CULTURAL PLURALISM AS A SOURCE OF POLITICAL INSTABILITY IN KENYA:

A CRITICAL ANALYSIS

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REG NO.: R5O/64611/2010

A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENT OF THE DEGREE OF MASTER OF ARTS IN INTERNATIONAL CONFLICT MANAGEMENT TO THE INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES (IDIS), UNIVERSITY OF NAIROBI

NOVEMBER, 2013

DECLARATION

I, Ettah Achieng' Muango do hereby certify that this research is my own original work and has never been published or submitted for publication in any University.

Sign………………………………Date………………….

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This research project has been submitted for examination with my approval as University supervisor.

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ABSTRACT

Since her independence in 1963, Kenya has been marred by a wave of political instability that is ethnically motivated. This research endeavors to within the context of the broader historical background of conflict in Kenya and the theoretical framework on modernization to deal with the effects of cultural pluralism on ethnic tolerance and political instability. It is a critical analysis of cultural pluralism as a source of political instability in Kenya and great emphasis is laid on the post election violence of 2007-2008 and others that preceded it though not of similar magnitude. The research is illustrative of how ill-focused methodologies tend to substitute ethnic accommodation in favor of the culture of exclusion founded on ethnic affiliation. In terms of research design, the work is grounded in data collection and theoretical research. The collected data is divided into four parts. The first part offers a systematic presentation of data relating to culture, ethnicity and political instability in Kenya. The second part qualitatively gives an over view of political instability in Kenya in an effort to develop a more complete understanding of the origin of conflict both at the individual and group level. The third part covers cultural pluralism as a source of political instability in Kenya. The fourth part is a critical analysis of the linkage between cultural pluralism and political instability in Kenya. It concludes by providing some key recommendations that if well implemented would contribute to the achievements of the prospects of viable and sustainable institutions in plural societies.

ACKNOWLEDGEMENT

DEDICATION

I dedicate this research project to my husband, my son Michael and daughter Wambui who have taught me the virtues of endurance and perseverance. It is also dedicated to my father and mother who have taught me that even the largest task can be accomplished if it is done one step at a time.

TABLE OF CONTENTS

ABBREVIATIONS

AIDS-Acquired Immune Deficiency Syndrome

ANC- African National Conference

DBA- Development Bank of Asia

DP- Democratic Party

EU- European Union

FORD- Forum for Restoration of Democracy

GEMA- Gikuyu, Aembu, Meru

GDP-Gross Domestic Product

ICC- International Criminal Court.

KAMATUSA- Kalenjin, Maasai, Turkana and Samburu

KANU-Kenya African National Union

KPCRD- Kenya Police Crime Report Data

KADU- Kenya African Democratic Union

KPU-Kenya People's Union

KCA- Kikuyu Central Association

KPA- Kalenjin Political Alliance

KNC- Kenya National Congress

LU- Luhya Union

MRC- Mombasa Republican Council

MUF-Mwambao United Front

NGO-Non Governmental Organisations

NARC-National Rainbow Coalition

ODM- Orange Democratic Party

PNU-Party of National Unity

PEV-Post Election Violence

SDP- Social Democratic Party

SAPs- Structural Adjustment Programs.

TNA-The National Alliance

THA-Taita Hills Association

UN- United Nations

UMA- Ukambani Members Association

USSR- Union of Soviet Socialist Republics

YKA- Young Kavirondo Association

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.0 Introduction

Empirical studies of recent comparative research in political science have focussed on the investigation of those characteristics of Nations and of social change in Nations which reduce the likelihood of national political instability[1]. Statistical variables measuring social, economic or political phenomenon and measures of the frequency of events involving political violence in nations have been explained most commonly in terms of elaborations of the frustration-aggression theory. The theory's main tenets are that the primary causes of political instability are the variation in systemic frustration, relative deprivation, satisfaction or the frustrating consequences of external dependence on foreign grants[2]. Having an almost convincing and practical analysis of the causes of political instability in Kenya from the frustration-aggression theory we must seek to investigate whether cultural pluralism has any bearing on political instability. The pertinent question is; does cultural pluralism contribute to political instability?

1.1 Background

Cultural pluralism manifests itself when smaller groups within a larger society maintain their unique cultural identities, values and practices that are accepted by the wider culture provided they are consistent with the laws and values of the wider society. For the purpose of this study the society is the Nation. It therefore refers to the degree to which national populations are divided into mutually exclusive and culturally distinctive groups. The unique groups not only co-exist side by side, but also consider qualities of other groups as traits worth having in the

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[1] Davies C. James *"Political Stability and Instability": Some Manifestation and Causes*, Journal of Conflict Resolution, Xii (March 1969) pg 1-17.
[2] Fieiraband, *Aggressive Behaviors within Polities*; Midlarsky and Tanter, *Toward a Theory of Political Instability*.

dominant culture.[3] It can further be described as the dynamics through which minority groups participate fully in the dominant society, yet maintain their cultural differences. What is a pluralistic society? A pluralistic society is one in which different groups interact while showing a certain degree of tolerance for one another, where different cultures co-exist without major conflicts, and where minority cultures are encouraged to uphold their customs. Furnivall describes cultural pluralism as the social structure of tropical colonies in which the inhabitants participate in the colonial economic market but live for non-economic purposes in separate groups with distinct values, customs and social institutions[4].

Ethnic conflict presents difficulties in culturally pluralistic societies for orderly, democratic government as they are so vulnerable or prone to it due to the inherent differences that these societies possess. Ethnic diversity and political instability are not, however, limited to developing countries. If so then it would be correct to assume that economic development and urbanization would eliminate ethnic tensions and facilitate stable government. For example, French-Canadians increasingly express their separatist sentiments. Gagnon states "the Canadian system has been successful not so much in resolving conflict as in managing it and striking a flexible balance between the divergent views of the initial bargain". The dominant issue in Canada has been the nature of the fundamental bargain between the Anglophones and the franco-phone.

The acceptance of a culture may require that minority remove some parts of their culture which is incompatible with the laws and values, or otherwise deemed to be offensive to the dominant

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[3] Alexander, Thomas: 1987,*John Dewey's Theory of Art, Experience, and Nature*, SUNY Press
[4] Furnival J.S in John Rex, "*the plural society in sociological theory*," British journal of Sociology (1959)

culture. For example equality among men and women is one of the great accomplishments of Western societies but it is incompatible with a strict adherence to the Qur'an teachings and most traditional African practices. Thus Nation States such as Kenya's adherence to cultural pluralism will not be sustainable in the light of the mistreatment of women and cultural practices that are repugnant to the general well being of women.

In order for cultural pluralism to have any application, it must be a belief held by a majority, or one that is enforced within the society. Kenya took an important milestone in this regard with the enactment of the Kenya Constitution 2010.

In order to understand cultural pluralism in the context of political instability Morrisons and Stevenson define Political instability as a condition in national political systems in which the institutionalised patterns of authority break down and the expected compliance to political authorities is replaced by violence intended to change the personnel, policies or sovereignty of the political authorities by injury to persons and property[5].

1.2 Statement of Research Problem

Many countries display ethnic rivalries in various ways especially during political elections. In Kenya, communal violence and independence go hand in hand. In the Sudan Muslim Arabs opposed a Southern secessionist African movement. An uneasy peace has since been maintained since the signing of the comprehensive peace agreement in Nairobi in 2005, but is continually threatened by intense ethnic animosities.

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[5] D.G Morrison & H. M Stevenson, *Cultural Pluralism, Modernization and Conflict: Empirical Analysis of Sources of Political Instability in African nations*; Canadian Journal of Political Science vol 5 No. 1 (March, 1972)

Kenya is among the many African nations in which ethnic conflict conditions politics through chronic civil strife since independence in 1963. Violence and its consequent feeling of insecurity erode the poor's social capital, dismantle their organizations, prevent social and physical mobility, and perpetuate poverty.[6]

On 5th January 2008, at the height of post election violence, the United Nations Office for the Coordination of Humanitarian Affairs observed that the majority of the city's inhabitants live in its sprawling slums and it is this impoverished population that bore the brunt of the violence and disruptions unleashed in the wake of the 27 December presidential elections.[7] This study seeks to explore the contribution of negative ethnicity in political instability in Kenya, what role does the formation of political parties and alliances along ethnic lines play in political stability in Kenya? What role does marginalization of minority cultures play in creating political instability in Kenya?

1.3 Objectives of the Study

General Objective

The general objective of this study is to explore the impact of cultural pluralism in ethnic conflict in Kenya.

Specific Objective

1. To explore the contribution of negative ethnicity to political instability in Kenya;

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[6]Okello Oculi, The African Development Bank: Visioning New Frontiers In Governance In Africa, in a presentation at the African Research and Development Forum, Nairobi 26th October, 2006

[7]United Nations Office for the Coordination of Humanitarian Affairs, In-Depth: Kenya's Post Election Crisis, IRIN News, 2008.

2. To analyze the role of formation of political parties and alliances based on ethnic lines to political stability in Kenya;

3. To interrogate whether marginalization of minority cultures plays any role in creating political instability in Kenya.

1.4 Literature Review

Coser defines Conflict as a struggle in which the aim is to gain objectives and simultaneously neutralize, injure or eliminate rivals[8]. Today, different communities continue to consciously or subconsciously rely on ethnicity to perpetuate their dominance and hegemony in an atmosphere characterized by scarce resources, fear and prejudice.[9] The emergence of ethnic conflicts in the country is so widespread even in areas considered cosmopolitan such as cities and other major urban areas where cultural pluralism should serve the collective interests of all. There is need for a new approach to ethnic conflicts management to avoid its periodic recurrence and the possibility of degenerating into civil strife. From the recent experience and studies carried out on ethnic conflicts in Kenya and the Horn of Africa, there is increasing evidence to suggest that even where violent ethnic conflict is absent or has been brought under control psychological trauma (fear and suspicion) lingers among the elite and poor urban populations as is the case of Kibera in Nairobi.[10] This study offers some empirical evidence to confirm the psycho-social, economic and political effects of ethnic conflicts and their implications on national cohesion, stability of the State and development of Kenya. It seeks answer to the following questions; does the marginalization of minority cultural groups create political instability in Kenya? To what

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[8] Lewis Coser, (1956), The Functions of Social Conflict, Glencoe,Iii,; Free Press p8
[9] Allen, T & Seaton, J. (eds) (1999). *The Media of Conflict: War Reporting and Representations of Ethnic Violence.* Zed books: London.
[10]Andreassen, B. and Tostensen A. (2006) 'Of Oranges and Bananas: The 2005 Kenya Referendum on the Constitution.' Chr. Michelsen Institute – CMI Working Paper Number 2006:13 at www.cmi.no/publications

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extend does ethnically inspired political parties or associations hinder national cohesion and political stability of the State? What is the contribution of negative ethnicity to political instability in Kenya?

Negative ethnicity yields hatred between communities which in turn develops into conflict as witnessed in 2007/08. The Rwandan genocide gives a classical example of how negative ethnicity left unchecked can degenerate into unprecedented conflict i.e genocide. Ethnic conflict undermines nationalism, condones corruption and poor governance as those in power use their communities to shield them from public scrutiny and accountability.[11]

The creation of ethnically inspired political groups has occurred either as a response to perceived persecution or as political mobilization aimed at excluding other communities from access to resources. Some of the effects include underdevelopment of some regions perceived to be anti-establishment, leading to increased poverty levels and lack of optimization of available resources.[12] Nepotism in recruitment and employment opportunities in the private and public sectors resulting in unqualified and incompetent workforce. This results in poor performance, low motivation levels, brain drain, lower-than-optimal Gross Domestic Product (GDP) and a host of other retrogressive effects. Negative ethnicity also results in hatred and suspicions and very easily deteriorates into bloodshed as was witnessed on a large scale in the 2008 post election violence.

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[11]Amutabi, M (2007) 'Intellectuals and the Democratic Process in Kenya', in *Kenya, the Struggle for Democracy*, G. R. Murunga and S. W. Nasong'o (eds) London: Zed Books, pp. 197-226
[12]Barno, R. (2008) 'Kenya: After the Crisis, Lessons Abandoned, Commentary,' *African Security Review* Vol. 17(4) pp172-177

Since the 1991 constitutional reform where Kenya restored multi party politics, there has been a clear correlation between elections and violence as the KANU government employed two main strategies of using "ethnic cleansing" for political gain.[13] First, violent attacks in large numbers of communities perceived to be anti-establishment in the Rift Valley prior to elections in 1991 and 1997 were intended to create an opposition exodus from the area. By doing this, the Kikuyu, Kisii, Luhya and Luo who formed the bedrock of the opposition then were displaced before the electioneering day and therefore could not vote. Secondly, the ethnic cleansing after elections was intended to punish the opposition supporters who did not vote for then President Moi and his KANU party.

Kibera is an informal settlement on the outskirts of Nairobi about 5 kilometres from the city centre. The breakdown of ethnic groups inhabiting Kibera and their gender-specific representation is Luo: 34.9% male, 35.4% female; Luyia: 26.5% male, 32.5% female; Nubian: 11.6% male, 9.1% female; Kikuyu: 7.9% male, 6.4% female; Kamba: 7.5% male, 10.3% female; Kisii: 6.4% male, 2.2% female; Other: 5.2% male, 4.1% female[14]. The original settlers were the Nubian people from the Kenya/South Sudan border and they occupy about 15% of Kibera. They are also predominantly Muslim. The Kikuyu ethnic group is the majority in Nairobi and are currently the absentee landlords who own most plots within Kibera though the land belongs to the government[15].

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[13] Ibidp8

[14] Annabel S. Erulkar, James K. Matheka. **"*Adolescence in the Kibera Slums of Nairobi Kenya*"** Population Council.

[15] Parsons, T. (1997). "Kibra Is Our Blood": The Sudanese Military Legacy in Nairobi's Kibera Location, 1902–1968. The International Journal of African Historical Studies, Vol pp3087–122

From the above analysis it is clear that the majority of the tenants in Kibera are Luo, Luhya and

Kamba who come from the western and eastern parts of Kenya. There are perennial tensions in

Kibera,[16] particularly ethnic tensions between the Luo and Kikuyu. The African Population and

Health Research Centre have established that ethnic violence is the second leading killer after

AIDS and tuberculosis in Kibera slums.[17] The Kenya Police Crime Report Data (KPCRD) for

2007 indicated that there were 876 cases of rape, 1,984 cases of defilements, 181 cases of incest,

198 cases of sodomy, 191 cases of indecent assault and 175 cases of abduction in Kibera. This

violence has taken a terrible toll on communities and left a lasting imprint on cultures, social

institutions and people's psyches.[18] The scale of suffering, according to Aina[19], is beyond the

imaginable and beyond humanitarian concerns, and ought to be an important subject of inquiry

for researchers as well.

Ethnicity in itself refers to the degree of conformity by members of the community to the

collectively shared norms in the course of social interaction.[20] An ethnic group is a collection of

people who share common patterns of normative behaviour and form part of a larger population,

interacting with people from other collections within the framework of a social system.[21]

Ethnicity can be conceptualized in two ways, as an organizational form and as a process. As an

organizational form, an ethnic group is regarded generally as a social collectivity whose

members not only shares such objective characteristics as language, core territory, ancestral

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[16] Ibid
[17] APHRC (2008), *The causes of violence and diseases in Kibera slum. Population Health Metrics*, vol 2 pp 190-195.

[18] Mkandawire, T.(2002). "The terrible Toll of post- colonial Rebel movements in Africa" towards an explanation
    of violence Against the peasantry' *A journal of modern African studies*, 40:127-136.
[19] Aina, T. (2002). Scales of suffering, orders of emancipation; Critical issues in democratic development in Africa.
    An address to the Nordic Africa institute's 40th anniversary conference on knowledge freedom and development;
    Uppsala, September, in *African Sociological Review*, 7:73-116.
[20] Cohen, A. (1974). "*The Lesson of ethnicity*" In Mayer, D. *Urban Ethnicity*, London: Tavistock. pp 150-176
[21] Ibid above

myths, culture, religion and political organization but also have some subjective consciousness or perception of common descent or identity.[22]

Furnivall states that a plural society is one characterized by cultural divergence, limitation of cross-cultural contacts to economic relations, economic specialization by cultural sectors, lack of shared values and absence of a common will[23]. The resultant society is held together by colonial power in a precarious and unstable social form[24]. Smith on the other hand uses cultural pluralism to describe societies that consist of the co-existence within a single society of groups possessing mutually incompatible institutional systems i.e social structures, values and belief patterns and systems of actions which form the core of any culture[25].

As a process, ethnicity can be seen at two levels: intra –group and inter-group relations. Lonsdale refers to these two levels of ethnicity as 'moral ethnicity' and 'political tribalism'[26]. Moral ethnicity is where a distinct group applies its distinctiveness in mutual socio-economic obligation and support, whereas political tribalism entails rivalry and competition among different ethnic groups over access to state resources.[27] The application of the subjective sense of common identity is developed only in the context involving relationships. Ethnic identity is the product of contact rather than isolation and legitimizes claims to rights.

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[22] Ibid above

[23] J.S Furnivall, (1984) "Colonial Policy and Presence, London, Cambridge university press pp303-312,

[24] Veral Rubin ed, (1960)"social and cultural pluralism in the Caribbean" Annals of the Newyork Academy of Science pp761-916

[25] Smith M.G, The Plural Society in British West Indies p 82

[26] Lonsdale, J. (1994). "*Moral Ethnicity and Political Tribalism*": In Kaashun, P. and Helton, J. *Inventions and Boundaries pp 60-163*. London: Roskilde.

[27] Ibid

The emergence of ethnicity is facilitated by group contacts, however minimal, in which cultural distinctiveness become the framework of that contact.[28]Mnoli views ethnicity as a phenomenon associated with competition, exclusiveness and conflict.[29] Ethnicity emerges from mobilization and politicization of ethnic group identity in situation of competitive or conflictual ethnic pluralism.[30] Lonsdale argues that ethnic stratification emerges when specific ethnic groups are brought into contact with one another, and only when those groups are characterized by a high degree of ethnocentrism, competition and differential power. Ethnocentrism is the tendency to look at the world primarily from the perspective of one's own culture, and downgrade all other groups' outside one's own culture.[31]

Wamwere argues that negative ethnicity is responsible for the deep-seated tensions in Africa that the world has seen flare so terrifyingly.[32] He maintains that negative ethnicity is the root cause of untold deaths on the continent, disputing the idea that it a result of historical ethnic conflicts. The current ethnic tensions have their roots in the colonial and pre-colonial eras.[33] Negative ethnicity can be linked to perpetual poverty, broken cultural identity, poor governance that breeds authoritarian regimes, corruption, the colonial legacy of hate, and the ongoing exploitation by the elites.

When inequality has a direct co-relation with identity, it gives rise to new ethnic discontents which give rise to a new politics of violence against the prosperity of the dominant communities

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[28]Berman, B. (1988). Ethnicity, *Patronage and politics of Uncivil Nationalism*, African Affairs Journal*, 97: 213-215.
[29]Mnoli, O. (1998). *Ethnic politics in Africa* .London: Russel.
[30]Jonyo, F. (2003)."Centrality of Ethnicity in Kenyan politics", In Walter Oyugi, *The Politics of transition in Kenya; from Kanu to Nark*pp 60-62.Nairobi: Heinrich ball Foundation.
[31]Lonsdale, J.(1994). *"Moral Ethnicity and Political Tribalism"*: In Kaashun, P. and Helton, J. *Inventions and Boundaries pp 60-163*. London: Roskilde.
[32]Koigi, W. (2003).*Negative Ethnicity: From bias to genocide*. Nairobi: Seven Stories Press.
[33] Ibid p 8

and in the long run perpetuate poverty and violence, erasing the benefits of growth as well as national cohesion.

