POLITICAL PARTICIPATION AND ALIENATION OF RACIAL MINORITIES IN AFRICA: THE KENYA ASIAN COMMUNITY EXPERIENCE (1963-2012)

BY

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DECLARATION

This thesis is my original work and has not been presented for a degree in any other university.

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This thesis has been submitted for examination with my approval as university supervisor.

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DR. ADAMS R. OLOO

DEDICATION

This study is dedicated to my wife Judith Adhiambo Ng'ani, my late mother, Mrs. Joyce Atieno Maganda, my late grandparents; Mrs. Angelina Ogolla Owende and Mr. Alexander Owende Mbara; and my late uncle, Mr. Augustine Riwa Abiero to whom I owe so much for my life and education.

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ABSTRACT

The rapid expansion of the study of political participation in the last fifty years reflects the growing relevance of government and politics for citizens in modern societies and the crucial significance of citizens' involvement in democratic decision-making. Nonetheless, the immediate post-independence period in Africa and subsequently the introduction of multiparty politics in the 1990s, although hailed as a critical turning point for democratization process negatively heralded unprecedented era of disillusionment and marginalization of racial and ethnic minorities in politics.

In East Africa, the 'Asian or Indian Question' has been a significant theme and a controversial issue in the colonial and post-colonial politics. In Kenya, the Asian community's political participation and representation has been minimal and steadily declining, despite significant historical and contemporary contribution in the political, economic and social development. It is against this background that this study broadly examined and focused on three analytical questions in relation to Asian minority community political participation. Firstly, to what extent have the Asian community participated and been represented in Kenya's politics? Secondly, what are the obstacles to political participation of the Asians in Kenya? And thirdly, what are the strategies and measures that can and have been pursued to increase Asian political participation in Kenya?

The study utilized participatory democracy theory and also incorporated representative, liberal and deliberative democracy theories to explicate the various aspects of political participation. Through purposive and snowballing sampling techniques, supplemented by secondary literature, the study found out that the Asian community political alienation is due to existing conditions of colonial and historical legacy, structural, institutional, constitutional, legal, social, cultural,

economic and external barriers in the political system that have resulted into poor and declining Asian political participation in Kenya. The conclusion proposes both long and short term interventions to ensure political participation and representation through political reforms, racial integration, equality and inclusivity.

ABBREVIATIONS AND ACRONYMS

AAFS- Afro-Arab Friendship Society

AAHT- Asian African Heritage Trust

AATO- Afro-Asian Trade Organization

AEMO- African Elected Members Organization

APG- Asian Professional Group

AUM- Association for the Unification of Minorities

AWF- African Workers Federation

BEAA- British East African Association

BEAA- British East African Asians

BEA1- British East African Indians

BEAIA- British East African Indian Association

BEAP- British East African Protectorate

BIEA- British Institute in Eastern Africa

CSOs- Civil Society Organizations

CGD- Center for Governance and Development

CKRC- Constitution of Kenya Review Commission

CNC- Coalition of National Convention

DP- Democratic Party of Kenya

EAA- East African Association

EAA- East African Asians

EACA- Eastern Action Club for Africa

EAC- East African community

EAI- East African Indians

EAIC- East African Indian Congress

EAINC- East African Indian National Congress

EALA - East African Legislative Assembly

EALTU- East African Labour Trade Union

EAP- East African Protectorate

EARC- East African Royal Commission

EATUC- East African Trade Union Congress

EATUF- East African Trade Union Federation

EAWF- East African Workers Federation

ECK- Electoral Commission of Kenya

EEMO- European Elected Members Organization

FPTP- First-Past-the-Post

FORD- Forum for the Restoration of Democracy

GDP- Growth and Development Party

GOPIO- Global Organization of People of Indian Origin

HCK- Hindu Council of Kenya

IBEACO- Imperial British East African Company

IA- Indian Association

IYL- Indian Youth League

IBRC- Interim Boundaries Review Commission

ICP- Indian Communist Party

IEBC- Independent Electoral and Boundaries Commission

IED- Institute for Education in Democracy

IEMO- Indian Elected Members Organization

IIBC- Interim Independent Boundaries Commission

INC- Indian National Congress

IPPG- Inter Parties Parliamentary Group

ITU- Indian Trade Union

KABL- Kenya Asian Business League

KACSA- Kenya Asian Civil Servants Association

KAF- Kenya Asian Forum

KCA- Kikuyu Central Association

KACC- Kenya Anti-Corruption Commission

KADU- Kenya African Democratic Union

KADDU- Kenya African Democratic and Development Union

KAM- Kenya Association of Manufacturers

KANU- Kenya African National Union

KAU- Kenya African Union

KASU- Kenya African Study Union

KAWC- Kenya African Workers Congress

KCA- Kikuyu Central Association

KEC- Kenya Economic Commission

KEC- Kenya Episcopal Conference

KEDOF- Kenya Elections Domestic Observation Forum

KENDA- Kenya African National Democratic Alliance

KEPSA- Kenya Private Sector Alliance

KFP- Kenya Freedom Party

KFRTU- Kenya Federation of Registered Trade Unions

KIA- Kenya Indian Association

KIC- Kenya Indian Congress

KILTU- Kenya Indian Labour Trade Union

KINC- Kenya Indian National Congress

KNA- Kenya News Agency

KNA- Kenya National Archives

KNBS- Kenya National Bureau of Statistics

KPU- Kenya People's Union

KTUC- Kenya Trade Union Congress

KUR- Kenya- Uganda Railway

Legco- Legislative Council

LNCs- Local Native Councils

LSK- Law Society of Kenya

LTUEA- Labour Trade Union of East Africa

LTUK- Labour Trade Union of Kenya

MCA- Muslim Central Association

MEA- Ministry of External Affairs

MIA- Mombasa Indian Association

MIAS- Murumbi Institute of African Studies

MNCs- Multinational Corporations

MP- Member of Parliament

NARC- National Rainbow Coalition

NCCK- National Council of Churches of Kenya

NCEC- National Convention Executive Council

NCIC- National Cohesion and Integration Commission

NDP- National Development Party

NIA- Nairobi Indian Association

NKG- New Kenya Group

NMK- National Museums of Kenya

NAMLEF- National Muslim Leaders Forum

NRI- Non- Resident Indians

ODM- Orange Democratic Movement

PIO- Persons of Indian Origin

PNU- Party of National Unity

PR- Proportional Representation

PWP- Progressive Workers Party

RAU- Railway Artisan Union

SDP- Social Democratic Party

SEMA- Specially Elected Members Association

SID- Society for International Development

SMCs- Single Member Constituencies

SUPKEM- Supreme Council of Kenya Muslims

TUCM- Trade Union Committee of Mombasa

U-JFRO- Ufungamano Joint Forum of Religious Organizations

UKP- United Kenya Party

UNESCO- United Nations Education, Scientific, Social and Cultural Organization

WPSK- Workers Protectorate Society of Kenya

YKA- Young Kikuyu Association

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CHAPTER ONE: INTRODUCTION

1.0. Background

The attainment of independence in Africa in the 1960s and the upsurge of democratization in the 1990s and beyond have been periods of both democratization and political disillusionment for racial minorities in Africa. The agitation for political participation and representation has thus become key controversial issues about democratization and political development in Africa. Further, recent research evidence has demonstrated high levels of electoral apathy and political alienation of minorities in many developing democracies (Bratton, 1999:549-88). In Kenya, since the attainment of independence in 1963. there have been widespread conditions of alienation of racial minorities in the political system. Despite enormous political, economic and social contribution, the Asian community has consistently suffered political alienation; characterized by marginalization and racial discrimination. This has negatively affected their participation and representation in the political system.

This study focussed on exploring and analyzing the factors and conditions responsible for Asian political alienation and recommended measures and strategies for improving their active participation in Kenya's contemporary politics. This chapter thus acted as the introduction to the rest of the study by outlining the problem statement, reviewing the existing literature, defining the concepts used and employing both primary and secondary research methodologies, based on participatory democracy theory to achieve the objectives and confirm the hypotheses of the study.

1.1. Statement of the Problem

Kenya's post-colonial state and political system has fostered a condition of widespread political alienation and marginalization of the Asian community and other minorities. The majority indigenous black Africans have consistently dominated politics and acted as "de-facto

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representatives" of other racial minorities' interests in Kenya's political system (Kanyinga, in Society for International Development (SID) (2006:345-397); Frost, 1997; Hopkins, 1975). With a modest population of over 100,000, the Asians have been playing an important role in economic and social development. They have also demonstrated political interest by directly and indirectly participating in the political system. However, unlike the past, Kenyan political parties, legislature and local authorities since 1963 have politically alienated the Asians and other minorities. They have remained largely undemocratic, ineffective and unrepresentative.

In addition, the Asian community has never been represented in the cabinets of President Jomo Kenyatta, Daniel Moi and Mwai Kibaki. Disappointingly, the latter's regime (2003-2008) had no Asian representation in the legislature and cabinet (Kenya, 2003; Kihoro, 2007:82-128; SID (2006:345-397) (Appendixes 2, 3, 7, 8). There is also lack of participation and representation of the Asians in Kenya's parliamentary and local authorities' nominations for special interest groups and the East African Legislative Assembly (EALA) (Appendix 3). The three regimes have therefore, alienated the Asians and contributed to their minimal and declining political participation and representation since 1963. It is this condition that this study sought to understand and address.

