1997 pp. 196.

⁴⁷ A.M. Abdullahi "Ethnic Clashes, Displaced Persons and the Potential for Refugee Creation in Kenya: A Forbidding Forecast" p. 206.

The existing scattered literature on ethnic clashes in the North Rift is biased or is seen from one perspective. For example, should we see ethnicity as being used by KANU only? What about those who were displaced? Were they always obedient patriots without ethnic alignments? There is need to investigate and reveal the true picture of ethnicity and politics in the North Rift.

Most of the studies on the North Rift ethnic conflict dwell on the causes and nature of the violent conflict with little mention of ethnicity as a tool of war. It is true land was one of the causes or factors but ethnicity had not been explicitly linked to political violence. If land is the main cause of conflict in the North Rift, why were there conflicts during election periods of 1992, 1997 and 2007 only? What role did ethnicity play? This aspect had not been studied and this constituted the problem of the study. Work done indicated that conflict in the North Rift was caused by land issues and cattle theft, but this did not explain why the bloody conflict always occurred during election years. This study investigated that.

1.5 Aims and Objectives

To facilitate data collection the research employed the following objectives:

- a) To examine the use of ethnicity as a tool of political violence in the North Rift.
- b) To assess the impact of the North Rift conflict on communities living in the Region.
- c) To investigate if politicians incited communities during election in the North Rift.

1.6 Justification of the Study

The North Rift region of Kenya has been affected by armed ethnic conflict during election periods since 1991. The region has featured prominently in Kenyan news during election years, including the 1992, 1997 and 2007 the region had more than 350, 000 internally displaced people and the majority of those killed in the post election violence during the late 2007 and early 2008 were from the North Rift region.⁴⁸ In 2009 the coalition government was still struggling with the question of resettling of IDPs in the North Rift and whenever the perpetrators of the 2007 post election violence were threatened by legal measures leaflets were thrown in the North Rift threatening the ‘perceived’ non-indigenous people to leave or face the wrath of the ‘perceived’ owners of the North Rift. Most of these were the Kikuyu, Kisii and Luhya who supported President Kibaki’s Party of National Unity (PNU).

Relations through conflict among groups living in the North Rift have become common hence attracting intellectuals in academics. Scholars in armed conflict and peace studies were therefore, attracted to study the role of ethnicity in such conflicts. It was therefore, justified to study how ethnicity was used by the political elites as a tool of violence during election. The choice of the study was also based on the fact that there was no in-depth study on ethnicity and conflict in the North Rift. Although some research had been done on ethnic clashes in various parts of Kenya, there was very little on ethnicity as a tool of political violence in the North Rift of Kenya. North Rift is mentioned in passing hence no in-depth study on how politicians have used ethnicity to perpetuate violence

⁴⁸ KHRC, *Killing the Vote :State Sponsored Violence and Flawed Elections in Kenya*, Nairobi : KHRC, 1998 p.1

from 1992 to 2009. Given that bloody ethnic clashes always occur during election years, omission of ethnicity as a tool of political violence in the North Rift left a major gap, in the understanding of ethnic clashes in the North Rift and Kenya in general. The study, therefore, investigated this problem. The existing literature is scanty and biased by perceiving that the Kalenjin group was on the aggressor's side while other communities are on the victim's side. The research brought out a true picture of the conflict in the North Rift.

Equally important is the question of land which is very important to both the pastoral and agricultural communities living in the North Rift region. Land ownership might have affected the economies of the communities living in the North Rift leading to gaps which politicians tend to fill by mobilizing their people to rally behind them during election periods. The study therefore wanted to bring this out. This information will be very important in conflict management in the North Rift, not only as part of adding to our knowledge but also as a justification for the study.

1.7 Scope and Limitation

The study covered the period between 1992 and 2009. In 1991, on October 29th 1991 prior to the 1992 election, ethnic clashes erupted for the first time in the North Rift when non-Kalenjin communities were attacked by Kalenjin communities. The period between 1991-1992 politicians engaged in hate campaigns that worsened the situation in Kenya. In December 2007 the election process in Kenya was characterized by irregularities leading to the worst politically instigated conflict in Kenyan history. The conflict would

spill into 2008 and by 2009 the Internally Displaced Persons in the North Rift had not been resettled. Hence the study ends in 2008.

The area of study was the North Rift. Since the ethnic clashes were not full blown in every part of the Rift Valley, specific districts were selected for the study. The most affected districts included Trans Nzoia District, Uasin Gishu District and Nandi District. In Trans Nzoia District Sabot and Cherengany divisions were the most affected, in Uasin Gishu District the most affected divisions were Ainabkoi and Keses, while in Nandi Districts, Tinderet and Kipkaren divisions were the most affected. Different communities who live in these districts include the Kalenjin, Kikuyu, Luhya, Gusii, Turkana and the Luo people.

Various factors impeded the collection of data for this study. First, the shortage of funds. I tried and sourced some funds which enabled me go to the field. The second limitation was language barrier. I employed the services of research assistants from the areas under study to help in the interpretation during interviews because the languages used were Kalenjin, Luhya and Kisii. Finally, due to the effect of the post election violence, I worked closely with the provincial administration and village elders. I therefore, managed to collect required data that enabled me complete this work.

1.8 Literature Review

The North Rift ethnic clashes involved the Kalenjin who believed that they are the rightful owners of the North Rift, on one hand and the migrants who bought land in the settlement schemes created by the independent government on the other hand. The large numbers of migrants' mostly the Kikuyu, Luhya and Kisii turned the North Rift into a competing arena for political support, thus provoking ethnic violence mostly at election periods of 1990s to 2007. Since other countries in Africa experienced almost similar situations I have looked at the literature review from a wider perspective down to Kenyan situation.

According to Joseph Oloka – Onyango et al, the phenomenon of ethnicity continues to eat into Africa's democratization struggle like cancer. In their book they argue that ethnic groups are used or manipulated by the leadership in Africa as a tool for the perpetuation of status quo.⁴⁹ They further contend that, the ethnic equation in the contemporary African political spectrum has blunted the appeal of democracy to the masses. Peasants who belong to different ethnic groups are victims of manipulation. They embrace ethnic considerations and sentiments in national issues.

The writers argue that, after thirty years of harmonious co-existence in Kenya, ethnic hostilities were exhumed and cast over identified groups of the Kenyan people. They contend that, a section of Kalenjin Kenyans was recruited, trained and transformed into

⁴⁹ J.O. Onyango, *Law and the Struggle for Democracy in East Africa*. Nairobi: Claripress Limited 1996. p. 89.

roving warriors. They got safe havens in sprawling forests and mountains of the Rift Valley from where they would emerge to perpetrate acts of terror.⁵⁰

The study by Joseph Oloka Onyango provides general and valuable information to our understanding of ethnicity and democratization. However, the book does not discuss how politicians have used ethnicity as a tool of political violence in the North Rift. The present study focuses on ethnicity as a tool of political violence, while the cited work concentrates on ethnicity and democratization. The findings of the study may be different from the cited work.

Shula Marks argued that, there was high intensity of ethnic violence in South Africa in the decade before the 1994 election.⁵¹ In her article Shula argues that blood of war set to flow as the Zulu talk of war screamed. Weeks before the 1994 elections, over 8000 people were killed in internecine warfare in Kwa- Zulu and Natal. The Zulu Cultural National Movement (hereafter INKATHA) founded by Chief Mongsuthu Buthelezi in 1975 attempted to mobilize Zulu speakers along ethnic lines.⁵²

The article is important for this research in that it brings out clearly how ethnicity was used in South Africa as a tool of political violence. The author agrees that INKATHA used ethnicity to mobilize the Zulu to fight. If these views are plausible, is ethnicity as a

⁵⁰ J.O. Onyango, *Law and the Struggle for Democracy in East Africa* . Nairobi: Claripress Limited 1996. p. 94.

⁵¹ Marks Shula , “The dog that did not bark or why Natal did not take off: Ethnicity and Democracy in South Africa- Kwa Zulu – Natal “ in Bruce Besman, Dickson Eyoh and Will Kymlika, *Ethnicity and Democracy in Africa*. Oxford: James Curey Ltd. 2004, p. 183.

⁵² *Ibid.*

tool of armed violence in the North Rift different from that in South Africa? It is hoped that a study of the area will reveal the position of ethnicity in the North Rift violence armed conflict. Unlike the cited work where INKATHA had leadership which is well known and recognized, while ethnic groups in the North Rift illegal leadership.

According to Wolfgang Heinrich, the Somali conflict was based on clans, and sub-clans. The author contends that large numbers of political parties in Somalia were based on clans.⁵³ The writer argues that fighting began as various clans competed in the elections. After mentioning in a sentence on ethnicity Heinrich concentrates on fighting for power, control over economic resources and opportunities by different clans. The author concludes that war has left the Somali society deeply divided. While the book looked at a full-scale war fought for more than a decade, between members of the same ethnic but different clans within the Somali, this study, dealt with ethnicity as a tool of political armed violence that was fought during election periods by members of different ethnic groups.

Kenya's ethnic map consists of about forty two groups scattered in an area of 583,000 sq Km. These groups did not exist as self-contained communities. They interacted on a common phenomenon throughout.⁵⁴ In the article "Ethnic politics in Kenya" Walter Oyugi discussed the aspects of inter-ethnic relations in Kenya, historical roots of ethnic politics, without looking at ethnic conflicts in the North Rift and in particular, what the

⁵³ W. Heinrich, *Building the Peace: Experiences and Reflections of Collaborative Peace Building the Case of Somalia*. Uppsala: Life and Peace Institute, 2006 p.1.

⁵⁴ Walter Oyugi, "Ethnic politics in Kenya" in Okwudba Nnolis *Ethnic conflicts in Africa*. Nottingham: Codestria 1998.p. 287.

this study intends to do. However, the work is important because it gives a historical background to ethnicity in Kenya.

According to Tim Mwenesi, the problem in the North Rift is related to the colonial occupation of Kenya. The colonial policy of annexation of land aimed at creating room for white settlers resulted in massive landlessness or displacement of the original inhabitants in the Rift Valley such as the Nandi, the Kipsigis, the Pokot and to some extent the Bukusu in Trans Nzoia. The author argues that at independence the government created settlement schemes where a million people were settled. The settlement explains how non residents of the Rift Valley found themselves in the Rift Valley. As Rift Valley populations swelled, the settled migrants started competing for resources with the so called indigenous or originals of the Rift Valley. The author contends that, competing for resources is the reason why conflict erupts in the Rift Valley.⁵⁵

Mwenesi's study provides a good historical background on how the colonial government displaced people of the Rift Valley and how the independence government settled non indigenous people of the Rift Valley mostly the Kikuyu in the created schemes. The study informs us how different ethnic communities found themselves in the Rift Valley. Although ethnic conflicts in the Rift Valley can be attributed to these settlements of people from other regions, the author does not mention any thing on politically instigated

⁵⁵ Tim Mwenesi, "The Centrality of Land in Kenya: Historical Background and Legal Perspective". In Smohin C. Wanjala, *Essays on Land Law: the Reform Debate in Kenya* Nairobi: Faculty of Law, University of Nairobi, 2000.p. 3.

ethnic clashes in the North Rift. However the work is important it informs the study on how different communities were settled in the North Rift.

When Kenya became independent in 1963, there were assumptions that shared colonial experience and increased contacts between Kenyans of different ethnic groups would minimize ethnic differences.⁵⁶ Although the government directed a lot of effort in campaigning for unity, it did not achieve a lot due to the question of unequal resource allocation. There were struggles between competing groups of ethnic elite for administrative and economic opportunities that resulted in hostility. In his book William Ochieng argues that, the main cause of conflict in the North Rift since independence has been competition for land in former White Highlands. He contends that, the Kenyatta government settled large numbers of Kikuyu, Luyha and Kisii agriculturalists in former white Highlands without taking into account the interests of indigenous pastoral and cultural groups. This led to several ethnic clashes and creation of ethnic solidarities.⁵⁷

The author contends that, the formation of the Kenya People's Union by the leftists in 1966 and the assassination of Tom Mboya in 1969 revived politics of ethnicity. The Luo believed that the Kikuyu elite had orchestrated Mboya's assassination. As far as the Luo people were concerned, Mboya's murder was an attack on the whole Luo people.⁵⁸ Leaders such as Jomo Kenyatta, Lawrence Sagini, Masinde Muliro and Daniel Arap Moi

⁵⁶ William Ochieng, *Historical Studies and Social Change in Western Kenya: Essay in Memory of Professor Gideon S. Were*. Nairobi: East African Educational Publishers. 2002. P.271.

⁵⁷ *Ibid.*

⁵⁸ Andrew Morton, *Moi; The Making of an African Statesman*, London: Michael O Mara Books Limited, pp.139-140.

started employing ethnic ideologies and symbols to rally up support.⁵⁹ During the Nandi Hills Declaration of 1969, Jean Marie Seroney stated that his tribe would fight for the land they considered rightfully theirs. On the other hand the Kikuyu were taking the oath, of loyalty to the house of Mumbi.⁶⁰

Andrew Morton argues that during the call for multiparty politics and repeal of section 2(A) of the Kenya Constitution, serious ethnic clashes occurred in the North Rift because of hate speeches given by Rift Valley leaders in December 1991. Although the author agrees that Rift Valley leaders rallied ethnic groups to vote for them in 1992 and 1997 general elections, he concentrates on competition for resources as the cause of ethnic clashes in the North Rift. If resources are a major cause then why do the ethnic clashes occur only during election periods? It will be interesting to investigate the relationship between ethnicity and political violence in the North Rift.

According to Atieno Odhiambo, Kenyans experienced racism until 1963 and tribalism subsequently. Tribalism was rebaptized ethnicity.⁶¹ The author argues that the Kenyatta government used ethnicity campaigns in a bid to consolidate itself in power “The House of Mumbi” Campaigns saw senior members from the Kikuyu community take an oath at Gatundu which was to ensure that Kenya’s flag would never leave the house of Mumbi.

⁵⁹ *Ibid.* P.172.

⁶⁰ *Ibid.*, p.139.

⁶¹ E.S, Atieno Odhiambo,, in Bruce Berman ,Dickson Eyon and will Kymlicka,*Ethnicity and Democracy in Africa*. Oxford: James currey ltd. 2004. P.167.

independence government. Bienen maintains that ethnic conflicts were focused on land issues. The situation was similar in towns of Rift Valley, Western Province and Mombasa. Migrations of Kikuyu and Luo produced fears of the domination by new comers over the indigenous inhabitants.⁶⁴ However, Bienen's study dwells too much on how land issues continue to divide Kenyans, although it offers valuable information on the intended study on ethnic interactions in Kenya. The study helps this work to understand the dividing issues which the political class takes advantage of.

The Kikuyu were the most affected during the 1991 pre-election clashes and during the 1992, 1997, 2002 and 2007 North Rift ethnic clashes in the Rift Valley.⁶⁵ The factors that pushed the Kikuyu into the Rift Valley include: their large population, land hunger and the prominent economic and political position. The author further argues that the Kikuyu were apportioned about 40% of the total land set a side for resettlement. This made them to find their way into schemes meant for other ethnic groups in the North Rift. Kanyinga contends that the land grievances doubled with pressure against Moi's regime made the KAMATUSA to mobilize their forces against the pro-multiparty ethnic groups, which resulted in ethnic clashes. Like Mwenesi's, Kanyinga's work dwells on land issue as a main cause of conflict in the North Rift. He does not explain why such conflicts always erupt when there are elections, which the intended study focuses on.

According to the Kenya Human Rights Commission, in the late 1991 the Movement for Democracy seemed to be headed for victory. KANU resorted to instigation of ethnic

⁶⁴ H. Bienen, *Kenya the Politics of Participation and Control*, Princeton University press. 1974, p. 67.

⁶⁵ K. Kanyinga "Beyond the Colonial legacy", p.45.

violence especially in Kenya's multi-ethnic and multi-racial provinces. KANU refurbished the ideology of Majimbo to mean ethnic cleansing.⁶⁶ The KHRC contend that the Kalenjin were called upon to arm themselves with bows and arrows to destroy any multiparty advocate.

Following the 2007 electoral violence President Kibaki through the Gazette Notice no 1983 of 2008 appointed a six member Commission to inquire into the aspects of the 2007 General elections. The Commission was chaired by a South African Judge Johann Kriegler. The commission was to investigate the organization and conduct of the 2007 electoral operations. One of the commission's findings was that the conduct of the electoral process was hampered and that the electoral environment was polluted by the conduct of many public participants, especially political parties and the media.⁶⁷ The Commission also found out that the Constitution and the legal framework contains a number of Weaknesses that resulted in the culture of electoral lawlessness for many years.⁶⁸ The report is important to this research because it indicated the role of politicians in the political violence in Kenya although it did not go deep what this research intends to do.

Through legal Notice No 4473, the president appointed another commission chaired by Judge Philip Waki. This Commission was to investigate the facts and circumstances surrounding the post election violence. The commission found that the period leading up

⁶⁶ KHRC, *Killing the Vote: State Sponsored Violence and Flawed Elections in Kenya*. Nairobi: KHRC. 1998. p. 6.

⁶⁷ Krieglar Report "The Report of the Independent Review Commission on the General Elections held in Kenya on 27th December 2007.