Ethnically instigated Conflict usually occur in areas where two or more ethnic groups share a common border. Raids based on the differences in traditional ideologies about cattle conflicts[34] over political hegemony (e.g., between the Wanga kingdom and the Ugenya Luo), or cultural differences. Within the urban setting ethnically identical groups tend to settle in certain areas. This is particularly the trend among the poor as is the case for Kibera where specific villages are dominated by particular ethnic groups. People who have migrated into the towns continue to retain their identities at various levels.[35] At a higher level people from the same ethnic group see themselves as having something in common among them. This is particularly manifested in the occasional coming together either formally or otherwise of people belonging to an ethnic group.[36] These organizations serve as a vehicle to champion the interest of an ethnic group but in times of difficulties they degenerate into ethnic enclaves hostile to their perceived adversaries.

Gurr identifies several conditions that have contributed to the animation and mobilization of ethnic grievances.[37] These include unequal treatment of groups of communities by dominant or mainstream groups, competition with other groups for access to power in the State, the contagious effect of ethno-political activism in other regions, pattern of state building including political power and economic development that channel communal energies into either protests

[34]Odak, O. (1971). *Ethnology, East African History and Sociology* East African Journal, 7 pp37-38.
[35]Odak, O. (1996) *Perspective and Oscillation in Ethnic and Cultural Identity in Rural and Urban Kenya*. A paper presented at the Conference of the Pan African Anthropological Association and the Association for Anthropology in Southern Africa, University of South Africa, Pretoria. 5-7 September, 1996.
[36]Ibid
[37]Gurr, T. (1993). *Minorities at Risk: Global view of ethno political conflict*. Washington DC: Institute of Peace Press.

or rebellion and, finally the emergence of ethnic elites who are willing to , and are adept at mobilizing their constituents in response to changing political development, opportunities and resources.[38]

Mayer posits that, the urban settlement pattern follows ethnic loyalty where members of a particular community dominate a certain section of the city and form informal organizations based on ethnic background.[39] New comers are welcomed by their kinsmen when they come to the city. Parkin,[40] points out some developments that provide the basis of the belief held by the Luo in Nairobi that since Kenya's independence the Agikuyu were acquiring political power, in the nation as well as the city, at their expense.[41]

In Africa, competitive politics are held in a number of countries where new parties and people's organizations emerge that draw support from ethnic groups. The Kenyan case presents a complex experience where ethnicity asserts greater influence on polity, economy and social value. The permeating influence of ethnicity in Kenya weakens the nation State, patriotism, democratization and governance.[42] Historically Kenyan political parties enjoyed ethnic backing as pointed out by Parkin.[43] The Kenya People's Union was formed to cater for the interests of the Luo after the fallout in KANU. As the proportions of the Agikuyu in Nairobi began to increase after the emergency period, the labour force, housing estates, and small businesses, reverted swiftly to

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[38] Ibid
[39]Mayer,D. (1974). *Urban Ethnicity*. London: Tavistock.
[40]Parkin, D.J. (1966) *Urban Voluntary Associations as Institutions of Adaptation*. London
[41]Ibid.
[42]Ocharo, R. (2008). *Constitution Making; A Mechanism for Conflict Prevention, Management and Resolution*. Nairobi: University of Nairobi Press: Omolo,K.(1998) Political Ethnicity in the democratization in Kenya; *African StudiesBasingstoke*,61:2-4: Oyugi, W. (1999).*Ethnicity in the Electoral Process; the 1992 General Election in Kenya.*
[43] Ibid.

pre-emergency level. This scenario posed a serious threat to the Luo who owned most of these resources.[44]

After Kenya became independent in 1963, a number of forms of housing were made illegal by the government. The new ruling affected Kibera on the basis of land tenure, rendering it an unauthorized settlement. Despite this, people continued to live there, and by the early 1970s landlords were renting out their properties in Kibera to significantly greater numbers of tenants than were permitted by law. The tenants, who are highly impoverished, cannot afford to rent in better residential areas, finding the rates offered in Kibera to be comparatively affordable. By 1974, members of the Kikuyu tribe dominated the population of Kibera, and gained control over administrative positions, which were kept through political patronage.[45]

Risk groups for potential ethnic conflict are defined by crossing failings in social insertion for reasons of cultural status or race to factors such as performance in school, family situation, gender, reliance upon social security or unemployment, age, drop-out levels, juvenile delinquency or area of residence.[46] It could be asked how the weaknesses of policies or measures aimed at the elimination of ethnic and cultural discrimination will be debated and considered publicly, especially when the new political mindset tends to alienate the autonomy and creativity that is emerging from the civil society.[47] Though the Nubian community claims original

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[44]Ibid.
[45]Ibid.
[46] Cohen, A. (1974) *Two-Dimensional Man: An Essay on the Anthropology of Power and Symbolism in Complex Society.* Berkeley: University of California Press.
[47]Keen, D. 1999. '*Who's In Between? Ethnic Wars and Rational Violence*', in *the Media of Conflict: War Reporting and Representations Ethnic Violence,* T. Allen and J. Seaton (eds) London: Zed Books, pp. 81-101.

ownership of all the land in Kibera the Government does not recognize their claims[48]. Presently, Kibera's residents represent all the major ethnic groups in Kenya, with some areas being specifically dominated by people of one ethno-linguistic group.[49] Whereas a lot of literature concentrates on the causes of ethnic conflict very little work has been on tolerance among different ethnic groups.

1.5 Justification of the Study

Violence has inflicted a lot of pain on individuals and families because it leads to death and injuries. According to the study conducted by Development Bank of Asia (DBA), violence and its consequent feeling of insecurity erodes the poor's social capital, dismantles their organizations, prevents social and physical mobility, and perpetuates poverty. Violence inhibits productivity and income–earning capacity, affects the investment climate, destroys infrastructure and disrupts delivery of services. On 5th January 2008, at the height of post election violence, the UN Office for the Coordination of Humanitarian Affairs News Agency observed that the majority of the city's inhabitants live in its sprawling slums and it is this impoverished population that bore the brunt of the violence and disruptions unleashed in the wake of the 27 December 2007 presidential elections. This violence took an ethnic dimension but it was also noted that most people were shot dead or wounded by the police during demonstrations. More than 1300 people were killed and 600,000 displaced from their homes.

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[48]Elischer, S. (2008) *'Ethnic Coalitions of Convenience and Commitment: Political Parties and Party Systems in Kenya'*. German Institute of Global and Area Studies (GIGA) Working Paper No. 68.
[49]Dagne, T. (2008) '*Kenya: The December 2007 Elections and the Challenges Ahead*, Report For Congress. Congressional Research Service CRS, 17th September 2008

In order to understand the genesis of the ethnic conflict, it is important to consider Kenya's colonial legacy. The Kenyan post-colonial State was a product of a divide-and-rule scheme that had been perfected by the British colonialists in many sub-Saharan countries, including South Africa. This system involved setting one ethnic community against the other and ensuring that any possibility of unity among Africans remained remote and seemingly untenable. This deceptive strategy was particularly employed with much desperation at the sunset of colonial rule in Kenya. It is a historical fact and current reality that most Kenyan Counties are haunted by actual or potential ethnic conflicts. This stems from the fact that most administrative units today, are a creation of the colonial era where the most important ingredient of an administrative unit was ethnic considerations. An ethnic group or an individual that was seen as co-operative to the colonial interest was economically and politically "rewarded" at the expense of one deemed to be hostile such was the case of Nabongo Mumia of the Wanga who collaborated with the colonialists. Thus the concept of an ethnic group as a foundation of economic and political mobilization became institutionalized then and has yielded negative ethnicity in post colonial period a factor that is a major impediment to national cohesion of the people of Kenya.

The Persistence of violence in Kenya has an impact on perpetuation of poverty and hence the need to look at the root causes of violence. This study is aimed at bridging the gap by providing more information on violence in the Kenya. Such information will assist the relevant government ministries to develop policies that promote peaceful coexistence among different ethnic communities in Kenya and also initiate development programmes as well as enhancing national security for all citizens. Non-governmental organizations in Kenya can use the information from this study to implement their projects especially, those which are aimed at addressing insecurity.

The study findings will be useful to other scholars who may use them as a reference point for future related studies.

1.6 Research Questions

This study endeavors to answer the following pertinent questions on the factors that contribute to ethnic conflict.

1. Does negative ethnicity contribute to political instability in Kenya?

2. What is the role of political parties formed on ethnic cleavages in political instability in Kenya?

3. Does the marginalization of minority cultures influence political instability in Kenya?

1.7 Theoretical Framework

An attempt to base a theory of ethnic conflict on theories of international relations is likely to end by resting one unknown upon another[50].There is a paradoxical relationship between modernisation and political instability in which modernity produces stability and modernization instability[51]. Modernization is characterized as a phased and gradual, irreversible progression towards relatively homogenous forms of liberal democracies and, as a natural consequence of this process, positive changes in cultural values, individual autonomies, political tolerance, rationality and legalism, etc. Modernization lays emphasis on modern elites, modern stratification system and modern sectors of developing societies. Modernization and development theorists like Samuel Huntington suggest that modernization reinforces an *"existing nation-state or political state in which liberal democracy is held up as an ideal form of political*

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[50] Donald L. Horowitz (1985) Ethnic Groups in Conflict, Berkley & Los Angeles, University of California press, p94

[51] Huntington P. Samuel , *Political Order in Changing Societies* (New Haven, Conn, 1968) p 47

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organization..."[52] *and as such consequently lead to the reduction of the potential conflicts on both individual and group level*. The trend observed lately is where traditional modernization theory goes in line and somewhat converges with the new emerging literature on globalization and the new world order. Modernization thus produces instability because of the frustrating ways in which people are pulled out of their traditional cultures into modern economies and political systems. It also produces instability by superimposing lines of economic stratification on lines of cultural cleavage.[53] Deutsch proposes another theory in place of modernisation which he calls social mobilisation that was conceived as an overall process of change which happens to substantial parts of the population in countries which are moving from traditional to modern ways of life[54]. He suggested that ethnic conflict is the product of something analogous to a race between rates of social mobilisation and the rates of assimilation. The mobilized but unassimilated person is the first crude indicator of group conflict. Bates while differing with Deutsch argues that social mobilization fosters competition especially in the competitive modern sector as it is the competitor within the modern sphere who feels the insecurities of change most strongly and who seeks the communal shelter of tribalism even as he seeks the many new changes brought by modernisation[55]. Educated urban elites organise collective support to advance their position in the competition for the benefits of modernity.

People's aspirations and expectations change as they are mobilised into modernising economy and polity. They begin to demand more goods, recognition and power. The orientation of the

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[52]Shapiro, Michael J., (1997); *Violent Cartographies: Mapping Cultures of War*, University of Minnesota Press. p54
[53] Deustch W. Karl, (1961) "*social mobilization and political development*," American political science review, LV pp 493-514
[54] Ibid at p493
[55] Roberts H. Bates (1974), Ethnic Competition and Modernization in Contemporary Africa, Comparative Political Studies Vol 6 pp457-484

mobilised to a common set of rewards and parties to rewards means in effect that many people come to desire precisely the same things and hence conflict. The conflict does not arise because people are different but because they are essentially the same. It is the making of more alike men in demands and wants that modernisation tends to promote conflict[56]

According to the concepts put forth by the modernization theorists, *"a well-designed constitution, strong legal and regulatory infrastructure and defined political and economic freedoms…"[57]*lay a solid foundation for the politically peaceful liberal democracies. At this point, it is important to bring up the notable fact that in this work emphasis is laid on the modernization theory as it relates to cultural pluralism with regards to political instability; and although it will not focus on the vast amount of academic literature and theory that stresses in not so salutary political effects of westernized style modernization in the developing societies and the third world where it is known to create class dislocations as growing discrepancies between rich and the poor, minorities, political and psychological stress on groups and individuals because of the economic changes etc. It is nevertheless worth mentioning, as these developments intensify with modernization.

Modernization theorists see industrialization and its increasingly complex division of labor, enhanced communication, urbanization and rationalization of political and societal institutions as leading to more universalistic principles and more cosmopolitan identities and commitments. People with greater occupational status and higher educational attainment, persons involved in non-traditional organizations and associations should also be more tolerant, as should those most

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[56] Melson and Wolpe, modernization, p 114
[57] Ibid above at p 510

exposed to the wider, more cosmopolitan world. On the other hand, they state that, *"strong religious and traditional values are seen as providing support for political intolerance and violence as well as the nationalist political agendas..."*[58]So modernization's positive impact on cultural pluralism is based in the compelling effects of national diversity, urbanism, mixed family structures, gender equality and participation in formal organizations it promotes.

Modernization theory states that industrialization and its associated political and occupational transformations imparts greater universalism and acceptance of ethnic and national differences; "general effects of modernization on socio-political participation are more important in generating increased tolerance than the effects of industrialization on education and the occupational structure…".[59] Stevenson and Morrison, in their work, offer converging evidence that increased modernization decreases the probability of political instability. They show evidence of increasing national income or secondary school enrolment that consistently leads to the decreasing probabilities of communal and therefore political instability. They go on to suggest that; "…modernization does inhibit political instability, but only if it is a constant feature of national development over time…,…sustained modernization, if not obstructed by political mismanagement, will facilitate the regulation and moderation of conflicts…" [60].

From the above exposition two elements advanced by modernists such Morrison and Stevenson are quite evident. They believe firstly that consistent modernisation would eventually outdate traditionalism. Secondly that ethnic conflict as a tradition is a stubborn impediment to

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[58]Hodson, Randy, Sekulic, Dusko and Massey, Garth, (1994) *National Tolerance in Socialist Yugoslavia*, American Journal of Sociology, pp.1534-1558.

[59] Ibid

[60]Morrison, D.G. and Stevenson, H.M., (1972); *Cultural Pluralism, Modernization, and Conflict: An Empirical Analysis of Sources of Political Instability in African Nations*, Canadian Political Science Association, pp.82-103.

modernisation. However the opponents of modernisation maintain that ethnic conflict is the product of modernisation[61]. Modernization theorists believe that the innovative strata associated with modernisation in general i.e educated elites, urban dwellers and army offices are the most detribalized sectors of society[62]. This as we shall see in the study is farfetched as the strength of ethnic affiliations and the status of many who hold tight to them have made it impossible to regard ethnic conflict as an anachronism on the verge of disappearance. It has been established that whenever ethnic violence flares up in urban areas all over the developing countries the armies were divided by ethnic tensions often leading to coups and killings. In Kenya the 1982 coup is reminiscent of this fact.

1.8 Research Methodology

The project employed a qualitative approach to cover the exploratory, descriptive and explanatory elements of the study. It is exploratory; in as far as it sought to understand the phenomenon of conflict necessitated by pluralism. Several attempts aimed at demystifying pluralism related conflicts have tended to be more historical. Researchers have focused on assessing conflicts in plural societies retrospectively through the advantages brought with historical hindsight. Thus, pluralism research has focused on the rise of environmentalism[63], the development of anti-apartheid thinking[64], the abolition of the slave trade, the emergence of

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[61] Harold, C. F & Gould A. (1966) "Religion And Politics In U.P Constituency" In Donald, Eugene & Simon, ed: South Asian Politics and Religion, Princeton: Princeton Press University Press, Chapter 3.

[62] David E. Apter, (1972),Ghana In Transistion, 2 ed rev ed, Princeton, Princeton University Press p148

[63] Conca, K. 1995. "Environmental Protection, International Norms, and State Sovereignty: The Case of the Brazilian Amazon" in Lyons, G. M. and Mastanduno, M. (Eds.) Beyond Westphalia? State Sovereignty and International Intervention. Baltimore: Johns Hopkins University Press. pp. 147 – 169.

[64] Klotz, A. 1995. "Norms Reconstituting Interests: Global Racial Equality and U.S. Sanctions Against South Africa". International Organisation. Volume 49. Number 3. Summer Edition. pp. 451 – 478.

human rights, and the fortification of gender equality.[65] Yet very little work has been conducted on conflicts resulting from plural societies.

Whereas understanding pluralistic conflict from a historical point of view is useful, it is worth noting that understanding pluralistic conflict given the current area of study is of importance too. The research through conflict analysis relates to prevailing circumstances in which a norm is alive, rather than a situation in which a conflict historically developed at one point in time. In addition, the research seeks to be both descriptive and explanatory. Through describing and making attempts towards analysing findings, this study seeks to apply modernization theory to empirical data, to assess which data would both strengthen and detract from the theoretical approach, and to provide an assessment both of the findings through the perspective of the theory, and of the theory from the perspective of the findings. It is therefore not assumed that only the theory can inform the validity of the findings, or that the findings can inform the validity of the theoretical approach, but that both the theoretical approach and the findings generated through the application of this approach must inform one another. The study is therefore considered deductive and inductive.

Descriptively, each section of the study lays out a chronological sequence of events, paying attention to the manner in which each affects the other, but going further by articulating a cohesive structure for the analysis of these events by configuring them in a particular manner which emphasises aspects of importance for the purposes of the study. Consequently, deductive arguments are supplemented with inductively derived insights to create an understanding of

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[65] Finnemore, M. and Sikkink, K. 1998. "International Norm Dynamics and Political Change". International Organisation. Volume 52. Number 4. Autumn Edition. Pp 887 – 917.

events which is plausible to others conducting a similar analysis.[66] Combining both deduction and induction provides a good starting point for the research, but also allows the research design to be flexible enough to meaningfully evaluate the usefulness of findings in a reflexive and flexible manner.[67]Building on this approach, the research also used discourse analysis as a primary means of investigation. Using secondary data (academic research, analyses of primary materials, reports, media analyses and other forms of documentation) source material to apply discourse analysis to generate, compare and assess findings.

1.9 Chapter Outline

➢ **Chapter One** introduces the research topic by providing a brief overview of the background; statement of the problem; objectives; justifications; theoretical framework; literature review; research question and objective; and methodology of the study.

➢ **Chapter Two** is an overview of political instability in Kenya.

➢ **Chapter Three** gives a critical analysis of cultural pluralism as a source of political instability in Kenya.

➢ **Chapter Four** examines the link between cultural pluralism and political instability in Kenya.

➢ **Chapter Five** entails the summary, key findings and recommendations.

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[66] Finnemore, M. 2003. *The Purpose of Intervention – Changing Beliefs about the Use of Force*. Cornell University Press : Ithaca.
[67] Ibid

CHAPTER TWO

POLITICAL INSTABILITY IN KENYA: AN OVERVIEW

2.0 Introduction

Chapter one provided a brief overview of the background; statement of the problem; objectives; justifications; theoretical framework; literature review; research question and objective; and methodology of the study were presented in the previous chapter. This chapter seeks to give an account of the events that have led political instability in Kenya. It covers the rise of ethnic clashes in Kenya where it presents an account of the ethnic violence experienced in the country; *Majimboism* against multi-parties which gives an account of how the fight for regional (provincial) independence fuelled ethnic violence; history of ethnic violence and political consequences; and multi-vocality of ethnicity.

The point of departure is that ethnic coalitions are favoured in electoral politics of patronage democracies because voters find it easier to code the beneficiaries of patronage by ethnicity than by other social categories as information is more readily available and politicians can most easily develop reputation as a provider by distributing patronage goods along ethnic lines[68]. Incompatible values may lead to conflict if one group infringes the precious norms of another. On the converse incompatibility of values could also prevent conflict by focussing the ambitions of various groups on alternative sources of gratification hence preventing them from clashing. Plural societies more often than not ignore the specific contributions that elites make to ethnic conflict and norms of moderation.

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[68] Chandra, Kanchan, (2004), why ethnic parties succeed: Patronage and Head Counts in India, Cambridge Univerisity Press, Cornell, Bradford and Ivo Welch, (1997), "Culture, Information and Screening Discrimination" Journal of Political Economy P104

2.1 The Rise of Ethnic Clashes in Kenya

The ethnicity question today is directly linked to the configuration of the State as unitary and heavily centralised. While this may not be directly responsible for the ethnicity problem, the use of ethnicity to access and hold unto the levers of State power results in exclusion of others[69]. The negative manifestations ethnicity evident in Kenya today have their roots in the independence struggle and the steps taken by the Kenyatta government to dismantle the Independence Constitution as well as controversial land policies adopted by the post independence government[70]. Towards the end of 1991, Kenya experienced unprecedented ethnic clashes that involved a massive transfer of privately owned land into the hands of KANU's strong adherents who ensured that the status quo of the governing party was maintained at every election by every means possible. This chapter demonstrates that this unprecedented level of violence, and the related withdrawal of state protection for private rights to land, was fundamentally linked to genuine challenges to patrimonial control. More often than not key KANU supporters diverted profound grievances surrounding land issues into electoral beneficial politics. In the aftermath of the 2008 post election violence it became salient that the conduct of the electoral campaigns and the violent manifestations of dissatisfaction with the outcome of the hotly contested presidential election exposed how deeply ethnic sentiment colours political and other relations.