1.2. Objectives of the Study

Broadly stated the study sought to explain why despite Asian contribution to political, social and economic development of Kenya since the colonial period, the community has faced increasing political alienation in the post-independence era. The study further seeks to understand why the Asian political representation has declined in post-independence era in contrast to the pre-independence era when they were well represented in the Legislative Council (Legco) and Local Authorities. The specific objectives of the study were:

1. To establish the extent and level of political participation of the Asian community in Kenya;

2. To examine the factors and conditions behind political participation deficit and imbalances between the indigenous Africans and the Asian community in Kenya;

3. To evaluate the effectiveness of the state and political system in strengthening, promoting and consolidating Asian political participation in Kenya; and

4. To identify lessons learnt and make recommendations for improvement and active involvement of the Asian community in the Kenyan political system.

1.3. Justification of the Study

Although the Asian community has been in Kenya for decades, remarkably and compared to indigenous Africans, little has been written about their political participation, in spite the fact that the subject of the 'Asian question' represent unique and important test case study of racial minorities' politics. The state of Asians' political alienation remains severe and relatively constant in the Kenyan political system. Since it has not been given much attention by researchers and scholars, it has been a matter of recurrent subject that merit recognition and academic research.

With the exception of a few scholarly works, only a few articles, commentaries and media reports have been written and published on the subject. There are serious gaps in the Asian political research and prospective follow-up studies in Kenya, since the existing extensive literature is still descriptively social, historical, anthropological and fictional. Further, all these works have not empirically tested any of the hypotheses and does not focus on political participation. Neither effort has been made to assess and explain the impact of political participation and alienation of the Asian community in East Africa; nor has there been any serious attempt to survey or obtain documentation from the community itself both in Kenya and the diaspora (National Museums of Kenya:2006).

It is thus, not surprising that the studies that directly tests explanation of political participation theoretically concludes that the Asians are apolitical, with the only exception being their activities and struggle against imperialism and colonialism. Thus in the absence of research studies or availability of literature, none of these literatures during this period dealt with Asian political participation in Kenya.

This research had the important practical goal of illuminating whether political participation is a promising means of enhancing participatory democracy against Asian political alienation in Kenya. This will assist in providing and disseminating critical information, data and knowledge necessary for improving racial minorities' active involvement in politics. The results of my theoretical and empirical analyses will considerably improve our scholarly work and understanding in advancing training, teaching and broadening our societal understanding of the impact of political alienation on the Asians and other minorities. It will thus stimulate, facilitate and encourage African governments, political institutions, academic institutions, policy makers, researchers, scholars and students towards fostering and promoting racial/ethnic relations, national cohesion and political integration in Kenya.

1.4. Literature Review

The literature review was organized into seven cross-cutting thematic areas: history of Asian political, economic and social activities in East Africa; 'Asian question' and European colonialism; Asian freedom struggle against colonialism; Asian political participation; Asian post-colonial alienation; Asian trading and economic structure; and Asian cultural and social system.

Several international research studies have presented new empirical evidence on the successes, opportunities, problems and challenges of South Asian immigrants and the reproduction of the Indian culture abroad with varied recommendations. These studies have been largely carried out by

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the Indian Ministry of External Affairs (MEA) and other organizations such as the Global Organization of People of Indian Origin (GOPIO) on the cultural, social, economic and political contribution, of the Indian global diaspora community of thirty million people. They also discussed the various initiatives aimed at enhancing cooperation between India and People of Indian Origin (PIOs) and Non-Resident Indians (NRIs). For example, the creation of Ministry of Overseas Indian Affairs, Ministry of NRIs and PIOs and the provision of overseas Indian citizenship (MEA, 2001; Abraham, 2007, Appendixes 9 & 10). These scientific studies ignored the political aspects and are also globally oriented without any detailed specific reference to Kenyan politics which is our main focus. However, there findings and recommendations were valuable in chapters four and five.

John Howley (2008) traced the longstanding interaction between India and Africa, depicting how the Indian Ocean world provides many examples of cultural flows that belie our understanding of globalization as a recent phenomenon. He argued that this region has had continuous internal integrity that touches the lives of its citizens in commerce, cultural exchanges and concepts of each other and of themselves in the world. These connections have deep historical roots and their dynamics are not attributable solely to the effects of European colonialism, modernity or contemporary globalization. The contributors to this interdisciplinary volume came from the fields of history, literature, dance, sociology, gender studies and religion, making this collection unique in its recreation of a world. This work was largely historical, social and cultural and did not address Asian politics in Kenyan, but nevertheless was important for analysis in chapter four.

There is extensive and documented literature on the history, political, economic and social development of the Asians in Africa during European imperialism and colonialism. Much of this literature focused on the emigration of global diasporic Indians from South Asia to East Africa, Central Africa and South Africa; colonial alienation, 'Asian question'; race relations and the

struggle for equal rights, justice, racial equality and independence (Shanti, 1963; Bennet, 1976; Bharati, 1972:160; Rothchild, 1965; Hopkins, 1966; Singh, 1971).

Historical and ideological evidence have revealed that migration, settlement and trade between India, Arabia and East Coast of Africa flourished as early as $10^{.h}$ century A.D (300 years). This was followed by British colonialism accompanied by the construction of the Kenya-Uganda Railway (KUR) from 1895 that facilitated early Asian political, social and trading activities in Kenya (Chittick, 1975; Seidenberg, 1996; Salvadori, 1996). Neera Kapila (2009) documented a narrative of the construction of KUR from 1895 to 1902. It reveals an epic of human struggle against nature, wild animals and diseases through the Rift Valley escarpment to the shores of Lake Victoria. It is a story of courage, dedication and perseverance, which is also replete with conflicts and tensions of a very engaging human drama. It depicts the railway construction as a landmark event in the history of modern Kenya, which opened the country to a global capitalist market. It also restores the centrality of the Indian in the making of modern Kenya by retracing the beginnings and pioneer heroes.

Neera Kapur Dromson (2007) traced her family migration and chronological history in episodes as autobiographical memoir, contextualized within the contours of both Indian and East African politics during the 20^{lh} century. It is a chronicle of migration story of her great grandfather, Lala Kirparam Ramchand who immigrated to East Africa from Lahore in Pakistan. Cynthia Salvadori and and Sheilla Mauladad Fisher (2010) also chronicled the migration, cultural heritage, lifestyle and contribution of the Indian workers and their descendants in the construction of KUR from 1840 to 1940.

Khalid Malik (2005) also discussed the untold history of Asians in East Africa, tribulations and adventures from Asian point of view as opposed to the biased Western perspective. It featured the amazing success stories and fascinating account of the phantom group among the three major races

of East Africa and the evolution of one family over 100 years, through the eyes of an insider-participant observer. Cynthia Salvadori (1979; 1989; 1996) extensively documented the Asian experiences and historical background describing the rich diverse religious practices and groupings of the Asian communities according to religion, non-sectarian, regional and cultural organizations and secular institutions. They also depict the pioneer history of the Asian communities in Kenya based on an extensive research she conducted in Coast, Eastern, Central and Western Kenya.

The above literatures though useful and relevant to chapter two and significantly published within the period of this study, historically described the Asian historical migration to East Africa; construction of KUR; and economic, social, cultural, anthropological and political activities in a wider perspective without addressing political participation of the Asians in Kenya between 1963 and 2012. In addition, they are methodologically and theoretically flawed for our study.

The Asian African Heritage Trust (AAHT) (2000) and NMK co-organized and gathered a fascinating and systematic photo-exhibition on the Asian African experience, memoirs, heritage, identity and history with extensive input from the Asian community. It generally interrogated the controversial 'Asian question' in the context of civic, cultural, political, historical, economic and social identities and citizenship for the fifth generation African Indians in Kenya. The exhibition was organized into three themes; the labour heritage which examined the ancient historical origin of Asians, settlement, trading activities in East Africa; the social heritage which displayed hundreds of photographs of Asian African families over the past centuries; cultural practices, social services, writers, scholars, businessmen and sports; and lastly, the intellectual heritage which described the struggles, protest movement and opposition to British colonialism by Asian political activists. Whereas this exhibition was relevant for chapter two and three, it was historical, social, cultural and methodologically and objectively inconsistent with our study.

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Several major surveys for Doctor of Philosophy (PhD) research theses on the Asians history, economy and African nationalism in East Africa have been conducted by Karada (1972), Bhat (1976), Mutungi (1977), Seidenberg (1979), Lester (1981), Zarwan (1983) and Savita (2001). Jain (1993) and Bennet (1976) in his PhD research thesis (1903-1963) described and mapped the Kenyan Asian spatial population distribution at intervals during the colonial period and generally explained the characteristics of the Asian population in terms of economic, political and social development of colonial Kenya. Bennet's thesis and the other eight works added value to our understanding of the Asian contribution to the settlement geography, political struggle against alienation, colonial history and economic development of Kenya. However, although published within the period of the study, they are historical, economic, descriptive and theoretically flawed.

Rasna Warah (1999) autobiographically wrote a series of published articles by providing profound insights, personal anecdotes in the exploration of the social, economic and political history of Asians in Kenya. She painfully narrated the reasons behind labeling of the Asians as 'second-class' citizens by both the colonial and post-colonial governments. Further, she deplored the tribulations associated with multiple identities and citizenships labelled against the Asians by indigenous Africans and other races in Kenya. However, while positively recognizing the importance of ethnic and cultural diversity in the Kenyan society that is instinctively pluralistic, she highlighted the drawbacks of social insularity and political marginalization. This provocative literature, though theoretically and methodologically inconsistent with this study provided useful insight and background for understanding and analyzing the Asian predicament in Kenya as revealed in chapters three and four.