⁶⁸ *Ibid.*

to elections was peaceful in most areas in the Rift Valley.⁶⁹ the report indicated that there was a lot of incitement by politicians in the Rift Valley during campaigns, that politicians called the “perceived” non – indigenous of the Rift Valley names like Sangara, bunyot, Madoadoa and called on the Kalenjin people to evict these communities from the Rift Valley, leading to violence.⁷⁰ Sangara is a Swahili for weed or unwanted crop. In this context it was used to mean unwanted people in the Rift Valley thus showing funny colours. Although the report by Waki indicated that politicians played a role in inciting violence like the Kriegler Report it mentions in passing without going deeper, what this study intends to do.

The question of land in Kenya is critical and almost all conflicts revolved around it. There were conflicts when communities encroached on land reserved for forests. The Kenya land Alliance report looked at communities affected by the forceful evictions and how powerful political figures played a key role.⁷¹ The report looked at the conflict that arose due to eviction without citing ethnic clashes in the Rift Valley, on the other side the Ndungu Report looked at the illegal and irregular allocation of public land and how public officials were involved. The report found out that there were widespread abuses of presidential discretion with regard to land issue. That both Presidents Kenyatta and Moi made grants for land to individuals without considering public interest. That some individuals were allocated land for political reasons in settlement schemes.⁷² The report

⁶⁹ Waki Report “The Report of the Commission to Investigate Post Election Violence 2008”.

⁷⁰ Ibid

⁷¹ Kenya land Alliance “Facts finding on Eviction July 2005.”

⁷² E. South, “The Ndungu Report:: Land and Graft in Kenyan in *Review of African Political Economy*, 103, March 2005. pp . 142-157

by Ndungu does not look at how the ethnic clashes are related with land and political relations. This research hopes to find out.

Although the cited work acknowledges ethnicity and conflict in the North Rift, it dwells on the introduction of multiparty system with ethnic clashes. This has limitations because it does not explain why clashes recur even after more than a decade in the multi-party system of government. My work will therefore, bring the untold story of the people on the critical question of armed conflict in the Rift Valley and the North Rift in particular at election times.

1.9 Theoretical Framework

The research was based on the psycho-cultural conflict theory. The psycho-cultural conflict theory emphasizes the role of culturally shared profound “we-they” opposition in the conceptualization of enemies and allies and deep seated disposition about human action stemming from ethnic alignments. Proponents of the theory such as Steve Utterwulgh have used the theory to explain Rwanda’s protracted conflict. According to this theory social conflicts are usually ethnic in nature. And that, such conflicts are characterized by a multi-communal composition in which discrimination is targeted towards one specific ethnic group. The theory contends that conflict will occur when communities are discriminated.⁷³

⁷³ S. Utterwulge, “Rwanda Protracted Social Conflict: Considering the Subjective Perspective in Conflict Resolution Strategies “ Issue 23 / August 1999. <http://www.Trinstitute.Org/> accessed on Nov. 21 2007.

The psycho-cultural conflict theory was relevant to the intended study. The actors in the North Rift conflict defined their enemies depending on their ethnic background. The theory recognizes the role of ethnicity in conflict. The actors in the North Rift conflict are multi- community. Proponents of the psycho- cultural conflict theory also front an aspect of discrimination. In the North Rift ethnic clashes the non- Kalenjin communities are targeted and accused of occupying land, which is perceived to be Kalenjin land. The non- Kalenjin communities are also targeted for being in the opposing camps in politics resulting in frequent ethnic armed clashes and violence.

1.10 Research Hypothesis

The study tested two hypotheses. These were:

- a) That ethnicity defined political violence in the North Rift of Kenya.
- b) That ethnicity sustained political violence in the North Rift during and after elections
- c) That politicians incited communities in the North Rift by ethnicizing the question of land ownership

1.11 Methodology

This study used secondary and primary sources for its data. Secondary sources included books and articles published in scholarly journals. Newspaper articles were used as well as website articles. For the material from the website, a date of retrieval was noted. Libraries that were used included, the University of Nairobi's Jomo Kenyatta Memorial

Library, Egerton Conflict Centre Library, Nation Media housed in Nation House, The Standard Media housed in I & M house in Nairobi.

Primary sources such as unprocessed written materials e.g. reports from NGOs, humanitarian organizations working in the North Rift were used to fill the gaps found in the books and journals. Archival materials and oral interviews were used. Archival materials from the Kenya National Archives (hereafter, KNA) that was used in this study included provincial annual reports, handing over reports, minutes of barazas held and personal diaries of officials who worked in the North Rift.

The archival material provided a historical perspective that helped in showing how communities from outside the Rift Valley moved into the region. Being aware of a thirty-year rule tied on archival material, I used different institution's archives to compliment what I got from the KNA. These institutions included the African Peace Forum, NCKK resource centre, Catholic Peace and Justice Resource centre and the Anglican Peace resource and Eldoret.

In addition to archival material I went to the field to collect data after receiving a study permit from the Ministry of High Education Science and Technology. I interviewed twenty four people including women, elders, youth and provincial administrators. I worked closely with the provincial administrators, village elders and church leaders, I used oral interviews with open –ended questionnaire which provided guidance leaving

the interviewee with room to talk and give additional information regarding the research.

To overcome the language barrier more so from the Saboot of Mt. Elgon, the Kikuyu, Kalenjin, Gusii, Luhya and Luo services of research assistants were used. Assistant from these communities helped in interpretations during interviews with local respondents. I managed to interview twenty four respondents equally selected from targeted communities. The above mentioned communities are the dominant in the North Rift and main actors in the ethnic clashes.

Data was collected from various respondents. Snowballing method was used in sampling. Initial subjects with desired characteristics had already been identified,⁷⁴ through secondary and archival data analysis. The identified in turn, named others that they knew could give required information. Key informants were community leaders, security personnel, and local authority employees, District Peace Committee Members and the youths or youth groups. These groups gave required information which enabled me complete my study. Observation method was also used. By looking at my respondent I was able to tell if it was not over yet. The study was largely qualitative in nature.

⁷⁴ Olive Mugenda and Mugenda A, *Research Methods*. Nairobi : Acts press 1999. p. 51.

CHAPTER TWO

MIGRATION AND SETTLEMENT IN THE NORTH RIFT OF KENYA, 1895-1963

2.0 Introduction

The North Rift region of Kenya is one of the country's most fertile areas that was famously referred to as the "granary of Kenya" and British settlers referred to the region as the "Canaan of Africa". Due to its potential, various African communities arrived and settled in the region before and after colonial occupation of Kenya. Some communities arrived during immigration period in the pre-colonial era while others during the colonial occupation in search of employment on the created White settlements (Later part of White Highlands). After the colonial period most of these migrants remained permanently settled in the area. Indeed these arrivals transformed the North Rift into a cosmopolitan region representing the face of Kenya because all the ethnic groups found in Kenya are represented.

Kenya has forty two ethnic groups of which each group is represented in the North Rift as settlers. Since this study is based on ethnicity as a tool of politically instigated violence in the North Rift, this chapter will examine the origin of various communities living in the region.

The chapter examines the origin and settlement of various ethnic groups in the North Rift, the European conquest and its impact on the settlement in the region and the land

ownership in the North Rift. The main ethnic groups that will be analyzed are those who inhabit the North Rift and will include, the Kalenjin, the Luhya, the Kikuyu, Kamba, Meru, Embu, Gussi, Teso and Turkana people. These communities settled in different regions of the North Rift along ethnic alignments depending on their shared cultural profound “we” in this region and “they’ in that region as psycho cultural conflict theorists emphasize. The region therefore, has had multi-racial/ multi-ethnic population.

2.1 The Kalenjin People

The people of Kalenjin origin are the principal Nilotic population living in the Western highlands to the north east of the Lake Victoria. The word Kalenjin is derived from the word *Kaale-ii* which means “I tell you” and as a name for these people it was derived recently for political reasons.⁷⁵ The ancestors of the present day Kalenjin people appear to have started migrating into East Africa during the first millennium. Before their expansion, the ancestors of the Kalenjin were largely concentrated on the eastern fringes of Western Kenya.⁷⁶ The ancestors of the Kalenjin first settled on Mt. Elgon as a single group without different inter-ethnic groups as they appear to be at present.

At Mt. Elgon the Kalenjin group split into smaller units after which they separated and dispersed occupying different regions in the North Rift. It is believed that this movement took place between 1600 and 1620 AD.⁷⁷ The first group to leave the original

⁷⁵ *Kaale-ii* is a Kalenjin word which means, “I say to you” was used in political public meetings from about 1950-1963 with the intention of identifying those who understand one common language, whoever respondents to “I say [Kaale-ii] was regarded as a Kalenjin.

⁷⁶ G.W.B, HuntingFord, *The People of Kenya- No . 11* The Nandi Nairobi: Ndia Kuu Press pp. 1-2.

⁷⁷ C. Chesaina, *Oral Literature of the Kalenjin* Nairobi: East Africa Educational Publishers 1991 p. 1.

concentration at Mt. Elgon appears to have been the ancestors of the Pokot people.⁷⁸ The second group to disperse was that of the Endo, Tugen, Marakwet and Keiyo, while the last group to disperse is said to have been the ancestors of the Kipsigis, and Nandi.⁷⁹ The Sebei on the other hand settled in Uganda. These groups settled on the east and south of the Uasin Gishu plateau where they became ethnic groups with some percentage of distinct characteristics although they maintained their main cultural characteristics that transcend the entire Kalenjin sub- communities.

The Kalenjin sub-ethnic groups are seven in number, among them, the Pokot, Marakwet, Keiyo, Tugen, Kipsigs, Nandi and the Sabaot group which remained around Mt. Elgon and settled on Elgon escarpment. The other groups moved and claimed the whole territory between Kipkarren River in the North and Tinderet in the South. The other territories included Kakamega escarpment on the west, Eldoret in the east and the Kerio Valley plus its surroundings. In this region they displaced the Maasai who had settled earlier in the Uasin Gishu Plateau in the 17th C.⁸⁰ these settlements became important and influenced the social, economic and political life of the North Rift for a long period until 1905 when the British took over Kenya.

The colonial occupation since 1895 was faced by a lot of resistance from the local people who wanted to maintain their independence. In the years 1895 to 1906 the British Colonial Government was forced to send punitive expeditions against the rebellious

⁷⁸ W.R. Ochieng', *A History of Kenya* London: Macmillan publishers ltd. 1985. p. 27.

⁷⁹ *Ibid*

⁸⁰ Assa Okoth "A History of Africa", *Volume One: African Societies and the Establishment of Colonial Rule, 1800-1915* Nairobi: East African educational Publishers p.35.

Nandi, after which they were pushed to the Native Reserves.⁸¹ Native Reserves were marginal areas reserved for Africans mostly less productive and overpopulated. Although pushed into Native Reserves, the Kalenjin groups as other Kenyans in other parts maintained that some territories in the North Rift belonged to them. The Kalenjin politicians therefore capitalized on these claims of territories in the North Rift to incite their people mostly during elections, leading to frequent ethnic conflicts experienced in the region.

2.1.1 The Luhya

The Luhya who constitute part of the larger population of the North Rift of Kenya are part of the Bantu speaking communities. Their presence in Western Kenya stretches back in time of the Early Iron Age. It is believed that the period between A.D. 1200 and 1850 was an era of formative phase of the Luhya into a cultural and Linguistic community.⁸² But, the actual evolutionary process which involved the strengthening and refining of ethnic identity extended into the first half of the 20th Century. At about 1300 AD it is believed that the Bantu families from Eastern Uganda began to infiltrate southern Luhya land.⁸³

The period between 1590 and 1733 saw large scale immigration into Luhya-land by the present inhabitants. These immigrants were descendants of the Bantu speaking people from Eastern Uganda. They settled in the territory around Mt. Elgon in the current day

⁸¹ G.W.B. Hunting Ford, *The People of Kenya- No . 11* The Nandi Nairobi: Ndia Kuu Press pp. 1-2.

⁸² William. Ochieng, *A History of Kenya* London: Macmillan publishers ltd. 1985. p. 22.

⁸³ *Ibid.*

Western Province and some parts of the North Rift. Indeed the Luhya people still lay claim over some territories of the North Rift as being part of their land.

During the Luhya migration and after settling in their present home they interacted with many other non- Bantu groups which included various clans of the Kalenjin community through trade, intermarriage and sometimes through conflict. Evidence strongly suggests that the northern part of Western Province was first settled by the Kalenjin- speaking people who interacted with the Luhya group.⁸⁴ These relationships were maintained during the colonial period although with a lot of restrictions imposed by the colonial administration laws.

2.1.2 The Kikuyu

The Kikuyu people are another major ethnic group that settled in the North Rift of Kenya. The Kikuyu make up the largest group of the North- Eastern Bantu who inhabited the now Central Province of Kenya during their migrations. Their homeland was formerly divided into three administrative districts namely Nyeri, Kiambu and Murang'a.⁸⁵ The districts have been further subdivided into many districts through the government programme of taking the government services close to the people.

It is not very clear on how the Bantu ancestors of the Kikuyu got into their present country. The Kikuyu are an amalgam of several groups of people who occupied the territory which was originally inhabited by the hunters and gatherers known as the Adhi

⁸⁴ William Ochieng, *A History of Kenya* London: Macmillan publishers Ltd. 1985, p. 22.

⁸⁵ G. Muriuki, *A. History of the Kikuyu 1500-1900* Nairobi: Oxford University Press. 1974, p. 25.

people.⁸⁶ The Bantu ancestors of the Kikuyu got into Kikuyu land from three main directions. The first group entered through the east in the direction of Tharakaland, the second group entered from the Kambaland direction while the last group entered through Meru.⁸⁷

The groups that entered from Tharakaland and Kambaland appear originally to have migrated northwards into Kenya, from Mt. Kilimanjaro and the Coast region. The Kikuyu ancestors that entered from Meru direction seemed to have come from the north or the west of Mt. Kenya region.⁸⁸ It's from Central Province that the Kikuyu migrated to the North Rift of Kenya due to various reasons ranging from political, economic and social factors more so caused by the invasion of their land by the British colonialist. Indeed according to the P. C Rift Valley by 1958 their numbers were so high in the North Rift that the colonial government was considering settling them permanently in the North Rift.⁸⁹ The P.C. stated that;

It was noted that farm labour with two years service on farms taken over should have priority of entry to the settlement. The P.C. stated that he considered it essential that labour of one tribe evicted from farms earmarked for settlement by another tribes should also have priority in the settlement schemes introduced for their own tribes. It was agreed that this largely concerned Kikuyu and it was further agreed that such priorities should not be introduced for Kikuyu to be evicted from Kalenjin schemes until after this year's phase of the Mpanda Scheme exercise was completed at the end of October, when the Settlement Officer on each non-Kikuyu scheme would forward the names of Kikuyu to be evicted.⁹⁰

⁸⁶ W.R. Ochieng', *A History of Kenya* London: Macmillan publishers ltd. 1985. P 33

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ KNA, DC/KAPT/1/9/60, K.E.M. Movement in General, 1958.

⁹⁰ *Ibid.*

From the P.C's view the ethnic sentiments were already being felt in the North Rift region far much before independence. There was an already anti-Kikuyu feeling among the communities living in the region as people feared the Kikuyu domination in land occupation. After independence the non-Kikuyu especially harbored a feeling that, the Kikuyu were given land for free which other communities were forced to buy.⁹¹

2.1.3 The Gusii, Teso, Meru, Embu, Kamba and Turkana People

The North Rift is also home to various communities who owned land and therefore affected by the ethnic conflict. These communities include the Gusii, the Teso, the Meru, the Kamba and Turkana. The Gusii are believed to have migrated into Nyanza from their original homeland which according to their oral traditions the place is called Misri which is at the north of Mt Elgon region. This place cannot be traced on the world map but the Gusii believed it existed.

The Gusii believed that from this place they moved and first settled around Mt. Elgon for several generations. From Mount Elgon the ancestors of the Gusii migrated and later settled at their present homeland. From their homeland the Gusii moved into the North Rift first in search of employment on the White Highlands during the colonial era. When Kenya got her independence the Gussi also moved into the North Rift in search of land in the newly created settlement schemes in the former White Highlands.⁹²

⁹¹ Oral interview, Monicah Murgor, Aenabkoi, 6/7/2009.

⁹² Oral interview, Nyalingita Otwoli, Cherengani, 5/7/ 2009.

The Kamba appear to have migrated to their present homeland from the region around Mt. Kilimanjaro or Kiima Kyu Kyeu. From this region they moved northwards into Kenya. The Akamba's first major settlement in Southern Ukambani was at the region known as Chyulu Hills. It is from this region that they later expanded and settled in their present homeland. While at their present homeland the Kamba engaged in trade with their neighbours and with other communities living in the interior of Kenya through long distance trade. The decline of the long distance trade and later the coming of the British colonialists exposed the Akamba to hardship. They later moved into the European settled areas in search of employment and when the settlement schemes were created in the former White Highlands, some Akamba people opted to purchase land and settle in the North Rift.⁹³

The Teso and the Turkana are part of the Nilotic speaking people who are believed to have migrated from their original homeland in the southwestern edges of the Ethiopian highlands near the Lake Turkana region. They moved together in their larger family of the Plain Nilotes who began their expansion into Kenya at the beginning of the first millennium A.D. They initially settled to the east of the Rift Valley before spreading to the north of the Rift Valley and the Western region of Kenya.