During the Moi regime "ethnic clashes" were politically stage managed to counter the threats posed by multi-partism to avert any decline of patronage resources. These resources included informal youth militias and supporters within the provincial administration and local councils

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[69] Musila G. M, (2008) Federalism and the Ethnicity Question in Kenya: Limits, Fears And Prospects in Ethnicity, Human Rights And Constitutionalism in Africa, Kenyan Section of the International Commission of Jurists p 59

[70] Omanga B 'PS blames land woes on Kenyatta' The Standard 1 August 2008 citing Lands PS Dorothy Angote blaming President Kenyatta and senior members of his government for today's land problem

who cooperated to selectively withdraw state protection for those considered as "outsiders". The result being ethnic polarization that provided conducive atmosphere for winning elections and reinforcing local domination[71]. The early years witnessed acquisition and consolidation of huge chunks of land in the former 'white highlands' by the Gikuyu, Embu and the Meru, much to the chagrin of communities that historically settled in much of the Rift Valley - Kalenjin, Maasai and kindred groups such as the Samburu[72]. This settlement policy was effected against a background of opposition by the indigenous ethnic groups of the Rift Valley. Aware of this opposition, the Kenyatta regime relied on senior members of the Kalenjin community serving in the government notably the then Vice President Moi, to neutralize the political opposition to settlement.[73] The failure to return land to communities from whom it had been taken created deep resentment and the cry over natural resources which led to the creation of strong and mostly negative ethnic affiliation and identity.

From the above it is quite evident that ethnic clashes served as an electoral strategy, in addition to contemporary explanations that suggest that collective punishments also became a means for the highest level patronage bosses to increase bargaining power to prevent challenges to election results, promise "security" in exchange for votes in hostile constituencies, and prevent constitutional reforms that would potentially level the playing field[74]. Further, rather than merely activating pre-existing cleavages, it can be argued that this violence created fears of collective retribution among the ethnic constituencies "represented" by the regime[75]. This undermined

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[71] Oucho, J.O. (2002a) "Migration and Ethnic Relations in Colonial and Independent Kenya", *Bulletin of the Royal Institute for Inter-Faith Studies* 4 (2 (Autumn/ Winter): pp71-91.
[72] Walter Oyugi, (2000) 'Politicised Ethnic Conflict in Kenya: A Periodic Phenomenon', Addis Ababa, p5.
[73] Ibid above p5
[74] Medard, C. (1996) Ethnic conflicts in Kenya: *Afrique contemporaine* No. 180 October/December: pp 62-74
[75] Ibid above

potential multi-ethnic alliances at the local level. Such "divide and rule" tactics facilitated the consolidation of an ethnic basis of support, as well as the creation of "constituencies of conflict", those who benefited from the violence, have no interest in politics of reconciliation, and serve to police these violently imposed boundaries of fear between Kenya's peoples[76].

In 1991 some opposition politicians were involved in escalating violence, through encouraging their vulnerable constituents to rise up against other communities linked or associated with the oppressive KANU regime. Those targeted took up arms and killed in revenge, making the violence appear more genuinely like "clashes." There were also acts of opportunism, as some people used the disorder to punish personal enemies or grab land. This chapter demonstrates that the primary logic behind these "ethnic clashes" stem from the political objectives of a set of powerful actors within the highest level of the patronage system. Facing new challenges to their patrimonial domination, these patronage bosses initiated "clashes" as a means to maintain their grip on power[77]. Lonsdale argues that the key to post election crisis in Kenya lies in the changing role of the post-colonial state in relation to the country's ethnic terms of political trade[78].

2.2 *Majimboism* –vs- Multi-Parties

The major intention after independence was not only to mobilize Kenya's resources to attain rapid rate of economic growth but also to 'Africanize' the economy and public service. Alot of

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[76] Menkhaus, K. (1998) Somalia: Political Order in a Stateless Society" Journal of *Current History Vol.* 97 pp220-224.
[77] Nyukuri barasa kundu, the impact of past and potential ethnic conflicts in Kenya's stability and development, a paper prepared for the USAID conference on conflict resolution in the greater horn of Africa, June 1997 p10-13
[78] Ibid

emphasis was laid on growth rather than distribution[79].   President Moi's and Kibaki's

governments perpetuated pretty much a similar pattern of nepotism and cronyism[80]. Ethnicity has

thus become, not only a basis of political support, but also of political marginalization[81]. The

political class has as already demonstrated, since independence manipulated ethnicity in the

capture, consolidation and hold onto power. The call for multipatism was vehemently opposed

by KANU in 1992.[82]   Kenyatta built his powerbase among the Gikuyu, Embu and Meru

(GEMA) communities excluding the majority not only from the political, but also the social and

economic sphere of the State. President Moi, proceeded to similarly consolidate his power with

the Kalenjin community resulting in its ethnic domination and hegemony over state institutions.

The collapse of the National Rainbow Coalition (NARC) that swept Kibaki into power only two

years into the term was largely due to exclusion, or perceived exclusion, of non-GEMA players

who had been instrumental in the coalition[83]. In the 2007 general elections, both sides appealed

to ethnic bases. One need not look further than the provincial outlook of the Constitutional

Referendum, and the 2007 presidential election results.

Majimbo or devolution is an institutional arrangement, taking the form of a sovereign state, and

distinguished from other such states solely on the fact that its central government incorporates

regional units into its decision procedures on some constitutionally entrenched basis[84]. In the run

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[79]M Mak'O loo, (2005) 'Kenya: Minorities, indigenous peoples and Ethnic Diversity' in Minority Rights Group
   International,p 5.
[80] Martin Meredith, (2005) The State of Africa: A History of Fifty Years of Independence p402
[81] Otiende & Juma; Macharia Munene, (2002) 'The Colonial Policies of Segregating the Kikuyu, 1920-1964,
   Chemi   Chemi 2 International Journal of the School of Social Sciences, No.1, pp36-38
[82]Karimi, Joseph and Philip Ochieng. 1980. *The Kenyatta Succession*. Nairobi: Transafrica.
[83]The 2005 Kenya Referendum on the Constitution 5-6 (Chr. Michelsen Inst., Working Paper No.
   2006:13,
   (2006), available at http://www.cmi.no/pdf/?file=/publications/2006/wp/wp2006-13.
[84] King P, (2005) Federalism and Federations, 1982; See also Dimitrios Karmis and Wayne Norman
   Theories of federalism p1.

up to independence the structure of government especially on devolution as forged by the opposition was the most contentious issue. This was to imply that, once again, there was a need to protect "minority groups" and their property and control from a feared Luo-Kikuyu domination[85]. Proponents for a centralized system of governance while countering the clamour for multi-partism argued that *Majimboism* was an exclusionary project that was against national unity, and development. It was viewed as a call to align the boundaries of the provinces with imagined ethnic boundaries and, hence, purify them.[86] This was to ensure that even if they lose control of the central government, they could bargain with the new leaders on the basis of their political strength in ethnic enclaves where they had an iron grip on local politics. KANU patronage bosses equated the idea of *"majimboism"* with federalism, which was being advocated as a solution to ethnic conflict. However there were no discussions of reinstating regional assemblies, which would dilute central government control, was muted as the central government usurped the powers of the regional assemblies.[87] In fact the KANU made it impossible to implement the independence constitution of 1963 as it was unclear too know the centres of accountability and responsibility between the local, regional and national governments. The proponents for *majimbo* were branded anti-nationalists who opposed the broader goals of nationalism.

KANU had the intention of erasing political pluralism targeting the opposition and the system of government. It therefore went ahead and withheld funds, technical and logistical support from the central government to the regional governments. Even though the Forum for the Restoration

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[85] Anderson D, (2005) 'Yours in the Struggle for Majimbo' Nationalism and the Party Politics of Decolonization in Kenya, 1955-1964, Contemporary History p 40
[86]Kanyinga, Karuti. 1998b. *The Land Question in Kenya*. PhD Thesis RoskileUniversity.
[87]Ibid

of Democracy (FORD), propounded a liberal agenda it did very little to directly address the real concerns of "minority" pastoralist groups, many of whom had suffered some of the worst marginalization in the country under *both* the Kenyatta and Moi regimes. The involvement of wealthy Kikuyu brokers in privatization and accumulation of pastoralist land, especially fertile Maasai land,[88] gave concrete expression to fears of "domination". KANU *majimboists* directly played on these fears by telling their pastoralist and coast constituents that a victory for FORD would mean loss of their land.

Even though marginalization of pastoralists and coastal peoples proceeded under the Moi regime, the historical basis for the fear of Kikuyu domination lay in the memory of Kenyatta's rule. Kenyatta's government, justifiably, was perceived as deepening already existing inequities across regions and communities.[89] Without recognizing the fears of communities which absorb migrants and have little authority over land allocations, this liberal vision too easily hides the process of dispossession that is occurring through irregular and erratic privatization of grabbed land. Some members of the Kikuyu political class have fanned the flames by asserting Kikuyu superiority over pastoralist "backwardness". Thus, the *majimboists* played on contentious issues over land distribution and ownership and attempted to deflect responsibility while channelling genuine grievances in politically profitable ways.[90]

President Moi carefully maintained a public appearance of being above the multiparty-*majimbo*"debate". On 19 August 1991, he issued a statement condemning both sides and called

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[88]Galaty, John and Kimpei ole Munei. 1999. "*Maasai Land, Law and Dispossession*" In Cultural Survival Quarterly 22 (4): pp 68-71.
[89]Ghai Y.P. and McAuslan J.P.W.B. 1970.*Public Law and Political Change*. Nairobi: Oxford University Press.
[90]Wanjohi, Nick. 1997. *Political Parties in Kenya*. Nairobi: Lengo Press.

proponents of one or the other systems "agents of fragmentation and chaos when the situation called for peace and national unity"[91]. KANU stalwarts and key patronage bosses at public rallies not only decried multi-partism, but overtly threatened its proponents with violence. Government critics were warned to move out of Kalenjin areas for, "with majimboism, they would all be required to go back to their motherland".[92] Certain KANU sycophants directly advocated violence, saying that the residents of the Kalenjin districts were ready to take up arms against the multi-party proponents and were only restrained from doing so by the President. The implication was, of course, that if the president gave the word, they were ready to cleanse Rift Valley of "outsiders", described in *majimbo* rhetoric as *madoadoa* or dark spots.

Several meetings organised by KANU illustrated the willingness to use any means, including violence, to counter anti-government activists in FORD. In fact certain leaders called on the Kalenjins to "take up arms and destroy dissidents on sight".[93]Biwott lent his voice to the cause by making explicit what was at stake. "The Kalenjin are not cowards", he told the crowd, "and are not afraid to fight any attempts to relegate them from leadership", that is, of course, the presidency with its cascading patronage networks from which they themselves were benefiting.[94]

The Moi government allowed elite dissident activity in Nairobi, although not without serious harassment, and began an effort in rural constituencies to use an unprecedented level of intimidation against target populations through quiet overt threats of violence. While unfolding largely away from donor eyes, this sent strong messages to the opposition about the extent to

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[91]*Weekly Review* 23 August 1991
[92]*Weekly Review* 13 September 1991
[93]*Weekly Review. "Kalenjin Solidarity", 27 September 1991, pp. 5–8.*
[94]Imanyara, G. and Maina, W. 1991. "What Future Kenya?" *The Nairobi Law Monthly* 37: 19–23.

which key players in the regime were willing to go to hold onto power. The continued harassment of multi-parties and *majimbo* proponents led to the demise of *majimboism* setting the stage for constitutional amendments that accumulated power in parliament and the executive particularly in the provincial administration effectively making the State an image of colonial regime. This brought in authoritarianism, domination, marginalisation and dispossession that transformed the State from Legal to patrimonial. Centralisation and oppression of political pluralism became the State policy. Ethnic hegemony became the basis of inclusion or exclusion from government.

2.3 The History of Ethnic Violence

One of the historical causes of the ethnic violence in Kenya is attributed to the colonial legacy, with ramifications in the post independence era. It is a historical fact that the indirect rule administered by the British colonialists later turned out to be the `divide and rule' strategy which polarized the various ethnic groups in Kenya.[95] This in turn contributed to the subsequent incompatibility of these ethnic groups as actors on one nation-state called Kenya. It was unfortunate that the early political parties in Kenya that championed the nationalist struggle against colonial establishments were basically `distinct ethnic unions'. Since independence political parties have been formed along tribal lines; The Kikuyu Central Association (KCA), Ukambani Members Association (UMA), Luhya Union (LU),Young Kavirondo Association (YKA) for the Luo, the Kalenjin Political Alliance (KPA), the Mwambao Union Front (MUF) for the coastal tribes and the Taita Hills Association (THA) just to mention a few.

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[95]Worby, E. 1994. "Maps, Names, and Ethnic Games: The Epistemology and Iconography of Colonial Power in Northwestern Zimbabwe". *Journal of Southern African Studies* 20 (3): pp 371–392.

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

Land is yet another source of ethnic conflicts in Kenya,[96] both in the long term and in the short term. For a long time in the history of this country, land has remained a thorny economic and political issue. The land issue has its origin in the colonial history of Kenya, where the colonialists dreamt of making Kenya a white man's country by establishing a British protectorate. This resulted in massive alienation of land by the British while the locals relocated to infertile parcels of land not suitable for agriculture.

The recent and potential ethnic conflict in Kenya could be attributed to the following trigger factors; First, numerous reports in newspaper articles, press statements and other documents indicate that leadership played a crucial role in fuelling these clashes. Indeed, what has been

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[96]Uvin, P. (1998). *Aiding Violence*. West Hartford CT: Kumarian Press. vanZwanenberg, R.M.A. 1975. *Colonial capitalism and labour in Kenya*. Nairobi: East African Literature Bureau.

written or pronounced in the abovementioned literature implicates the leadership of the day (i.e. top government officials) top ranking members of the ruling party and opposition parties, some church leaders and other high ranking members of society in the violence that was experienced in this country in 2008.[97]

Secondly, the misunderstanding of pluralism and *majimboism* by leaders from the ruling party, the opposition and the general public also fuels ethnic conflicts in Kenya. At the beginning of the 90's many Kenyan political elites had started questioning the status quo perpetuated by the one party political system in the name of Kenya Africa National Union (KANU). They began to view multiparty political system (pluralism) as a panacea to democratic governance which was and was not the case! It was the case because pluralism could offer a forum for competitive politics and hence guarantee freedom of choice. Multi-partism in Kenya is not synonymous to democracy.

The advent of political pluralism in Kenya was misconceived as the advent of democracy as implied in some of the political slogans and ideologies propagated by the various pressure groups and political parties that were either in existence or being formed. For instance, FORD was dubbed as the Forum for the Restoration of Democracy, implying that democracy was once full realized, but later destroyed and now pluralism had given the orchestrators a forum to re-capture or reconstruct it. This was misleading in the sense that although the intended meaning may have been good the apparent implication was questionable. The same analogy applies to other political

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[97]Nyukuri Barasa, "Ethnicity, Nationalism and Democracy in Africa: The Dilemma of Sustainability". A paper read at a UNESCO seminar, 28 - 31 May 1995.

parties like DP - dubbed as the Democratic Party of Kenya, SDP - which are the initials for the social Democratic Party of Kenya.[98]

The so called champions of these political parties and pressure groups never took enough time to explain to their euphoric supporters the meaning and practice of pluralism, and hence the subsequent confusion, conflict as well as instability[99]. On the other hand, leaders and supporters of the one party political system in the face of this misconception or confusion were compelled to think that pluralism was a seed bed to chaos and anarchy. Perhaps such fear was justified by the historical experience of some countries that failed to promote democratic governance in an atmosphere of pluralism.[100] Kobia asserts that pluralism is not a magic wade to introduce a new era of peace and stability. He goes ahead to identify some of the issues in society that can be intensified by a multiple - party system. These include corruption, tribalism, and un-governability.[101]

It is ironical that during the clamour for multi-party democracy whereas it was KANU that had strongly opposed *majimbo* leading to its demise at independence it now supported the idea. However their idea of what *majimbo* was twisted to the extent that it preyed on the psychology of the KAMATUSA to believe that they were about to be disenfranchised of their political dominance. Federalism (*majimboism*) as already mentioned herein above is a political system in which a Union of states or regions leave foreign affairs and defence to the central government

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[98]Atieno Odhiambo, E.S. (1976), *Seek Ye First the Economic Kingdom* in Ogot B.A. (ed.1976), *Economic and Social History of East Africa*, Kenya Literature Bureau, Nairobi.
[99] Nyukuri barasa kundu, the impact of past and potential ethnic conflicts in Kenya's stability and development, a paper prepared for the USAID conference on conflict resolution in the greater horn of Africa, June 1997
[100]Bernard M. Joinet, (1991), *The Multi-Party System Debate, Regular Newsletter to My Superiors, White Fathers*, Dar-es-Salaam. P 27
[101]Kobia Samuel, (1993), *The Quest for Democracy in Africa*, NCCK, pp.33-34.

but retain powers over some internal affairs and is not necessarily undemocratic but the federalism system of governance that is based on ethnicity is a threat to any country's unity, stability, and development.[102]However, we hasten to assert that the advocates of *majimboism* in the build up to the 1992 elections and after often called for the expulsion of all other ethnic groups from land occupied before colonialism by the Kalenjins and other pastoral ethnic groups[103].

The kalenjins launched attacks on their victims; the kikuyu, luo,luhya and Kisii who fought back either to retaliate or in self defence[104]. Political rallies held on 8 September 1991 underscored the preparedness of the kalenjin for *majimbo* government. Inflammatory statements made by kalenjin leaders such a Joseph Misoi only served to worsen a situation that was very volatile in itself. Misoi stated "we are saying that unless those clamouring for political pluralism stop we must devise a protective mechanism by launching this movement". He meant the eschewed interpretation of *majimbo* to protect their selfish interests[105]. No sooner had the preceding statement been made than conflicts over a number of former settler farms, now multi-ethnic settlement areas, in Nandi District where Kosgey was KANU Chairman, appeared to erupt into violence[106]. Hon. Nassir was quoted to have said: I do not hate Luos, but I hate those who support Raila as this man is not a good leader, because he is supporting the Kikuyu".[107] It was soon after Nassir's statement that violence erupted among ethnic groups living in Ujamaa Village

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[102]Nyong'o P. Anyang, (1987), *Popular Struggles for Democracy in Africa*. London, Zed-books.
[103] Weekly Review June, 29 1993; Kenya Times May 20 and 21, 1993; Daily Nation June 30th, 1993, etc).
[104] Oucho, John O, (2002), Undercurrents of Ethnic Conflict in Kenya, African Social Studies Vol 3, Koninklijeke Brill, nv, Leiden, the Netherlands.
[105]Nyukuri barasa kundu, the impact of past and potential ethnic conflicts in Kenya's stability and development, a paper prepared for the USAID conference on conflict resolution in the greater horn of Africa, june 1997 p13.
[106] Ibid p 14
[107]Klopp, J. 2001a. *Electoral Despotism in Kenya: Land, Patronage and Resistance in the Multi-Party Context.* Phd thesis, McGill University.

in Likoni area leaving unknown amount of property destroyed and unspecified number of houses belonging to non-coastal ethnic groups burnt down.

Empirical evidence has revealed that most Kenyan districts/counties are haunted by actual or potential ethnic conflicts. This is partly because of the fact that different communities continue to consciously or unconsciously rely on ethnicity to perpetuate their dominance and hegemony in an atmosphere characterized by scarce resources, fear and prejudice.[108] The necessity for a new vision in approaching the issue of ethnic conflicts and their management cannot therefore be overemphasized. There is increasing evidence to suggest that even where violence has been brought under control psychological trauma (i.e. fear and suspicion) left behind are seldom healed, especially among children and women.