The 'Indian question' in Kenya arose due to the British colonial government's open expression of racial prejudice against Asians through numerous legislations, notably the Devonshire White Paper of 1923, Crown Land Ordinance of 1902 and the Crown Land Act of 1915 that excluded the Asians

from the white highlands and public service (Buel, 1965; Rai, 1979). At another level, the British colonial government in London and East Africa practiced and encouraged the 'doctrine of racial compartmentalization' based on social exclusivity, colour bar and discrimination. The 'superior' Europeans were at the top, Asians and Arabs at the middle and 'inferior' Africans at the bottom (Frost, 1997; Mangat, 1969). Nabende and Wangari (1999:143-152) revealed how the British colonial rule stratified and divided Africans, Asians and Arabs leading to ethnicity, racism and lack of political representation.

Further, the institutions of separate electoral communal representation stimulated racial political parties and made racial interests inevitable as political issues. This policy strengthened exclusion, prejudice and stereotypes leading to political, social and economic stratification (Lakidi, 1975; Truman, 1973:60; Salvadori, 1989; Frost, 1997). Ironically, Agehananda Bharati (1964:342-349) acknowledged the consequences of racial stratification and the Asian contribution, but nevertheless, blamed the Asians for their alienation due to isolationist behaviour, caste system and superiority complex against 'inferior' indigenous Africans. This condition and legacy of alienation consequently, forced the Asians to concentrate on commercial and industrial enterprises and thus racism became the ultimate political context within which the Asians were bound to operate for economic survival to the detriment of political, social and racial integration (Ghai, 1965; Kiriama, 1996).

The above scholarly works though socially and historically inclined and not within our scope, underscored the negative transformation of participatory democracy for the community. Further, they recognized 'race' as a constant and recurrent key independent variable responsible for Asian political, social and economic alienation and therefore, positively justified and confirmed the purpose of this study in unraveling the barriers responsible for this condition in chapter four.

A serious research though similarly historical and economic was conducted by Syracuse University (1972-1973) on the British colonial rule in East Africa[1]. It revealed how the enterprising South Asians cooperated and collaborated with Africans, Arabs and Europeans to their mutual economic advantage, but shunned any literary publication of their involvement. On the other hand. Elizabeth Hopkins (1966:121) underscored the contribution of the first Asian East African political representatives nominated by the colonial government from 1926 to 1945 and how the Asians defended African interests against European alienation. William Ochieng (1980) and Oginga Odinga (1966) also highlighted the significant contribution of the Asians in Kenya, albeit with repercussions elsewhere through the struggle against European supremacy and imperialism (also known as the "Indian Question').

Zarina Patel (1996; 2006) who is regarded as the foremost authority on Kenyan South Asian history in her autobiographies of Makhan Singh and Alibhai Mullah Jeevajee (hereafter AMJ) and the biography of Manilal Ambalal Desai (2010) painstakingly chronicled the intriguing history and struggles of the three anti-colonial freedom fighters whose lives and times epitomized the crucial and central role the Asians have played in the political development and multiracialism in Kenya. She traced the post-independence political consolidation of power by the Kenyatta regime, marginalization and political assassinations based on ideological confrontation between capitalism and socialism. Patel's biography on Desai is a historical kaleidoscope of colonial Kenya from 1890 and the subsequent political and freedom struggles against colonialism. It thus served as an eye opener to the fundamental question of the 'Asian question' in Kenya.

Over two hundred Asians were interviewed under the leadership of key scholars on this subject. They included Robert Gregory as co-coordinator. Charles Bennet in charge of Uganda, Martha Honey for Tanzania and Dana Seidenberg for Kenya.

Pheroze Nowrojee (2007) in his autobiography of Pio Gama Pinto also painfully narrated Pinto's contribution against the British colonial government and his tribulations and struggles for racial equality, freedom and independence for Kenya. He also discussed Pinto's struggle for social justice, social democracy and economic freedom under authoritarian regime of President Kenyatta leading to his assassination in 1965. The four works have historically and descriptively focussed on Asian political activities. They have partly captured the scope of this study, but concentrated only on three Asians in the colonial and President Kenyatta's regime only.

Shiraz Durrani (2006) provided a comprehensive review of the press and publications in Kenya from 1884 to 1963 during the British colonial rule. She highlighted the colonial manipulation and the misinformation practices. She also provided a narrative overview of the class based history of publishing, the contribution made by the South Asian publications and political activists in the struggles against colonialism and injustices in Asian liberation struggles against the British colonial rule. The above five works added value to our understanding of the Asian contribution to the struggle against colonial alienation and political participation in chapter two. However, they remain historical, economic, descriptive and ignored the scope, methodology and other objectives of the study.

Contrastingly, Anirudha Gupta (1968:309; 1997:103-136) historically blamed the growing nationalism in India. This was coupled with deplorable treatment of the Indians in Overseas British Colonies as a catalyst for the internationalization of the Asians' alienation in East Africa. He argued that after India's independence in 1947, the East African Asians faced a contradictory dilemma of identifying themselves with the country of adoption and at the same time regarding themselves as guests in Africa.

The Indians faced restrictions and choice of obtaining either British or Kenyan citizenship and due to the fear of the latter's Africanization policy and Immigration Act of 1967, only 10% of the

Indian population applied for Kenyan citizenship and the rest British passport. This inevitably led to a clash of interests, which was racialised with the unfortunate result that the Asian was considered a harmful element controlling and exploiting the economy and prejudicial to the interests of African states (Kahyana, 2003; Nyanchoga, 1990; Kiriama, 1996). Moreover, Gupta (1997:59-76) also lamented about the Indian National Congress (INC) attitude towards Indians living in Africa and changes in post-independence Indian government policy towards Indians abroad. He also criticized the Indians for failing to participate sufficiently in African nationalist movements and not politically integrated with Africans. The above literary works, though external, descriptive, social, economic and historical are not within our focus, scope and objectives, but nevertheless were relevant in chapter four.

Anon (1968:5-7) argued that Asians were much more affected than the Europeans by the *Africanization* policy because of the characteristics of Asian employment which was responsible for their exodus from Kenya during the 1960s. Anon attributed this to the system of social stratification developed during the colonial period and lack of efforts by the Kenyan politicians and Asians to correct this in the post-colonial period. He suggested there will always be racial variety in Kenya and that it is important to exploit the benefits this can ofTer. He predictably warned of a turbulent future for Asian immigrants in Kenya unless there was racial integration. Apa Balasheb Pant (1974), in his autobiography discussed his concerns on race relations. He viewed the Asian African race relations as being intimately bound up with African struggle for freedom and independence. He supported multiracial educational institutions and stated his firm belief in the possibility of a multi-ethnic and cultural society in East Africa, but felt that this was frustrated by the Asian economic power.

Deborah Sulton (2005) revealed the impact of exclusion of the East African Asians by African nationalists and addresses identities on the periphery of late colonial rule and post-colonial

nationalism of Asian community in East Africa and newly realized nationhood in India during 1950s. Although not addressing political participation, the two works have perfectly underscored the Asian question and offered a solution relevant for chapters four and five. Dromson (2007) lamented that by early 1960s, political and civic representation of the East African Indians (EAI) had become a defensive identity politics wholly reactive to variously defined transgression of either Indian or African post-colonial nationalism. Whereas the above four literatures were very useful and relevant to our study, they were still descriptive, historical and did not adequately address political participation and representation from 1963 to 2012.

Prem Bhatia (1973; 1972), the India's High Commissioner in Kenya (1965-73) and Singapore explored the 'Indian question' in East Africa including its serious political implications for many countries with minority groups. Both works documented much of his time and perspectives of Indian life in East Africa. He analyzed the socio-political flux in Africa and expressed some sense of humour with an uproariously funny account of a debate in the Kenyan Parliament on the gift of a chair by the Indian Government for the speaker of the senate. It has historically and descriptively dealt with political participation without a clear methodological and theoretical standpoint, which is a strategy of this study.

Recent research works that also came closer to this study was conducted by Rajneesh Kumar Gupta. In his PhD (2008) and Master of Philosophy (Mphil) (2003), he focused on the issues, role of Indian diaspora in East Africa, relations with India, political integration and the challenges in post-independence period. He has also presented papers at international conferences and published various articles in international journals including 'Awaaz' on the contribution and challenges of South Asians in East Africa (May, 2008, March, 2007, November, 2004). These recent works, although very useful and pertinent to this study, their limitation lies in methodology, objectivity and

scope since they employed international relations theories and broadly covered the entire East Africa and not Kenya.

Significantly, Yash Pal Ghai and Dharam Ghai (1965:35-51 a; 1965:9-26b; 1965c; 1970) made a landmark contribution to this study. They are the only Kenyan Asian scholars to have specifically and exhaustively focussed on political participation and representation and conducted a qualitative survey albeit without empirical data. They critically evaluated the historical legacy of Asian alienation; economic, social and political national policies i.e. Africanization policy, citizenship rights and racial relations; problems and challenges against the Asian African community in the newly transformed political systems of post-independence East Africa.