The Teso would later move into the North Rift in search of employment in the White Highlands during the colonial period after which some bought land in the settlement schemes in the region. On their part the Turkana moved into the North Rift in search of work on European farms to look after animals and during the Moi's regime they were

⁹³ Oral interview, Johanna Kinyanjui Kamau, Saboti, 4/7/2009.

given former Mentis farm in Cherengani, Trans Nzoia District.⁹⁴ Some Turkana remained scattered all over the district working on African settler farms.

The other groups in the North Rift are the Embu and the Meru people. The ancestors of these groups migrated into Kenya probably around 1300 A.D. They passed through Kikuyuland from the north towards their present homeland where they arrived roughly between the years 1425 and 1450.⁹⁵ The two communities were clustered together with the Kikuyu during the colonial period hence moving alongside with the Kikuyu in search of employment on the White Highlands and in the North Rift in particular. After the colonial period just as the Kikuyu did purchase land in the region so were the Embu and the Meru.⁹⁶

2.1.4 The European

The Europeans mostly from Britain, the Boers from South Africa and some from the Scandinavian countries form part of the population of the North Rift. Most of these Europeans migrated into the region during the colonial period. They were given the alienated African land to farm. Later some Europeans were rewarded by land in the North Rift such as Kipkaren farm in Tinderet Division of Nandi District for fighting in the First World War.⁹⁷ In her article on land policy in Western Kenya Shilaro argued that;

⁹⁴ Oral interview, Maoga Nyambega, Cherengani, 5/7/2009.

⁹⁵ G. Muriuki, *A. History of the Kikuyu 1500-1900* Nairobi: Oxford University Press. 1974. p. 25.

⁹⁶ Oral interview, Grace Njeri Njenga, Saboti, 4/7/2009.

⁹⁷ P. M. Shilaro, "Colonial Land Policies: The Kenya Land Commission and the Kakamega Gold Rush, 1932-4 in William Ochieng' *Historical Studies and Social Change in Western Kenya Essays in Memory of Professor Gideon S. Were*, Nairobi: East African Educational Publishers 2002 pp.110-122.

The Luhya specifically claimed land alienated for European settlers in the Kaimosi, Kamukuywa and the Kipkarren areas. The last two areas were alienated as a reward to British ex-soldiers after the World War I. According to Mwangi wa Githumo, 129.5 square miles of land were alienated in Kipkarren for the Soldier Settlement Scheme.⁹⁸

By 1913 the North Rift districts had been divided into two major categories based on racial lines. The first category was the one known as the settled districts consisting of European farms. This was strictly European. The second category was that which was famously known as the Native districts for the African people. The Administrative District known as the Uasin Gishu now fell into two parts, namely the settled district consisting of European farms and the Native District.⁹⁹ When Kenya attained her independence some of the settlers remained in the North Rift where they still held large tracts of land and practiced large scale agriculture.

2.3 African Land Ownership in the North Rift, 1960-2009

The question of private land ownership to Africans in the North Rift goes back to 1960, when the White Highlands were opened to Africans after the amendment of the laws that had excluded African land ownership. At this period the government was conducting a major revolution in African land ownership and farming as outlined by the Swynnerton Plan of 1954. The plan suggested the change of land ownership from customary tenure to individual freehold. The purpose of the plan was to give through individual ownership,

⁹⁸ P. M. Shilaro, "Colonial Land Policies: The Kenya Land Commission and the Kakamega Gold Rush, 1932-4 in William Ochieng' *Historical Studies and Social Change in Western Kenya Essays in Memory of Professor Gideon S. Were*, Nairobi: East African Educational Publishers 2002 pp.110-122.

⁹⁹ KNA, PC/RVP.2/8/1, Uasin Gishu District Annual Reports 1913-1914.

the greatest incentive to a farmer to move from subsistence agriculture to modern planned farming for money.¹⁰⁰

The Swynnerton Plan was generally geared into creating a highly organized agricultural marketing system of Kenya designed to bring to the farmer a steady and high return for his produce. It intended to give a provision of agricultural long-term credit to farmers. The farmers could now pledge their land against borrowing because they had permanent title over land.¹⁰¹ This incentive made most ethnic groups to lay claims on parts of the highlands leading to declaration of ethnic spheres of influence in the White Highlands North Rift included. The ethnic groups began fronting an idea of excluding other ethnic groups from settlement regions that they controlled. These groups also began protecting their long-term future by preventing other groups from encroachment on what they laid claim on.¹⁰²

The first settlement schemes were, therefore, being considered even before the first constitutional talks on independence and even before the opening of the highlands to all races in 1962. The colonial government in its final days was considering introducing into the highlands, Africans from different ethnic backgrounds who would farm. But as independence approached nearer ethnic feelings hardened, which could be felt even in the post independence period. There was a new scramble and partition of the North Rift region, the Luhya sought a greater area in the Trans Nzoia District including Kitale. This

¹⁰⁰ N.S. Carey Jones, "The Decolonization of the white Highlands of Kenya" in *The Geographical Journal* vo. 131. No.2 (Jun.1965) .P 186 <http://www.jstor.org/stable/1793793> Accessed: 14 /03/2009.

¹⁰¹ *Ibid*

¹⁰² *Ibid*. 188.

region was also claimed by members of the Kalenjin group, although the great fear was that of the expansion of the Kikuyu into the North Rift Region.¹⁰³ As noted by P. G Tait, the District Commissioner, Uasin District;

A few thoughts have come to me since our meeting at Turbo on Friday 17th August 1962. Lugari Scheme of 19,000 acres on the edge of this district is designed for Luhya speaking people i.e., Maragoli, Bunyore and all other North and Elgon Nyanza tribes. Its extension to include other farms in the Turbo/Kipkarren ward raises a number of points some of which have not been fully aired and not really known. First of all where is the Kalenjin sphere of influence? Secondly how far should the Luhya people be allowed to spread north eastwards? There is bound to be a clash of interests somewhere in Turbo/Kipkarreni area between the Kalenjin and the Abaluhya.¹⁰⁴

People from various ethnic groups formed cooperative societies through which they donated money to purchase the farms. Most of these groups turned into the North Rift, purchased land and named the farms after their ancestral land. This explains the presence of Gituamba, Wamuini, Nyakinwa, Karara and Ngenia farms in Trans Nzoia District, for the Kikuyu. Nyabomo, Getta and North Kisii farms in Trans Nzoia for the Kisii. The Bukusu although told not to purchase their own land by Elijah Masinde they managed to purchase Weoya, Weyeta, Birunda, Machunga and Muliro farms. Elijah Masinde the community's renowned prophet was a respected Bukusu elder, prophet and leader of Dini ya Musambwa which had a large following among the Bukusu and the Pokot people.

The Kalenjin bought, Wataluk, Tulwet, Senendet, and Kaplamai farms. The Teso bought Amagoro farm and the Maasai bought Oloikiringet farm. Apart from African settlements

¹⁰³ *Ibid.*

¹⁰⁴ KNA, DC/KBT/1/8/39, Kikuyu Land Application, 1962.

some Europeans also maintained their farms. The naming of these farms indicated the ethnic affiliation, hence dictating where various groups settled. The composition of the North Rift was therefore too cosmopolitan representing the true face of Kenya.

As the situation intensified no ethnic group was prepared to be associated with the Kikuyu in the region. The Kikuyu were feared due to their aggressiveness, numbers and power influence that made other communities to feel that the Kikuyu might take over all the land. On the other hand the government had set up the Regional Boundaries Commission to review the regional boundaries. The commission grouped ethnic groups according to the wishes indicated to it by the leaders of various groups. This defined the ethnic categorization in terms of settlements in the North Rift.¹⁰⁵

2.4 North Rift Ethnic Composition

According to the 1989 and 1999 Census, there are over 42 tribes living in Kenya, as well as all of the non-African people groups.¹⁰⁶ These communities are represented in the North Rift of Kenya which is considered by many as the true face of Kenya. The North Rift is therefore a region of diverse ethnic composition that it becomes very hard for a single community to claim ownership or claim to be original indigenous people in the region.

The North Rift region is considered to be multi-ethnic, multi-religious and multi-racial society. Many ethnic, religious and racial groups living in the North Rift have along

¹⁰⁵ KNA, DC/KBT/1/8/39, Kikuyu Land Application, 1962.

¹⁰⁶ GoK, 1999 Population and Housing Census: Counting our People for Development Vol. 2. Nairobi: Government Printers 2000. And Oral interview, Grace Njeri Njenga, Saboti, 4/7/2009.

history of interaction and working together. These communities have inter-married in the sense that some members' ethnic groups that migrated into the region during the colonial era almost lost the touch with their ancestral land. Among the inhabitants of the North Rift are the Kenyan Bantu and Nilotes.¹⁰⁷

Among the Bantu speakers are; the Kikuyu, Meru, Gusii, Embu, Akamba and Luyha. The Bantu are industrious farmers who have become the most prolific and wealthiest of the three tribal groups in the North Rift. The Nilotic ethnic groups in the North Rift consist of the Turkana, Kalenjin most of who engage pastoralism and some agricultural activities and the Luo who are mainly in mechanical businesses in urban area unlike the first two who live in the rural areas. The most famous of these North Rift Nilotic people are the Kalenjin ethnic groups. (Nandi, Kipsigis, Pokot, Marakwet, Sabaot, Tugen and Elgeyo).¹⁰⁸

The Cushites are a tiny portion of the North Rift's population with lots of little ethnic groups. The Somali migrated into the North Rift mainly to trade and most of them live in the towns of the North Rift. They control a good portion of business hence remained a very important group mostly when it comes to funding of political activities in the North Rift region of Kenya.

Apart from African groups the North Rift is also inhabited by the Asian community which largely comes from the indentured laborers brought in to build the cross-country

¹⁰⁷ Oral interview, George Orina Mose, Cherengany, 4/7/2009.

¹⁰⁸ Oral interview, Nemwel Ongeti, Cherangany 5/7/2009.

railroad to Uganda and the 32,000 who migrated into Kenya mostly after the railway construction. When their contracts expired, many of these people settled down in Kenya and many of them opted to settle in the North Rift urban centres.¹⁰⁹

According to the Government of Kenya census report of 1999 the North Rift districts are cosmopolitan and settled by people from most ethnic communities in the country. They include the Luhya, the Kikuyu, Meru, Kisii, Kalenjin with many of Kenya's ethnic communities living there.¹¹⁰ Of all these communities the Luhya and the Kalenjin ethnic cluster forms the highest percentage of the population.¹¹¹

2.5 Conclusion

The Rift Valley is a home of many ethnic groups who lived together in order and peace. These communities are represented in the North Rift especially in the region of Trans Nzoia, Uasin Gishu and Nandi Districts. These groups intermarried, traded with each other. However in some occasions there were conflicts between them but never in the magnitude of the 1990s and after.

The conflict in the region was caused by various factors among them ethnicity. Ethnicity as expounded in the psycho-cultural conflict theory, encouraged people to define their positions basing on ethnic alignments. The next chapter will therefore discuss how

¹⁰⁹ Oral interview, Stephen Wafula, Saboti, 4/7/2009.

¹¹⁰ GoK. Ministry of Finance and Planning, *Trans Nzoia District Development Plan, 2002-2008*, Nairobi: Government Printers 2002.

¹¹¹ GoK. Ministry of Finance and Planning, *Uasin Gishu District, Development Plan, 2002-2008*, Nairobi: Government Printers 2002.

ethnicity was used as a tool of political violence in the North Rift. The chapter will also examine the reasons why there was conflict in the region.

CHAPTER THREE

ETHNICITY AS A TOOL OF POLITICAL VIOLENCE IN KENYA

3.0 Introduction

The North Rift region was inhabited by various communities from all corners of Kenya who moved into the region either during the time of migration and settlement of Kenyan communities or during the colonial period in search of work. The early inhabitants were the Kalenjin – a nilotic group followed by the Luhya. The two ethnic groups were later on joined by other communities who moved in during the colonial period to search for employment on the then created White Highlands. The White Highlands were privately owned farms by the European settlers who were brought in by the British colonial administration. This introduced into the North Rift the idea of private ownership of land and property.

The Africans were bounded into native reserves where they lived in hostile conditions. These conditions created a common front for Africans in the North Rift since they were faced by similar problems. They shared a lot in terms of grievances during the colonial period, but as the country moved towards independence the political elite introduced the concept of politicized ethnicity which would lay a foundation for ethnic violence witnessed in the region during election periods. The political elite soon capitalized on the colonial policy of divide and rule to front ethnic interests. This chapter therefore examines the roots of ethnicity in Kenya with special reference to the North Rift and how it impacted on voting processes in the region.

3.1 The Roots of Ethnicity in Kenyan Politics, 1963-2009

Ethnicity in Kenyan political scenario is as old as the struggle for independence. The formation of liberation movements such as Mau Mau had ethnic inclinations and was strongly supported by Kikuyu squatters in the Rift Valley. Ethnicity played it all in this movement, as Kikuyu oath taking was administered whenever Kikuyu squatters could be found in native reserves including those in the Rift Valley.¹¹² Ethnicized struggle for independence partly laid the foundation to political ethnicity that was to be experienced in Kenya from independence.

Ethnicity in Kenya has its roots in the colonial period. The colonial administration set in place policies that promoted ethnicity by confining African communities in exclusive native reserves, when the British protectorate was declared in Kenya in 1895.¹¹³ The native reserves were created on ethnic lines with an intention of separating African communities so as to weaken their strength against the colonial rule. The provincial administration which was also introduced by the colonial regime created ethnic based districts. The main objective of the British colonial government was to create room for commercial agriculture, practiced by the white settlers. Apart from creating land for the white settlers, the British also wanted to use their influence of political control to exploit cheap labour from the Africans.

The imposition of the colonial rule marked the onset of ethnicity along political lines, by inciting African communities against each other. The ethnic based districts created by the

¹¹² T. Kanogo, *Squatters and the Roots of Mau Mau, 1905-63*, Nairobi: Heineman Kenya 1987 p.125.

¹¹³ F. Jonyo, "Ethnicity in multiparty Electoral Politics" in *Electoral Politics in Kenya*, Nairobi: Claripress 2002, p. 86.

British in Kenya marked the onset of refinement of ethnicity and creation of ethnic nations confined in the created boundaries.¹¹⁴ The colonial government therefore planted ethnicity between African communities.

In order to effectively administer the occupied territories the colonial administration introduced the provincial administration to manage the ethnic districts. Further the colonial administration appointed native agents from loyal ethnic communities and imposed them on rebellious ethnic neighbours who were in most cases not on good terms. This situation worsened the inter-ethnic relations more so in the North Rift which was beneficial to the colonial government by diverting Africans from national politics.¹¹⁵ The colonial government had succeeded by dividing Africans in order to weaken their force against the colonialists hence allowing them to continue with their exploitation of African resources.

Massive loss of land and African participation in the Second World War awakened Africans who realized the need for nationalist politics in Kenya for independence. The African unity was forged by the elites and former Second World War soldiers who realized that division along ethnic lines would not make them achieve their objective of independence. But this spirit was short lived. At independence the emergent nationalism quickly declined giving way to ethnicity which continued to haunt Kenya.¹¹⁶

¹¹⁴ B.A Ogot, *History as Destiny and History as Knowledge-Being Reflections on the Problems of Historicity and Historiography*, Kisumu: Anyange Press Ltd, 2005, pp.267-268.

¹¹⁵ Fred Jonyo, "Ethnicity in multiparty Electoral Politics" in *Electoral Politics in Kenya*, Nairobi: Claripress 2002. p. 90.

¹¹⁶ *Ibid.* p. 92.

The post-independence politicians borrowed the colonial policy of divide and rule. They employed ethnic identity to aggrandize economic and political power while pretending to be acting on behalf and on the benefit of their respective ethnic communities.¹¹⁷ They took advantage of the ethnic diversity of Kenya which is a multiethnic society with approximately forty-two socio-cultural communities inhabiting definite geographical areas with the North Rift included.

There was a resurgence of ethnic feeling that crystallized into the two major political parties in Kenya after the 1960 Lancaster House Conference. The Kenya African National Union (KANU) was highly associated with the two numerically dominant ethnic groups which were the Kikuyu and the Luo.¹¹⁸ The other dominant party was the Kenya African Democratic Union (KADU) which embraced smaller ethnic groups (Luyha, Giriama, Kalenjin, Maasai) which had formed various ethnic political parties, apart from the Akamba who were in the Akamba Peoples Party (APP) headed by Paul Ngei.

The emergence of these political parties after the first Lancaster House Conference caused alarm among the white settlers who feared for their property and welfare under the regime led by dominant ethnic groups. Captain Briggs one of the settler representatives in the conference, appealed to smaller African ethnic groups particularly the Maasai, Mijikenda and Kalenjin to combine with the Whites United Party (WUP) against the Luo and the Kikuyu dominance.¹¹⁹ The idea by Captain Briggs added to the

¹¹⁷ Fred Jonyo, "Ethnicity in multiparty Electoral Politics", p. 93

¹¹⁸ *Ibid.*

¹¹⁹ Maina wa Kinyatti, *History of Resistance in Kenya 1884-2002* Nairobi: Mau Mau Research Center 2008, pp. 337

already existing ethnical politics that threatened the unity of Kenya, as the country approached independence. It led to the emergency of various political parties formed on ethnic lines after the 1960 Lancaster House Conference.