McOnyango asserts that African inter-ethnic conflicts are not as a result of the mere fact that the continent and national boundaries are brackets enclosing multi-ethnic groups. To him, the question of ethnicity and ethnic conflicts are issues of ethnic grudges.[109] He continues to assert that the past inter-ethnic conflict management strategies in Africa have tended to concentrate on symptoms of the effects and not the root causes. He further postulates that there are numerous socio-economic and political grudges between or within the numerous ethnic communities in African states[110].

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[108]Kenya Human Rights Commission. 1998a. *Kayas Revisited: A Post-Election Balance Sheet.* Nairobi: Kenya Human Rights Commission.
[109]Ibid
[110] Owen McOnyango, 1995, "The Jews, The Gentiles and The Grudge". UNESCO seminar paper, 28 - 31, May.

As Markakis puts it, ethnic conflict in Africa is a multi-sided violent struggle waged at several levels. It involves nations, regions, ethnic groups, clans, lineages, and is fought between and within states, religious and ethnic groups. Amutabi[111] cautions us from viewing ethnicity as a scourge only in Africa. To him, this is basically a Eurocentric interpretation of the African lifestyle.[112] He adds that, "We need to move away from the state of despair and hopelessness towards more practical solutions by enhancing the existing positive ethnic structures". According to Gertzel[113], it is the primary task of the leadership to integrate the many groups in society, divided on class, ethnic, regional, economic, political and religious lines into a new national entity.[114]He, like Amutabi, holds the point of view that it would be too much if politicians were to be relied upon in eradicating ethnic tensions as these underlie their survival.[115]

According to Bienien[116], communal solidarities in Kenya have yet to be destroyed, and it is clear that economic development and social change seems to have given greater salience to ethnic consideration.[117] This partly explains why the issue of ethnicity and land ownership has remained a very sensitive and explosive aspect of Kenya's historical and contemporary political economy.[118]

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[111]Amutabi N. Maurice, 1995, "Challenging the Orthodoxies: The Role of Ethnicity and Regional Nationalism in Leadership and Democracy in Africa", UNESCO Seminar, 28 - 31 May.
[112]Ibid
[113]Gertzel, C. 1975, Leadership and Institutional Building in Uganda, in A.Ojuka and W.R. Ochieng' (eds) Politics and Leadership in Africa, Nairobi, East African Literature Bureau.
[114]Ibid
[115]Amutabi N. Maurice, 1995, "Challenging the Orthodoxies: The Role of Ethnicity and Regional Nationalism in Leadership and Democracy in Africa", UNESCO Seminar, 28 - 31 May.
[116]Bienien, H. 1974, Kenya: The Politics of Participation and Control. Princeton University Press, New Jersey.
[117]Ibid
[118]Leo Christopher, (1984), Land and Class in Kenya. University of Toronto Press

2.4 Political Consequences of Ethnicity

Political debates about the role of ethnicity in post-colonial Africa have been carried out since the 1960s and have tended to adopt an essentialist understanding of tribes in rural areas. In an early essay on ethnicity and national integration, for example, Wallerstein referred to the rural '*Gemeinschaft*-like community' as a 'tribe'[119], but qualified urban groupings based on common ancestry and/ or culture as 'ethnic groups'. In contrast with rural tribes, membership of urban ethnic groups was flexible, and was a matter of social definition[120] that often appealed to administrative units created by former colonial governments, a common language or even only common occupations'. Wallerstein[121] predicted that, with increasing urbanization, loyalty to these new ethnic groups would gradually overlay 'loyalty to the tribal community and government' and therefore forge a link between traditional particularism and modem Nation-State integration.

By providing new skills, knowledge and contacts, these ethnic associations also served the 're-socialization' of rural migrants, furthering individual social mobility and thus preventing the establishment of rigid class boundaries. Finally, ethnicity was an 'outlet for political tensions' because, as Wallerstein[122], borrowing from Parsons, puts it, they fulfilled an 'important scapegoat function': dissatisfaction with new governments would be transformed into politically less disruptive 'complaints about the ethnic group or groups presumably in power.' The new ethnic loyalties brought with them, however, the apparently inevitable phenomena of nepotism and corruption, and in some cases secessionist movements, which stood in the way of national

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[119]Wallekstein (1960) - *Ethnicity and National Integration in West Africa*. Vol. 1 (3) p139.
[120] Ibid
[121] Ibid
[122] Ibid

integration. 'Particularistic loyalties counter to the most efficient allocation of occupational and political roles in the state'[123]. Ethnicity was not distinguished from tribalism. Rather, it was defined primordialistically as:

> "Common provenance and distinctness as a unit of sociological and biological reproduction; it accordingly connotes internal uniformities and external distinctness of biological stock, perhaps of language, kinship, culture, cult and other institutions".[124]

Pluralism theorists like Smith, Kuper or Berghe regarded the African states as 'plural societies', which were shaped by the dominance of such ethnic, religious or otherwise traditionally demarcated 'collectivities', and by 'a social structure characterized by fundamental discontinuities and cleavages, and a cultural complex based on systematic institutional diversity'[125]. While Wallerstein still harboured the hope that tribal and ethnic particularism might in the long run give way to cultural homogenization and national integration, such optimism soon disappeared in the face of obvious 'ethnic' conflicts such as the Biafran War in Nigeria. According to Kuper[126], instead of assuming the quasi-automatic political and cultural modernization of African societies, we should expect that phases of 'de-pluralisation'-diminishing ethnic group ties and increasing institutional integration - will alternate or even coincide with phases of 'polarization' - 'an increasing accentuation of plural division based on race and ethnicity'. The paradoxical co-existence of socio-political integration and an increasing emphasis on ethnic particularity provides the starting point for a number of works from the 1970s which examine ethnicity as a modem political resource.[127]

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[123] Ibid

[124] Smith, Adam. [1776]. 1976. *An Inquiry into the Nature and Causes of the Wealth of Nations* Edited by R.Campbell and A Skinner Oxford: Clarendon Press Vol I.

[125] Ibid

[126] Kuper (L.), 1969 - *"Ethnic and Racial Pluralism: Some Aspects of Polarization and Depolarization* "in Kuper (L.), Smith (M. G.), éd. : 4.59487.

[127] Atieno Odhiambo, E.S. 2000. "*Hegemonic Enterprises and Instrumentalities of Survival: Ethnicity and*

Over the years, Kenya has experienced the rise of ethnic tides and tensions which if left to continue may eventually turn into ethnic hatred and violence as witnessed in South Africa, Rwanda, Burundi and Somalia[128]. There is likelihood that the General Elections will be decided by ethnicity and not national issues. The clashes that took place in Kenya between 1991 and 1995 not only increased ethnic animosity and prejudice but also made ethnic politics a reality.

National identities are saturated with emotions that have been created through teaching, repetition, and daily reproduction until they become common sense. These tropes – betrayal, treachery, threats from others, and survival – are embedded in familiar emotions – anxiety, fear, insecurity, and pride[129].

2.5 The Multi-Vocality of Ethnicity

Sharp changes in the functions of ethnicity often go unnoticed which makes it clear that we should not overestimate the rigidity with which the boundaries, history, language and cultural inventory of colonial tribes were defined or established. This rigidity is more often a facade than a political reality. Social networks subordinate to or reaching beyond the boundaries of tribes retained and retain their significance to this day. Behind the facade of unambiguous histories, symbols, rituals and rules which are intended to demarcate the ethnic community, there lie ambiguities which become the abject of conflicts and differing interpretations among various actors.

Democracy in Kenya". Paper presented to the conference "*Ethnicity and Democracy in Africa*" at Queen's University, Kingston, pp 17–21 March 2000.

[128] Eyoh, D. 1999. "*Community, Citizenship, and the Politics of Ethnicity in Post-Colonial Africa*", in E. Kalipeni and P. Zeleza (eds), *Sacred Spaces and Public Quarrels*. Trenton NJ and Asmara: Africa World Press, pp. 271–300.

[129] Ronald Grigor Suny, "Why We Hate You: The Passions of Religious and Ethnic Violence," A Talk for Purdue University, November 7 2002, Joseph Rothschild, *Ethnopolitics: A Conceptual Framework,* (New York: Columbia University Press, 1981), p. 247.

Defining ethnic groups as 'informal interest groups', Cohen[130] studied the use of cultural difference as an instrument for organizing and legitimating economic interests among Hausa immigrants in Ibadan, Nigeria. A Hausa was or could become by assimilation a person who spoke Hausa as a first language, was a Muslim, could claim origins in one of the Hausa states and bore no tribal marks of another ethnic group. In colonial times, the emphasis on ethnic distinctness was institutionally secured by the British authorities through the awarding of political autonomy. After independence, however, the government guarantee of political autonomy ended, the authority of the Hausa chiefs was weakened and interaction with and competition from the Yoruba Muslim converts grew, threatening the Hausa trade monopoly. Hausa exclusivity was now re-established in a religious idiom, through the introduction of the Tijaniyya order, which was also accompanied by political reorganization and a renewed emphasis on cultural differences with the Yoruba.

Schildkrout's[131]study of Mossi migrants in Kumasi (Ghana) also examined the changing meaning of ethnic identity under new political circumstances and among the second generation of immigrants born in the zongo quarter inhabited by northern migrants. For the first generation of Mossi settling in Kumasi during the colonial period, the appeal to a common ethnicity created a space for mutual aid. Ethnic identity as a Mossi, defined by patrilineal descent, developed as an idiom for constructing metaphorical kin relationships and the tribal headman, responsible for the regulation of internal conflicts in the Mossi community, was a sort of lineage head. At the same time, Mossi immigrants were increasingly integrated through neighbourhood, friendship and

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[130]Cohen, A. (1974) *Two-Dimensional Man: An Essay on the Anthropology of Power and Symbolism in Complex Society.* Berkeley: University of California Press.
[131]Schildkrout E. 1978. People of the Zongo : The Transformation of Ethnic Identities in Ghana:Cambridge University Press

marriage ties into the multi-ethnic zongo community, where Hausa was the common language and Islam the dominant religion. Metaphorical kinship among the Mossi was gradually replaced by actual interethnic familial relationships, and the second generation of Mossi was no longer linguistically or culturally distinct from other zongo dwellers.[132] Unlike the Hausa in Ibadan, for the Mossi in Kumasi it was not economic but political interests that contributed to the continued emphasis on Mossi identity. Since the 1960s this identity has been formally organized in the Mossi Youth Association, and demonstrated by the use of neo-traditionalist symbols such as 'Mossi cloth'. Mossi identity became a political resource in competition with the dominant Hausa for influence on zongo politics and in dealing with the insecurity created by the Ghanaian government's restrictive policies concerning 'aliens'.

Peel's[133] study on the history of Ijesha shows vividly that this Yoruba kingdom's growing incorporation into the colonial and postcolonial Nigerian state on the one hand, and the emergence of Ijesha (and Yoruba) ethnic identity on the other, are two aspects of the same process. Peel places particular stress on the great significance of a common history for the establishment of collective identity in modem Nigeria. Because Ijesha identity is rooted in their pre-colonial past as a political community, appropriated through memory and continually recalled in festivals and rituals, it has not been completely displaced either by class membership or a broader Yoruba identity. The latter is only a product of the early twentieth Century: missionaries designated the dialect of the Oyo kingdom as 'Standard Yoruba' and at first mainly among Christians and the educated that made their careers in the Yoruba-speaking region - Yoruba became an ethnic community distinct from other Nigerian (linguistic) groups. The

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[132]Ibid
[133]Peel (J. D. Y.), (1983) in 1ljeshas Nigeriurzs: The Incorporation of a Yoruba Kingdom. Cambridge, Cambridge University Press.

Nigerian state's federal structure invested this new linguistically-based collective identity with political relevance, which also came to be reflected in party political preferences. Political pragmatism alone, however, is not enough to anchor and sustain ethnic identity. Even the 'ethnic entrepreneurs' of the new Yoruba identity reconstructed - and invented - a common Yoruba history.[134] All the same, while 'Yoruba' may appear in the Nigerian context as a unified political community, internally it remains a framework in which smaller collective identities such as Ijesha, Ibadan or Oyo, based on pre-colonial polities, compete for resources, influence and prestige.

Cohen and Odhiambo's[135] studies on the construction of a 'Luo identity' in Kenya show clearly how multilayered, contradictory and controversial the production of ethnic history and culture is. Unlike Ilesha, the creation of new collective identities here could not take up where a pre-colonial kingdom had left off. They address the anchoring of Luo identity in a new but backward-looking ideology of patrilineages and sub-tribes as central Luo organizational principles, the creation of myths of a common migration to western Kenya, the development of a consciousness of a broad common culture through stories and legends told to children by migrant wet-nurses, the creation of emotionally-charged notions of a rural 'home' under the circumstances of labour migration, the appropriation of urban space through the media of Luo bars, football clubs and political organizations, the growing pressure on wealthy Luo to display their new status through houses in the village and the significance of funerals 'back home', which connect educated élites to their regions of origin.

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[134]Ibid
[135]Cohen, A. (1974) *Two-Dimensional Man: An Essay on the Anthropology of Power and Symbolism in Complex Society.* Berkeley: University of California Press.

2.5 Conclusion

The recurrence of ethnically motivated violence since the reintroduction of multiparty politics in Kenya has perpetuated poverty, fear and ethnic suspicion that are particularly evident at each election period and hence there is need to look at the root causes of violence. This study is aimed at bridging the gap by providing more information on ethnic violence in the Kenya. Such information will assist the relevant government ministries to develop policies that promote peaceful co-existence among different ethnic communities in Kenya and also initiate development programmes as well as enhancing national security and cohesion for all citizens. Non-governmental organizations in Kenya can use the information from this study to implement their projects especially, those which are aimed at addressing insecurity, reintegration of internally displaced persons.

It is quite clear that the re-organisation of the State must, among other interventions, include a shift in the allocation of national resources and ensure a wider spread of development. Political entrepreneurs, in their quest for power, mobilize ethnic constituencies by promoting inter-ethnic animosities using the rhetorical weapons of blame, fear, and hate. This results in an inter-ethnic competition over resources and rights, which is accompanied by a reconstruction of social categories of "inclusion" and "exclusion," ethnification and ethnic intolerance[136]

Secondly it is also quite clear that for Kenya to attain the elusive peace that it requires for economic growth and development the country must be ready to embrace Constitutionalism where the government is genuinely accountable to an entity or organ distinct from itself, where

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[136] Bojana Blagojevic (2009) "Causes of Ethnic Conflict: A Conceptual Framework" Journal of Global Change and Governance vol 3 Division of Global Affairs• Rutgers University p4

elections are freely held on wide franchise at frequent intervals, where political groups are free to organize in opposition to the government in the office and where there are effective legal guaranties of fundamental civil liberties enforced by an independent judiciary.

CHAPTER THREE

CULTURAL PLURALISM AS A SOURCE OF POLITICAL INSTABILITY IN KENYA.

3.0 Introduction

In chapter two we saw how Cultural pluralism structures political competition among groups. Ethnic mobilization is a mass social phenomenon that is likely in plural societies that threatens the stability of regimes. Conflicts involving ethnic interests have been summed up as those advocating interests of culturally distinct peoples, or clans in heterogeneous societies who are locked in rivalries about the access to power, and in which those concerned have certain regions as their stronghold and tend to follow the strategy of ethno-nationalism[137]. This chapter aims to bring out the various ways in which cultural pluralism manifests itself in society either through tribes, religion or race. It also gives a deeper analysis of the conceptual development of a plural society. In fact the chapter will illustrate that People do not kill one another merely because of the ethnic differences. They kill each other when these differences promote unhealthy competition[138].Political leaders, encourage the emergence of an ethno-nationalism in order to mobilize support[139]. When ethnic groups are politicized, ethnic identities and loyalties move from the private sphere to the public sphere. Interest groups competing for scarce economic resources tend to "invoke traditional sentiments to reinforce their appeal.

The introduction of multiparty politics in the 1990s opened a competition that has shaped the context of struggle for political power among the political leaders and ethnic communities.

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[137] Ted T. Gurr, "*People against States: Ethno-Political Conflict and the Changing World System*," *International Studies Quarterly* 38 (September, 1994) pp 347-377, at p 355

[138] Robert H. Bates, "*Modernization, Ethnic Competition and the Rationality of Politics in Contemporary Africa*," in Donald Rothchild and V. A. Olorunsola, eds., *State versus Ethnic Claims: African Policy Dilemmas* (Boulder, Colorado: Westview Press, 1983) pp 164-165.

[139] Solofo Randrianja, "*Nationalism, Ethnicity, and Democracy*," in Stephen Ellis, ed., *Africa Now: People, Policies, and Institutions* (London: James Currey and Heinemann, 1996) p31.

Under the influence of ethnic politics voters do not appeal to the criteria of economic performance, health services, education and the common good. The important concern for them is enabling their members to control the state. The rationale used is to ensure that many from their ethnic group control government offices. Political leaders convince ethnic groups to believe that they rule the country on their behalf. The president is seen as an ethnic ruler. People believe that if one of theirs holds a high post, it is held in trust for the benefit of their ethnic community. Similarly, political parties have become ethnic parties slated for ethnic bargaining to acquire political power that would allow them to loot the state. It is from this perspective that a number of political parties promote ethnic politics, and regard the introduction of multiparty democracy as a way of decentralizing the state in favor of ethno-nationalism. Such practice creates mutual mistrust between ethnic groups. Those who belong to the less dominant ethnic groups feel left out and discriminated against by the system. In turn, they feel obliged to act, legally or illegally, to ensure their survival. The tendency of self-assertion emerging from different ethnic groups for survival is, in fact, the root cause of the widespread African conflicts today.

3.1 Background

Gaitho in his attempt to present the pattern and consequence of ethno-political competition, discrimination, and violence states "we are our own perverse version of regionalism by forcing certain ethnic groups to leave certain regions exclusive to the supposedly indigenous communities. We are witnessing, on a massive scale, the forced movement of people back to their supposedly ancestral homelands. And this raises the very serious question of whether Kenya will ever continue to exist as a modern nation-state, or whether we will be going back to the pre-colonial stage of ethnic fiefdoms with no central authority. That is the consequence of

politics based on ethnicity rather than any of the usual ideologies and principles that hold modern democracies together. Instead of evolving, most of the African democracies have regressed to produce ethnic leaders more intent on leading their people in warfare against rival communities"[140].

Lamb argues that African leaders deplore ethnocentrism by calling it the cancer that threatens to eat out the very fabric of the nation[141]. Yet almost every African politician, practices it, most African presidents are more ethnic chief than national statesman, and it remains perhaps the most potent force in day-to-day African life. It is a factor in political struggles and distribution of resources. It often determines who gets jobs, who gets promoted, who gets accepted to a university, because by its very definition ethnicity implies sharing among members of the extended family, making sure that your own are looked after first. To give a job to a fellow ethnic member is not nepotism, it is an obligation. For a political leader to choose his closest advisers and bodyguards from the ranks of his own ethnic group is not patronage, it is a good common sense. It ensures security, continuity, and authority[142].

3.2 Ethnicity and Cultural Pluralism

Steinbarg portends that in our quest for an understanding of the current interest in ethnicity we should concentrate our search on social and individual needs, rather than ideologies that are likely to be at the root of this interest[143]. According to Kolm, the problem of community is

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[140]Macharia Gaitho, "Will Kenya Continue to Exist as a Modern State?" Daily Nation, Kenya (February 5, 2008) p12.

[141] Lamb D, (1984) The Africans , Newyork, Vintage Books p9

[142] David Lamb, *The Africans* (New York: Vintage Books, 1984) p 9

[143] Eliezer Steinbarg, Mesolim I (Czernowitz, Romania, 1932), p176

frequently mentioned in the literature of ethnicity[144]. Suggestions are offered to the effect that ethnic consciousness constitutes a search for community, a search for identity with a social entity smaller than society as a whole. Why should a citizen not be satisfied with his identity as Kenyan?