The above condition led to discrimination, disenfranchisement, mistrust and treatment of Asians as 'second class' citizens by Africans leading to political and social disintegration. Eventually at the eve of independence, African political leaders were not willing to accommodate Asians in the political arena and subsequently in 1960; membership of the Kenya African National Union (KANU) was restricted only to indigenous Africans. Unfortunately, the independence governments deprecated political representation on racial lines as African leaders alienated and downplayed the past contribution of Asians in the political and economic development of East Africa. The two scholars remained pessimistic and resigned in their demonstration of the problems of marginalization and discrimination facing the Asians and their future role in East African politics:

"What impact are the Asians likely to make on the politics of East Africa in future? The answer is about the same: hardly any. Politically they are impotent. This does not mean that there will not be political consequences of the fact that they still largely control the distributive side of the economy, and that they constitute an easily identifiable and relatively prosperous racial minority. What it means is that, as a community, they cannot influence the nature of the regimes that will come into power and the kind of political constitutional changes that may come about in East Africa. They would do well to face this reality and to identify themselves with African aspirations" (Ghai and Ghai, 1970:88).

Thus by 1970, they had pragmatically predicted declining levels of Asian political participation and noted that lack of any long-term Asian involvement in African politics had given rise to the belief that the Asians made no contribution to political advancement in East Africa, despite their achievements and personal sacrifices. They warned that that it would be more difficult to analyze the role of the Asians in the political field, in view of the rapidly changing nature of politics, unless they pursued pluralism, integration and assimilation with Africans. This would also ensure their social and economic progress (Ghai and Ghai, 1970:9).

This assessment, employing a similar theory has sufficiently and succinctly captured the Asian community political predicament in East Africa and confirmed our objectives and hypotheses. It is our acknowledgement that these works made substantial contribution and enriched this study. However, their limitation lay in their historical nature, charged emotional language and tone, subjectivity, wider scope and methodological inconsistency which our study sought to address.

Wanyiri Kihoro (2007) published one of the pioneer works on the subject on parliament and parliamentarians and the role of parliamentary leadership in Kenya spanning over four decades (1963-2007). He provided a useful table showing the distribution of elected and nominated MPs since 1963, names, political parties and unequal distribution of constituencies. He also described the suffering and challenges faced by Kenyan legislature during and after independence, the electioneering processes, constitutional amendment history and parliamentary reforms and decried the low representation levels of participation of ethnic minorities.

Kihoro depicted how the authoritarian imperial presidency and its legacy under both the one party system and multiparty system marginalized and weakened African parliaments over decades. He also discussed the effects of British colonialism, neocolonialism, political independence, westernization and globalization effects on Kenya that has led to poor governance and leadership, poverty, inequalities, alienation, instability and economic collapse.

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Similarly, Willy Mutunga (2007:28-36), cited various political incidents since independence and diligently blamed ethnicity, race, religion, class, region, clan, occupation, gender and generation as the major factors for political power, inequality and discrimination in East Africa. The two works perfectly covered the period of this study without focusing on the Asians. The two scholars took a general perspective on all racial and ethnic groups in Kenya and failed to recognize the Asian community as a unique actor in Kenyan politics. They are largely historical, superficial, theoretically and methodologically limited.

Karuti Kanyinga (2006:345-97) generally discussed the evolution of the Kenyan political system and its relations to inequalities in the composition of governance structures and institutions in post-colonial Kenya. He critically examined the executive, legislature, judiciary and other public institutions and analyzed the factors responsible for the imbalances. He graphically illustrated how public resources, parliamentary seats, cabinet and key civil service appointments were inequitably distributed among the main ethnic groups in power in favour of the incumbent regimes of President Kenyatta, Moi and Kibaki.

Kanyinga generally argued contrary to our position that the ethnic minorities were more represented in the legislative assembly than the numerically larger groups and thus ruled out marginalization for minorities in defence of the underrepresented ethnic majorities. Consequently, he proposed Proportional Representation (PR) to avoid ethnic politics and the inequalities as the only remedy for providing opportunities and building stable governance institutions. Although, it did not focus on racial minorities, especially the Asians, it has provided useful analysis on the politics of ethnicity and alienation in Kenya.

Several inconsistent schools of thought have emerged to address the 'Asian question' in East Africa. First, Atieno Odhiambo (1987:135-149), Himbara (1994:37-43), Mangat. (1969:157) and Buel (1965:296) illustrated the divisions of the Asian community in Kenya into five stratified

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groups to explain their marginal role in politics and commerce and their relationship to Africans. Atieno argued that the British colonial administration in Kenya created the political and economic structures that caused the legacy of the 'Asian problem'. This revelation confirmed hypothesis two on the effects of historical, political, economic and social factors as responsible for political alienation. However, its limitation lies in the scope, methodology, objectives and failure to demonstrate the impact of this legacy on Asian political participation.

Paul Theroux (1967:346-51) confirmed the allegation of racism when he conducted a survey and found out that the Africans, especially the educated were more prejudiced against Asians with a generalized and stereotyped inter-ethnic perception and view of the average Kenyan Asian as a 'foreigner', 'racist bigot', an 'alien', a 'cultural recluse' and an 'economic exploiter', only interested in economic enterprise and disinterested in political participation. Likewise, Fundi (1974:347-358) also conducted a survey in Nakuru whose findings blamed the British colonial government policies for the development of anti-Asian feelings and boycott of Asian businesses by Africans that eventually took a political dimension. These surveys have rightly captured objective two and hypothesis two of the study, but are theoretically and methodologically flawed. Nevertheless, they provided useful analysis of Asian politics in chapter four.

According to Atieno the largest group (*Gujaratis*); Bohra and Khoja communities was made up of petty traders, dukawallahs, retailers and wholesalers who kept aloof from politics, but checked the ability of the politically conscious group of lawyers and politicians to win the required rapport with Africans. Secondly, clerks, railways and the banks employees who were the most politically minded. They supported the third group-artisans, who were largely Kachis, Sikhs and a few Punjabi Muslims. Fourth and fifth, were the lawyers and professional politicians who dominated the leadership roles. In sum, a situation obtained where agitation was kept up by the lawyers and the professional politicians, clerks and artisans provided the receptive audience and the majority petty

traders remained apathetic. These analyses had no theoretical grounding and objectivity. They simply categorized the community into classes and loosely generalized effects of economic relations to politics and not political participation, which is the theme of this study. Of relevance to us was how these categorizations and behaviour influenced their political participation.

The second school of scholars; Vassanji (1989:52), Nanjira (1976), Voet (1998:10), Lester (2003:55-72) and Plender (1971:287-316) associated Asians with isolationism, exploitation and corruption. While on the other hand, the Asian viewed himself as part of a marginalized community made to feel like a "permanent guest race', accusing the Africans of racism and xenophobia. This group blamed East African Asians' adoption of libertarian conception of citizenship for security of their families and commercial interests, as opposed to Africans adoption of communitarian citizenship in which the latter demanded for greater Asians contribution to economic, social and political development of post-colonial East Africa.

A third school of scholars; Yash Ghai and Dharam Ghai (1965), G.M Vassanji (1989), J.M Nazareth (1970), Warah (1999), Sunni Bindra (2005:11-14), Balachandran (1981:317-325), Sibi Okumu (2005) and Alberto Moravia (1970) taking a middle ground, acknowledged the rather secluded nature of the Indians in Kenya. They blamed the Asians' short-sightedness, fear and isolationism for their political predicament and thus advocated for increased political integration and participation within the current political system to ensure their social and economic stability.

On the contrary, Rothchild (1968:421-437; 1970) in his research work (1966) argued that dual citizenship was an influential factor in the decision of the majority of non-Africans not to seek Kenyan citizenship after independence, despite non-discrimination assurances by local Asians and Europeans leaders. He discussed the variance between 'official' and 'non-official views' of citizenship which largely regarded non-Africans who had adopted Kenyan citizenship as being motivated by convenience, rather than identification with the core group.

Interestingly, David Himbara (1994), Agehananda Bharati (1972), Mutungi (1977), Amin Gwaderi (1996:39-44) and Delf (1963) historically downplayed Asian political involvement in favour of their economic contribution. They defended the Indian community for their commercial acumen, competence, business enterprise, family structure and organization as the driving forces behind Kenya's economic success. Kenyan Indians were therefore the most skilled and technically competent segment of the country's domestic capitalist class and remained a critically valuable resource.

In his PhD research thesis (1994), Himbara surveyed 100 representative medium and large scale manufacturers and companies from the list of Kenya Association of Manufacturers (KAM) and concluded that between 1964 and 1990 Asian capitalists owned over 78% of the firms established, while the Kenyan Africans and government owned only 6% of the firms. The Kenya Indians owned 73% of the manufacturing firms employing more than one hundred workers. Using a chart he demonstrated as follows: 4% Kenya African; 1% Kenyan Europeans; 5% publicly held; 12% foreign and joint ventures; 5% state firms and 73% Kenya Indians. Himbara (1997) also traced the relationship between states in East Africa and the Asian capitalists from 1940. He pointed out how the Asian economic activities flourished after market liberalization policies gathered momentum in the 1990s. These empirical revelations with political consequences, though economically induced, pointed to the objectives and justification of this study by analyzing and demonstrating the effect of economic factors on Asian political alienation and participation in relation to the Africans.