Following the conference in 1960, ethnic based parties which most had mushroomed as from 1959 before the Lancaster Conference. The Maasai led by John Kochellah, Chief Lemono and John Keen formed the Maasai United Front. Taita Towett launched the Kalenjin Political Alliance (KPA). Ronald Ngala formed the Coastal African Political Union (CAPU) while Masinde Muliro formed the Kenya Peoples Party (KPP) with majority being the Luhya people.¹²⁰ The country at this point seemed headed towards disintegration along ethnic lines which had led to many civil wars in other African countries. The situation was saved by the merger between KANU and KADU political parties in November, 1964.¹²¹

The KANU- KADU merger of 1964, brought hope in unifying the nation by showing some sense of nationhood. The hope given by the merger was short lived and fragile because ethnic sentiments and alignments flared once again immediately after independence threatening the young state of Kenya.¹²² During the Kenyatta's presidency, the nation state was criticized for being ethnic and favouring the Kikuyu who were seen by most Kenyans as running the government like an ethnic property. The Kikuyu were

¹²⁰ Maina wa Kinyatti, *History of Resistance in Kenya 1884-2002* Nairobi: Mau Mau Research Center 2008, pp. 337

¹²¹ C.Odhiambo Mbai "The Rise and fall of the Autocratic State in Kenya" in Walter Oyugi, Peter Wanyande and C. Odhiambo Mbai *The Politics of Transition in Kenya from KANU to NARC* Nairobi: Heinrich Boll Foundation 2003 pp.51-95.

¹²² F. Jonyo, "Ethnicity in multiparty Electoral Politics" in *Electoral Politics in Kenya*, Nairobi: Claripress 2002. 93.

accused of enjoying priority and favorable allocation of public resources at the expense of other communities who claimed that, they were being sidelined and pushed to the periphery. Oginga Odinga's forced exit and the later Tom Mboya's assassination seemed to worsen the situation by provoking the Luo anger.¹²³

Jaramogi Oginga Odinga the respected Luo leader and the then Vice- President was pushed out of the political centre stage in 1966 during the Limuru Conference.¹²⁴ . Although Tom Mboya seemed to have played a major role in sidelining Jaramogi, the Luo saw it as a plan of the Kikuyu elites against them. To pinch into the Luo wound Tom Mboya was assassinated in 1969 provoking violence in major urban centres in Kenya. The Luo saw the assassination as an attack to the entire Luo community.¹²⁵ In the same year Jaramogi Oginga Odinga's Kenya People's Union was banned following disturbance in Kisumu at a function in October 1969 where Jomo Kenyatta was pelted with stones provoking the police to shoot 43 people.¹²⁶

As Jomo Kenyatta's age advanced the GEMA group which was formed in 1969 feared that leadership would slip out of the "House of Mumbi". Members of GEMA group tried to mobilize on how to maintain power to one of their own through constitutional changes. Some Kikuyu elites who formed the Movement for Constitutional Change led by leaders such as Dr. Njoroge Mungai, Njenga Karume and Mbiyu Koinange wanted leadership to remain in the House of Mumbi. The Kikuyu who appeared opposed to the move and

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ W. Ochieng' "Independent Kenya, 1963-1986" in *A Modern History of Kenya 1895-1980 in honour of B. A. Ogot*, Nairobi: Evans Brothers Limited 1989, pp. 202-219.

advocates of democracy such as Josiah Mwangi Kariuki were eliminated. J.M. Kariuki who was a former member of Mau Mau and a liberal legislator from Nyandarua was secretly murdered on March 2, 1975. As these events unfolded the Luo were kept out of succession politics because of the already strained relationship with the Kikuyu elite, as other politicians such as Paul Ngei were brought on board of Change the Constitutional Movement to give it a national outlook.

The Luo-Kikuyu relationship remained full of suspicion and mistrust until the death of the first President Mzee Jomo Kenyatta in 1978. Kenyatta's Vice President Daniel arap Moi took over power according to the Kenya's constitutional arrangement. When Moi took power he began excluding some of the Kikuyu from power in 1983 following the failed 1982 Coup d' etat attempt.

It was alleged that some of the Kikuyu played an active role in 1982 attempted coup. President Moi became suspicious of Njonjo whose political enemies capitalized on the opportunity to convince Moi that, he had been involved in the coup, with Elijah Mwangale naming him as a traitor.¹²⁷ The elections were held in October 1983 under KANUs autocratic rule that could not allow any challenge or incidences of violence. On 26th June 1983 the government announced an inquiry headed by Justice Cecil Miller to investigate Njonjo's treasonous behaviour resulting in his fall from the circles of power. This left Njonjo a bitter man and felt that Moi had betrayed him. He expressed this well when he said;

“I said to myself: Here is a man [Moi] whom I worked with and helped

¹²⁷ A. Morton, A. Morton, *Moi; The Making of an African Statesman*. p.139.

and did everything for. I've been loyal to him. He hasn't called me to ask me about this accusation. He accepted their word. I felt betrayed by Moi. He had believed everything he had been told by Nyachae, that I had something to do with the coup and was trying to undermine the government."¹²⁸

These changes by President Moi rekindled the Kikuyu ethnic sentiments. The Kikuyu remained a bitter group throughout the Moi leadership. This is why they became strong supporters of the campaign for the re-introduction of the multiparty system which gained momentum in the early 1990's. President Moi remained adamant claiming that such a political system would undermine statehood and polarize the society along ethnic lines.¹²⁹ Due to both internal and external pressure, Moi finally accepted the repeal of Section 2A of the Kenya Constitution which allowed the re-introduction of multiparty system of government, which had been abolished in 1982.

Moi's prophecy seemed to come true during the 1992 second multiparty general elections when communities voted along ethnic lines. The Luo and the Bukusu section of the Luhya voted overwhelmingly for Jaramogi Odinga Odinga in Ford Kenya. The Bukusu voted for Ford Kenya because Masinde Muliro had been a co-founder leader of Ford Kenya with Jaramogi Odinga Odinga and Michael Wamalwa Kijana one of their own who held a senior position in the party. The Kikuyu in Nyeri, Meru and Embu voted for the Democratic Party (DP) presidential candidate Mwai Kibaki who is a Kikuyu, while those in Kiambu, Murang'a and Nairobi voted for the Ford Asili presidential candidate Kenneth Matiba. Some Luhya voted for Ford Asili whose Secretary General

¹²⁸ *Ibid.*

¹²⁹ F. Jonyo, F. Jonyo, "Ethnicity in multiparty Electoral Politics", p. 93.

was Martin Shikuku, a Luhya.¹³⁰ The Turkana, Kalenjin, Maasai and some other small ethnic groups from the Coastal region voted for Daniel arap Moi, a KANU presidential candidate and a member of the KAMATUSA in an election where ethnicity was an important tool both for victory that was highly needed in order to continue benefiting politically and political violence which would ensure KANU political domination of some territories.¹³¹

In general, ethnicity permeated the Kenyan politics in a very deep manner that at a point polarized party politics along ethnic lines. Voting patterns at both party level and general election level followed ethnic affiliation depending on who the party leaders were. This continued to eat into Kenyan politics starting from the period of independence in 1963 and has remained a ghost haunting Kenya to the present. By 1963 ethnicity had impacted on the formation of the first political parties namely KANU which was dominated by members of Kikuyu and Luo and KADU which was dominated by small Coastal communities, Luyha, Kalenjin, Maasai among others. This was the first multi-party system in Kenya although it was short lived and watered down through deliberate changes that the postcolonial KANU government introduced in the constitution. They included a shift from a multiparty to a single party electoral system in 1982.¹³² This trend continued into the period of re-introduction of multi-party era in 1990s. During this period of multi-party elections Kenya had more than three hundred registered parties, most of which had ethnic affiliations.

¹³⁰ *Ibid.* P.96.

¹³¹ *Ibid.* P. 93.

¹³² P. Wanyande, etal. "Governance Issues in Kenya: An Overview" in Peter Wanyande *Governance and Transition Politics in Kenya* Nairobi: University of Nairobi Press 2007 pp.1-20.

3.2 Ethnicity as a tool of Political Violence in the North Rift, 1992-2009

The wave of inter-ethnic conflicts in the Rift Valley and in particular the North Rift districts of Trans Nzoia, Uasin Gishu and Nandi districts went down in Kenya's history as the worst since independence in 1963 up to that time. From 1992 to 2007, general elections have made the issue of 'ethnic conflicts' very sensitive and when mentioned there was panic, confusion and skepticism within the government, opposition as well as within the communities living in the North Rift.

At independence, African leaders inherited from the colonialists a governmental structure which had been intended to preserve the colonial administrative legacy of divide and rule. The scarcity of national resources, inadequate infrastructure, inadequate human resource capacity, capital, and inadequate education and health facilities led to internal scramble for the resources between the different ethnic groups. The scramble for resources intensified ethnicity turning it into the main vehicle through which the dominance and preservation of power as well as resources could be achieved.¹³³ Indeed, leadership (i.e. ruling elites) in post colonial Kenya often relied heavily on ethnicity to remain in power positions or settle a dispute with their perceived enemies. The trend remained and greatly impacted on relationships in the North Rift.

The advent of political pluralism in Kenya exacerbated ethnic conflicts, the opponents of the system got a chance to instigate violence while blaming their political opponents as a trigger to ethnic violence. President Daniel Arap Moi and other single party KANU die-

¹³³ Klopp Jacqueline, "Ethnic Clashes" and Winning Elections: The Case of Kenya's Electoral Despotism in the *Canadian Journal of African Studies* <http://www.jstor.org/stable/486297>, Accessed on 14/03/2009, pp.473-512.

hards advanced the theory that Kenya was still too young to adopt political pluralism and that the system was the root cause of tribal animosity and retardation in development. The die-hards therefore used all means to prove their theory right.¹³⁴

The opponents of multi-party system argued that in the single-party system, groups lived together harmoniously in the North Rift, albeit with long-standing, latent disputes over land, cattle, and environmental resources, cultural and political differences. They maintained that the government usually mediated when these disputes got out of hand without much difficulty and that the conflict witnessed during election periods were instigated by those who called for pluralism.¹³⁵

Politicians who opposed multi-party warned repeatedly that the re-introduction of multi-party politics would polarize the country along ethnic lines, threaten state security through anarchy and lead to ethnic violence. However, the opposition continued to get more support from Kenyans, especially because of Moi's government's appalling record on the respect of the human rights of the citizens and the wave of democratization that was sweeping across the continent.¹³⁶

Politicians in the ruling party KANU 'predicted' that multi-partism cannot work in a multi-ethnic society like Kenya. Each community in Kenya has a general perception that if one of their own is in the State House, that translates to their 'time to eat'. Such

¹³⁴ Oral interview, Jason Kawas, Saboti, 4/7/2009

¹³⁵ Oral interview, Jason Kawas, Saboti, 4/7/2009.

¹³⁶ A. Oloo, "Minority Rights and Transition Politics" in Peter Wanyande, Mary Omosa and Chweya Ludeki *Governance and Transition Politics in Kenya* Nairobi: University of Nairobi Press 2007 pp 179-214.

perception would lead to a greedy struggle for power resulting in violence and disintegration of the state. They argued that ethnicity, rather than issues and policies, would be used by the electorate to vote for opposition parties, which were formed along ethnic lines.¹³⁷

The opposition parties were however determined to forge on with the fight for multi-party system of government. KANU elites incited its supporters in the North Rift to evict the perceived non-KAMATUSA from the region. Sporadic incidences of ethnic violence were experienced targeting certain ethnic groups living in the North Rift. Organized bands of arsonists who called themselves “Kalenjin warriors” unleashed terror on the Luo, Luhya, Kikuyu, and Kisii in the Rift Valley region.¹³⁸ However, increased internal and international pressure led to the repeal of Article 2(A) which had introduced the de jure one-party state in June 1982, and saw to the return to multi-partism in December 1991.¹³⁹

As the wind of change became stronger every day KANU officials called for the re-introduction of a *majimbo* (federal) system of government. It seemed that the motive behind the minds of the advocates of majimboism in the build up to the 1992 elections and after was the expulsion of all non-Kalenjin ethnic groups from the North Rift. The Kalenjin groups perceived the region as their ancestral land which they occupied before

¹³⁷ A. Morton *Moi: The Making of an African Statesman* London: Michael O'Mara Books Limited 1998 pp. 246-265.

¹³⁸ Mwangi S. Kimenyi and Njuguna S. Ndung'u "Sporadic Ethnic Violence Why Has Kenya Not Experienced a Full-Blown Civil War?"

¹³⁹ J. Klopp, "Ethnic Clashes and Winning Elections: The case of Kenya's Electoral Despotism" (Unpublished)

colonial era. The same ideas were to be well seen in the findings of the Akiwum Commission which came to the conclusion that there were three underlying reasons for the clashes one of which was:

Ambitions by Kalenjins of recovering what they think they lost when the Europeans forcibly acquired their ancestral land. The desire to remove “foreigners”, derogatorily referred to a “madoadoa” or “spots” from their midst. The reference was mainly towards the Kikuyu, Kisii, Luo and other communities who had found permanent residence in the Rift Valley. ¹⁴⁰

Since the North Rift had been an area of conflict of interest from the colonial period any political incitement provoked violence and the colonial government had noticed this problem. The District Commissioner P. G Tait, Uasin District had noted that; “There is bound to be a clash of interests some-where in Turbo/Kipkarreni area between the Kalenjin and the Abaluhya”. ¹⁴¹

The clashes began shortly after the infamous Kapsabet and Kericho majimbo conventions held by prominent Kalenjin and KANU politicians among them Dr. Joseph Misoi, Nicholas Biwott, Kipkalya Kones, Henry Kosgey, Ezekiel Barngetuny, Wilberforce Kisiero, Timothy Mibei, and Nathaniel Chebylon, Julius ole Sunkuli, Bishop Daniel Tanui, Francis Lotodo, William Ole Ntimama and Sharrif Nasir of the Coast province. The debate on *majimboism* was deliberately initiated to counter the calls for the re-introduction of pluralism in Kenya. None of the above mentioned leaders and advocates

¹⁴⁰ Akiwum Report /CHAPTER THREE Violence in Rift Valley Province.
<http://www.marsgroupkenya.org>

¹⁴¹ KNA, DC/KBT/1/8/39, Kikuyu Land Application, 1939.

of the *majimbo* debate however came on as strongly in defence of the interests of the KAMATUSA communities but just using politics as a tool to instigate violence.¹⁴²

It can be argued that, the reference point in Kenyan politics since independence has been ethnicity. Elections never occurred, reflecting the wishes or interest of parties but the wishes of ethnic groups. From independence in 1963 to 1992, the political elite touted the single party system as reflecting the needs of all socio-economic and political categories in Kenya.¹⁴³ Although at this period elections were conducted the KANU presidential candidate who was the president always went un- challenged. After the re-introduction of multiparty politics KANU was associated mainly with the Kalenjin, Maasai, Samburu and Turkana people, with support from some Luhya, Coastal, North Eastern and Eastern peoples.

Democratic Party and Ford Asili were largely Kikuyu political parties, Ford Kenya Predominated by the Luo and a section of the Luhya, while in 1997 after the defection of Raila into NDP, Ford-Kenya became predominated by the Abaluyia, especially the Bukusu. However, in 2002, because of Michael Wamalwa's charisma most Luyia supported the party. Social Democratic Party belonged mainly to the Akamba while National Development Party predominantly the Luo Party. Generally the parties were dominated by ethnic leadership. The split in the original Forum for the Restoration of Democracy (FORD) was based on ethnic mistrust rivalry and partly out of the

¹⁴² Barasa Kundu Nyukuri "The Impact of Past and Potential Ethnic Conflict on Kenyan's Stability and Development" A paper prepared for the USAID Conference on Conflict resolution in the Greater Horn of Africa June, 1997.

¹⁴³ M. Mwangi "Elections and the Constitutional and Legal Regime in Kenya" in Ludeki Chweya's *Electoral Politics in Kenya* Nairobi: Claripress limited, 2002 pp.28.

contentious clause which was supposed to be followed when nominating the party's presidential candidates. While Oginga Odinga wanted the nomination through Electoral College system, Kenneth Matiba and Martin Shikuku preferred direct election by party members.¹⁴⁴

3.3 The 1992 General Election

The 1991 pre-election violence was preceded by arrests of two leading opposition figures Mr. Kenneth Matiba and Charles Rubia which led to protests that left 20 people dead in subsequent protests. President Moi continued to oppose political reform. By 1990, most key positions in the government, the military and state-owned companies were taken by the Kalenjin. Since Moi came to power, Kalenjin and Maasai politicians in KANU had advocated the introduction of the Majimbo (Federalism) system. Claiming that, the Rift Valley was originally the land of the Kalenjin and other pastoral groups, including the Maasai, Turkana, and Samburu. The Majimboism proponents called for the expulsion of all other ethnic groups from the Rift Valley. If implemented, would expel millions of people predominantly members from the Kikuyu, Luhya, and Kisii who settled in the Rift Valley since the 1920s and who had legally bought land since independence.¹⁴⁵

The Majimbo rallies were held to oppose multipartyism and to call for "outsiders" in the Rift Valley Province to go back to their 'motherland.'" As the security forces were used to brutally disperse the pro-multipartyism rally country wide led by the Law Society of

¹⁴⁴ M. Mwangi "Elections and the Constitutional and Legal Regime in Kenya" in Ludeki Chweya's *Electoral Politics in Kenya* Nairobi: Claripress limited, 2002 p. 97.