It seems plausible to suggest that the recent surge of ethnic sentiment - regardless of whether the cementing ideology in a given case happens to be liberal, conservative, or reactionary - constitutes a search for community. Ethnic organizations need not be territorially bound and thus should be capable of providing a relatively stable communal structure, one immune to the shattering forces of industrial society that play havoc with neighborhoods and towns.

The ethnic frame appears especially vulnerable in the dimension of institutional importance. True, politics is very important, but is ethnic identity? Politics can be played through a variety of organizational structures. Clearly, in order for one to choose the ethnic club as his political medium, he must first and foremost have a strong ethnic identity; other-wise he is likely to prefer some alternative framework (religion or occupation, for example) in which he has a greater interest. Thus, it can be argued that the primary emphasis on politics as such of ethnic organizations in a country may be a weakness rather than an asset.[145]

An authentic ethnic community would need to have its central focus on the preservation of ethnic culture, rather than the election or appointment of ethnics to public office. The problem of

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[144] Kolm R, (1971)"*Ethnicity in Society and Community," in Otto Feinstein, ed.. Ethnic Groups in the City: Culture, Institutions, and Power* (Indianapolis,), pp. 57-77
[145] Ronald Busch "Ethnic Assimilation vs. Cultural Pluralism: Some Political Implications,"

primacy of focus is a critical one in this case, for without a strong desire to retain cultural difference; it makes little sense to exert political clout for gaining the right to be different.[146]

Meaningful ethnic identity would seem to require commitment to distinct important values and a concomitant readiness to invest resources and effort on behalf of their preservation. The scenario is one in which there is a variety of structural divisions maintained by present as well as memories of past external hostility. The enlightened societies must rise up to the occasion and not only tolerate but actually encourage genuine expressions of the quest for cultural alternatives, without worrying either about occasional friction or lack of full participation.

3.3 Ranges of Cultural Pluralism

A primary task in plural societies is the subordination of "primordial sentiments" to the requirements of civil politics.[147] Although the nation-state is the legal basis of sovereignty, loyalties to sub-national cultural groups often undermine the stability, if not the very existence, of the state. These communal loyalties in themselves contend for legitimacy. Cultural identities provide a basis for political cohesion. The chapter illustrates that these primordial sentiments systematically influence cohesion, competition and social interaction in plural societies.[148] Even though each variety of cultural pluralism possesses some unique properties, each displays a similar effect on political behaviour.

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[146] Ibid

[147] Clifford Geertz, "*The Integrative Revolution: Primordial Sentiments and Civil Politics in the New States*," in Clifford Geertz, ed., *Old Societies and NewStates: The Quest for Modernity in Asia and Africa* (New York: Free Press of Glencoe, 1963), pp. 105-57.

[148] Brewton Berry, *Race and Ethnic Relations,* 2d ed. (Boston: Houghton Mifflin, 1958), p. 277.

3.3.1 Tribe and Custom

Civil wars in the Congo and Nigeria illustrate the difficulties that tribal diversity poses for orderly government. Africans may be racially alike, but are often differentiated on the basis of tribe and custom, a differentiation that has political implications. In the Ivory Coast, for example, tribal categories provide building blocks for party organization, e.g., the Parti Democratique Cote D'lvoire.[149] Tribal hostilities also provided the justification for South African seizure and rule of South-West Africa; whites claimed their intervention halted a war of genocide waged by Bantu peoples against the Bushmen.[150] Sub-Saharan African history is also replete with examples of tribal conflict.[151] The abrogation of colonial rule in Africa has made tribal divisions especially salient in the political arena. In African political language 'tribalism' stigmatizes all social and political manifestations of ethnicity. African political leaders and intellectuals, as well as Western social scientists, have routinely denounced ethnicity or tribalism as retrogressive and shameful, an unwelcome interruption of the pursuit of modernity[152].

3.3.2 Language

Linguistic differences also threaten democratic stability. The breakdown of law and order in Ceylon following passage of the 1956 Sinhalese Language Act, as well as the 1968 Flemish-Walloon riots in Louvain, highlight the potential salience of language as a destabilizing force. In

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[149] Aristide R. Zolberg, "Mass Parties and National Integration: The Case of the Ivory Coast," *Journal of Politics* 25, no. 1 (February 1963): 36-48.

[150] Thomas Molnar, *South West Africa: The Last Pioneer Country* (New York: Fleet Publishing Corporation, 1966), p. 13.

[151] Victor T. Le Vine, *The Cameroons: From Mandate to Independence* (Berkeley and Los Angeles: University of California Press, 1964).

[152] Bruce J Berman, Ethnicity, Patronage and the African State: The Politics of Uncivil NationalismAuthor(s): Source: African Affairs, Vol. 97, No. 388 (Jul., 1998), pp. 305-341Published by: Oxford University Press on behalf of The Royal African SocietyStable URL: http://www.jstor.org/stable/723213 .

both Ceylon and Belgium, language provides the basis for group cohesion and intergroup conflict just as much as it does in the case of Kibera. Indeed, speakers of different languages often claim that language represents or constitutes the basis of a distinct culture. For example, Flemings and Walloons in Belgium each insist they are the product of a long history of different cultural experiences of which language is only a surface characteristic.

When differences in language become politically salient, stability is often threatened. Adherence to a common language, on the other hand, does not imply or guarantee stable politics. Since they seized power in 1964, Africans have mistreated Arabs in *Zanzibar* even though both communities speak Swahili. The common use of English never prevented civil war in Nigeria or chronic religious discord in Northern Ireland.

3.3.3 Race

The concept of race is perhaps the most controversial term in social science. It is often used pejoratively, as the basis for repressive ideologies, or in a scientific sense, in which case it refers to selected phenotypical features: skin color, facial form, stature, hair type, and so forth. Some scholars question whether separate racial groups are indeed identifiable. In fact in Kenya the white are a minority and more often than not they do not engage actively in the politics of the day. The largest ethnic groups that engage in politics are the Luo, Kikuyu and the Kalenjins all of whom are black.

 Skin colour differentiates races and rigorously enforced laws define and accentuate those differences. Whether we use a subjective or objective definition of race, it nonetheless provides a

basis for political cohesion that is critical in several plural societies. South Africa presented the most notorious example of race-based political conflict. From its colonization by the British until its 1994 transition to majority rule, the country was ruled by a White minority constituting only about 15 percent of the population. Meanwhile, Blacks, the majority population, were denied fundamental legal and economic rights, including the right to vote or hold political office. Until the government renounced it in 1991, the legal centerpiece of South African racial policy was *apartheid* (separateness). That system rigidly segregated employment, public facilities, housing, marriage, and more, envisioning a day when most Blacks lived in eight allegedly self-ruling "homelands." In fact, these homelands, consisting of desolate rural territories, could not possibly support the country's Black population. Moreover, because important sectors of the South African economy, most notably its mines, were dependent on Black labor, the geographical segregation envisioned by apartheid was implausible even from the perspective of the White business community.

Meanwhile, the millions of Blacks who lived outside the homelands were denied fundamental civil liberties, including the right to own property. Apartheid officially created racial classifications for the entire population that defied international standards and often fell victim to their own logical contradictions. Blacks, by far the largest racial group, constituted 70–75 percent of the national population and were subjected to the greatest amount of legal discrimination. Coloureds people of mixed race totaled about 10 percent of the population, primarily concentrated in Cape Town and Cape Province. Asians (mostly Indians and Pakistanis) represented about 3 percent of the nation. Both Coloureds and Asians enjoyed a higher

socioeconomic status and greater legal and political rights than Blacks did, but still ranked considerably below Whites.

Finally, Whites held virtually all political and economic powers. Despite international disapproval, South Africa's minority government seemed determined to maintain apartheid indefinitely. South Africa became an international outcast particularly after several massacres of peaceful Black protestors subject to diplomatic, economic, and cultural isolation. Though slow to take effect, these sanctions eventually impaired the country's economic growth. Growing protest and unrest in the Black townships (outlying urban slums) added to the country's international isolation. Finally, a growing number of powerful voices within the White economic, legal, and intellectual elites pressed the government for racial reform. By the start of the 1990s, President F. W. de Klerk's government, recognizing that apartheid was no longer viable, legalized the African National Congress (ANC), the leading Black opposition group, along with two more radical organizations, after decades of banishment.[153] The ANC's legendary leader, Nelson Mandela, the world's most celebrated political prisoner, was released from jail (after 27 years of imprisonment) along with hundreds of other political prisoners. These changes, coupled with the ANC's suspension of its armed struggle, opened the door to a new constitution enfranchising the Black majority and ending White minority rule.[154]

Race, while normally the most visible of ethnic distinctions, is a more recent source of group identity. Only when people live in multiracial settings do individual racial groups use race to define themselves and distinguish themselves from "others. Indeed, Crawford Young indicates

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[153] Horowitz D, (1991) *A Democratic Africa? Constitutional Engineering in a Divided Society* (Berkeley: University of California Press)pp 44–48.

[154] Ibid

that "there was no common sense of being 'African,' 'European,' or 'Indian,' prior to the creation of multiracial communities by the population movements of the imperial age.[155] Slavery and other manifestations of Western imperialism in the Third World created an array of negative racial stereotypes about Asians, Africans, and (North and South) American Indians. The subsequent migration of Asians to the plantations of East Africa and the Caribbean created further racial cleavages.

3.3.4 Religion

According to Waruta, "most religious groups and denominations, when closely scrutinized, are also ethnic in their composition and leadership. Christian churches have failed to play their prophetic role even in situations of severe human rights violations because they have taken sides by playing in the hands of partisan politics, and thereby fall into the trap of ethnocentrism. In time of problems, religious leaders, as political leaders, take refuge in their ethnic groups. In Rwanda, Christians could not appeal to the Christian conscience to address the situation. Even those in positions of authority could not raise their conscience above the criterion of ethnicity. One clergy man with a lot of regret states "My faith as a Christian has been affected seriously, in the sense that I cannot realize that such evil could happen in a country where so many people are Christians and where there are so many Catholics, over sixty five percent, with such influence in education. What have we been doing as Christians and as priests? How can we preach the love of God, the compassion of God, in this situation? All these questions rise from an experience of the deep mystery of evil, evil that is so consistent and so strong that its power is prevailing[156].

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[155]Crawford Young,et.al (1974) *Issues of Political Development*, 2nd ed. Upper Saddle River, NJ: Prentice Hall, p21.
[156]David Hollenbach, S.J.,(1996) "Report from Rwanda: An Interview with Augustine Karekezi," *America* December 7, pp 13 - 17, at p16.

Religion is crucial in the politics of Northern Ireland. Ulster, as the country is commonly called, is a constituent member of the United Kingdom, but possesses a distinct history dating from its conquest and colonization by the English in the seventeenth century. The distinctions between the conquered Irish Catholics and the conquering British Protestants have been scrupulously preserved and often violently expressed in the streets of Belfast and Londonderry. Extensively burned-out sections in West Belfast testify that religious sentiments in Ulster comprise an alternative basis for statehood. As further evidence of this assertion, the results of a survey published in the *Belfast Telegraph* on December 8, 1967, show that a majority of Protestants prefer the existing constitutional links with Britain whereas most Catholics are partial to the idea of an independent united Ireland or a united Ireland linked to Britain. In Kenya however, there seems to be no records to account for religious conflict. Different forms of cultural diversity thus display remarkably similar consequences. Ethnic divisions on whatever grounds; racial, religious, linguistic, or tribal often coincide with political divisions.

3.4   The Notion of a Plural Society

Furnivall introduced the notion of the "plural society."[157] Furnivall, an economist and colonial administrator, defines a plural society as "comprising two or more elements or social orders which live side by side, yet without mingling, in one political unit."[158] In this study of the tropical dependency of the Netherlands, Furnivall observed that the rulers and ruled were of different races and lived apart from one another in separate communities. He also noted that a similar pattern was practiced in Siam (Thailand) and in such non-tropical societies as Canada and South Africa.

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[157] Ibid
[158] Ibid

Each community possessed a distinct set of values incompatible with those of other cultural groups, he characterized the plural society as one lacking consensus or, in his terms, one without "common social demand. In the plural society, however, the erection of a Chinese temple constitutes a "public bad" for Muslims; in a similar manner, Muslim mosques provide few or no benefits for Chinese. Therefore, in the plural society social demands often result in public expenditures with benefits for one community and opportunity costs for the others.[159] The plural society thus isolates the demands of its separate communities, and fails to aggregate, in Furnivall's terms, common social demand.

Furnivall points to the presence of separate ethnic demands as a basis for differentiating a plural society from its homogeneous counterpart. In the plural society, the only common meeting ground available to the various cultures is the *marketplace.* Although persons differ culturally, Furnivall asserts that they are all similar in their economic wants — each desires profit. In the absence of national consensus (a common social will), economic competition among the separate communities is the only feasible mutual activity. All other activities are determined by the specific cultural values of the separate communities.[160] Since the values of any one specific community cannot be used as a guideline to govern the behaviour of the others, their mutual relations must thereby be governed only by a laissez-faire economic process in which the production of material goods is the prime end of social life. The plural state, therefore, cannot be organized for social or normative ends, since these ends vary with the different cultural norms of the respective communities.

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[159] Ibid
[160] Ibid

Economic activities, Furnivall observed, were congruent with ethnic divisions: Chinese monopolized trade, Indonesians the rural areas, and Europeans the world of business and administration. This congruence reinforced the parochial cultural views that members of the different communities possessed; economic conflict and other social problems (if they erupted) would thus be viewed as exclusively communal.

Since the production of material goods is the prime end of social life, little time remains for leisure and the arts. The native communities are unable to maintain their traditional standards and institutions: native land tenures are distorted, cheap imports disrupt the native economic system, and nationalist leaders very often adopt Western standards in their fight against Western domination. Nationalist movements in colonial plural societies fail to redress native grievances because they often set one community against the other, further aggravating social instability. As a result, the society requires some *external force* to hold it together. Colonial rule is a prime candidate. Furnivall's major contribution lies in his observation that plural societies are qualitatively distinct from homogeneous ones, and that the different communities of the plural society can meet only in the marketplace. His insistence that outside force is required to maintain order implies that plural societies are inherently prone to violent conflict.

3.5 Conceptual Development of the Concept of Plural Society

In the last two decades several scholars have reported results based on research in areas that fit Furnivall's definition of the plural society. Two of Furnivall's implications in particular have frequently been explored: (1) separate communities incline toward conflictual behaviour, and (2) force rather than consensus maintains order. The first three scholars whose works are examined

below challenge these implications. Stephen Morris in 1956 reported on a study of Indians in the East African societies of Kenya, Tanganyika, Uganda and Zanzibar.[161] He records that Africans number approximately 18,000,000, Arabs 79,000, Europeans 50,000, and Indians 198,000 out of a total population of over 18,300,000. Persons in these ethnic groups exhibit distinct cultural habits, speak different languages, and where possible limit social contacts to their own kind. Economic divisions also coincide with ethnicity: Europeans control the political process, Indians form the commercial class, and Africans comprise the bulk of the urban working class and rural peasantry.

East African countries seemingly fit the description of a plural society. Morris reports in his study that Indians are internally organized into various categories and groups. Although Africans, Arabs, and Europeans find it convenient to use the label "Indians," the fact remains that "more important to an Indian in East Africa than being a Hindu or Muslim, or even, on most occasions, than being an Indian is being an Ismaili, a Patidar, a Sikh, a Goan, or a member of a dozen or so other caste or sectarian groups."[162] Thus Morris insists that divisions within each racial category are more significant in the composition of the total society than the broader racial categories. He observes that factionalism within ethnic groups forestalls perfect ethnic cohesion, leading, on occasion, to alliances of expediency across racial lines.

These broad ethnic categories;"the Indians," "the Africans," "the Arabs," and "the Europeans" according to Morris, place undue emphasis on differences between ethnic groups and neglect

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[161] Stephen Morris Indians in East Africa: A Study in a Plural Society," *British Journal of Sociology 7,* no. 3 (October 1956): pp194-211.

[162] "Plural and Differential Acculturation in Trinidad," *American Anthropologist* 59, no. 5 (October 1957): pp817-824.

underlying similarities. Morris notes that plural societies begin to resemble non-plural societies when racial or communal categories are divided into sub-racial units. Conversely, Morris fears that greater emphasis on racial categories institutionalizes relations in plural societies that might reproduce the normatively undesirable condition of apartheid in South Africa. Morris, in effect, argues that non-ethnic cleavages can cut across racial lines and thereby encourage joint pursuit of some common multi-ethnic objective. In the towns, for instance, significant social and business relationships often occur among African, European and Indian elites. For example, the Ismailis, a subcategory of Muslim Indians, vacillated in allegiance to other racial subgroups as their interests shifted. The failure of all Indians to cohere on every issue vis-a-vis the other communities thus, Morris asserts, disconfirms Furnivall's thesis of ethnic competition.

 Anthropologists working in other countries, also in the period preceding independence, arrived at conclusions similar to those of Morris. Daniel J. Crowley, as one example, describes Trinidad as a plural society free from ethnic conflict.[163] Crowley contends that these groups are not exclusive, despite their distinctiveness, and that members of any group are often proficient in or informed about the cultural activities of other groups.

Mutual knowledge in such vital areas as language, folk belief, magic practice, mating and family structure, festivals and music provides the common ground that makes social unity possible in Trinidad. Crowley labels this the condition of "plural acculturation." Persons within each ethnic category retain their own identity yet are familiar with the cultural activities of other groups.

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[163] Ibid

Mutual understanding between groups thus prevents the society from fragmenting to the point of dissolution.

Benedict's study of ethnic relations in Mauritius based on field work completed during 1955-57 further corroborates the thesis that Morris and Crowley present.[164] Benedict recorded that Mauritius was changing in the 1950s from a society in which the stratification of racial groups is congruent with distinct economic pursuits to one in which each ethnic section pursues a whole range of occupations. This transition, Benedict asserted, encourages a *rapprochement* of communities on class lines, and deemphasizes ethnic distinctions as a basis for political cohesion.

Benedict insisted that class rather than ethnic affiliation influenced political alignment in Mauritius in 1962[165] and that Furnivall's model of the plural society was thereby inappropriate since members in each ethnic category are stratified along a whole range of occupational activities. The process of economic modernization, Benedict suggests, creates crosscutting institutions which, in turn, foster cooperation among different races.

Ethnic conflict in plural societies since 1966 confirms Furnivall's expectations and belies those that his critics have held. Neither intra-ethnic factionalism, mutual knowledge, cross-cutting cleavages, nor shared values hold together many plural societies today, and normative political consensus does not exist among the respective ethnic strata (even if some *politically irrelevant* shared values do exist).

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[164] Burton Benedict *Mauritius: Problems of a Plural Society* (London: Pall Mall Press, 1965), and "Stratification in Plural Societies," *American Anthropologist* 64, no. 6 (December 1962): pp1235-1246.
[165] Ibid

Smith, a sociologist with experience in the plural societies of the Caribbean, disagrees with Furnivall's critics.[166] Smith attempts to sharpen the concept of plural society and use it to theorize about ethnic conflict. He defines cultural pluralism as the presence of two or more different cultural traditions in a given population, each possessing a distinct form of the institutions of marriage, the family, religion, property, and the like. Culturally differentiated communities usually vary in their social organization, institutional activities, and their systems of beliefs and values. A plural society is thus a unit only in the political sense: the separate communities are ruled by a single government. Smith points out that it is erroneous to equate cultural pluralism with "class stratification," since one can vary independently of the other. He uniquely defines a cultural section of a population by its institutional practices that may or may not be compatible with those of other cultural sections. Consequently, cross-cutting cleavages of class or ideology need not mitigate ethnic distinctions as they may be irrelevant to them.