Contrastingly, Michael Chege (1997; 1996; 1998) in response to Himbara, acknowledged the importance of Kenyan Asian capitalists, but suggested that Kenya's economic achievements before independence and the destruction that followed the 1980s 'miracle years' was more race neutral than Himbara and others claimed. He blamed the problem on culture, racism and ethnicity as the key determinants of economic prosperity. Chege advocated for an inter-ethnic approach in his

analysis and problem solving through the development of law based governance, a stable macro-economic environment and strengthening social capital at community level. He emphasized the need to move away from race and economic theories:

"Continuing the search for objective explanations of not only why African countries have fallen so much behind South East Asia in the struggle for economic development, but also why there are such glaring differences between immigrant groups on one hand and the Africans on the other and between African communities themselves". The task at hand is to explain better the commercial differences between various 'Asian' groups in Kenya as well as the variations in entrepreneurship within African communities (Chege. 1997:209-230).

Incidentally, in reinforcing Chege's position. Amy Chua (2002) underpinned her arguments on the entrepreneurial ability and alienation of global minorities in economic development. She systematically and chillingly warned against the consequences of racial discrimination, intolerance and expulsion of ethnic minorities who are economically dominant and politically vulnerable anywhere in the world. She comparatively cited the cases of South Asians in East Africa; Chinese in South East Asia and Malaysia; Jews in Germany and Russia and Lebanese in West Africa.

Contrastingly, she blamed crony capitalism and concentration of wealth on minorities for undermining democracy and a recipe for conflagration. It has impoverished majority of the third world population, led to resentment, hatred, envy, ethno nationalism, genocide, ethnicity, immigration and expulsions. She specifically cited the regimes of former Kenyan President, Daniel Moi and Indians; former Sierra Leonean President, Stevens and the Lebanese; former Indonesian President, Mohamed Suharto; and former Philippines President. Ferdinand Marcos that protected the market dominant minority's wealth and businesses to the detriment of the masses.

Evidently, the aforementioned works exhibited rhetorically, superficial and generalized conclusions not validly based on data and empirical analysis. Our study particularly, sought to address the 'Asian question' in Kenya, not from an economic standpoint, but from a political perspective.

Nevertheless, these were inspiring arguments which provided many insights on the wider problem of Asian global diaspora alienation in chapter four.

The Asian great religious diversity and communal groupings into the stratus (caste system) have dominated their culture and lifestyle (Salvadori, 1996, Shanti, 1963; Herzig, 2007:7-27). With the collapse of the British colonial empire, the most popular studies dealt with cultural persistence and adaptation-the ability of the Indians to retain, reconstitute and revitalize many aspects of their culture in an overseas setting. Sectional, cultural and communal divisions in the Indian society have thus been the central theme of sociological and anthropological studies on South Asians for over five decades (Oonk, 2004b; Pollock, 1982: 289-300).

Divisive tendencies in Indian society have been studied by many authors in the East African region. The first, joint research on Asian cultural changes in East Africa was conducted in 1964 by the National Institute of Mental Health of the Department of Health and Welfare (USA) and the East African Studies Programme of the Maxwell School of Public Affairs and Citizenship at Syracuse University, New York. De Veer (1995) questioned the radical modernity of the experience of displacement, disjuncture and diaspora. He saw the ambiguities of Asian migration as 'belonging and longing'. The theme of belonging juxtaposes rootedness with uprootedness and establishment with marginality. Although, critical for our analysis, they were inadequate for this study due to historical, cultural and sociological orientation.

Donna (1972) conducted a PhD research evaluated the historical beginning of the Indian social system in rural Goa and factors which stimulated their immigration. She also described the rivalry of caste based political units, social clubs and associations and how the impact of caste system isolated the relatively smaller Goan community from other larger Asian communities in Nairobi. In another related research study, Bujra (1992:347-361) separately focused on theories of stratification in plural societies with emphasis on the cultural and social homogeneity. She revealed how data

collected on the Asian population in Kenya is fragmented into different communities with no institutional framework across communal boundaries.

Moreover, Donna argued that the nature of the social divisions within the various Asian communities in Kenya and in East Africa, favours the rise of leaders from the upper strata (persons of high caste or high economic status or both). Her findings revealed that plural societies are directed largely to the broad divisions which constitute the major social and cultural units in a hierarchical framework of political dominance and subordination. At the widest level, one stratum monopolizes leadership roles while the other segments, despite their internal divisions, are treated as relatively homogeneous sub-cultures lacking political power. The two research works came closer to this study in attempting to confirm hypothesis one and objective two and analysis of chapter four. They were thus very pertinent and relevant to this study. However, since they were largely anthropological, cultural, economic, historical and social, it was impossible to rely on their scope, theoretical approach and methodology for analyzing political participation.

Asian internal divisions and failure to integrate with indigenous Africans have been a recurrent theme in various scholarly works. J.M. Nazareth (1981), the classical liberalist and President of the East African Indian National Congress (EAINC), analyzed the role of the Asians in East Africa by narrating his own failure to convince and politically unite Asians and other races in the late 1950s. He tested the theory of representative democracy by painfully narrating and recounting his personal post-colonial experience as a participant observer and victim of liberal democratic ideals and blamed the Asian community for its isolation and divisive caste politics of self-aggrandizement. Further, Nazareth blamed the strong culture of religious endogamy that reinforces isolation, exclusion and attachment to their traditions and motherland that discourages outsider's integration and involvement into their economic and social lifestyle, earning them the dominant perception of being negative and xenophobic.

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These literatures are methodologically inconsistent with this study, since they were not based on any empirical research and in particular political participation. They were simply rhetorically detailing personal experiences and observations in racial framework that was partly the focus of this study. Nevertheless, they admittedly came closer to this study by employing participatory democracy theory to understand the Asian alienation and its solution. This was very useful to the study in confirming their validity in our findings and recommendations.

John Zarwan (1983) focused on two family groups in the Visa Oshwal community and the relationship between social networks particularly those of caste and kin and economic activities. The two families chosen were of the middle range of the Indian population in terms of income, size of business and education. He provided insight into the structures of Asian businesses including the cost of doing business, ownership of assets and source of credit and business information, employment and commerce.

However, in disputing the above negative argument, Zarwan and Visa Oshwal community research study in 1971 and 1977 found out that although the Asian caste system coupled with communal and religious associations prevented the encroachment from other groups, it also provided a mechanism for cooperation and maintenance of social, economic control and cohesion in an 'alien' environment. The Asian religious and social communities are run like corporate organizations with a revolving fund that provided credit to its members and upcoming entrepreneurs. Although this study was within our scope and hypotheses, it was theoretically, thematically and objectively inconsistent with this study.

Robert Gregory (1991) extensively discussed the social contribution of the Asian community in East Africa. This is revealed through their philanthropic engagement and activities in charitable organizations; deployment of business earnings and savings; provision of schools and learning institutions creation of religious, social medical and library facilities; literature and arts and other

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generous contributions to non-Asians. This work was also less applicable to our study to the extent that they employed a sociological theoretical framework and failed to embrace political participation which was the main target of our study.

The most serious and recent scientific research ever to be conducted on the South Asians in Kenya was by a specialist on South Asian affairs in East Africa, Pascale Herzig (2007). The study was based on empirical data collected with South Asians in Kenya. The research was divided into two levels of analysis; inter-ethnic and intra-ethnic relations. It showed that migration has an impact on the relations between genders, age groups and migratory generations and other social boundaries and leads to changing identities and new lifestyles. The study revealed significant social and cultural changes among the Asian population in recent decades. It argued that sub-communal boundaries have weakened and religion has lost its overwhelming importance and there are increasing numbers of non-believers. Communal organizations while still important have gradually given way to social clubs and business associations. He concluded that there is a clear change in the direction of independence, self-determination and privacy and that the Kenya Asians have developed a distinctive East African identity, which is different from other Asian diaspora. However, the accuracy of the quantitative data is questionable and biased since the sample was exclusively drawn from Nairobi and left out Kisumu and Mombasa.

Previously and similarly, Herzig conducted her Master of Science study based on theoretical concepts of race, class and gender on the 45,000 Asian minorities in Nairobi. She found out that the Asian identities are influenced by his/her age, gender, community which implies religion, caste, ethnic group, race, class and traditional occupation. The investigation of these social, economic and cultural transformation processes are also the main topics of her PhD thesis (2006) which interrogated Asian knowledge, professionalism (education and work) and gender relations (love, marriages, household organization and children). The main weaknesses of the three research works

lay in their methodology, sociological, cultural and anthropological approaches which are not within our objectives and scope. However, the findings were very useful in chapter four.

In his pioneering study, Gijsbert Oonk (2003:7-23) conducted new empirical research based on the life histories of twenty Gujarati Hindu Lohana families in East Africa spanning three to four generations (1888-2000). Most interviews were conducted in Nairobi, coastal region and Dar-es-salaam between 1999 and 2003. The main aim of his research was to bring together sociological, anthropological and historical perspectives on the 'Indian Diaspora'. He historically investigated the origins, migratory settlements, loss of Indian culture, traditional business structures, discontinuity with motherland and Gujarati language through assimilation that led to the evolution of an Indian African identity and international identity.

Further, Oonk (2004a) dealt with the crisis of cultural adaptation of migrants and identity in the global Indian diaspora and the relations with motherland. Oonk (2004b) also examined the anti-colonial movement, successes and failures of the Asian community in entrepreneurship from a historical point of view. He analyzed how contemporary ethnic trading networks are created, recreated and fractured among the Indian groups in East Africa who initially had strong economic and cultural ties with India. Lastly, he discussed the relationship between South Asian immigrants and their homeland, reproduction of Indian culture abroad and the role of Indian state in reconnecting immigrants to India. The book presents new historical and anthropological research on the South Asian emigrants globally in East Africa. Mauritius, Suriname, Canada and United Kingdom (UK) (Oonk. 2005). These works though partly relevant in chapter four, failed to capture our study objectives. They were historical, cultural, anthropological and sociological.