¹⁴⁵ UNHCR,/Ref-world/Chronology for Luhya in Kenya- <file:///C:/Documents and settings/Admin/Desktop/Chronology for Ethnic Clashes.htm>. accessed on 10/08/2009.

Kenya and the churches. The situation triggered three days of rioting known as the Saba Saba protests in July 7th 1991.¹⁴⁶

This did not stop the proponents of multi-party from pressuring the Moi regime to introduce the system. Opposition leaders established a coalition group called the Forum for the Restoration of Democracy (FORD), calling for greater political pluralism. The government broke up their demonstrations and arrested their leaders.¹⁴⁷

In October 1991, ethnic clashes erupted at Meteitei farm in Tinderet, Nandi District and spread on to the border of Rift Valley, Nyanza, and Western Provinces, when Kalenjin warriors attacked the members of Kikuyu, Kisii, Luyha and Luo communities. Although the incident began as a land dispute, the fighting had escalated within days. The victims claimed that the attackers intended to expel non-Kalenjins and political opponents from the Rift Valley Province. After the violence broke out, leaflets signed by a group calling itself the Nandi Warriors, were distributed in the area calling on non-Kalenjin to leave the area by December 12 1991 so that to have uniform voting during the 1992 election.¹⁴⁸

The Kenyan parliament repealed Section 2(A) of the Constitution in 1991 which prohibited opposition parties. The tribal fighting spread to large parts of the Rift Valley, Western, and Nyanza areas. The Luhya, Kikuyu, and Kisii were greatly affected, but the Kalenjin were also victimized in retaliatory attacks by the Luhya, Luo and Kikuyu.¹⁴⁹

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

Ethnic clashes raged in the Trans Nzoia, Kericho and Kisumu districts as the Kalenjin warriors looted and burnt property of the Luo and other ethnic groups. The newly legalized political opposition parties blamed Moi and KANU for instigating the violence to destabilize and intimidate the areas with opposition support. The claims were partly true because President Moi had “prophesized” violence if multi-party system was re-introduced in Kenya. Additionally, KANU leaders from the Rift Valley had declared that Rift Valley was a KANU zone. The violence continued in 1992 in the Nandi and Kakamega districts.¹⁵⁰

Reports of ethnic violence become commonplace in the press. An Assistant Minister from the Kalenjin community Mr. Kipkalya Kones declared Kericho District a KANU zone and stated that the Kalenjin youth in the area had declared war on the Luo community in retaliation for several Kalenjin killed in earlier violence. In Sirisia and Nalondo Divisions of the Bungoma district, the Kalenjin attacked the Luhya community. The brutal attack against non-Kalenjin ethnic groups caused retaliatory attacks against Kalenjin in many areas. Clashes also erupted on the border of the West Pokot and Trans Nzoia districts which were long known for cattle-rustling between the Kalenjin and the Kikuyu, Luhya and Kisii. The government accused the opposition parties of fueling the violence through Libyan-trained recruits and opposition leaders accused the government of orchestrating ethnic violence in order to weaken moves towards multipartyism. Moi prohibited all political rallies, citing the threat of tribal violence.¹⁵¹

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

Despite doing this new clashes broke out between the Kisii and the Maasai while fighting continued to rage in Bungoma District between the Kalenjin and the Luhya. In the Bungoma District alone, 2,000 people were displaced and 60 killed. Victims from Molo division reported seeing 4 government helicopters bringing arrows to Kalenjin attackers and that out of uniform soldiers are fighting alongside the Kalenjin.¹⁵²

In September 1992 a parliamentary committee report, cited that, senior government officials had been involved in training and arming Kalenjin warriors to attack villages and drive away non-Kalenjin ethnic groups from the Rift Valley, Western, and Nyanza Provinces. While on December 3 1992 fighting occurred between the Kalenjin and the Kikuyu in the Burnt Forest area near Eldoret and Uasin Gishu districts. 15,000 Kikuyus and Luhya fled the area as hundreds of Kalenjin warriors killed, looted and burnt their homes. In retaliation, Kikuyu youth stoned Kalenjins' cars. Throughout December the violence continued in the Uasin Gishu District.¹⁵³

On December 29, 1992 Moi and the members of KANU party retained power with only 36% of the popular vote in the country's first multi-party elections since independence. Division was apparent within the three major opposition parties, the Forum for the Restoration of Democracy-Kenya (FORD-K), the Forum for the Restoration of Democracy Asili (FORD-A), and the Democratic Party (DP). Ford-A and Ford-K were split from the original FORD coalition, contributing to the victory of the KANU party. The opposition alleged the elections had been rigged and fraudulent. Thousands of

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

Kenyans were unable to vote as a result of the displacement and destruction caused by the pre-election ethnic fighting. Majimbo rallies continued since the election. Even after the election, the ethnic violence continued, mainly by Kalenjin warriors.¹⁵⁴

The Kikuyu were most affected by the attacks. During the election, local government Minister William ole Ntimama from Enosupukia (Narok District), a Maasai, consistently called for the expulsion of “foreigners” from the Rift Valley, accusing the Kikuyu of having suppressed the Maasai and taken their land. During 1991-1992, political and ethnic violence erupted in the Rift Valley and Western provinces of Western Kenya. Pro-government Kalenjin, armed with bows and arrows, were responsible for many attacks and little was done by the government to protect the victims, mostly Kikuyu, Luo, Luhya, and Kisii. The Maasai and the Turkana, traditionally nomadic groups joined Kalenjin attackers.¹⁵⁵

The violence continued unabated throughout 1993. The Uasin Gishu, Trans Nzoia, Bungoma, and Nakuru districts were the most affected. The fighting in the Burnt Forest area in Uasin Gishu predominantly hit the Kikuyu community by the Kalenjin during 1993. The Luhya living in the Trans Nzoia (Saboti) and Bungoma (Chwele) districts were most affected by Kalenjin warriors.¹⁵⁶

¹⁵⁴ *Ibid.*

¹⁵⁵ *Ibid.*

¹⁵⁶ *Ibid.*

3.4 The 1997 General Election

In January 1993, Moi began his fourth successive term in office. Moi's Kalenjin group and that of Vice-President George Saitoti's Maasai dominated the 25 member cabinet while the Kikuyu and Luo had been given one representative each in the cabinet. In March, at the state opening of Parliament, Maasai youths attacked those who supported opposition parties in the 1992 elections. In August 1993, about 300 so-called Kalenjin warriors attacked the Molo area of the Nakuru District, displacing hundred of Kikuyu. The Kalenjin burnt more than 200 houses belonging to Kikuyu, but the local police took no action. This made a group of Kikuyu call for the revival of the GEMA, a tribal organization that was disbanded by Moi in 1980. By September the government declared Molo (Nakuru District), Burnt Forest (Uasin Gishu District), and Londiani (Kericho District) as security operation zones and sealed off the areas to prohibit individuals from outside the area from entering.¹⁵⁷

In October 1993, an estimated 500 Maasai warriors attacked an area, Enosupukia (Narok District), south of the security operation zones, burning houses of Kikuyu farmers and uprooting 30,000 Kikuyus. Throughout 1993, hundreds of Kalenjin warriors attacked and occupied farms belonging to Kikuyus, Luhyas, or Luos without being arrested or charged for their actions. On a smaller scale, Kalenjin were attacked in retaliation.¹⁵⁸

In January 1994, new violence occurred in the Rift Valley area, destroying the property of some 4,000 persons. Ten people were reported killed although the Police denied a

¹⁵⁷ *Ibid.*

¹⁵⁸ *Ibid.*

report of fresh violence in Molo division, Rift Valley Province, in which 9 people were killed. Kisii were the reported victims in the fighting. In April Moi imposed a curfew over the Uasin Gishu District of Burnt Forest in the Rift Valley Province. In the fight at least 12 were killed and 65 houses were burned in Burnt Forest. Non-Kalenjin were being systematically expelled from the region.¹⁵⁹

In December 1995, the ruling KANU party outlined how it aimed at strengthening the party in preparation for the upcoming 1997 elections. It launched a national youth development program to coordinate and mobilize youth while assisting them in project identification. Party spokesman Joseph Kamotho issued a stern warning to leaders who engaged in tribal talks saying the party would no longer tolerate leaders who engaged in tribal comments.¹⁶⁰

The threats by Kamotho did not hold for in November 1997, 12 people were killed in election-related violence country-wide. In Kisii district of Nyanza Province, more than 300 voters besieged a polling station where they had been refused permission to enter. In Eldoret, normally a KANU stronghold, hundreds of opposition supporters took to the streets in protest at the handling of elections. Election results indicated that Moi won the presidency with about 40% of the vote. Kibaki of the Democratic Party gained 30% of the vote, and Raila Odinga of National Development Party and Ford Kenya followed respectively. KANU maintained a small majority in parliament with 106 of 210 seats. The DP won 39 seats, the National Development Party 21, and the Social Democratic

¹⁵⁹ *Ibid.*

¹⁶⁰ *Ibid.*

Party 14. Most observers noted electoral violence and irregularities, including bribing and intimidation of voters, and bias of presiding and returning election officers. Opposition groups protested that outright fraud, including vote-rigging, took place.¹⁶¹

In the 1997 General elections a similar voting pattern as that of 1992 based on ethnic alliances was exhibited. Fifteen candidates vied for the presidency and all of them had ethnic backing and voting. Out of the fifteen presidential candidates the top five were, as shown in the table below;

Table 1: Results of Presidential Votes Cast in each Province

Candidate	Coast	Central	Eastern	Nyanza	Western	Rift Valley	North Eastern	Nairobi
Charity Ngilu	38,089 (9.35%)	30,535 (3.04%)	349,754 (33.28%)	15,301 (1.67%)	3,429 (0.50%)	11,345 (0.69%)	440 (0.45%)	39,707 (10.85%)
Daniel Moi	257,056 (63.09%)	56,367 (5.60%)	370,954 (35.30%)	215,923 (23.52%)	314,669 (45.95%)	1,114,019 (69.37%)	70,506 (72.89%)	75,272 (20.56%)
Raila Odinga	24,844 (6.10%)	6,869 (0.68%)	7,787 (0.74%)	519,180 (56.56%)	13,458 (1.97%)	36,022 (2.19%)	311 (0.32%)	59,415 (16.23%)
Mwai Kibaki	51,909 (12.74%)	891,484 (88.64%)	296,335 (28.20%)	138,202 (15.05%)	9,755 (1.42%)	343,529 (20.90%)	20,404 (21.09%)	160,124 (43.74%)
Michael Wamalwa	11,306 (2.77%)	3,058 (0.30%)	7,017 (0.30%)	14,623 (1.59%)	338,120 (49.37%)	102,178 (6.22%)	4,431 (4.58%)	24,971 (6.82%)

Source: Electoral Politics in Kenya.¹⁶²

¹⁶¹ *Ibid.*

According to the above election behaviour, each candidate had a strong backing from their ethnic group, as shown in the table below;

Candidate	Home province	Total casted votes in the same province	
			%
Charity Ngilu	349,754(Eastern)	1,031,847	39%
Daniel Moi	1,114,019 (Rift Valley)	1,607,093	69%
Raila Odinga	519,180(Nyanza)	903,229	57%
Mwai Kibaki	891,484(Central)	988,313	90%
Michael Wamalwa	338,120(Western	679,431	50%

Moi emerged victorious due to his popularity in the Coast, North Eastern, Western and Eastern provinces. In the Coastal Province Moi managed to bring on board key leaders such as Katana Ngala and Shariff Nassir among others. These leaders were for *Majimbo* or federalism system of government, an ideology that Rift Valley KANU supporters wanted. It made it easy then to bring the coastal leaders on KANU ship due to shared ideology. While in North Eastern Province, Moi also had key leaders who supported him hence influencing the voting of the region.

However, in January 1998, violence in the Rift Valley Province began again with an attack on a Pokot (sub-group of the Kalenjin) homestead by unknown raiders. This attack led to revenge attacks beginning 17 January against Kikuyu families. Clashes also took place between Pokot and Marakwet ethnic groups in the Rift Valley Province. Both are sub-groups of the Kalenjin and the Pokot were pro-Moi while the Marakwet were anti-

¹⁶² P. Wanyande, "The Power of Knowledge: Voter Education and Electoral Behaviour in a Kenyan Constituency" in Ludeki Chweya *Electoral Politics in Kenya*, Nairobi: Claripress 2002 p.67.

Moi. Opposition rallies in Western Pokot to discuss the violence were disrupted twice during May. On 9 May, police broke up a meeting, beating up members of the crowd and injuring 10 MPs. Armed supporters of KANU broke up the second rally in late May. On 28 May, 42 KANU and opposition MPs suspended their participation in constitutional reform measures in protest at the break-up of the rallies. Violence in the Rift Valley followed the pattern of 1991-1994. There was compelling evidence that initial attacks were organized from outside the communities.

3.5 The 2002 General Election

Western province on the other side has never voted as a block a part from in 2002 General elections. Moi had strong support in Vihiga District. The Maragoli have along history of ideological difference with the Bukusu and since alternative candidate was a Bukusu they opted for KANU. Secondly, the Maragoli, respected leader Moses Mudamba Mudavadi had closer ties with Moi stemming from the years when they worked in the Ministry of Education during the colonial period. When Moses Mudaviadi passed on he left the Maragoli leadership under his son Musalia Mudavadi who remained a key figure in the Moi administration. Musalia influenced the voting of the Maragoli. Division in the Luhya house can also be attributed to colonial rule.¹⁶³

In Ukambani, Moi managed to split the votes by maintaining Kalonzo Musyoka on board. Moi was a close friend to the late Ukambani leader Mulu Mutisya. Kalonzo seemed to take over the leadership more so among the upper Ukambani comprising

¹⁶³ P.O. Asingo, "The Transition in Kenya" in Walter O. Oyugi, Peter Wanyande and C. Odhiambo Mbai, *The Politics of Transition in Kenya from KANU to NARC*, Nairobi: Heinrich Boll Foundation, 2003, p.23.

Machokos and Makueni while Ngilu controlled the lower Ukambani mostly Kitui. Poor relationship between Charity Ngilu and Kalonzo Musyoka tells why there was voting disparities in Ukambani, where Moi shared with Charity Ngilu. Unlike in other areas of the country, the Ukambani leaders were not engaged in hate campaigns hence no violence was reported in the region.¹⁶⁴

Ngilu also had supporters out of Ukambani and mostly in Nairobi. Most of Ukambani elite stay in Nairobi after college education. A part from the elites most youths from the region move all the way to Nairobi to seek for employment. These youths end up in low earning jobs and stay in poor conditions. The group therefore, had a general belief that if Ngilu won the elections, they would benefit from her influence and better their lives. This is why Ngilu was popular in Nairobi. The same reasons applied to Raila's popularity in Nairobi.

On the other hand the opposition parties in Kenya also engaged in intra-party ethnic struggles. Ford Asili which had strong support from Kiambu and Murang'a Kikuyu was involved in struggles between the Kikuyu faction and the Luhya faction which supported the party Secretary General Martin Shikuku. Kenneth Matiba evicted his party's secretary General Martin Shikuku from office replacing him with his Kikuyu Kinsman. A similar problem was experienced in Ford Kenya. Ford Kenya which split into two following the Thika party confrontation between Raila Odinga, a Luo and Wamalwa Kijana a Luhya over the party leadership following the death of Jaramogi Oginga Odinga.¹⁶⁵

¹⁶⁴ *Ibid.*

¹⁶⁵F. Jonyo, F. Jonyo, "Ethnicity in multiparty Electoral Politics", p. 101.

Raila believed that he was the rightful heir of his father's party top leadership position. Raila was unable to accept Kijana Wamalwa as the chairman of Ford Kenya. He opted to take over the little known National Development Party (NDP) from Stephen Omondi Oludhe a fellow Luo.¹⁶⁶ The Luo moved amass from Ford Kenya and joined their Kinsman in the National Development Party.

On its part the Kenya government which had borrowed a lot from the colonial method of divide and rule, followed the same trend.¹⁶⁷ The post independence government created constituencies in Kenya which were mainly ethnic enclaves with few exceptions in cosmopolitan towns and former White Highlands which later also developed into ethnic settlements hence becoming conflict hot spots. In urban centres ethnicity also played a major role in politics. In 1992 and 1997 elections Luo voters all over the city of Nairobi were mobilized for voter enrolment in Lang'ata Constituency to ensure the victory of a Luo candidate Raila Odinga, while the Luhyas were mobilized to enroll in Westland's Constituency to ensure victory to a Luhya candidate, Fred Gumo.¹⁶⁸

Political ethnic alignment in the whole republic was a fertile ground on which the political class could easily plant the seed of ethnic violence. It was easy for the political elites to mobilize their people for their interests while posing as if they were fronting for the interest of the entire ethnic group. This at the end caused animosity between various groups resulting into ethnic violence experienced in Kenya during elections period. The

¹⁶⁶ *Ibid.*

¹⁶⁷ KNA/DC/WP/3/18- Political Record Book.

¹⁶⁸ Karuti Kanyinga, "Political Change in Kenya" in Peter Wanyande, Mary Omosa and Chweya Ludeki *Governance and Transition Politics in Kenya* Nairobi: University of Nairobi Press, 2007, pp. 81-106.

Constitution of Kenya vested a lot of powers in the president of the republic. This influenced the process of resource allocation. The presidency was associated with development seen in various regions that former presidents come from, or where their strong men come from. The elite therefore managed to influence their ethnic groups to believe that development came along with having one of their own at the helm of the executive institution. In general 2002 election was not affected by ethnic clashes widely because President Moi was not in the race.