When the separate communities in a plural society have distinct institutional practices, then the society relies upon forceful regulation to keep order. In Smith's own words:

> Given the fundamental differences of belief, value and organization that connote pluralism, the monopoly of power by one cultural section is the essential precondition for the maintenance of the total society in its current form.[167]

Not all societies composed of diverse cultural groups are plural societies in Smith's view. Plural society is characterized by the coexistence of incompatible institutional systems and, therefore, force must be used to maintain order; "pluralistic" societies, on the other hand, contain one or more relatively distinct subcultures, but their value systems are compatible with the national

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[166]Smith M G, (1965), The Plural Society in the British West Indies (Berkeley and Los Angeles: University of California, 1965), pp. xii-xiii.
[167] Ibid

political consensus. Reliance on force in the plural society is greatest when the politically dominant communities are small minorities. Smith demonstrates that cross-cutting cleavages of class or ideology do not eliminate ethnic distinctions and their political ramifications. It important to note that not all societies containing cultural diversity behave politically the same as as plural societies. Brazil and the United States, for example, each contain several disparate cultural groups, yet reliance on forceful regulation to compensate for ethnic conflict is minimal. Furnival's model by implication thus applies only where sharp ethnic divisions result in the political crystallization of communities — the plural society.[168]

Some sociologists have explored the political implications of a plural social structure. Pierre L. van den Berghe has tried to specify the relevant preconditions of democracy in plural societies. He observes: (1) The prospects for democracy are directly proportional to the degree of basic value consensus in the society, and inversely proportional to the degree of cultural pluralism. (2) The prospects for democracy are a direct function of the degree of consensus about the procedural norms of government. (3) The prospects for democracy are a direct function of the norms governing the legitimacy of pluralism and the integrity of each separate community. (4) Stable democracy requires an approximate scientific and technological balance between the constituent groups. (5) Conflict is minimized when cleavages are cross-cutting, rather than coinciding, unless *one type of cleavage assumes overwhelming salience vis-avis the others* leading to the disintegration of the polity.[169]

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[168] J. D. Mitchell, (1967) *Tribalism and the Plural Society* (London: Oxford University Press, 1960); Leo A. Despres, *Cultural Pluralism and Nationalist Politics in British Guiana* (Chicago: Rand McNally and Co.,)
[169] "Pluralism and the Polity: A Theoretical Exploration," in Leo Kuper and M. G. Smith, eds., *Pluralism in Africa* (Berkeley and Los Angeles: University of California Press, (1969), pp. 67-81

Democracy in the plural society is undermined if political parties express purely ethnic sentiments. The fight for independence by many African nations presented an opportunity for leaders to temporarily discard their differences and join in a multiethnic struggle against the common colonial enemy. Deutsch et al, for instance, finds a considerable correspondence between general cultural homogeneity, homogeneous political culture, and political integration in his survey of theories of nationalism.[170] He states that "mutual compatibility of main values" is an essential condition for certain types of integrated communities. Jacob confirms the findings of Deutsch. He asserts that an integrated community requires compatibility and shared values among its constituent members. Whereas Binder argues that national integration requires a cultural-ideological consensus, Coleman and Rosberg believe that a homogeneous political community entails a reduction in cultural tensions.

Shared values are a necessary prerequisite of political integration. However Coser and Lipset, for example, point to the theme of multiple group memberships. Multiple affiliations, they argue, not only prevent a single deep cleavage, and thereby enhance the chances for stable democracy; as well, these associations insulate the individual by binding his fate to that of other kinds of people[171].Their point, then, is that the absence of cultural diversity may be positively harmful to the prospects of stable democracy.

Haas and Etzioni agree that general cultural homogeneity is not an essential prerequisite of stable democracy and political integration. Haas contends that pragmatic calculations of mutual

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[170] Deutsch, et al., *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience* (Princeton: Princeton University Press, 1957), pp58, 66.
[171] Coser, *The Functions of Social Conflict* (Glencoe: Free Press, 1956), pp.78-79 and Lipset, *Political Man: The Social Bases of Politics* (Garden City: Anchor Books, 1963), p77

economic advantage can bring together disparate interest groups and politicians. General cultural homogeneity is not required.[172]Etzioni, on the other hand, argues the point on salience grounds: many cultural characteristics may not be politically relevant — shared culture simply has little effect on political unification, though it may help advance the process to a higher stage. Such differences as religion are amenable to de-politicization and thus become a politically irrelevant cleavage in the general culture.

Lijphart who offers the concept of the consociational democracy[173] that entails conscious cooperation among elites of different communities to control the destabilizing effects of open, ethnic competition. This can be achieved through the accomplishment of agreements by the elite to restrict the circulation of more extremist junior elites and to resist mass pressures from the electorate for political change. Furthermore consociationalism posits that each community must subscribe to the notion of political autonomy for the other subcultures. As examples of consociational democracies, Lijphart cites Austria, Switzerland, the Netherlands, Belgium, and Lebanon (though events suggest the latter two may no longer fit his model). Thus in the case of the consociational democracy, astute leaders can control the political salience of cultural diversity.

3.6 The problem of Ethnicity in African Politics

Vail,[174] portends that in African political language 'tribalism' stigmatizes all social and political manifestations of ethnicity. African political leaders and intellectuals, as well as Western social

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[172]Coser, *The Functions of Social Conflict* (Glencoe: Free Press, 1956), pp.78-79
[173] Ibid
[174] Leroy Vail, 'Introduction: Ethnicity in southern African History', in Vail, ed., The Creation of Tribalism in Southern Africa James Currey, London, 1989), pp. 1-3.

scientists, have routinely denounced ethnicity or tribalism as retrogressive and shameful, an unwelcome interruption of the pursuit of modernity.[175] In Vail's[176] vivid phrase, ethnicity has been treated as a 'cultural ghost . . . an atavistic residue deriving from the distant past of rural Africa . . . [that] should have evaporated with the passage of time but continues to refuse to obey laws of social and political change . . . Ethnic consciousness is, in this view, a form of collective irrationality.

In the dominant paradigms of modernity, liberal or Marxist, preoccupied with the development of secular nation-states, the persistence of ethnicity instead of its supersession by the broader modern, progressive solidarities of class or nation threatens the entire development process. As Samora Machel, leader of one of the most radically modernist African regimes, bluntly put it, 'For the nation to live, the tribe must die'.[177] And yet, the increasingly obvious and stubborn persistence of indigenous cultures, their ability to create 'new identities and orders of difference' out of eclectic and often contradictory elements of modernity and tradition, challenges the paradigms of development with 'the inescapable fact that Westerners are not the only ones going places in the modern world'.[178] Meanwhile, even as they ritually denounce 'tribalism', African politicians, in the open secret of African politics, sedulously attend to the maintenance of the ethnic networks of patronage that are the basis of their power.

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[175] Crawford Young, 'Nationalism, ethnicity and class in Africa: A retrospective', Cahiers d' Etudes africaines,10 3, XXVI-3 (1986), pp. 442-345
[176] Vail L, 'Introduction: Ethnicity in southern African History', in Vail, ed., The Creation of Tribalism in Southern Africa James Currey, London, 1989), pp. 1-3.
[177] Mahmood Mamdani, (1996), Citizen and Subject: Contemporary Africa and the legacy of late Colonialism PrincetonUniversity Press, Princeton, p.135.
[178] Ibid

3.7 Conclusion

From the above it can be said that political scientists, like sociologists and anthropologists, neither have a uniform notion of cultural diversity. What then constitutes a plural society? Some of these disagreements might be resolved by a fresh focus on the question of salience. Definitional rigor, however, precedes any such resolution. There is need to secure the "political will" and the "will of the capital" in the west especially because it is in the best interests of the Western countries that Africa goes through a transformation from its current state of instability, to one in which the human security is guaranteed. It is worth noting that value consensus may lead to integration or otherwise as already seen by the eschewed introduction of government and politics by the colonialist. If groups feel that politics is about domination it could lead to conflict instead of legitimacy and moderation.

It is imperative that the constitution of a country reflects in its objects respect for ethnic and regional diversity and communal rights including the right of communities to organise and participate in cultural activities and the expression of their identities'. The government in Kenya must also ensure the provision of basic needs of all Kenyans through the establishment of an equitable framework for economic growth and equitable access to national resources'.

CHAPTER FOUR

THE LINK BETWEEN CULTURAL PLURALISM AND POLITICAL INSTABILITY: A CRITICAL ANALYSIS

4.0 Introduction

In chapter three we highlighted the varieties of cultural pluralism that can be manifested in the politics of plural societies; the chapter also covered conceptual development of the concept of a plural society with a deeper analysis of plural societies. This chapter undertakes to give a critical analysis of the factors that have been brought forth as the ingredients of political violence in pluralistic societies. It critically dissects cultural pluralism while highlighting how it can cause political instability. Domestic factors also play a predominant role in the transition often ranging from "corrupt rulers, repression, a colonial legacy, "swollen" states, and insufficient political structures hence a destruction of democracy[179]. The ethnic character of the 2007-2008 PEV violence has put Kenya's coherence as a nation in doubt. It is also clear from the previous chapters that Africa, kenya incuded has no individual indigenous empires or States operating independently of the European powers in the current century. Religion has less political significance as a national identifier except in area where there has been intollerance between Islam, Christianity and other religious affiliations.

This study argues that political and ethnic conflict is a result of a complex web of factors. Although this paper acknowledges that it would be a futile endeavor to attempt to establish an exclusive causal link to a particular factor, two issues are identified as playing a major role in fuelling ethnic tensions in the globe. This Chapter also analyzes the role played by cultural

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[179]Rothchild D. (1969), Ethnic Inequalities in Kenya, journal of modern African studies, Vol 7
   pp689-711

pluralism in perpetuating economic disparities between ethnic groups hence resulting in political instability. This begs the question; Is cultural pluralism the aggregate for political instability in Kenya?

4.1 Background

The reluctant withdrawal of colonial powers left new rulers with the difficult task of nation building through the creation of national communities out of the mix of tribes, religious and languages which had made up the colonies. The boundaries of the colonies had been artificial lines on a map not ethnic or social boundaries yet the legitimacy of the new states now rested on the consent of the people rather than an inposed imperialism. In a nutshell new states tended to come up under the control of one group usually numerically dominant. The resources of the State and economy were then used for the benefit of that group to the detriment of the others. In Kenya this is displayed by the domination of the Kikuyu in kenyan politics since independence. It has always been argued that they have continued to enjoy resources and that central province is deemed to be more developed than any other places like Nyanza or Kisumu County. It has been said that it is the only province with a super highway and the only reason for is because it is where the former president and even the incumbent come from.

An illustration would be in Nigeria where there are three dominant tribes often referred to nations that have competed for control of the State since independence[180]. The moslem Hausa/Fulani tribes in the North though numerically superior are economically inferior were able to dominate the political structure. The Ibos in the west who are predominantly christians

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[180] Kellas James, (1998) the politics of nationalism and ethnicity, London, Macmillan press ltd Houndsmills, Basingstoke, Hampshire.

attempted to create their own State of Biafra but the same was quoshed in the civil wars of 1967-1970.

Cultural pluralism as we have already seen is defined as the presence of two or more separate communities living side by side, but separately, in the same political unit where economic divisions also coincide with cultural divisions. Smith sharpens that definition by attributing it to the separate communities and different institutional structures.[181] In short, the existence of separate cultural groups with generally incompatible sets of values constitutes a necessary condition for a plural society. The presence of cultural diversity constantly strikes scholars as the crucial feature of cultural pluralism. Milne, a Malaysian specialist, confidently claims; "More than anything else, the racial composition of Malaysia is the key to understanding the whole picture. It dictates the pattern of the economy, has helped to shape the constitution, and has influenced the democratic process and the party system."[182]

This above statement, with appropriate substitutions, applies to many other plural societies. At the outset, we recognize cultural diversity as a necessary condition for a plural society and we can safely conclude at this juncture that if a society is plural, then it is culturally diverse. However, nearly every modern society is culturally diverse. Thus, although the existence of well-defined ethnic groups with generally incompatible values constitutes a necessary condition of the plural society, it is not sufficient.

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[181] Smith, M.G. (1965) *The Plural Society in the British West Indies.* Berkeley and Los Angeles: University of California Press.
[182] Milne, R.S. (1967) *Government and Politics in Malaysia.* Boston: Houghton Mifflin Company.

The hallmark of the plural society, and the feature that distinguishes it from its pluralistic counterpart, is the practice of politics almost exclusively along ethnic lines. To put the emphasis differently, in the plural society the overwhelming preponderance of political conflicts is perceived in ethnic terms. Permanent ethnic communities acting cohesively on nearly all political issues determine a plural society and distinguish it from a culturally heterogeneous, non-plural society.

The massive migratory movements and violent civil wars of the twentieth century have spurred a lively debate on cultural pluralism and cultural autonomy, which has brought new public and scholarly attention to questions of the relationship between cultural pluralism and political instability. In the spirit of this debate and as part of a series of conferences and workshops organized under the title "*I Have A Dream: Political Culture in Divided Societies*", the Twelfth Berlin Roundtables on Trans-nationality focused on religious and linguistic minority rights and the challenges of multicultural societies.[183]

Historically, cultural pluralism has often been used in various political systems to accommodate linguistic and religious diversity. First, political power and cultural autonomy can be given to at least larger concentrated minorities through federal or other forms of political autonomy. Numerous studies have shown that when aspirations for cultural autonomy and calls for religious or linguistic rights go unanswered, threats of separatism begin to appear. Within such settings,

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[183]Moruzzi, Norma (1994) A Problem with Headscarves. Contemporary Complexities of Political and Social Identity Political Theory, 22 (4) pp. 653-672, Augenstein, D Religious Pluralism and National Diversities: Dilemmas of European Human Rights Jurisprudence, University of Edinburg, School of Law, Old College Bridge, Edinburgh EH8 9YL UK, p4

religious and linguistic rights guarantee and support the cultural identity of at least the largest minorities, and ensure the integrity of the state in which they live.

Second, where political autonomy is neither feasible nor refused, political systems may still have in place certain religious or linguistic rights for specific minorities under the traditional majority/minority model of governance. Third, traditional immigration societies, such as the US, Australia, Canada and Brazil, often attempt to deal with the question of cultural freedom predominantly within the private sphere. Tensions may arise between indigenous minorities and the majority population as well as between long-established immigrant communities and newcomers. Today, further developments in internal and international migratory movements tend to challenge these settings in many ways and can lead to diverse permeable societies with new and ever changing arrangements with respect to religious and linguistic freedoms and rights.

Most of the political stability in the globe today has been due to lack of tolerance among the different cultures that coexist. From 1950 to 1970, the debate centered upon socio-economic and political inequalities produced by cultural and racial stigmas, and upon their systemic character which seemed inscribed in the structure of occupations and political jobs and which did not seem to diminish even with a positive evolution of thinking about them. Beginning in the 1980s, the debate changed. Racial, linguistic, religious and ethnic discrimination were no longer the object of controversy about socioeconomic and political inequalities, but about the right to express minority cultural orientation without social prejudice and (since the 1990s) about their effects upon the sense of belonging to a society.[184]

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[184] Kymlicka, Will and Wayne Norman, (2000), eds., *Citizenship in Diverse Societies*, Oxford, Oxford University Press.

It is then suggested that discrimination generates a failure of recognition of stigmatized persons as citizens, and that the so-called cultural neutrality of the state contributes to their negative symbolic delineation and to their alienation as regards state and society. This situation engenders affronts on the partiality of how history is told in the US and in Canada, and on the cultural and political status of immigrants in Western Europe subsequent to the near closing of borders in the 1970s. This leads to conflict amongst different cultures to address the imbalances within the political system and leads to instability in many countries around the world.

4.2 Emerging Issues

4.2.1 Culture, Ethnicity and Conflict.

According to Williams, a dominant culture is the grouping of interpretations, rarely expressed and taken more or less for granted, which govern daily relations between people in the principle aspects of their social lives[185]. Nevertheless, this culture is never hegemonic, since other representations of reality exist, which contest its legitimacy[186] and open a space for conflict. In a modern system, equality is one of the values and ideas that create such a space by allowing us to point out contradictions between the ideal precept and the social reality.

The terms *cultural minority* and *charter groups* are therefore used to make evident the possible existence of several cultural majorities constructed on the basis of different referents (cultural, linguistic, religious, sexual, race-related, and national) in a single society. Given the evolution of the debate, control over cultural production as matrix of interpretation (school, media, and historical narration), the equilibrium between fundamental freedoms and majority values, as well

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[185] Bernard W, (1985), *Ethics and the Limits of Philosophy*, London, Collins, p230.
[186] Philip,R, (1994), *Thinking English Canada*, Toronto, Stoddart. Roseberry, William, 1989, *Anthropologies and Histories. Essays in Culture, History and, Political Economy*, New Brunswick, NJ, Rutgers University Press.

as state intervention, all become central questions. This paper tries to answer the question; does marginalization of minority cultures play any role in creating political instability in the world?

According Otieno the market outcome of the allocation of resources especially in Africa is socially unacceptable; they cause massive deprivation and inequalities, marginalization and in some cases, trigger interethnic conflicts, as various groups struggle for scarce state resources. Again, this is more common in countries less endowed with natural resources while in those cases with natural resources, regional conflagrations emerge as different parts of the country compete or lay claim to such resources.

Furthermore, the consequence of external pressure combined with internal mal-governance problems in Africa are enormous and have had serious implications for political instability. Particularly in Kenya, "the presidential centralization of power and the intensification of kleptocracy were backed by an increasing resort by the regime to greater repression and intimidation".[187] These kind of hostile political environments have consequently contributed to the exodus of many highly qualified persons, a further contributing factors the problem of brain drain [188], but also the exodus of their next of kin, or general refugee migration as part of populations seeking safety in foreign lands including Europe and North America.

In many African countries post-colonial nation-building has also led to cultural domination and exclusion. When some groups are found in control of the state apparatus, the repressions of other groups take the 'form of state sanctioned imposition of cultural or political motifs of one or more

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[187] Southall, Roger (1998) 'Moi's flawed mandate: the crisis continues in Kenya', *Review of African Political Economy*, pp101 — 111

[188] Adepoju Aderanti, (2008) *Migration in sub-Saharan Africa*, Nordiska Afrikainstitutet, Uppsala

groups on the rest of the population'.[189] The excluded groups have often been silenced, and when protested against their marginalization and discrimination, they were subjected to repression. For example Okafor observes that 'socio-cultural groups have, in some cases such as the case of the Ogoni, Katafa and Bajju of Nigeria, been brutally suppressed in the drive to impose the power of the central authority on them[190]. It has been recorded that the 'Tuareg people have suffered from the violation of their right to existence in Niger and Mali where they have been killed by the army and militia.'

African states actively sought to nationalize the culture and language of some groups and demand or enforce its appropriation by all members of society as a condition of membership as citizens of the country. One can categorize this process of nationalization as taking the form of any one or combination of two: a coercive one consisting of restriction or outlawing of a group's language, impositions on the expressions of its traditional practices and ways of life, the persecution of cultural leaders, clergy members and attacks on academics and intellectuals and an assimilations one involving a systematic process of nationalizing the dominant culture to the exclusion of others.[191]

Horowitz argues that the sources of ethnic conflict reside in the struggle for relative group worth.[192] In Yugoslavia, for example, voters responded to the emotional appeal of nationalist firebrands such as Miloševib and Franjo Tudjman instead of the interest-based appeals of

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[189] Osaghae '*Ethnicity, the state and Constitutionalism in Africa: Preliminary observations'* in Akiba (ed.) pp 95

[190] African Commission Working Group of Experts on Indigenous Populations/Communities (2005) [ACHPR Report] p39.

[191] Adeno Addis 'Individualism, communitarianism, and the rights of ethnic minorities' (1992) 67 Notre Dame Law Review, pp 619-620.

[192] Donald Horowitz, (2001). *Ethnic Groups in Conflict.* Berkeley: University of California Press

economic reformers supporting the popular Prime Minister Ante Markovib. The result was a war in the interests of almost no one, but comprehensible if understood as a competition for status. "Why should I be a minority in your state," a Croat is said to have asked a local Serb, "if you can be a minority in mine?"[193]

Kaufman argues that conflict in most cases is never spontaneous but a process. He describes the centrality of emotion in symbolist theory that suggests a second, emotional precondition; ethnic appeals are successful in producing extreme violence only if the group also fears that its existence is threatened. In some cases, as among Israelis, there may be a literal fear of genocide. In other cases, more limited threats can be exaggerated so they seem to be existential ones. Exaggeration of the threat is often part of the point: what matters is not a sober analysis of demographic or military balances, but the ability to evoke the visceral reaction: "our group is in danger." Because the fear is subjective, a probabilistic understanding of its effect is appropriate, the greater a group's fear of extinction, the greater the likelihood, and likely intensity, of violence against ethnic rivals.