Latest research works by Oonk and a group of researchers headed by Professor Michael Adam (Anthropology) of Tours University, France conducted a research project: *"Communities of Indo-Pakistani Origin in East Africa, "[2]* that focussed on the historical, economic, cultural, sociological, demographic and anthropological themes in East Africa and globally on the contemporary reproduction of culture, values, language and religion by South Asians overseas.

The strength of all these research studies lied in their empirical objectivity and a clear random sampling methodology. Unfortunately, they failed to utilize political theoretical approaches and thus completely ignored the political participation aspects which were our units of analysis. In addition, they were largely anthropological, cultural, economic, historical and social. Further, they did not specifically focus on Kenya, but generally covered the whole of East Africa which is beyond the scope of this study. Thus they had no major significance on our research, although by leaning towards hypothesis one, they added value to our analysis in chapter four.

Lastly, the launch of *'Awaaz'[3]* Journal in 2002, the first serious academic journal specifically dedicated to the Kenya South Asian community experiences from colonial to post-independence era marked a significant contribution to the literature of Asian diasporic community activities in

[2] **The research team also included Prof. Collette Grandmaison (Anthropology) and Director of National Centre for Scientific Research, Paris, France; Dr. Jean Marc Fontaine (Economics), Director of the Institute for Social and Economic Development Research Centre, Paris University, France; Dr. Laurent Nowik (Demography), Director of the Department of Sociology, Tours University, France; Dr. Gidraph Wairire (Sociology), University of Nairobi, Kenya and Dr. Barbara Morovich (Anthropology), Paris University, France. This research was expected to commence on January, 2004 in Nairobi and to end in February, 2006 with the publication of the report; however, we were unable to access the report.**

[3]. **'Awaaz' which means 'the voice of proclamation', began as a newsletter for the Eastern Action Club of Africa (EACA) with family partners; Zahid Rajan and Zarina Patel as founding directors, contributors and editors. It provides a forum for business people to speak out against racism and unfair business practices after multi-party democracy was established in Kenya in 1992 (http://www.awaaz.co.ke).**

East Africa. Awaaz researches, publishes and disseminates information on the South Asian community in East Africa, particularly Kenya and insights into international affairs. The Journal contains essays, book and film reviews, commentaries and opinions that generally focus on historical, political, social and cultural issues. Many scholars and commentators have immensely contributed articles in 'Awaaz' Journal on various issues revealed in subsequent chapters. However, it is noteworthy to mention that although it has provided us with insightful, rich and the most recent data and literature on Asians than any other publication, this journal is diverse and not grounded on a specific subject, theme, theoretical and methodological framework and is beyond the scope, subject and objectives of this study.

In conclusion, despite all these literature, there is hardly any serious analytical and empirical contemporary works on the political participation of the Asian community in Kenya which is the main focus of the study. Generally, much is not known about Asian politics due to severe data and knowledge limitations. Most of the existing literatures are largely qualitative and historical, economic, social, cultural and anthropological. They have therefore, provided us with a strong basis, opportunity and relevance for this research study.

1.5.0. Theoretical Framework

The longstanding tradition in political theory, dating from Aristotle to modern political theorists, has underscored the invaluable contribution of political participation due to its effects on the individual citizen and his/her relationship with the political system. The etymological roots of pure democracy (Greek *'demos'* and *'kratos*imply that democracy is the government of the whole people, equally represented and thus all democracies are participatory. The idea that citizens' involvement is a necessary condition for democratic decision making has been emphasized ever since Pericles delivered his famous Funeral Speech (431-430 B.C). He argued, the unique character of democracy lies in the special role of citizens:

"An Athenian citizen does not neglect the state because he takes care of his own household; and even those of us who are engaged in business have a fair idea of politics. We alone regard a man who takes no interest in public affairs, not as harmless, but as a useless character; and if few of us are originators, we are all sound judges of policy" (Sabine and Thorson, 1973:28).

The theoretical framework underpinning this study is informed by participatory democratic theory. It is a process involving direct and active participation of constituents or citizens in the political system and institutions (Monsoon, 1993). Participatory democracy creates opportunities for the citizenry to make meaningful contributions to decision-making and seeks to broaden the range of participation. Virtually every study on political participation is about democracy. The notion of political participation is thus at the center of the concept of any democratic state (Parry, et al, 1992:3; Kaase and Marsh, 1979:28). In fact, there is little democracy when few people take part in decision making and more democracy when many people participates in decision making (Verba and Nie, 1972:1). Apparently, lack of political participation by the Asians is undemocratic and undesirable for Kenyan politics.

This part seeks to understand and critically evaluate the strengths and weaknesses of participatory democracy theory on the Asian political participation by analyzing four theories of participatory democracy; direct (pure/classical) democracy, representative (indirect) democracy, liberal democracy and deliberative democracy.

1.5.1. Direct Democracy Theory

According to the Greek Philosopher, Aristotle (384-322 B.C), direct democracy began in Ancient Greece (4th century B.C) and later spread to the Roman Empire. It denotes a form of democracy wherein sovereignty is exercised in the assembly of all citizens who choose to participate in decision making. This participatory democracy has traditionally been associated with small republics or communities (500 or few active members) where citizens can engage in face-to-face

deliberations. The Athenian democracy provides the classical example of drawing office holders from citizenry.

Modern direct democracy is characterized by three pillars: initiative (constitutional amendment and statute law initiatives), referenda and recall elections. Switzerland provides the strongest example of modern direct democracy entrenched in the constitution. In democratic theory and practice, direct democracy always marks a basic contrast to representative democracy, ottering citizens greater opportunities for participation. Both in theory and practice, major justifications for direct democracy are derived from deficits in representative systems and theoretical limitations of liberal democracy (Pateman, 1970). Proponents of direct democracy have argued that it ensures fair representation; binds individuals to the group through active involvement in all decisions; enhances the concept of citizenship; reduces corruption and voter apathy; eliminates the burden of political parties; ensures smooth government transition; low costs; lacks patronage and nepotism and enhances policy implementation, transparency and accountability.

However, the Greek participatory democracy was and by standards of the modern state, imperfect and impractical for complex and large-scale modern democracies that have developed representative structures. It operated on small city states and excluded minorities like slaves and women; slows down the decision making process, time wasting, expensive and prone to voter apathy, manipulation, demagoguery and indecisiveness (Mill, 1951; Dahl, 1989:30; Held, 1996). It means therefore, that direct democracy is inapplicable for a large, underdeveloped, multiracial, multiethnic and populous Kenyan state with its alienating nature on minority communities. Moreover, referenda and other forms of direct democracy have been frequently criticized for their detachment from the institutional and deliberative aspects.

In response, modem participatory democracy generally advocates for the decentralization of power to localities where direct participation in institutions of power and the state is possible (Hilmer,

2008). Further, the developments in information and communication technology have transformed the practicality of large scale applications of direct democracy.

1.5.2. Representative Democracy Theory

According to John Locke (1632-1704), the theory and practice of representative democracy can be traced to the theory of popular sovereignty by the people's elected representatives who exercise authority on their behalf (1960). Later, three other most famous American theorists; Edmund Burke (1770), James Madison (1790) and John Calhoun (1850) formulated theories of political representation. They argued that representative democracy must incorporate fundamental elements of freedom and equality. They advocated for strong protections and rights of minority groups' interest representation against alienation in majority rule political systems. Further, John Stuart Mill (1806-1873), Madison (1789:409) and Robert Dahl (1989:30-106) embraced representative democracy as the only desirable system for providing freedom, liberty, accountability and good governance.

In addition, this system provides a mechanism of refining and enlarging public views, through popularly elected assembly, whose wisdom, patriotism and love of justice for the people and state will be least compromised (Dahl, 1989:20). It thus provides the best system of representing sovereignty and the general will especially for the minorities like the Asians in Kenya. It has commanded the world ever since the institutionalization of democracy and has become synonymous with democracy itself (Johari, 1976:523-544). In defence of minority representation, Mill (1861) argued that they should be proportionately and adequately represented as an essential part of democracy. He admitted that in a representative system of government, majority must rule and the minority yield to its will, but this should not follow that the minority should have no representation at all:

"Nothing is more certain than that the virtual bloning out of minority is not necessary or natural consequence of freedom, but instead is diametrically opposed to the first principle of democracy; representation is proportional to numbers.... In any really equal democracy all sections would be represented, not disproportionately but proportionately. A majority of the electors would always have a majority of the representatives, but a minority of the electors would always have a minority of the representatives" (Mill, in Johari, 1976, 523-544).

However, there has been opposition against the traditional representative democracy. In 18th century, Jean Jacques Rousseau (1712-1778) defended direct democracy and dismissed representation as an illusion and impermissible. He argued that sovereignty cannot be represented for the same reason that it cannot be alienated. It lies essentially in the general will, and will does not admit of representation: it is either the same or the other, there is no intermediate possibility (Rousseau, 1968).

He argued that the English people were "mistaken" when they believed themselves to be free since after the elections they were permanently enslaved by the representatives until the next elections. Second, it has the danger of creating an entrenched class of political elites that can easily abuse its power and serve selfish interests. Third, it tends to limit citizen participation to voting, leaving actual governance to politicians. Fourth, it encourages detachment and alienation of the minorities due to majority dominance and the five or four years gap that the voters are kept waiting. Finally, the role of the elected representative remains unclear and controversial (Rousseau, 1968).