3.6 The 2007 General Election

The conflict experienced in the North Rift in 2007 and early 2008 have roots in the referendum on the proposed new constitution held on November 21st 2005. Kenya's road to a new constitution got underway under retired President Moi and the quest remained an endeavour steeped in controversy, littered with walk-outs, resignations, political intrigue and legal high-stakes.¹⁶⁹

When the ruling National Rainbow Coalition (NARC) was elected by Kenyans in 2002, it promised to, among other things, facilitate enactment of a new constitution. NARC and its presidential candidate promised to deliver the new constitution in one hundred (100) days. After failing to deliver on its promise for a new constitution within 100 days of assuming office, pressure mounted by among others the civil groups hence restarted the process in a manner that was however highly contentious. The national Constitutional Conference was revived to complete the process to give Kenyans a new constitution. The

¹⁶⁹ KNCHR and KHRC, *Behaving Badly: Deception, Chauvinism and Waste during the Referendum Campaigns*, Nairobi: KNCHR, 2006 pp. 21-22.

constitutional conference was held at the Bomas of Kenya grounds. The reconstituted constitutional convention quickly became a platform for the power politics that emerged after, characterized by the bickering of the different factions of the Rainbow alliance that had brought President Kibaki to power.¹⁷⁰

At the heart of the struggle was the famous Memorandum of Understanding struck between the National Alliance of Kenya on the one hand and the Rainbow Coalition on the other. This deal was done behind closed doors had purportedly assured Mr. Raila Odinga of the non-existent post of Prime Minister while guaranteeing the presidency to Mr. Kibaki. After assuming power, the President and his allies became reluctant to honour the secret pact. During the acrimonious sessions at Bomas, the pro-government faction showed its hand early; that it would not countenance the weakening of the presidency during President Kibaki's tenure. On the other hand, the faction allied to Mr. Odinga demanded a second center of power through creation of the post of Executive Prime Minister. The draft that came out of the convention otherwise known as Bomas, recommended a powerful position of Prime Minister and a much weakened presidency. These polarizations became bogged down in political maneuvering and towards the end, the pro- government side walked out of the conference leaving their "rivals" to come up with what was called the "Bomas Draft Constitution".¹⁷¹

The Bomas document had weaknesses among them was the removal of the recall clause for errant Members of Parliament, the exercise of full executive powers by an unelected

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

Prime Minister, an unwieldy four-tiered structure of governance and the removal of the requirement for Ministers to be Members of Parliament to mention but a few. This was the genesis of the problem in 2005, the government opted to amend the “Bomas” draft and push an alternative draft through Parliament.¹⁷²

The Draft Constitution generated by Parliament government friendly Members in 2005 was called the “Kilifi draft”. Later, referred to as the “Wako draft”, as it had been drafted with the current Attorney General Amos Wako’s assistance. The “Wako draft” too had its evident faults. It watered down clauses that sought to rein on the executive authority and retained sweeping Presidential powers while weakening legislative powers and watering down devolution provisions¹⁷³

President Kibaki and his government chose not to take a neutral stance towards the proposed new constitution. Indeed the President and his loyalists in government campaigned actively for the ratification of the “Wako draft”. That decision to take a partisan stance led to the 2005 referendum becoming a proxy for issues other than the actual content of the proposed constitution. The Cabinet was split, with seven members rejecting the so called “Wako draft” and joining the opposition in a partisan campaign to have the proposed constitution rejected.¹⁷⁴

Electioneering for the referendum took off long before the Electoral Commission announced the official date for commencement of campaigns. The level of inflammatory

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

rhetoric by politicians on both sides, those for ratification (Banana team) and those for rejection (Orange), increased by the day and instances of violence were not too far behind, and by the end of the campaign period, ten people had died as a result of campaign violence. This set the stage for the hate campaigns that were witnessed in 2006 leading to the worst violence after the 2007 elections.¹⁷⁵

Ugly incidences of violence occurred from the evening of 30th December 2007 when the announcement of the Presidential results was made. The main theatre of the violence was Eldoret town and the nearby Burnt Forest and other farming areas. The Burnt Forest area is one of the places where violence flared up on the evening of 30th Dec 2007, immediately after the announcement of the presidential election results pitting the Kalenjin against the Kikuyu and other non-Kalenjin communities.¹⁷⁶

Before election and announcement of the disputed presidential elections, there was calm, though there was apparent anticipation of violence. This was indicated by members of the Kikuyu community allegedly having dug bunkers to store their property. These preparations were made well before the elections. On 30th December 2007 houses were burnt and people killed or injured, during attacks and counter attacks, resulting in mass exodus of members of the Kikuyu and other communities from the area. Bows and arrows were the weapons of choice in this violence. At least seven people were allegedly

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*

killed, and an estimated 3000 homes owned by non-Kalenjin were burnt and 80 business premises destroyed.¹⁷⁷

People from outside Burnt Forest are said to have participated in the attacks. This was alleged by the members of non-Kalenjin Communities. This indicated a possibility of attackers being ferried from elsewhere, showing some planning and organization of the violence. In Eldoret Town violence mainly affected the residents of low-income residential areas. Intense violence occurred from 30th December 2007 between members of the Luo community and members of the Kikuyu community. Subsequent to that the members of the Kalenjin community are said to have come from their farms and joined the Luo community in fighting members of the Kikuyu community.¹⁷⁸

In the Yamumbi area, the so-called Kalenjin warriors attacked Kikuyu homes from the nearby Kalenjin areas. The attackers burnt houses and destroyed property. Two deaths were reported with one person said to have been killed in the presence of two policemen who had accompanied him to ward off attackers who had invaded his home.¹⁷⁹

In the Munyaka Estate in Eldoret town a group of youths tried to attack Munyaka Estate which is predominantly Kikuyu but the attack was repulsed. The other area that had a more or less similar pattern with Munyaka was the Silas Area in Eldoret Town. Here the

¹⁷⁷ KNCHR, *On the Brink of the Precipice: A Human Rights Account of Kenya's Post-2007 Election Violence Final Report*, Nairobi: KNCHR 2008 p.63.

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*

Kikuyu community form the majority and therefore it witnessed Kikuyu aggression against other communities especially members of, the Luo Community.¹⁸⁰

The Kenya Assemblies of God Church burning at Kiambaa in Eldoret on New Year's Day, 2008 is one of the most tragic post-election violence in the North Rift region and possibly in the entire country. Kiambaa farm is situated on the outskirts of Eldoret town, off the Nairobi-Nakuru highway. It is a settlement scheme predominantly inhabited by the Kikuyu community, which bought the land there from the colonial white settlers before their exit after independence.¹⁸¹

On 30th December 2007, following the announcement of the presidential elections results Kimuri village, which neighbours Kiambaa, was raided and houses torched forcing its residents to seek refuge at the Kiambaa Kenya Assemblies of God Church. On 31st December 2007, when it became clear that the violence was spreading fast and the raiders drawing nearer, residents of Kiambaa were also advised to seek refuge in the church in order to save their lives. The attackers however struck on the fateful New Year's morning of 2008, between 10 and 11 am.¹⁸²

A large gang of Kalenjin youths, armed with bows, arrows, clubs and pangas, with their faces masked in mud approached the village. After torching houses in the neighborhood, the youths surrounded the church compound, doused blankets and mattresses with petrol and set the church ablaze. The few men who were at the scene attempted to defend the

¹⁸⁰ *Ibid.*

¹⁸¹ *Ibid.*

¹⁸² *Ibid.*

victims but they were overpowered by the raiders who hacked them to death and shot others with arrows. Another group of the youth pursued those who tried to escape from the burning church and hacked them to death in cold blood. An estimated 35, people were burnt to death in the church, most of whom were women and children. Some 50 were injured and hospitalized.¹⁸³

The church built of mud and wood was burnt to ashes. There was evidence of burnt bicycles, grains, clothes and the remains of a wheelchair. Some members of the Kalenjin community alleged that the burning of the church was provoked by rumours that the Mungiki were being harboured in the church. These rumours are said to have emanated from Kaptien area where it is alleged that the raiders came from. Other allegations are that the attack was provoked by the killing of a Kalenjin boy at Kiambaa.¹⁸⁴

A Kalenjin youth from the Kiambaa area interviewed on BBC about this incident had this to say: “We want to send a very strong message to Kibaki. Because we cannot get him we are going to work on his ethnic group, the Kikuyu. They were happy because Kibaki won and we did not want these people to be happy (referring to the Kikuyu) ...that is why we decided to chase them, when we chased them they went to hide in the church; so we decided to burn the church.”¹⁸⁵

An incident in which 14-25 young men were hacked to death occurred at Matunda centre at the border of Uasin Gishu and Lugari districts in January 2008. The information received was that the young men had been mobilized to raid businesses at Matunda but were overpowered by the locals who, in the presence of the GSU personnel hacked them

¹⁸³ *Ibid.*

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

one by one. It was however not possible to ascertain the exact number of those killed in this incident or the identity of those who lynched them.¹⁸⁶

The epicenter of the violence in the Nandi districts was Kapsabet town. The raiders targeted Kapsabet town where businesses were looted and burnt. In Kangema and Nyakio farms owned by members of the Kikuyu community, raiders attacked, burnt homes and looted property and left three people dead on 8 January 2008, forcing an estimated 32,000 people to seek refuge at Nandi Hills police station and a nearby field. Members of the Kalenjin community perceived to have had leanings towards the PNU were also targeted and their houses burnt and property destroyed.¹⁸⁷

Some of the worst violence in Trans Nzoia District occurred at Gituamba where it was reported that an unspecified number of people were killed at Gituamba Farm in Cherangany by suspected armed SLDF youth from Kabolet Forest in late February 2008. The majority of those affected were allegedly Kisii. Several people were abducted and women, including schoolgirls, raped. Homes were burnt down and the trading centre reduced to a ghost town by mass exodus of residents. In this constituency, more than 20,000 people were displaced.¹⁸⁸

One of the most fatal of the attacks occurred in early March, 2008 at Embakasi in Saboti where 13 people, including a family of five were killed by suspected SLDF members. Eight people, including six children were seriously injured. The SLDF is also suspected

¹⁸⁶ *Ibid.*

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid.*

to have made an attack at a police station harbouring 3000 displaced persons, leaving six people dead.¹⁸⁹

At the Marakwet border with Trans Nzoia, 12 youths were shot dead as police tried to separate Marakwet and a rival community in Cherangany in January 2008. The main target of the attacks was the Kikuyu and Kisii for allegedly supporting president Kibaki. It is reported that an unspecified number of youth were killed by GSU during a raid in Kapcherop area targeting Kisii people. In the attacks, Kalenjin youth allegedly drove stolen livestock into the Kerio Valley, while others were driven to Pokot by youths who had been recruited from that area to assist Kalenjin raiders.¹⁹⁰

Many civilians were killed and maimed in the post election violence. The following table shows the number of injuries and deaths in Rift Valley Province as was found in the Ministry of Health.

District	Total No of post- election injuries	No. of admissions	No of deaths after admission	Total No of bodies brought in dead (BID)
Nandi North	40	11		4
Nandi South	126	24		5
Narok North	145	56		19

¹⁸⁹ *Ibid.*

¹⁹⁰ *Ibid.*

Narok South	0	0	0	0
Kericho/Kipkelion	123			42
Trans Nzoia West	112	28	1	7
Trans Nzoia East				
Trans Mara	117	35	2	12
Bureti			4	12
Keiyo	0	0	0	1
Mob	315	44		89
Bomet	141	74		13
Koibatek	57	25		7
Uasin Gishu	463			161
Baringo				2
Nakuru	715	327	55	175
Naivasha	216	54	1	39
Nakuru North ‘			0	0
West Pokot	8	4	0	2
TOTAL	2578	682	63	590

Source: Ministry of Health Report (Rift Valley Province)

3.3 Conclusion

This chapter set out to investigate how ethnicity was used as a tool of political violence in Kenya and how the concept of “we” against “they” as emphasized by the psycho-cultural conflict theorists was used in the North Rift political violence. The chapter therefore

examined the roots of ethnicity in Kenya and how it was used in politics. The chapter also analysed various General Elections in Kenya and how ethnicity influenced the results. It was evident that ethnicity did not only play out in politics but also influenced the causes of conflict in Kenya and in particular the North Rift.

Ethnicity in Kenya has its roots in the colonial administrations policy of divide and rule which secluded Africans from each other and not considering the long history of co-existence. The chapter also found out that the colonial administration alienated African land and pushed them into ethnic Native Reserves which enhanced differences. The reserves separated the people who had stayed together and shared. In 1920s the colonial administration introduced boundaries separating ethnic groups hence promoting ethnic consciousness.

The colonial administration also introduced district administrative territories which were based on ethnic lines hence this exacerbated the situation impacting negatively on the relationships of various Kenyan communities. The political elites were to borrow the same colonial ideology of divide and rule as a means of achieving their political intentions. These informed what happened towards independence when political parties with ethnic alignments were formed.

The years that followed saw Kenyan politics affected by ethnicity. The political, local and provincial administration incited their ethnic groups against each other creating a fertile ground for violence. During President Moi's regime the elections were

characterized by rigging out the opponents of the regime and expulsions from the single party forcing Kenyans to call for competitive politics. This was countered by the KANU elites who called for a federal system of government. Federalism was misinterpreted to mean eviction of some communities from some regions of Kenya with the North Rift being the most affected. This resulted into the politically instigated ethnic violence witnessed in Kenya during election years. This chapter therefore confirms that politics played a significant role in the North Rift Ethnic conflict. The causes of conflict will be a subject of the next chapter.

CHAPTER FOUR

4.0 THE CAUSES OF CONFLICT IN THE NORTH RIFT

4.1 Introduction

During election period in Kenya, ethnicity was largely used as a tool of political violence. In the previous chapter we discussed the origins of ethnicity in Kenya and how it influenced voting patterns. Since the main target of this study was the North Rift, this chapter will discuss the causes of politically instigated conflict in the North Rift, the conflict and how ethnicity played a role. The chapter will look at how politicians rallied people from their communities against other communities using the concept of “we” against “they” as fronted by the psycho-cultural conflict theorists.

4.2 The Causes of Conflict

An effective response to the North Rift conflict requires agreement on and understanding of its causes. Past responses to conflict have often failed to understand the context within which conflict has operated or to address its causes. This section therefore addresses the root causes of the North Rift ethnic clashes experienced from 1991 to 2007 during election periods.

In the North Rift clashes, leadership played a crucial role in fueling these clashes. Indeed, most respondents from the region implicated the KANU leadership and the top ranking government officials and opposition parties, some church leaders and other high ranking members of society as being involved in fueling the conflict.

Misunderstanding of pluralism and its misinterpretation by the KANU ruling elites was the main trigger for ethnic conflicts that erupted in Kenya. The re-introduction of multi-party politics in Kenya in the early 1990s had a number of far reaching consequences one of which was the eruption of ethnic clashes in the North Rift. This was partially a fulfillment of President Moi's earlier prediction that a return of the country to a multi party system would result in an outbreak of tribal violence that would destroy the nation. As the pressure for pluralism mounted against KANU increased, the party elites mostly from the Rift Valley called for a federal system of government or majimboism as it was famously known. Various ethnic groups were made to understand that federalism meant eviction of other communities from regions believed to be ancestral lands of the Kalenjin speakers¹⁹¹

According to various respondents land was cited as one of the major causes of conflict in the North Rift. Members of the Kalenjin speakers believed that the Kikuyu and other communities which settled in the North Rift were given land for free by the Kenyatta government at the expense of the local communities.¹⁹² And that these communities were favoured by the Kenyatta regime in terms of resource allocation and mostly land. However it is only the Nyakinywa women that were given free land while others bought land through society's and did not have any connection with Jomo Kienyatta apart from sharing ethnic identity.¹⁹³

¹⁹¹ Oral interview, Johana Kinyanjui Kamau, Saboti, 4/7/2009.

¹⁹² Oral interview, Joson Kawas, Saboti, 4/7/2009.

¹⁹³ Oral interview, Grace Njeri Njenga, Saboti, 4/7/2009.

When the pressure for multiparty politics increased, the Kalenjin groups in the North Rift were, therefore, easily convinced that removing Moi from power would mean a return of a Kikuyu at the top in political hierarchy and that the Kalenjin would be on the losing end. This propaganda seemed to work and the effort to disrupt the Kikuyu vote and deny their candidate a chance of getting 25% in the Rift Valley transformed into the 1991 and 1997 ethnic clashes that rocked the region. In 2002 general elections, the two leading presidential candidates were both Kikuyu hence little tension in the region although the worst was to be experienced during the 2007 general elections.¹⁹⁴

Patrick Cheromoi Ng'etich a retired head teacher cited rigging in the 2007 elections as the cause of ethnic violence in the North Rift region. The respondents argued that since the Kibaki regime was not favouring them and that it had not honoured the Memorandum signed after the 2002 elections, they had opted to change the regime only to be short-changed at KICC tallying centre. Ethnic violence therefore became the only way that the people in the North Rift could express their anger against the supporters of the Kibaki regime.¹⁹⁵

Other respondents blame the conflicts on identification with various ethnic groups as members. They argued that each ethnic group wanted to support its candidate hence during campaigns the youths from each camp attacked one another. The politicians bought alcohol for the youths and lured them to attack their opponents. They were

¹⁹⁴ Oral interview, Samuel Manjurai, Saboti, 4/7/2009.