Another process leading to ethnic war or genocide is political opportunity, which consists of two elements. First, there must be enough political space; whether the result of political freedom, state breakdown, or foreign support to mobilize without facing effective repression; access to state institutions obviously increases the opportunity to act. Second, as Monica Toft shows in detail, is a territorial base: ethnic rebels cannot mobilize unless they either are territorially

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[193] Chaim Kaufmann, (2000). "When All Else Fails: Ethnic Population Transfers and Partition in the Twentieth Century," *International Security,* Vol. 23, No. 2, pp. 120–156.

concentrated in some region or have a territorial base in a neighboring country.[194] Again, a probabilistic formulation is appropriate all else being equal, the greater the opportunity for both sides in an ethnic conflict to mobilize for violence, the greater the probability of war between those groups. Political conflicts therefore require opportunity only on the side of the perpetrating group.

4.2.2 Cultural Pluralism a Source of Political Instability in Kenya

[195]After a long and contentious election campaign, Kenya held general elections on December 27, 2007. Despite concerns about serious flaws in the counting and tallying of votes and a long delay before announcing the results, the incumbent Mwai Kibaki was announced the winner of the presidential vote on December 29, by a narrow margin, over the opposition candidate, Raila Odinga. The announcement of the election results sparked widespread violence in many parts of Kenya. Looting, arson, and property destruction were rampant throughout January and February 2008. The violence is estimated to have resulted in about 1200 deaths and the displacement of 500,000 or more people. After weeks of negotiation, a power sharing agreement the grand coalition agreement was finally signed on February 28, 2008, and general calm was restored. However, the subsequent flow of commentaries on ethnic tensions in Kenya suggests that long term solutions are yet to be found.[196] Indeed, the words of the first President of Kenya, Jomo Kenyatta, as quoted in the epigraph, were hardly a true reflection of ethnic relations then and can only be said to be an aspiration of the present day Kenya. The 2007 post-election violence in Kenya highlighted underlying ethnic tensions that pose a threat to the stability of the country.

[194] Monica Duffy Toft, (2003) *The Geography of Ethnic Violence: Identity, Interests, and Indivisibility of Territory*.: Princeton University Press.
[195] Gibson, Clark C., Long, James D., 2009. The presidential and parliamentary elections in Kenya. Electoral Studies 28 (3), 497–502
[196] M Oongo and O Wanzala 'Coalition Faces Collapse Says ODM Law maker' (2008) Daily Nation;

Kenya has continued to grapple with the challenge of managing diversities since independence in 1963, often without much success. The major test in management of diversity has been the ethnic factor which ramifications have sometimes been catastrophic. Whereas it is often alleged that these tensions are class based, the place of ethnicity cannot be gainsaid. The International Crisis Group described the post 2007 general elections conflict candidly as follows:[197]

> In the slums of Nairobi, Kisumu, Eldoret and Mombasa, protests and confrontations with the police rapidly turned into revenge killings targeting representatives of the political opponent's ethnic base. Kikuyu, Embu and Meru were violently evicted from Luo and Luhya dominated areas, while Luo, Luhya and Kalenjin were chased from Kikuyu-dominated settlements or sought refuge at police stations. Simultaneously, Kikuyu settlements, the largest migrant communities in the Rift Valley, were the primary victims of Kalenjin vigilante attacks that were reminiscent of the state-supported ethnic clashes of the mid-1990s.[198]

The ethnic tensions then were further exacerbated by past conflicts. These include the clashes in 1991/1993 in some parts of Western Kenya, the 1991/1992 and 1997/1998 ethnic clashes in the Rift Valley, the 1997/1998 tribal clashes in some parts of Nyanza (Gucha, Migori and Kisii) and the clashes in Likoni, Coast Province. These disagreements have been given different interpretations. For instance, the 1992 clashes in Rift Valley were perceived by some as a form of punishment to the Kikuyu. There have also been allegations that some of these ethnic clashes were politically instigated ostensibly to alter the voting patterns in favor of the then ruling party, Kenya African National Union (KANU).

Ethnic conflicts have confounded Kenya's governance structures and continue to rank top on the list of the challenges of State. Prof Ali Mazrui has recounted Kenya's predicament, perhaps, in

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[197] International Crisis Group, Africa Report No. 137 of 21 February 2008.
[198] Ibid

the most dramatic format. According to Prof Mazrui one major characteristic of politics in postcolonial Africa is that they are ethnic-prone[199]. It reads in part;

> "My favorite illustration from Kenya's postcolonial history was Oginga Odinga's efforts to convince Kenyans that they had not yet achieved Uhuru but were being taken for a ride by corrupt elite and their foreign backers. Oginga Odinga called upon all underprivileged Kenyans regardless of their ethnic communities to follow him towards a more just society. When Oginga Odinga looked to see who was following him, it was not all underprivileged Kenyans regardless of ethnic group but fellow Luo regardless of social classes. It was not the song of social justice, which attracted his followers; it was who the singer was – a distinguished Luo. Not the message but the messenger."

It has been argued that the ethnic proneness of Africa's politics affects not only who is elected, but also how jobs are allocated and affects the triumph of ethnic nepotism as one branch of corruption.[200] Indeed, power-plays, capital-transfers, loyalties and solidarities, jobs and opportunities, scholarships and bursaries, loans and gifts, are all influenced in one degree or another by the pervasive power of ethnicity in Africa.[201]

In multi-ethnic societies, having a multiparty government may result in political parties organized to address the interests of particular ethnic groups.[202] This has been the case in various African countries such as Malawi, Zambia[203] and Kenya. Although political parties may not be exclusively composed of particular ethnic groups, they obtain their support predominantly from identifiable ethnic groups.[204] These political parties may also form coalitions with other parties resulting in multi-ethnic coalitions. In Kenya, for example, the major political parties, Party of

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[199] A Mazrui '"Katiba na Kabila": If African Politics are Ethnic-Prone, Can African Constitutions be Ethnic-Proof?' (2004) 1 University of Nairobi Law Journal p 144.

[200] Ibid
[201] Ibid
[202] Donald Horowitz,(1991) *A Democratic Africa? Constitutional Engineering in a Divided Society.*
[203] BO Hwedier (1998) 'The Role of Ethnicity in Multi-Party Politics in Malawi and Zambia, Journal of Contemporary African Studies p 228.
[204] Donald Horowitz,(1991) *A Democratic Africa? Constitutional Engineering in a Divided Society*

National Unity (PNU) and the Orange Democratic Movement (ODM) could be termed as multi-ethnic coalitions. As Berman contends multi-partism augments 'politics of primary patriotism'.[205] This is particularly so in contexts where other forms of social stratification are harder to exploit for political purposes. In multi ethnic countries, particularly contexts where other forms of social stratification are harder to exploit for political purposes, political mobilization is done on the basis of ethnicity.[206] For example, in Africa, class ties may be more difficult to manipulate in comparison to ethnicity.[207]

The danger however in organizing party politics along ethnic lines is that it exacerbates ethnic tension. As a result ethnic conflicts are bound to erupt during elections as parties compete against each other since campaigns between parties are perceived in ethnic terms. The Kenyan context illustrates this interplay between multi-party politics and ethnic conflicts. Incidents of inter-ethnic violent attacks in 1992 were preceded by campaigns to amend Section 2A of the Constitution of Kenya which sought to convert Kenya from a single party to multi-party state.

President Moi, had assiduously protested multi party politics contending that Kenya was not politically mature to convert to a multi-party State.[208] However, this was seen as a political gimmick to ensure that his government stayed in power, a *status quo* that could be put at stake in a multi-party arrangement.[209] At the inception of multi-party politics, the priority for the incumbent was how to remain in power. Just before the elections in 1992 and 1997, ethnic

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[205] Burman, Jenny. *Remittance; Or, Diasporic Economies of Yearning*, Small Axe - Number 12 (Volume 6, Number 2),September 2002, pp. 49-71

[206] H Bienen, "Leaders, Violence and the Absence of Change in Africa," (1993) 108(2) Political Science Quarterly p271.

[207] Ibid

[208] M Koenig, (1999) Democratic Governance in Multi-cultural Societies pp23-25

[209] L Mulli Understanding Election Clashes in Kenya, 1992 and 1997.

'clashes' erupted. The coincidence in the timing and the location of the violent incidents raised suspicion as to the government's involvement in the clashes. President Moi however blamed the clashes on multi-partyism.[210]

 Irrespective of the notion of direct government involvement in instigating the clashes, the obvious conclusion is that it conveniently manipulated the clashes to facilitate its success in the 1992 and 1997 elections. By manipulating ethnic overtones, the government managed to apply the historical divide and rule strategy. Ethnicity was raw and the votes were divided along tribal lines. Having analyzed the strategy that had been employed by KANU in the 1992 and 1997 elections, the opposition parties formed an alliance to remove President Moi from power. Their strategy was to use multi-ethnic cooperation to get into power. The National Rainbow Coalition (NARC), made up of several parties was formed and came into power in 2002.

It must be pointed out that by no means does a coalition party suggest that politics are no longer based on ethnic considerations as was the case in NARC. Instead, it reflects a compromise between ethnic groups towards a common goal. In effect, the underlying ethnic notions continue to exist and slight misunderstandings may lead to dissolution. Such a result intensifies the ethnic tensions that existed before the coalition and may result in ethnic violence.[211] NARC in following this trend was short-lived. As the ruling party, it failed to live to the citizens' expectations. A fundamental campaign policy that was constantly promised by NARC was its commitment to the constitutional review process.

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[210] Ibid
[211] Donald Horowitz, (1991) *A Democratic Africa? Constitutional Engineering in a Divided Society*

As discussed, the political parties had an ethnic base hence in effect power sharing meant incorporating leaders from different regions in the country. However, the government's commitment to these terms was questioned and the parties' differences became irreconcilable. Since NARC had been formed on condition that the draft constitution would institutionalize the agreed power allocations to different parties, the collapse of the constitutional reform process marked the end of NARC. Bearing in mind the 'ethnic base' of the member parties of NARC, this dissolution led to more divisive ethnic based politics. The incumbent President's failure to honor NARC's Memorandum of Understanding fuelled even further existing animosity against his ethnic group, the Kikuyu. Consequently, election campaigns in 2007 revolved around an anti-Kikuyu cause. The rationale for this ethnic motivated politics was that the breaking down of the MOU disregarded the envisaged equitable distribution of power among the ethnic groups. As a result, the 2007 election campaigns were premised upon removing President Kibaki from power to facilitate the rule of a president from a different ethnic background.[212] This was clearly depicted by the overwhelming victory of the ODM presidential candidate in some regions and especially in the Rift Valley, Nyanza and Western Provinces of Kenya.[213]

Politicization of ethnicity is made possible by factors that exacerbate asymmetrical inter-ethnic relationships. For instance where certain ethnic groups appear to be advantaged in certain aspects such as economically or politically, this provides a justification for ethnic groupings to struggle for the cause for the aggrieved ethnic groups. In Kenya, for example, the economic dominance of the Kikuyu has been a major point of focus in the politicization of ethnicity and as a result brings the political ethnic conflicts. Ethnicity alone does count for the myrad of problems experienced

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[212] K Korir, Kenya: Does Raila Odinga "Hate the Kikuyu Community?" 2006 African Press International. Available from <www.africanpress.wordpress.com
[213] Electoral Commission of Kenya. 2007 Presidential Elections Results

by kenya today. For instance the accelerated rate of unemployment and the landless have made people resolve that there is nothing to lose by taking to the streets, driven by fury that transcends their tribe.

4.2.3 The Role of History and Colonization

Although Kenya attained its independence in 1963 it is still marred and shaped by the legacy of the colonial era. It is still haunted by historical injustices and oppressive structures that were bequeathed to the post colonial leadership.Kenya was identified as a territory for European immigration that led to segregation in which large tracts of land were taken from indigenous people and reserved for white settlers. Concentration of infrastructure and economic development was exhibited in areas inhabited by white settlers. This led to uneven development that over time favored some ethnic groups especially the Kikuyu. They became the most educated, a position they have never relinquished and that has been protected and encouraged by kikuyu elders throughout the post colonial period. There have been numerous efforts by the other ethnic groups to diminish the political and economic dominance of the kikuyus' to no avail.

The indirect rule established bureaucracy on a group by group basis which accounts in large measure for salience of ethnicity in contemporary politics. The boundaries of administration were drawn purely on ethnic lines. Electoral politics were also introduced on a group by group basis hence heightening the distinctions between groups and especially the perception that the kikuyu had benefited more than other ethnic groups from colonial rule. The colonialists fostered divisions among ethnic groups to retain control over Kenya. The indirect rule was aptly adopted

by the Kenyan politicians in the post independence era[214]. The concentration of political and economic power in one head, the hall mark of colonial rule was retained by kenyan leaders at independence[215]. The 2008 post election violence is a chilling mirror of the deeper malaise that plagues the Kenyan society since the colonial era wherein Kenyatta and the later leaders exercised authoritarianism and did not remember that they were not supposed to be the successors of the colonial masters. [216]Elkins argues that the origin of the Kenyan crisis can be traced back to its colonial past, she states;

> "Far from leaving behind democratic institutions and cultures, Britain bequeathed to its former colonies corrupted and corruptible governments.Colonial officials hand-picked political successors as they left in the wake of World War II, lavishing political and economic favours on their protégés. This process created elites whose power extended into the postcolonial era. Added to this was a distinctly colonial view of the rule of law, which saw the British leave behind legal systems that facilitated tyranny, oppression and poverty rather than open, accountable government. And compounding these legacies was Britain's famous imperial policy of divide and rule,' playing one side off another, which often turned fluid groups of individuals into immutable ethnic units. In fact, both ethnic conflict and its attendant grievances are colonial phenomena. It's no wonder that newly independent countries such as Kenya maintained and even deepened the old imperial heritage of authoritarianism and ethnic division….Britain was determined to protect its economic and geopolitical interests during the decolonisation process, and it did almost everything short of stuffing ballot boxes to do so. That set dangerous precedents…"

From the above it is quite evident that kenyais still grappling with the after effects of colonialism and save for recently when it overhauled its consitution and promulgated a new one in August 2010 many of its legislations are still based on the doctrines of English common that were heaviliy borrowed from Britain, her colonial master.

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[214] Caroline Elkins, "*What's Tearing Kenya Apart? History, for One Thing*," *Washington Post* (online edition), Vol. 6 January 2008.

[215] Tom Mboya, (1963) *Freedom and After*, London: Andre Deutsch, , p.64

[216] Caroline Elkins, "*Ethnic Woes a Legacy of Colonialists' Power Game*,"http://www.pambazuka.org.

It is logical to argue that at independence, and even in this era of multi-party politics, many political parties are not based on any fundamental ideology but ethnicity. In fact there is no doubt that many a times political parties are formed on ethnic lines, and this has became a threat to stability in many African nations. In Kenya as earlier mentioned most political parties are ethnic based for example the Orange Democratic Movement is dominated by the Luo and people from western Kenya, Natioanl Rainbow Coalition by a portion of Kambas, Wiper Democratic Movement by a majority of the kamba population, Party of National Unity by some Kikuyu and The National Alliance the vehicle through which the incumbent president Uhuru Kenyatta ascended to power in March 2013 is dominated by the kikuyu and ethnic groups from the Mount Kenya region.

The colonial masters who largely constitute the developed nations and whose geo-security and resource interests seem to benefit from the status quo in Africa, have not seen the need for the establishment of functioning systems in Africa, instead, their involvement, continues to undermine Africa's stability through the militarization of conflicts for accumulative purposes[217]. For instance while many countries took a tough stand on Moi regime in 1980s and early 1990s, Britain did not take a strong stand against Moi's regime, due to their interests in Kenya. Britain had an investment worth $1billion in Kenya[218].In this case the safety of their investments and profits was enough justification to accept the Moi regime after flawed elections in 1992. Congratulatory message by the US government to Kibaki after the 2007 elections in Kenya, just to turn round when the EU and other countries took a different position based on the facts on the

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[217] Antony Otieno Ong'ayo (2008) *Political instability in Africa, Where the problem lies and alternative perspectives*, The African Diaspora Policy Centre, Amsterdam p2
[218]Murunga, G. (2004) *The State, Its Reform and the Question of Legitimacy in Kenya , Identity, Culture and Politics,* 5 (1&2), pp.179-206

ground and the verdict of the monitors. These contradictions often end up undermining the efforts and the resolve of many Kenya who endure harsh political conditions, to express their democratic rights through the vote.

4.2.3 Other Sources of Political Violence in Kenya

4.2.3.1 Inequitable Distribution of State Resources

Historically, the region that controls political power in Kenya also controls the direction and magnitude of economic and political resources of the state. Muhula argues that socio-economic and political differentiations based on socio-cultural identities such as ethnicity, religion or race, are known as horizontal inequalities[219]. Despite the existence of institutional frameworks that are supposed to guide processes and delivery on essential services, there is continued weakening of these institutions, through political mechanisation and predatory nature of African elites, working in cohorts with external interests. The existing economic conditions based on western policy prescriptions also play a significant role in the deprivation of African populations, of the essential services, which are key to development.

For instance the Structural Adjustment Programs (SAPs) led to a drastic decline in control and prevention measures against diseases such as cholera, yellow fever and malaria that were once under control while new diseases remain a big challenge and also contribute further to the undermining of stability in Africa. The absence of these fundamental services implies that generations and generations go through deprivation which impacts upon their potential to be

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[219] Muhula, Raymond (2009). Horizontal Inequalities and Ethno-regional politics in Kenya. *Kenya Studies Review*: 1, 1, 85-105, Stewart, F. 2002. ―Horizontal Inequalities: A neglected dimension of development,‖ *QEH Working Paper Series,* Centre for Research on Inequality, Human Security, and Ethnicity (CRISE) Oxford: CRISE. Stewart, F. 2000. ―Crisis Prevention: Tackling Horizontal Inequalities, ‖ *Oxford Development Studies,* 28, 3:245-262).

productive members of their own societies. Whereas the problem might look significantky African or Kenyan, the cause is western based financial institutions whose interference through conditionality and economic policy prescriptions, contribute to the instability in Africa. The accumulative and exploitative tendencies, greatly increased government indebtedness and reinforced a spiral of decline in the delivery of public services and of the economy generally. In countries where Structural Adjustment Programs (SAPs) were implemented, there were massive lay outs and retrenchment in the civil service, in this case, many people lost their source of livelihood, hence increased levels of poverty and struggles for scarce state resources, which subsequently led to internal conflicts as the appropriation of state resources take an ethnic or nepotism dimension.

Souhthall states that in Kenya the presidential centralisation of power and the intensification of kleptocracy were backed by an increasing resort by the regime to greater repression and intimidation[220] The tragedy in most african states kenya included is that the resultant political conflict is not about alternative political programmes that could address the major problems such as poverty, disease and illiteracy, but merely a fight over who has access to the state resources.

Gerd and Verkonen concurr with Southall and state that one of the crucial determinants of weather shooting and looting will start again in Kenya having gone through violent experiences, depend on the degree of economic and social development, and the fair distribution of its fruits to different groups of the population[221]. According to Vanhane, a lack of equal distribution

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[220] Southall Aidan (1998) The City In Time And Space, Cambridge, Press Syndicate of the Univeristy of Cambridge p102
[221] Lynch, G (2005) *Negotiating Ethnicity: Identity Politics In Contemporary Kenya*, Review of African Political Economy Vol 33, pp 49-65

would be detrimental to the democratization process as the struggle for scarce resources and hegemony of one group would ensue. In the absence of such guarantees, people become vulnerable and feel insecure in their immediate surroundings and with constant power struggles and other in humane treatment by rogue regimes, large sections of African populations have become refugees within the continent and abroad.