Interestingly and alternatively, Mill foresaw the defects of his theory on minorities and PR against the winner-take-all politics that favoured the majority. He observed that any particular majority is a collection of minorities and not a monolithic bloc. Once some voters are excluded from representation, policy can be passed without the support of the majority of the electorate. The defects of representative democracy can be addressed by the creation and incorporation of egalitarian and liberal institutions and a constitutional state (Dahl, 1989:30).

The widespread political apathy, disenfranchisement and declining voter turnout have undermined political representation in Kenya. This reality falls short of Jeffersonian conception of democracy, where the representative must convey the interest of all citizens. Because the Asians are politically alienated and disproportionately represented, representative democracy has frustrated and undermined Asian political participation.

This study thus incorporated liberalism to enhance political participation through analysis of the conduct and quality of elections; checks and balances; protection of minorities; rule of the law; separation of powers; and the exercise of the bill of rights in the Kenyan constitution. Liberalism also dealt with the potential problem of detachment and alienation felt by Asian minorities due to lack of representation and participation. Representative democracy thus must incorporate liberal institutions to enhance democracy and hence the historical coincidence of the link between representative democracy and liberal democracy (representative-liberal democracy) (Johari, 1976:523-544).

1.5.3. Liberal Democracy Theory

This is a form of representative government based on the protection of liberties and popular consent. It confers upon the state and the government the requisite authority and legitimacy to rule over its citizens. Popular participation and representation in the government are thus the cornerstone values of liberal democracy. Exclusion thus undermines the core principle of liberal democracy due to marginalization. This is the greatest challenge for the Kenyan political system, especially for the minorities like Asians. In liberal democracies, representatives are usually elected in free, fair and competitive elections based on universal franchise. The powers of the government are limited by liberal institutions; civil society, opposition, rule of law, separation of powers and civil liberties (Dahl, 1989:30).

The behaviour of actors in Kenya's electoral process and political parties is not in conformity with the theories of representative and liberal democracy. African political parties and elections reflect the organization, loyalty and voting according to ethnic, racial, origin, class and political patronage. This has remarkably perpetuated exclusion and undermined the legitimacy and effectiveness of Kenya's multiparty political system. The agents of democratization in the African society must therefore introduce a form of a hybrid democracy relevant to the continent's heritage, historical experience and stage of socio-economic transformation (Chweya (eds), 2002:17-23).

Relying on a similar logic, Benjamin Barber (1984:253-260) argued for a much more participatory democracy, as an alternative for liberal democracy. A strong democracy requires unmediated self-government by an engaged citizenry and which is characterized by the fact that it is the politics of amateurs, where every man is compelled to encounter every other man without the intermediary of expertise. In this view, engagement in politics is not to be considered a specific type of activity; it is integral part of social life and essential for every individual.

1.5.4. Deliberative Democracy Theory

Participatory democracy also shares ground with other democratic reform movements, including communitarianism and deliberative democracy. Owing to the pitfalls of direct, liberal and representative democracy, the theory of deliberative democracy emerged. Contemporarily, Iris Marion Young (2000), Anne Phillips (1995) and Plotke (1997:19-34) argue that liberal democracy has alienated the disadvantaged minority groups and needs to be restructured and reformed through a commitment to group consultative mechanisms that gives weight to the rights and interests of minorities.

Young (2000:83) advocates for a more participative approach and argues that an inclusive and robust democracy must take into account the fluid, overlapping and divergent discussions and the

many complex ways, both formal and informal that people can be recognized and represented in the political domain. Young therefore, advances new forms of political representation based on open communication, deliberation and consultative processes that allows minority groups a voice in decision-making processes and promotes fairness, diversity, inclusion and equality. These institutional mechanisms include representative bodies such as commissions, task forces, governing bodies, CSOs and legislators.

Criticism of this theory centers on the question of whether they should be allowed to influence policy when they do not represent the community at large and are often not publicly elected. Public choice theorists view interest groups as 'irredeemably self-seeking, possessing no larger interests than the preservation of sectional interests. They believe that the process of political representation should primarily take place between the elected representatives and the constituents (Zappala, 1999:13). This theory will be partially used in the analysis and recommendation for the study. Moreover, the theory provides fresh insights and approaches to the representation dilemma which is relevant for future research.

In conclusion, while each of the four theories of participatory democracy involves various modes and degrees of participation, the original conceptualization of participatory or direct democracy provides the best theory for studying the Asian political participation in Kenya. However, after analyzing their merits and demerits, owing to the complex nature of this subject and having confirmed the hypotheses and achieved the objectives, this study incorporated the other three theories of participatory democracy.

1.6.0. Hypothesis

The general hypothesis is that political alienation is responsible for the declining or lack of Asian community political participation in Kenya. The longer the community remains alienated from the

political system, the stronger the likelihood that they will continue to be alienated and marginalized in the Kenyan political system. The operational hypotheses are as follows:

1. The indigenous Africans' domination of the state and political system has undermined the Asians' political participation in Kenya;

2. The historical, political, economic and social factors that fosters alienation and marginalization are responsible for minimal or lack of Asians' political participation in Kenya; and

3. The more democratic the political system and constitution, the greater the degree of political participation of the Asians in Kenya.

1.7.0. Methodology

1.7.1. Study Area

Owing to time, financial constraints, scope and sampling technique, the respondents were drawn from Nairobi, Kisumu Mombasa and global Indian diaspora. The three cities have large population of the Asians, from which the community has been represented in local authorities and legislative assembly; are provincial administrative headquarters, especially the capital city, Nairobi; have strategic, political, historical, social and economic significance to the Asians and government; and cosmopolitan with diverse cultural, ethnic and racial communities comparatively conducive for interviews that sufficiently provided generalizable data.

1.7.2. Methods of Data Collection

Since the Asian community is a unique, small, specific and a predefined group, it was not feasible, practical and theoretically viable to use probability sampling methodology. Thus for convenience and economy, non-probability sampling techniques; purposive and snowball sampling was

employed for primary data collection by conducting group discussions and interviewing key expert informants from the Asians and indigenous Africans. Purposive or expert sampling technique involved subjectively selecting and assembling a sampling unit and a frame of at least two informants or persons with experience and expertise in Asian politics. Each category comprised of political parties, political leaders, CSOs, scholars and experts from the Asian and African communities in Nairobi, Kisumu and Mombasa cities.

Through survey research and data collection through open-ended questionnaires, face-to-face, personal, mail, email and telephone methods, forty-five interviews were conducted. This was supplemented with qualitative research and observational methods in both formal and informal settings, involving oral and written feedbacks from respondents. The respondent rate of about 85 percent was a realistic goal as majority of the Asians and indigenous Africans favourably participated in the study.

Secondary data was derived from public and archival records from Kenya National Archives (KNA), Kenya National Bureau of Statistics (KNBS), Electoral Commission of Kenya (ECK), Kenya National Assembly (KNA), Local Authorities, India and Pakistani High Commissions, research organizations, Kenya Law Reports, libraries, books, newspapers, magazines, journals, essays, autobiographies and letters.

Although, the sampling design was not representative of the Asians and indigenous African population, the findings revealed it did not suffer much risk of false or biased information by the informants. It still remained relevant for this study owing to its uniqueness, nature of Kenya's politics, behaviour, tradition, culture and demographic nature of the Asians. Using many methods of data collection (triangulation method) eliminated biases and inconsistency and thus increased the validity of our findings.

1.7.3. Data Analysis Techniques

Data analysis, testing hypothesis and measurement of variables utilized a combination of methods, including univariate and bivariate (triangulation method). This was due to other intervening factors which ensured a fully-fledged verification, consistency and validity of the hypotheses. Our analysis first examined the response pattern of single variables using univariate analysis and further cross examined other pairs of variables using bivariate analysis to establish correlation between political participation and alienation of the Asians across different factors and contexts. Thus on a broad basis it was possible to cross-check descriptive and explorative survey results and qualitative comparative analyses. In order to avoid confusion and simplify the presentation, we have not tabulated the data for the variables (except for the list of MPs, councillors, population figures and ethnic distribution) due to the sampling methodology and the explorative and qualitative nature of the study.

1.7.4. Problems and Limitations Encountered

The following problems and limitations were encountered in the field research:

 a) Respondent Inaccessibility

The channels to be followed in order to interview some respondents in formal organizations proved to be very expensive, cumbersome complicated and time wasting. Some respondents gave many excuses and others were completely unavailable. It thus required a great deal of humility, patience and prodding.

Moreover, due to geographical distance, some key respondents living outside Kenya were unavailable. A few either died before the interview or were too sick to respond. This situation denied us the opportunity to interview them. This problem of inaccessibility was addressed by

postponing the interviews, making favourable adjustments, emailing the questionnaire, making phone calls and replacing them in the event of complete inaccessibility.

b) Academic Bigotry

Some respondents especially scholars and academicians out rightly exhibited pride, arrogance and dismissal of this study on grounds that the study did not necessarily warrant primary data collection since the findings from the indigenous ethnic communities and Asians are already predetermined and will be conflictual. Making recommendations and conclusion would be difficult and hence it was advisable to conduct the research purely on secondary data.