¹⁹⁵ Oral interview, Patrick Cheromoi Ng'etich, 4/7/2009.

attacking while under the influence of their alcohol. Most of the youths therefore could not explain clearly what led them to take part in the ethnic violence.¹⁹⁶

Beginning from the late 1980s, especially after the 1988 elections to early 1990s many Kenyan elites started questioning the status quo perpetuated by the one party political system in the name of Kenya Africa National Union (KANU). KANU mismanaged the country and violated human rights. The elites began to view multiparty political system (pluralism) as a panacea to democratic governance. That this was the only way that the country could be saved from Moi's misrule, torture of his opponents and therefore restore good governance and trust of the people. There was a common belief that pluralism could offer a forum for competitive politics and act as a check against autocratic regime.

Although the elites who opposed one party system saw hope in competitive politics KANU elites and more so from the Rift Valley felt that it was a move aimed at ousting president Moi one of their own from power. Leaders and supporters of the one party political system in the face of this misconception or confusion were compelled to think that pluralism was a seed bed for chaos and anarchy. Most of them threatened to use all means to ensure that Moi remained in power.¹⁹⁷

Inequality between groups is probably the foremost cause of ethnic conflict in North Rift. It is inequality between groups - rather than individuals - that increases the prospects of violent conflict. It exists on three mutually reinforcing levels: economic, social and

¹⁹⁶ Oral interview, Stephen Naibei Kimutai, 4/7/2009.

¹⁹⁷ Oral interview, Wechuli Sifuna, Saboti, 4/7/2009.

political. In communities that lived in the North Rift it was alleged that the Kikuyu were favoured in resource allocations due to one of their own being in power. The Kalenjin groups in the North Rift, therefore, believed that the attempt to remove Moi from power was a means of denying them their chance to power and influence access to resources and revenue. Where group inequality occurs there is also differential access to education. This played a key role in sustaining inequalities.¹⁹⁸

Where a society is divided into two pre-dominant groups, growing inequality between them often led to conflict. In the North Rift the non-Kalenjin communities were accused of boasting because of being more educated than the Kalenjin. This enabled them to take all paying jobs and also standing a better chance during the recruitment into the police and the military services. This annoyed the Kalenjin who sought an opportunity to evict the non Kalenjin who according to them offered unfair competition.¹⁹⁹

Maoga Nyambega a retired civil servant and elder blamed the collapse of state institutions such as the police which took sides in politics as having caused ethnic conflict in the North Rift. Collapse arose out of a long degenerative process that was characterized by predatory government operating through coercion, corruption and personality politics to secure political power and control of resources. The state found itself unable any longer to provide basic services or security to its people. The

¹⁹⁸ Oral interview, Alice Mogaka, Cherangany, 5/7/2009.

¹⁹⁹ Oral interview, Nemweli Ongeta, Cherangany, 5/7/2009.

intelligence lapse led to failure to collect information which could have assisted the government to prepare and successfully prevent the conflict.²⁰⁰

The North Rift conflicts were caused by the long time tradition of Kalenjin communities of resolving problems by use of violent means, although they co-existed with their neighbours. Violence is strongly entrenched into these peoples culture in that something small happening ignites violent response. The Kalenjin people were socialized to believe that they are a militant society unlike their neighbours. The Kalenjin were organized on age-set system, in which one entered after initiation. The training during this period included military, because after initiation one became a moran whose duty was to protect the interests of the community.

The situation seemed to change after the colonial period because the colonial government and the post-colonial governments could not tolerate militarism apart from the now legal and formal forces created by the law. Though the security agencies remained unchallenged for long, they seemed not to address the question of ethnic clashes as expected. The instruments of the state such as the police and the judiciary seemed not ready to punish the offenders. Most of them walked away with impunity hence sending the signals that nothing can be done by state security instruments.²⁰¹

Other historical processes may have provoked violence in the North Rift region. The history of places such as the Burnt Forest created a community model based on the

²⁰⁰ Oral interview, Maoga Nyambega, Cherengany, 5/7/2009.

²⁰¹ Oral interview, Jasper Nyambati, Cherengany, 5/7/2009.

artificial creation and abuse of ethnicity to maintain power. The Kalenjin believed that the Kikuyu and other non-Kalenjin groups' presence was a colonial and post-colonial government's creation.²⁰² The Kalenjin believed that this was done in order for these non-indigenous groups to occupy their land and deny the indigenous people the right to use their ancestral land.²⁰³

The North Rift of Kenya suffers from high levels of unemployment caused by low male educational levels among young men. In such a situation the North Rift faced a far higher risk of conflict because the main remedy to any problem was use of force rather than reason. Throughout the North Rift as in other parts of Africa, factional conflict always drew on a pool of marginalized or socially excluded young men. Increasing insecurity of land tenure in the North Rift and the high levels of rural unemployment provided a ready group of participants in the ethnic conflict.²⁰⁴

Political leaders and belligerents in the North Rift made increasing use of ethnic hatred which prolonged conflict, created long term divisions that reduced the effectiveness of peace building efforts. The conflict in the North Rift provided a ready example of the abused ethnicity. Elements of the KANU government openly provoked ethnic tensions in the region with the intention of destabilizing areas under non-Kalenjin influence. In such instances community divisions were deepened more so by the conflict that erupted in the North Rift and there was a greater number of fatalities and injury.²⁰⁵

²⁰² The migration of the Kikuyu to the North Rift see chapter two.

²⁰³ Oral interview, Simeon Ruto, Burnt Forest, 6/7/2009.

²⁰⁴ Oral interview, William Nyamosi, Cherengany, 5/7/2009.

²⁰⁵ Oral interview, Ben Kipchumba, Cheptobot, 5/7/2009.

4.3 The North Rift Conflict 1991-2009

The ethnic conflicts in the North Rift were first reported at Miteitei and Owiro farms in Nandi District on 29/10/1991. The conflict involved 589 former Kalenjin land owners who had sold their land to non-Kalenjin communities who settled in the area. The former Kalenjin land owners capitalized on the then prevailing ethnic tension caused by the political call for multi-party to demand the eviction of more than 300 perceived illegitimate settlers most of whom were non-Kalenjin communities. Four days later over 50,000 people had already been displaced in Tinderet division and several schools closed down. By November the same year the politically instigated ethnic clashes had spread to other districts in the Rift Valley.²⁰⁶

The months that followed witnessed a lot of suffering of innocent people as the political elite began pointing fingers at each other. The then Minister for Regional Development, Mr. Onyango Midika absolved the Luo from instigating the clashes and blamed it on political “hypocrisy”. The then MP for Nyakach, Mr. Ojwang’K’ Ombundo absolved the original Ford party and placed the blame on the Rift Valley Kalenjin MPs who were demanding for Majimboism and wrongly interpreting it to their people as meaning the eviction of other groups from the Rift Valley.²⁰⁷

The political elites continued with their blame game as innocent lives were lost and property worth billions destroyed. These ethnic clashes started one year before the December 1992 first multi-party general elections, when KANU leaders including the

²⁰⁶ NCCK *The Cursed Arrow; the NCCK Contemporary Report on the Politicised Land Clashes in Rift Valley, Nyanza and Western Provinces* Nairobi: NCCK 1992 pp 25-27.

²⁰⁷ *Ibid.*

party presidential candidate Arap Moi who wanted at any cost to preserve their political, social and economic “privileges” fuelled rivalries into violence in many parts of the North Rift. Pro-government communities, Provincial administrators and other leaders of the previous one-party regime, wanted to ensure president Moi’s victory and to secure their power by cleaning up other communities viewed as opposition supporters.²⁰⁸

As a consequence of the State-sponsored violence, many displaced Kenyans as well as those in the clash-torn zones were unable to register as voters or were barred from voting by violence and intimidation. Violence continued relentlessly in the post-election period until 1996. According to KHRC, from 1991 to 1996, over 15,000 people died and almost 300,000 were displaced in the Rift Valley, Nyanza and Western Provinces.²⁰⁹

In the run-up to the 1997 elections, new violence erupted killing and displacing over 100,000, mostly pro-opposition people in the North Rift. This violence was aimed at creating animosity between communities to split their political inclinations, to frighten whole communities that were against the KANU regime and induce them to vote for the ruling party as a guarantee for their security. If they failed to do so, communities with divergent political views were to be driven out from specific North Rift electoral areas.²¹⁰

In 2002 December the NARC government took power after various parties which formed the coalition entered into a memorandum of understanding. The new government made

²⁰⁸ FIDH / KHRC “Massive Internal Displacements in Kenya Due to Political
y Instigated Ethnic Clashes” <http://www.fidh.org/IMG/pdf/Kenya-eng/NB.pdf>, accessed on 18/7/2009.

²⁰⁹ *Ibid.*

²¹⁰ *Ibid.*

promises such as giving the country a new constitution within one hundred days, creating five hundred thousand jobs each year and improving the youth's status. Most of these promises were never met because within a very short period in power the NARC government faced the problem of inter-party struggles that threatened the Kibaki presidency.²¹¹

The cracks in the 2002 Coalition Government widened when the member parties failed to agree on the best government system to adopt in the new constitution. The Liberal Democratic Party (LDP) favoured the structure outlined in the Bomas draft constitution which provided for the position of the executive prime minister. While the other parties supported the structure outlined in the government sponsored draft constitution, famously known as the Wako draft which borrowed a lot from the Bomas draft but with some changes.²¹²

Kenyans were exposed to the referendum to choose or reject the Wako draft. Whereas most Central province people voted for 'Wako draft', Uhuru Kenyatta and other KANU and LDP prominent figures from Central Province voted against the draft and emerged winners in the vote that left the country divided on ethnic line. President Kibaki sacked the rebellious ministers, a move which was seen by many as a kick off, campaigns for the 2007 general elections. The elections were hotly contested between President Kibaki a

²¹¹ P. Wanyande, "The Politics of Coalition Government" in Peter Wanyande, Mary Omosa and Chweya Ludeki *Governance and Transition Politics in Kenya*, Nairobi: University of Nairobi Press 2007 pp.107-130.

²¹² KNCHR and KHRC, *Behaving Badly: Deception, Chauvinism and Waste during the Referendum Campaigns, Promoting Accountability in the Political Process in Kenya*, Nairobi: KNCHR 2006 pp.21-22.

PNU candidate and ODM candidate Raila Amolo Odinga. The Electoral Commission of Kenya found itself in a fix until it became hard to announce a clear winner.²¹³

Amid the contestation the Electoral Commission went ahead and declared Kibaki as the winner. The declaration sparked off the worst ethnic violence that left over one thousand people dead and over three hundred thousand displaced into the IDP camps. The situation seemed to be worsening each day forcing the international community to step in and assist in resolving the conflict. Peace talks were held at Serena Hotel culminating into a Peace Accord signed by the two principles President Kibaki and ODM leader Raila Amolo Odinga leading to power sharing deal that saw relative calm return.

4.4 Conclusion

Conflicts in Kenya and in particular the North Rift of Kenya were examined in this chapter including, how ethnicity influenced the voting patterns in Kenya and how ethnicity was used by the political elite as a tool of political violence pitting different groups against each other in the region. This gives a clear understanding of the conflicts that haunted Kenya since 1991 pitting communities against each other. Indeed following the principal of the psycho-cultural theorists of “we” in our community against “them” in that community. The conflicts left a mark in Kenyan history that will be very hard to erase. It impacted on people and the general society as discussed in the next chapter.

²¹³Anderson Ojwang’, “Post election crisis the *Standard* Monday February 4. 2008. p.4

CHAPTER FIVE

THE IMPACT OF THE NORTH RIFT CONFLICT 1991-2009

5.0 Introduction

Ethnic conflict in the North Rift impacted on all areas of human life. The cumulative impact of several decades of socio-economic development that had occurred was reduced to ruins as property and life were destroyed. Respondents interviewed from different communities pointed an accusing finger at politicians from other communities as having incited their people against other communities, thus proving the psycho-cultural theorists of them against us.

As a result of this destruction the region witnessed decline in economic growth and investments of which the impact was felt as far as to the neighbouring countries such as Uganda, Rwanda and the Democratic Republic of Congo. This chapter therefore seeks to examine the impact of the North Rift politically instigated ethnic violence on the communities that lived in the region, the neighbouring districts and countries.

5.1.1 Disruption of social and cultural fabric

During the last two decades, the North Rift of Kenya has been the most conflict-affected region in Kenya accounting for the most affected districts by ethnic clashes between 1991 and 2007. These districts included Trans Nzoia, Uasin Gishu and Nandi which were ranked within the most severely affected districts. The level of death and destruction in these districts was alarming that it attracted the international community.

At a point the whole world thought that genocide had broken out in Kenya. The ethnic clashes were responsible for more deaths and displacement than natural calamities. The main elements of this tragedy were the thousands of uprooted people who lost their homes and livelihoods with increased numbers of casualties and increased level of violence which recurred during election periods.

The North Rift of Kenya had the highest level of internal displacement in Kenya. In 1991 more than 300,000 were forced to flee their homes for safety.²¹⁴ In 1997 the trend repeated itself with most of the displaced being in the Rift Valley's North Rift. The displacement of people majority being the Kikuyu and other non-Kalenjin communities meant being uprooted from their main source of food and exposing them to much suffering.²¹⁵

The internally displaced persons outnumbered the combined refugee population in Kenya from Somalia, Ethiopia, Sudan, DRC, Rwanda and Burundi. These countries were at war for decades. It was estimated by the UNHCR that the refugee population in Kenya stood at less than 300,000 thousand people the number lower than the population of internally displaced persons mostly from Kikuyu, Luyha, Kisii, Luo and to an extend few Kalenjins as indicated by the table below;

²¹⁴ KHRC, *Killing the Vote :State Sponsored Violence and Flawed Elections in Kenya* Nairobi : KHRC, 1998 p.1

²¹⁵ Oral interview, George Odiso, Cherengany, 5/7/2009.

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

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

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

Internal displacement impacted negatively on the victims who were disconnected from their main social livelihood. The social and cultural fabric of society was disrupted as

families were separated. Parents lost control of their children who found themselves in different IDP camps. Some families lost touch with their members for long. While others lost their loved ones for ever through death and fatalities.

5.1.2 Deaths

The most disturbing aspect of the ethnic conflict in the North Rift was the increasing use of extreme violence, especially during the 1991, 1997 2007 and 2008 years. Violence was deliberately targeted at non-Kalenjin communities living in the area. In the conflicts in Burnt Forest a Kenya Assemblies Church at Kiambaa which acted as a refuge for women and children was razed by Kalenjin youths killing the entire group that sheltered in the church, in an incident that shocked the entire world.²¹⁶

In 2008 conflicts caused deaths and injuries to people and in most cases women and children. This provoked the arms of government to intervene, at some level they were accused of using excess force that at a point led to further deaths. Some alleged suspects were arrested by security personnel who exposed them to other forms of violations of human rights which caused further physical injuries, as indicated in the table below;

²¹⁶ Oral interview, Norman Kuria, Burnt Forest, 6/7/2009.

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

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

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

5.1.3 Death and injuries

Ethnic conflicts in the North Rift caused increased suffering for women, children and the old in the region. Since 1991 so many people died directly as a result of ethnic violence in the North Rift. A large percentage was of the dead were innocent women, children and

the elderly people from non-Kalenjin communities majority of whom were Kikuyu. Many children were made orphans due to their parents being killed in the ethnic clashes.²¹⁷

Injuries caused by the conflict incurred a burden on society, and in particular non-Kalenjin communities as people who were already disadvantaged were forced to take care of the injured without support resources. Those who were left behind to care for such injured people strained to raise money to meet their hospital bills since most of them had lost everything through extreme violence that was experienced in the period from 1991-2008.²¹⁸

Extreme violence was used by the so called Kalenjin warriors as a means of intimidation against the so called migrants who had taken over Kalenjin land. The Kalenjin believed that the Kikuyu who formed majority of the victims in Burnt Forest were given land freely by the Kenyatta government. In Saboti Division the Saboats claimed that the entire division was theirs hence other ethnic groups were to be evicted. In Cherangani, the Marakwet and the Pokot laid claim of the territory. Rape and other forms of sexual violence were reported in the North Rift.²¹⁹

During these conflicts women and young girls were raped. In the Burnt Forest region rape cases were highly reported and victims were as young as twelve years. Some of the victims were infected by diseases such as HIV/AIDS ruining their lives forever. Even

²¹⁷ Oral interview, Hesbon Nyakundi, Cherangany, 6/7/2009.

²¹⁸ Oral interview, Monicah Murgor, Aenabkoi, 6/7/2009.

²¹⁹ Oral interview, Alice Moraa, Cherangany, 5/7/2009.

those who escaped infections rape inflicted a lot of psychological problems more so in cases where those who committed rape were still walking free without any legal action taken. In Saboti's Gituamba case although rape cases were not reported during the conflict, the Internally Displaced People in camps turned against each other committing sexual violence even to those with mental disabilities leading to psycho-traumatic damage to the victims and their families.²²⁰

5.1.4 Psycho-traumatic damage

Children in the North Rift became the main targets of violence and in turn were being used to perpetuate it. Children were deliberately indoctrinated into a culture of violence and used as specific instruments of violence. Some young children were forced to kill and destroy property of their own community or face death. Such children remained traumatized never to return to normal life since the people they were forced to kill were their friends whom they lived and played together. According to the North Rift Child Welfare Officer;

More than 3,000 displaced children at the Eldoret show-ground need urgent counseling due to trauma. Child Welfare Society of Kenya official, Ms Esther Kihara, said most of the children had been psychologically affected by violence. The children saw people killed, houses that used to be their homes burnt and some lost their parents, mothers or sisters. They therefore, need professional counseling to withstand the trauma.²²¹

Some family witnessed the killings of their beloved ones or saw violence carried out on them such as rape. The memory remained fresh to the victims making it almost impossible for them to cope with life. The people remain traumatized psychologically.