Under difficult economic conditions, high unemployment and poor prospects for the future, people feel victimized and blame their misfortune on other ethnic group(s). This leads to inter-ethnic competition. Lake and Rothchild note that Property rights, jobs, scholarships, educational admissions, language rights, government contracts, and development allocations all confer particular benefits on individuals and groups. Whether finite in supply or not, all such resources are scarce and, thus, objects of competition and occasionally struggle between individuals and, when organized, groups[222]

4.2.3.2 Land Issues

In the 2007-2008 PEV the question of land became a salient issue in the resolution as its widely considered as a hisitorical injustice that was perpetuated during colonial times and thereafter perfected by the Kenyan leaders. There has been hue and cry over unequal distibution of land resources all over the country. This is a cross cutting issue that affects even the communities who deem themselves to be in power and so entitled to benefit from allocation of a huge chunk of national resources. It has been found that there are people who since colonial times continue to live as squatters without any proprietary rights on the lands in which they live. There are also

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[222] David A. Lake and Donald Rothchild (1996), "Ethnic Fears and Global Engagement: The International Spread and Management of Ethnic Conflict," Working Paper, Institute on Global Conflict and Cooperation p11

afew people, the elite in society who own huge tracts of land that they are not necessarily utilising. Many of these have acquired them through questionable mechanisms including corruption at the Ministry of lands that has even at times issued double allocations and given title deeds on government land to private individuals.

The unrest during the PEV enabled some groups to act on long-standing grievances over land, and forcible appropriation has led to large-scale displacement, particularly in the Rift Valley and western Kenya. The PEV led to massive diplacement of about 600,000 Kenyans especially within the Riftvalley province.

During the colonial period, British land policy favoured (white) settler agriculture, entailing the dispossession of many indigenous communities' land (mainly the Kalenjin, Maasai and Kikuyu) across the Rift Valley and Nyanza, Western and Central provinces – the so-called White Highlands[223]. This process was legalised with the implementation of an individual freehold title registration system at the expense of customary mechanisms of land tenure.

Subsequent regimes especially the kenyatta regime perpetuated the colonial legacy. Kenyatta maintained the freehold land titles and did not question how the land had been acquired. To compensate the displaced, the government began a series of resettlement schemes based on a market system, which was biased towards those with the financial means to acquire land. Meanwhile, corruption and ethnic politics supported patronage networks and favoured certain communities, particularly the Kikuyu, who settled in the fertile areas of the Rift Valley, at the

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[223] Kenya Land Alliance, Righting the Wrongs: Historical Injustices and Land Reforms in Kenya, Policy Brief (Nairobi:KLA, 2004), pp. 1–2.

expense of others, such as the Luo, the Maasai and the Kalenjin. Former president Moi while experiencing political threats at the adevnt of multiparty politics portrayed the opposition as kikuyu led and the clamour for multipartism as an exclusionary ethnic project to control land. There a sudden call for *majimboism* meaning fedaralism but the concept was misnterpreted in Kenya to mean the setting up of provincial autonomy based on ethnicity. This led to the eviction of Kikuyus' from parts of riftvalley and western parts of Kenya and this in itself began the concept of internally displaced persons in Kenya. Rampant land-grabbing further undermined customary mechanisms of land governance, while growing hardship among the majority poor and rapid population growth increased pressure on the country's arable land.

The question of land is thus a sequence of recurrent displacement stemming from unresolved and politically aggravated land grievances, in light of population growth, poor governance and socio-economic insecurity. [224]Many policy proposals usually advocate for returning populations to their areas of origin or habitual residence and the restitution of land and property. Often, however, displaced people have no land to return to, or are unable to access their properties. They may have no alternative but to occupy someone else's land, or they may be in direct competition for land with other groups, including the state.

From the above exposition it is also clear that Even where land is not a central driver, secondary conflicts can emerge, particularly if there is protracted displacement and land is occupied opportunistically. The result is often overlapping or competing land rights and claims, lost or

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[224] L. Alden Wily, '"It's More Than About Going Home". Land in Emergency to Development Transitions in Conflict States: Who Should Do What?', paper presented at the HPG conference *Uncharted Territory: Land, Conflict and Humanitarian Action*, February 2008.

destroyed documents, lack of adequate housing stock and increased land pressure, often in the absence of an institutional framework that can effectively resolve these conflicts

4.4 Conclusion

The governance of cultural diversity is a key issue in contemporary politics, both domestically and internationally. Accommodating increased cultural diversity by balancing the recognition of differences with the promotion of equal participation in the common public sphere is a task that will, for the foreseeable future, be with us to stay. The contributions to this chapter show that this task requires finding suitable public policy responses to ethnic, linguistic and religious claims for recognition that go beyond the classical institutional contours of the modern nation-state. They also show that while human rights do provide some normative yardsticks for policy-making in this respect, no single and simple solutions exist. The dynamics of ethnic, linguistic and religious diversity follow different logics, respectively, and they moreover vary as a function of different historical trajectories of state-formation and nation-building. Accommodating cultural diversity therefore requires finding highly context sensitive pluralistic policy designs. It is in this respect – by providing knowledge about the socio-historical contexts of, and preconditions for, successful pluralistic policies – that interdisciplinary and comparative social science research can make an important contribution to the debate about the political governance of cultural diversity in post-national constellations such as poor governance, dictatorship and abysmal poverty in the whole problem of conflict in Africa and the world.

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CHAPTER FIVE

SUMMARY, KEY FINDINGS AND RECOMMENDATIONS

5.0   Summary

This study has illustrated the assumptions and facts about the contribution of cultural pluralism in political instability in Kenya. In conclusion, a few issues emerge from our understanding of cultural pluralism and ethnic violence in general, and with particular reference to post- election violence in Kenya. First among them is that the loyalty to the nation must override sectional loyalties and the State must foster a feeling of belonging and involvement among various people and ethnic diversities to engrain the culture of accommodation.

Secondly the effectiveness of any strategy adopted in combating ethnically instigated political instability depends solely on its timeliness. Fostering of national unity must be made a priority before it is too late. Notwithstanding the fact that ethnic violence in Kenya has been on a 'small scale' as compared to some of its African counterparts, such as Somalia, Rwanda, Sudan and the Democratic Republic of Congo, the potential of this violence cannot be overlooked. The success of nation building strategies greatly depends on the timing such that where conflict has already resulted in grave violence the strategies 'sweep only too narrowly.'[225] Learning from the experiences of countries such as Congo, Rwanda and Burundi that are now attempting a damning task of being 'nations' again, it is imperative for Kenyans to strive to attain the values of peace, love and unity embodied in the national anthem to balance ethnic consciousness and national patriotism in the country.

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[225] L. Alden Wily, (2008) "It's More Than About Going Home". Land in Emergency to Development Transitions in Conflict States: Who Should Do What?', paper presented at the HPG conference *Uncharted Territory: Land, Conflict and Humanitarian Action*, February p104.

5.1 Key Findings

It is evident from this study that modernisation in itself is not the answer to the endemic ethnic conflicts experienced in Kenya during all election periods. Modernisation that claims that the integration of people from various localities and ethnic background would aid in the breakage of the bondage and yoke of ethnicity has failed as exhibited in Kenya. When people migrate into the urban towns and cities, they tend to naturally look for areas that are inhabited by people from their own tribes hence enforce the social cleavages that make it easy to mobilise into violent gangs due to the ease of communication and coordination of such activities due to a common language. In fact the informal settlements can be easily identified and categorised by tribe as already demonstrated in Chapter one of this study. The very elite that were to lead people away from ethnic affiliations were the same ones in the forefront of ethnic conflict. In fact ethnic political parties as exhibited in Kenya have their deepest roots among educated elite[226].

Ethnic conflict arises when the benefits of modernisation are not equally spread among ethnic groups. Ethnic conflict is thus the result of extraordinary persistence of traditional antipathies so strong that they can survive even the powerful solvent of modernisation. This is because the uneven distribution of opportunities in the modern sector breeds group tensions as certain groups get a head start to the competition for resources of the modern world; social classes that emerge tend to overlap and reinforce ethnic group boundaries hence making conflict more intense[227]. Modernisation has also failed to give reasons for conflict among non elite whose stake in the

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[226] Myron Weiner, (1978) Sons of the Soil; Migration and Ethnic Conflict In India, Princeton, Princeton University Press pp274-293

[227] Brass, Ethnicity and national formation in Donald L. Horowitz, (1985) Ethnic Groups in Conflict , Berkley California university press p102

benefits being distributed is often tenuous[228]. It does not explain why ethnic conflict has occurred in some of the least modernized areas of the world. Ethnic conflict may thus be a function of a modernization gap between ethnic groups or a function of the rate at which the gap is widened. Caution must however be taken because not all values and institutional incompatibility affect intersectional relations equally.

The theory of modernization does not answer the pertinent question of why followers (non-elite) follow the few elite. Several answers have been forged forth to this question; that followers follow because of manipulation, there is a pay off, false conscience that serves the interests of other people, they are misled or that they do not have an iota of what concerns them. Tribalism thus becomes a mask for privilege. Followers follow because of economic interests, ethnic division of labour, business rivalry, working class competition and economic competition. A good theory of ethnic conflict should also be able to explain why, despite the greater tensions, peaceful and cooperative [ethnic] relations are by far more typical outcome than is large scale violence[229]

The recurrence of ethnically motivated violence since the reintroduction of multiparty politics in Kenya has perpetuated poverty, fear and ethnic suspicion that are particularly evident each election period and hence there is need to look at the root causes of violence. This study is aimed at bridging the gap by providing more information on ethnic violence in Kenya. Such information will assist the relevant government ministries to develop policies that promote peaceful coexistence among different ethnic communities in Kenya and also initiate development

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[228] Horowitz, Ethnic Groups in Conflict p102
[229] James D. Fearon and David D. Laiting, "Explaining Interethnic Cooperation," *The American Political Science Review,* Vol. 90, No.4, December 1996, p. 715.

programmes as well as enhancing national security and cohesion for all citizens. Non-governmental organizations in Kenya can use the information from this study to implement their projects especially, those which are aimed at addressing insecurity and reintegration of internally displaced persons.

The central focus of this paper has been to articulate how cultural pluralism (ethnic coexistence) and politicization of ethnicity play a role in fuelling ethnic conflicts. It has been argued that whilst ethnic diversity in itself does not cause ethnic conflicts, multiethnic communities such as Kenya are faced with the challenge of ensuring ethnic relations are not constructed negatively. Ethnic groups that are wealthier, better educated and more urbanized tend to be envied, resented and sometimes feared by other due to their superior position in the new system of stratification[230].

Crafting peaceful scenarios for multicultural societies remains one of the greatest challenges facing Third World leaders. The frequency and intensity of ethnic conflicts peaked during the late 1980s and early 1990s and have decreased modestly. Although Africa has remained home to some of the worlds most brutal conflicts (Sierra Leone, Sudan, Congo), it has also experienced the most progress of late in bringing ethno-warfare to a halt. Realizing that their countries were being destroyed by ethnic hostilities and decades of the resulting economic decay, a number of governments and rebel groups in the region have become more accommodating.

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[230] Roberts H. Bates (1974), Ethnic Competition and Modernization in Contemporary Africa, Comparative Political Studies Vol 6 p462

During the 1970s and 1980s, increased ethnic violence in the developing world and the former communist states of Eastern Europe often coincided with the spread of democratic government. This raised two questions about the relationship between democracy and ethnic politics: First, "Are multiethnic countries more likely to have political instability than are culturally homogenous societies?" Second, "Do the growth of citizen participation and the creation of democratic government intensify conflict between ethnic communities?"

Political conflicts are clearly harder to avoid in multiethnic countries. An examination of both economically advanced and less developed nations reveals that political stability has fared best in countries that are ethnically homogeneous (such as Botswana, Iceland, Uruguay, and Japan) and in countries of "new settlement" (including the United States, Canada, New Zealand, and Australia) populated primarily by immigrants and their descendants, who created a new common culture[231].

In Africa, Asia, and the Middle East, where many countries labor with strong ethnic divides, the growth of democracy and mass political participation may unleash communal hostilities, sometimes intensified by opportunistic politicians who use group fears to build a political base. Ethnic/cultural pluralism poses a particular obstacle to democracy in poorer countries, where various groups must compete for limited government resources (schools, roads, civil service jobs, etc.) in the "politics of scarcity." But although political stability is more difficult to achieve in plural societies, it is not impossible even in very poor nations. Despite its history of religiously

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[231] Stewart F, (2000), Crisis Prevention: Tackling Horizontal Inequalities, Oxford Development Studies p 247

based violence, India, one of the world's most ethnically diverse countries, has maintained a politically stable government for all but two of its over 70 years of independence. Similarly, Trinidad-Tobago, a country divided by religion and race, is among the Third World's most politically stable nations.

Through a genealogical analysis of ethnic relations in Kenya, the study has illustrated how colonial and post-colonial political processes played a part in negatively constructing ethnic relations. The study uses ethnic conflicts involving the Kikuyu as a case study, to highlight pertinent concerns that run across the board. While recognizing that social constructions are difficult to change, it is suggested that embracing of consociational and redistributive approaches would gradually counter underlying rationalities that breed ethnic tension. In particular this targets the rationality that relates distribution of national resources to the ethnic background of the national leaders. [232]Consociational democracy allows for the peaceful co-existence of more than one nation or ethnic group in the State on the basis of separation yet equal partnerships rather than the domination of the others by one.

It is quite clear from the study that the combination to such factors as unequal development, poverty,disease, violence and the manipulative tendencies of the local elite, political and economic stability in Africa is constantly under threat. The overwhelming focus on ethnicity per se therefore undermines citizen agency, confounds political interests, and at best down plays the historical antecedents that have undermined the Kenyan State. The actions of the governing elite that elevate ethnic differences to conflict inducing status by promoting exclusive economic

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[232] Horowitz D.L (1985) *Ethnic Groups In Conflict* (Berkeley, California and London: university of California press

97

benefits to sections of the country that promise the most political support, have created grievances that are channelled as ethnic sentiments in every election . This situation has made it difficult for citizens to expect fair treatment if one of their own is not in power.

Cultural factors are important for group mobilization. They combine with existing geographic and economic conditions in society to provide the potential for construction of a group identity as a source of political mobilization. As was evident in Kenya after the 2007 general elections, this potential may then be exploited by political actors in and out of government to make cultural identity salient enough as a resource for political mobilization.

5.2 Recommendations

we cannot wish ethnicity to disappear or to go away, but can only tame it through education, good governance, justice and increased economic development in Africa. It is also important to note that most states in the world are multi natioal and multi ethnic hence the classical nationalists ideals of one nation one state can only be achieved by a process of nation building to assimilate all citizens into one Nation. There is need for a more inclusive theory on ethnic conflict as modernization only highlights the roles of elites in conflict. People are becoming more alike and tangible interests are increasingly in conflict. The problem of ethnic group anxiety and apprehension are not best explained by modernisation. A good illustration is that Kenya is not highly modernised but it has had very many conflicts. Be that as it may this study proposes the integration of Lijphart consociational democracy and Horowtiz constitutional arrangements approach to resolve political instability that stems from ethnicity.

Lijphart asserts that Consociational democracy is likely to yield or resolve conflict through the creation of a grand coalition government that constitutes representatives of all ethnic groups by the elite in those groups[233]. It may also yield a proportional representation in the electoral system as well as sharing of public expenditure and employment according to the size of each. It could also create intsitutional mechanisms through which parties can veto government decisions in matters of vital concern. In order to foster self worth a system of devolution would confer sentiments of self government. However caution must be taken to foster nationalism through patriotims and equitable development during devolution rather than give room for calls for autonomy or seccession tha twould fragment the nation further. Papparlardo insists that consociationalism is most likey to work if segments of the society do not change in size or in importance relatively to one another. It may not also work if the elite leadership are incapable of controlling their followers as was the case with the Post Election Violence (PEV) in Kenya. Raila Odinga and Mwai Kibaki implored their supports to stop violence but neither side relented in their quest until such a time when the power sharing agreement was signed and declare to be binding on the parties. The same was also embedded in the constitution to assure the parties that neither side would backtrack from it until the five year period terminates and another election is held.

Horowitz on his part has criticised the push for consociational democracy on grounds that it makes assumptions about the effects of constitutional arrangements on ethnic conflict[234]. He states that it is wrong to assume that the maintenance of homogenous ethnic segments makes

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[233] Lijphart A(1968) *The Politics of Accommodation: Pluralism And Democracy in The Netherlands* (Berkeley: university of California press in James G. Kellas (1998) *The Politics of Nationalism And Ethnicity*, London Macmillan press limited.

[234] Horowitz D.L (1985) *Ethnic Groups In Conflict* (Berkeley, California and London: university of California press pp597-600

accomodation between them easier. Just like in kenya he continues that a grand coalition of ethnic leaders from a state is likely to be challenged by other splinter ethnic groups. He agrees with Lijphart on the creation of institutions that have representations from various ethnic groups on a proportionality basis throgh the electoral system although safeguards must be put inplace oon issues of preferences that benefit certain groups. He asserts that for a grand coalition coalition to withstand the test of time it must be accompanied by an electoral system which ensures that several ethnic groups participate in the preseidential majority vote. He continues to argue that the failures to deal with ethnic conflict do not derive from a lack of awhat to do but from deficiencies in political will. He posits that the seemingly irrational, instinctive and emotional side to nationalist behaviour makes it difficult and impossible for political engineering to produce predictable results. Horowitz proposes five mechanisms to reduce protracted ethnic conflict. These are; proliferation of the points of power that would reduce a single focal point and separation of powers between branches of government and regional governments, focuss on intra-ethnic conflict rather than interethnic conflict that fosters competition for reserved offices for members of a particlar ethnic group, creation of policies for incentives for interethnic cooperation, reduce disparities between groups to eradicate dissatisfaction and encourage alignments based on interests rather than ethnicity.

It is the witers opinion that both consociational democracy and constitutional arrangements have been applied in Kenya. the grand coalition government of the former President Mwai Kibaki and the primeminsiter Raila Odinga was able to restore peace during the five year period that they were in power from 2008- march 2013 albeit with challenges. The promulgation of the constitution of Kenya 2010 presents a rare opportunity for the people of kenya to ensure that the

right institutions are put in place to avoid the recurrence of 2007-2008 PEV violence. Kenyans must also realise that democracy and peace can only be assured by themselves and not their leaders. Every individual must purpose not to raise a panga on the other simply because they belong to a different tribe.

There is the need for the creation of credible oversight authorities for all institutions of governance. The Constitution, Police Oversight Authority, the Human Rights Commission, the reformed judiciary and the commission on implementation of the constititution are just but examples that we are moving in the right direction. The State machinery must be seen to be a fair arbitar, in the PEV the arrogance of the elite and defence for a flawed election displayed by the swearing in of a president who was deemed to have rigged the elections was the source of the violence against the Kikuyu. The State machinery must be able to listen to the demands of the citizens. Though parliament is charged with the responsibility of representing the people it has lost its mandate and objectivity by passing Bills and Laws that are not in the best interest of the people. A good example would the recent decision to increase their salaries and allowances eventhough the exchequer objected raising concerns over the wedge bill. This has led to increased taxation even on basic items that were not taxed before. The political reform Agenda must be pursued to its logical conclusion to ensure that historical injustices and the inequittable distribution of resources are addressed and reddressed. The youth who easy to mobilise were tools of trade for political in the perpetration of violence, it is imperative they are included in government policies to enable them access resources for self development and active partcipation in nation building. The report of the Truth Justice and Reconciliation Commission released recently must be implemented to the letter without fear or favor and the perpetrators mentioned

therein must account for their deeds for justice to not only be done but be seen to have been done.

In conclusion it is worth Kenya can never become a melting pot but is a beautiful mosaic different people, different beliefs, different yearnings, different hopes, different dreams which must be safeguarded by right institutions and political will for a homogenous society.[235]

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[235] Jimmy Carter { 39th US President, 1977-1981 - Nobel prize for peace in 2002

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