²²⁰ Oral interview, Simeon Ruto, Burnt Forest, 6/7/2009.

²²¹ Stephen Makabala and Alex Ndegwa "Displaced Minors need counseling" in the standard. Monday February 4, 2008, p.15.

The situation was even made worse by lack of basic needs such as food, sanitary facilities and malnutrition.

5.1.5 Hunger, malnutrition and lack of sanitary facilities

Most of the affected were agriculturalists that could not access their farms. These, people were exposed to hunger hence forced to depend on food donations from humanitarian organizations and yet before the conflict they were providing for themselves without any assistance. Food rationing became the order of the day for the internally displaced persons. In the IDP camps internally displaced persons faced food shortage hence were forced to depend on donations from well wishers. For instance;

The former Baringo Central Member of Parliament Mr. Gideon Moi donated food and other items to the Internally Displaced People who are camping at Kongoy farm in Elementatita where more than 400 displaced people are camping.²²²

On the same note the food supplied was not necessarily a balanced diet hence most of the children in the IDP camps faced malnutrition affecting their growth.²²³

Most of the children in the IDP camps contracted diseases associated with unbalanced diet. Many of the children died due to diseases that could have been avoided such as Kwashiorkor and other sanitary related disease. The sanitary situation in the IDP camps was not up to date. Since the people were displaced without prior sanitation arrangement, they were attacked by frequent infectious diseases. Since most of them used contaminated water combined with lack of sanitary facilities, diseases such as cholera

²²² Alex Kiprotich, "Prosecute sponsors say Gideon". *The Standard*, Friday, February 1st 2008. p. 7

²²³ Oral interview, Grace Njeri Njenga, Saboti, 4/7/2009.

and pneumonia became common in the IDP camps. These diseases caused much suffering to the children leading to high mortality rate.²²⁴ They were also vulnerable to any disease because their body immunity was weakened by not taking in important body minerals that could have strengthened their immune system. Women faced similar problems mostly those who were still menstruating age.

Women and young girls suffered due to lack of hygiene towels. Most of these people relocated to places where they faced hardship in accessing the sanitary facilities for women. Even those who relocated to places where they could access these facilities the IDPs lacked sufficient resources which could enable them purchase the towels. To them sanitary towels were not priorities even if they had some little money. Apart from hunger, malnutrition and lack of sanitary facilities the people of the North Rift suffered the indirect consequences of famine and epidemic diseases that followed in the wake of ethnic conflict.

In 2008 immediately after signing the Peace Accord Kenya, was plunged into hunger and starvation. The main reasons were that large stores and maize plantations were destroyed by fire set by those involved in the Ethnic conflict. The North Rift was always remembered as the main food source for Kenyan's hence the slight disruption plunged the entire nation into food crisis.²²⁵ Lack of such facilities exposed women to infections

²²⁴ Oral interview, Stephen Wafula, Saboti, 4/7/2009.

²²⁵ Oral interview, Conceptor Moraa, Cheptobot, 5/7/2009.

associated with female complications the situation that led some people to take advantage and exploit women sexually.²²⁶

5.1.6 Sex exploitation

These violations were either done by the arsonists or those who took advantage of the conflict to exploit the young girls. Some people capitalized on the economic situation that IDPs found themselves in, to sexually exploit them. The officer in charge of the camps of internally displaced persons in the region reported that;

The woes of families displaced by the recent wave of violence have assumed a new, but sad twist. Camps become sources of cheap labour and marriages targeting minors. Underage girls were being lured out of the camps with promise of well paying jobs, but end up as house girls or victims of arranged marriages. Some desperate parents even confessed receiving money from people in exchange for their daughters. Some girls were offered accommodation by Good Samaritans only to end up as house helps, while others were being offered for marriage for as little as Ksh. 2000.²²⁷

5.1.7 Economic damage

The North Rift's development was threatened by frequent conflicts, in the region. Politically instigated ethnic violence became one of the most important causes of poverty in the North Rift. The Conflict led to destruction of property and the communities' livelihoods. The effects of the conflicts cut across all levels of the economy down to the level of the household. The violence had a direct and immediate economic impact

²²⁶ Cral interview, Teresia Wairimu, Saboti, 4/7/2009.

²²⁷ Beatrice Obwacha and Stephen Makabila, "Child abuse an Cheap Labour at IDP Camps" *The standard*. Tuesday, February 5, 2008. p.7.

through the physical disruption it created. It denied the displaced people access to land, the key resource in the North Rift.²²⁸

Some of the effects of conflict are less tangible. Insecurity in the North Rift is the least conducive climate for domestic savings and internal or external investment. Nor is the impact of ethnic conflict limited to the area of conflict in the North Rift. The conflict damaged regional infrastructure, markets and investment confidence across a wider region. The regional spread of conflict jeopardizes stable and successful countries.²²⁹ The Highway that links the Eastern and Central Africa passes through the North Rift and during ethnic conflict some countries such as Uganda, Rwanda and Democratic Republic of Congo were cut off from the main supply since most of their goods passed through the Mombasa port. The Standard reported that;

Over 1,000 railway workers have been displaced in the post election violence. The chaos could also curtailed operations on the Kenya- Uganda railway. Rail transport had borne the brunt of the violence that has rocked the country.²³⁰

The World Bank estimates that conflict in Africa is causing a loss of 2% annual economic growth across the continent. Conflict in the North Rift has also created a substantial loss of opportunity. Lost either through the inability of the local people to invest in their own populations or through high military spending which has squeezed out effective investment in the economy of the country. The North Rift region as a whole is

²²⁸ Oral interview, Ann Wamboi, Saboti, 4/7/2009.

²²⁹ Dann Okoth "Rail staff displaced" *The Friday Standard*, February 1, 2008 p.10

²³⁰ *Ibid.*

seen as a high risk by potential external and internal investors because of armed conflicts.²³¹

In the North Rift economies the most direct impact of ethnic conflict is on production and household livelihoods. The conflict denied people access to their land at critical growing or planting periods, increased the costs of agricultural inputs, disrupted markets and restricted sales of produce. Agricultural production and family livelihoods have suffered dramatically as a result of these conflicts.²³² A study undertaken by the International Food Policy Research institute determined that African countries had suffered production losses of up to 45%. Average production losses through conflict were 12%. War and ethnic conflicts also seriously affected growth in the agricultural sector by 3% per annum. Ethnic conflicts in the North Rift has therefore been responsible for increasing the gap in food production for large parts of Kenya and created a substantial requirement for imported food and food aid some of these food was unfit for human consumption.²³³

North Rift ethnic conflicts seriously damaged the infrastructure. Roads were damaged by youths who lit bonfire on it at the same time during the conflict there was no investment in and maintenance of infrastructure. Kenya lost a lot due to this violence. This loss had both an immediate and a long-term impact on Kenya's economy. In immediate terms, it increased impoverishment. This severely harmed the livelihood of the population, who

²³¹ "The Causes of Conflict in Africa" paper presented in Africa Policy and Economics Department for International Development in London, africaconflicts@dfid.gov.uk

²³² *Ibid.*

²³³ *Ibid.*

were dependent on trading and agriculture as their means of survival. This including the neighbouring countries, such as;

Southern Sudan, Uganda, Rwanda and Burundi which rely on the port of Mombasa for exports and imports. In Kenya, losses attributed to the Mayhem are projected to have hit Ksh 300 billion. The worst affected sectors of the economy are transport, communication, agriculture and tourism. The conflict has not only disrupted movement of goods in Kenya, but is also causing acute shortages of fuel and other necessities in land locked Uganda, Burundi and Rwanda. The violence has also created food insecurity in the Southern half of southern Sudan. According to Mr. Ayieng Dei, Sudanese businessman who imports fresh vegetables and fruits from Nairobi to Juba. The Sudanese market suffered in terms of supply and loss in revenue. The crisis in Kenya has paralyzed the transport of commodities such as food and fuel.²³⁴

5.1.8 Environmental impact

Internally Displaced persons impacted negatively on the environment. IDPs tended to deplete the environment by clearing the vegetation or cutting trees to erect their temporary shelter. They deforested the regions which they settled in causing lack of rainfall. Some inhabited forest regions cutting trees for firewood. Apart from deforestation they also polluted the environment due to lack of proper lavatory facilities. This contaminated the underground water causing diseases and threatening marine life. In the recent years the North Rift region experienced prolonged droughts probably caused by depleting of forests. Rivers also dried up threatening the survival of local people and livestock.²³⁵

²³⁴ Kenneth Kwanya, "Kenya strategic position as the regional business hub at risk " in *Financial Standard*, February Tuesday 5. 2008. pp1-8.

²³⁵ Jose Kalpers, *Armed Conflict and Biodiversity in Sub- Saharan African* Washington D.C: Biodiversity Support Program 2001, p.8.

Internal displacement flows had a serious effect on the environment. The conflict led displaced people to congregate in urban and surrounding areas. They applied enormous pressure on the environment. This caused some areas to dry more so when forests were cut leading to severe destruction of social infrastructure.

5.1.9 Destruction of social infrastructure

Recent ethnic conflicts led to the destruction of the basic social infrastructure. Schools and health centres were increasingly the targets of warring groups. During the conflict in the North Rift health centres and schools were destroyed. Social provision was also squeezed by increased Para-military expenditure that Kenya was forced to incur. A long-term consequence was reduced access to education and health care. The resulting large numbers of young uneducated men helped create the circumstances that sustained the conflict. The Standard Newspaper reported that;

A church of Presbyterian of East Africa sponsored school in Eldoret was set on fire. The youths raided the Munsingen Multipurpose Centre and destroyed a children home, school, polytechnic and guest house.²³⁶ In another incidence ODM supporters in the North Rift interrupted learning by closing schools by chanting the slogan “No Raila, No, school”.²³⁷

As a result of the clashes, thousands of school going children were displaced. Some dropped out due to the financial and socio-economic constraints attributed to the menace. For instance, the NCKK estimated that by 1994, over 10,000 in Trans-Nzoia District had been displaced as a result of the clashes. A similar number was out of school in Bungoma

²³⁶ Anderson Ojwang “Post Election Crisis *the Standard Newspaper* Monday February 4. 2008p.4

²³⁷ Peter Atsiaya and George Olwenya “post – election crisis” *The Standard Newspaper*. Monday February 4th, 2008 p.5

and Narok districts. There was disruption of education in the entire clash - prone regions in North Rift where many schools were burned down or looted in Sabaoti Division in Trans-Nzoia District. In a number of cases, both students and teachers belonging to the so-called 'wrong' (opposition) ethnic groups were attacked, a number of them fatally. Both the students and teachers belonging to the 'enemy' ethnic groups were forced to transfer to other schools while others abandoned learning and teaching respectively.²³⁸

The clashes in Kenya exemplified the potential and real consequences of conflict on inter-ethnic marriage, family and social life. According to the respondents in different parts of the clash stricken areas, in the North Rift there were cases of break-up of marriage and family life. Currently, inter-ethnic marriage between the Luhya (i.e. especially the Bukusu) and the Sabaot, Iteso and Sabaot, Kalenjin and Kikuyu, Kalenjin and Luo was viewed with fear and suspicion.²³⁹ This was one of the far-reaching social consequences of the clashes which also created mistrust, prejudice and psychological trauma characterized by mental anguish and general apathy, among the various ethnic groups in the North Rift of Kenya.

5.2 Conclusion

The chapter explored how the North Rift ethnic conflict impacted on the communities that lived in the region. It was observed that before the conflict, the relationships of different ethnic groups were characterized by peaceful co-existence with intermarriage and trade as the main feature although minor conflicts could not be ruled out. There were

²³⁸ NCKK, *The Cursed Arrow; the NCKK Contemporary Report on the Politicised Land Clashes in Rift Valley, Nyanza and Western Provinces* Nairobi: NCKK 1992 pp 25-27.

²³⁹ *Ibid.*

no wide spread segregation on the basis of them against us, but soon after the clashes it was clear that now communities defined themselves and segregated against the perceived them. This ideology clearly comes out in the psycho-cultural conflict theory.

The conflict therefore impacted negatively on ethnic groups living in the North Rift namely the Kikuyu, Luhya, Kisii and other non-Kalenjin communities on one side while the Kalenjin on the opposite side. There was loss of life, property and displacement. Thousands of people were killed as others were uprooted from their farms into the Internally Displaced Camps. In these camps they lived in pathetic conditions far much less than expected. These people were therefore bitter and most of them vowed never to forgive those who committed the atrocities against them. The conflict damaged the relationships that had been experienced for decades after independence.

To sum the research found out that the ethnic conflicts in the North Rift damaged the co-existence reputation that characterized the region. The conflict left the people bitter and not ready to forgive those who assaulted them. Some respondents maintained that the relationships will never be the same again more so when those who committed atrocities remained unpunished.

CHAPTER SIX

CONCLUSION

This study was on the ethnicity as a tool of political violence in the North Rift during the election years of 1992 to 2009. The study found out that politicians instigated violence, hence indicating a strong relationship between ethnic conflict in the North Rift and political utterances. This study achieved its objectives and hypothesis in relation to its conceptual framework.

The study began by showing that various ethnic groups inhabited the North Rift region before the colonial period. The communities related well although they had normal conflicts, that, were resolved first by the council of elders, the colonial provincial administrators and later on the post- colonial administrators. The early inhabitants were the Nilotic groups who were followed later by the Luhya who belonged to the Bantu speaking group. Their territorial contestations during the periods of migrations was common characteristic which to some extent led to weak communities moving out or being assimilated by the strong communities hence no major conflicts were experienced in the region.

The worst ethnic animosity can be traced during the colonial period. After the African land was alienated for the creation of the white highlands the Africans became squatters on their own land. The North Rift therefore became the land of opportunity as various communities moved into the region to seek employment. These communities included the

Kikuyu, Gusii, Teso, Meru, Embu, Kamba and Turkana. They were employed to offer cheap labour on the settler farms.

Apart from creating the settler highlands the British colonial government split the districts in the region into two spheres. First we had the settler district regions and the Native districts. The European system of administration introduced the provincial administrative units which in turn created ethnic based districts. The move divided Africans by introducing ethnic claim over certain territories. In the same line the Districts were given ethnic names or named, after specific groups such as Nandi , Pokot, Marakwet just to mention a few hence exacerbating negative ethnicity that haunted Kenya.

The colonial administration also introduced an aspect of private ownership of property. The land tenure was therefore changed from communal to individual ownership. As the country moved towards independence the colonial administration and World Bank financed the process of purchasing former white highlands and resettling the Africans. In so doing the independence government did not put into consideration the indigenous people but adopted the principle of willing buyer, based on the purchasing power.

People from various ethnic groups formed societies through which they donated money to purchase the farms. Most of these groups turned into the North Rift, purchased land and named the farm's after their ancestral land. This explains the presence of Githamba, Wamuini, Nyakinwa, Karara and Ngenia farms in Trans Nzoia District, for the Kikuyu.

Nyabomo, Getta and North Kisii farms in Trans Nzoia for the Kisii. The Bukusu although advised not to purchase their own land by Elijah Masinde, they managed to purchase Weoya, Weyeta Birunda, Machunga and Muliro farms. The Kalenjin bought, Waitaluk, Tulwet, senendet, and Kaplamai farm. The Teso bought Amangoro farm and the Maasai bought Oloikiringet farm. Apart from African settlements, some Europeans also maintained their farms. The naming of these farms indicated the ethnic affiliation hence dictating where various groups settled.

When Kenya moved towards competitive politics in early 1990s, politicians misinterpreted the idea of pluralism as meaning evicting of non indigenous groups from the North Rift. It was quite easy to mobilize the Kelenjin youths to attack non Kalenjin because they could easily be identified basing on the farm of settlement. The political elites manipulated various ethnic groups in the name of defending their rights. In 1991, for instance, ethnic conflict erupted for the first time in the North Rift as the opposition forces of combined civil society and lobby groups backed by the international community called for the introduction of multiparty system of government in Kenya.

Although many people viewed the conflict as short lived, it always recurred during the election period between 1991 and 2007. The frequency in conflict eruption meant economic, social and political disruption. Many people lost their lives impacting negatively on various families. The number of orphans increased in the region. Property worth billions of shillings was destroyed increasing the level of poverty and also some

people could not vote due to displacement that the conflict caused. The North Rift conflict therefore, impacted on every sector of society.

Generally the research achieved its objectives. The findings from the field proved that ethnicity was used in the North Rift as a tool of political violence. The theoretical framework informed the research because the communities that conflicted always aligned themselves as “we” and our community against “them” who were either seen as intruders on the perception that the Kalenjin had. While the perception of the non-Kalenjin was that, “they” (Kalenjin) are jealousy due to our development. To avoid the recurrence of conflict there should be a strong government presence in the region to monitor the situation.

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