They further argued that that there was no rationale for this research since political participation in Kenya is no longer based on racial lines, but on majority rule; and that owing to their positions and status in scholarship, proper etiquette, university procedures and guidelines for interviewing must be strictly followed. At the same time, they had no interest, time, knowledge and solutions to the Asian political alienation.

c) Feedback Failure

Some respondents were too busy to be interviewed. They declined face to face or oral interview due to personal reasons and opted for filling in the questionnaires. Thus to avoid further misunderstanding and disagreement, owing to their position and status, the questionnaires were left to be self-administered. Unfortunately, very few were filled and received back. This problem of low response was cushioned by flexibility and the fact that the number of respondents selected was far larger than the actual sample size.

d) Lack of Knowledge and Information

Majority of the respondents though regarded as key experts and informants had no adequate knowledge and understanding of Asian politics. In some cases, dealt on generalizations, reference to historical events, personalities and experts outside Kenya for more information. There were also instances of emotions, digression, inconsistency and irrelevant responses. Such feedbacks, though documented were left out at the data analysis level. It also required high level interpretation and further informal consultation and approaches for clarity.

(e) Fear and Suspicion

This was evidenced on the Asian respondents who naturally hated politics and thus feared victimization and the motives behind this study at the time of 2007 post-election violence. The government officials insisted on bureaucratic procedures and were also very fearful and unwilling to provide information and records. This red tape was overcome by 'back door' tricks, grapevine connections and other alternative sources of information.

(f) Poor Documentation of Records

Secondary data on parliamentary and civic representation was unavailable and hard to retrieve mostly in government offices especially in local authorities (Kisumu. Nairobi and Mombasa) due to poor storage and management of records. Nevertheless, we resorted to resourceful informants, research organizations and the media for data and information.

(g) 2007 Post Election Violence

It significantly affected and delayed data collection due to fear, displacement, disruption of public services, lack of respondents and closure of institutions. The remaining interviews were thus conducted after the restoration of political order in early 2008 following the formation of coalition government by President Mwai Kibaki and Prime Minister Raila Odinga.

1.8.0. Definition of Concepts

1.8.1. Political Representation

The concept 'political representation' is still highly contested and controversial. There exist several forms and types of representation i.e. formalistic, symbolic, descriptive and substantive representation. It is the process through which the attitudes, voices and interests of the entire citizenry or part of them are shaped into governmental action on their behalf by a few individuals with binding effect upon those represented (Pitkin, 1967). Representation for this study therefore, means the delegation of political power by Kenyans including the Asians to elected or nominated MPs and councillors in legislative and local authorities' assemblies for a period of five years.

1.8.2. Political Participation

Like any concept within the social sciences, interpretation of political participation is also a complex and contested subject. The concept 'political participation' has lost its clear meaning and distinction due to political, economic and social developments in the last few decades. The domain and scope of politics and governmental activities and responsibilities has thus been greatly expanded and considerably influenced all aspects of economic and social life. Thus a virtually endless list of definitions, concepts, modes and forms of political participation has been developed.

Robert Kuttner (1997:329) aptly observed that there is no escape from politics in modern societies. In other words: politics cannot be delimited from other processes and every citizen's activity can be labelled as political participation. This has made it difficult to define and distinguish politics from other non-political activities. Consequently, the notion of political participation has undergone through a conceptual change; from an unequivocal notion focused on voting towards a more complex notion, where 'exclusive' traditional definition ignores vital elements of contemporary political participation (Deth, 2001).

Nevertheless, despite the various definitions and varied distinct emphasis, the common understanding of 'political participation' is evident from the classic works of Sidney Verba (1978:46); Kaase and Marsh (1979:42) and Parry, et al (1992:16). Political participation refers to those actions (input) by private citizens that are directly and indirectly aimed at influencing or supporting political decisions and policies, system of the government and selection of governmental authorities (output). This can take many forms/modes ranging from voting, campaigns, demonstrations, violence and political party activities. Thus political participation, for purposes of this study, means the direct and indirect active or passive involvement of the Asian community in Kenya's political system and processes.

1.8.3. Political Alienation

Political Alienation has been used by all kinds of social scientists to denote a negative attitude expressing a community's or an individual's belief that his or her relationship with one or several aspects of the political system has become fundamentally flawed (Mandel and Novak, 1970; Hansen, 1978:55-159). Political alienation is interpreted here as combining feelings of estrangement, marginalization and discrimination which refer to the input and output phase of the political system. It is this condition that has resulted into passive and declining political participation of the Asians in Kenya.

1.8.4. Ethnic/Racial Minority

Ethnic/Racial minority is a sociological group that does not constitute a politically dominant plurality of the total population of a given society. A minority may also refer to a group of persons numerically smaller than others or groups held together by the ties of common descent, race, ethnicity, language and religion. They also regard themselves markedly different in this respect

from the majority of the inhabitants of a given political entity (Encyclopedia Britannica, 1953, Vol. 15:542).

For purposes of this study, it includes the Asians, Europeans, Arabs and other groups that are politically alienated. Ethnicity is also used here as an all-encompassing term referring to African. European and Asian social groups differentiated by kinship, tribe, race, religion, caste, culture and language in defence and opposition to others.

1.8.5. 'Asians', 'South Asians' 'Indians' or '*Wahindr*

The three terms, 'Asians', "South Asians' 'Indians' or *'Wahindf* are used in order to conform to the current practice in East Africa that does not include Arabs and the entire Asian continent. Often there has been much confusion and controversy when describing Asians in East Africa, since the community is so diverse and broad in origin. The term 'South Asia', also known as Southern Asia, is a southern geopolitical region of the Asian continent comprising territories on and in proximity to the Indian subcontinent. It consists of Bangladesh. British Indian Ocean Territory, Bhutan. India, Maldives, Nepal. Pakistan and Sri Lanka.

In order not to fall into this confusion, I have decided to use the three terms interchangeably and synonymously to refer to the 'brown skinned' people of the Indian sub-continent before the division of South Asia into India, West Pakistan and East Pakistan (Bangladesh) in 1947. This then applies that Hindus, Muslims, Sikhs, Ismailis, Jains, Gujaratis, Goans and Pakistanis can for purposes of this study be referred into one rubric as 'South Asians', 'Asians' and 'Indians' or simply, 'Wahindis' as they literally refer to themselves and are also locally known in East Africa (Herzig, 2007; Oonk, 2004; Awaaz. 2004: 40-42).

1.8.6. Indigenous Africans

Indigenous Africans are the darker-skinned people, referred to variously as 'Africans', 'natives' and 'blacks' by the Europeans and British colonial government. It therefore, refers to four broad ethnic groupings in Kenya; Bantu, Nilotic, Hamitic and Nilo-Hamitic comprising forty two tribes that originally migrated and settled in various parts of Kenya before the Europeans, Asians, Arabs and other races arrived.

1.8.7. 'Asian/Indian Question'

'Asian/Indian Question' generally refers to the quest and struggle of the Asians to protect their interests in the face of perceived 'colonial and post-colonial alienation' in East Africa and particularly Kenya (Mangat, 1969:4; Kiriama, 1996:9). According to Mahmood Mamdani (in Sunday Vision, April 28, 2007), the Asian Question can also be defined in a racist and exclusive way as it was used by former Ugandan President Idi Amin, to the effect that citizenship and commitment is blurred by colour.

Contemporarily, it can be defined in a non-racial and inclusive way for making a distinction between different types of Asian residents, legally between citizens and non-citizens, and socially between those of whom Uganda is no more than a transit facility and those of whom Uganda is a home for generations. This definition also applies to Kenya and for this study due to commonality of the Asian experiences in East Africa and Mamdani's authoritative and extensive contribution on this subject.

1.8.8. Diaspora

The 'diaspora' is practically any population which is considered 'deterritorialized' or 'transnational' whose cultural origins and identity are said to have risen in land other than that

which they currently occupy, and whose social, economic and political networks across the borders of nation-states or span the globe (Vertovec, 2000).

'Indian/Asian diaspora' is used here to describe the South Asian communities who were dispersed from India during European imperialism and colonialism to various parts of the world, including Kenya and whose political, social and economic activities have perpetually mirrored the motherland-India. Currently they constitute both NRIs and PIOs (Appendixes 9 and 10).

1.8.9. Race and Racism

Race and Racism denotes distinct physical and biological qualities inherent in certain groups of people. These qualities have been used by various groups or races to justify their social and political orientation in society. Here it refers to the four categories used by the colonial and post-colonial governments: Africans, Arabs. Asians and Europeans. In this context therefore, racism is the systematic, institutionalized mistreatment of one group of people by another based on racial heritage. Racial prejudice is however, an expression of stereotypes, correct or incorrect, used to highlight differences and to justify one's antipathy to a person or group (Patel, 2006).

CHAPTER TWO: THE HISTORICAL FOUNDATION AND COLONIAL POLITICS OF THE ASIAN COMMUNITY IN KENYA (1834-1962)

2.0. Introduction

The history and foundation of the Asian community politics in Kenya can be traced from the 17th century in their trading and commercial activities at the East Coast of Africa spanning over 3,000 years and the building of KUR within the British Colonial Empire. This chapter discusses the legacy of historical, pre-colonial and colonial activities of the Asians in Kenya and East Africa. The chapter is broadly organized into 'three phases'[4] to explain the 'Indian or Asian question' in Kenya. It begins by tracing the global patterns of the Asian origin and movements during the age of western imperialism and later British colonialism. It also outlines the genesis of the Asian labour heritage and trading activities and its political and economic impact in colonial Kenya. This chapter brings out the alienating environment of British colonialism and how it transformed the Asian politics and representation. The last part discusses the Asian nationalist struggle for racial equality, freedom and independence, role of British India and the consequences of internal rivalry, disunity and weak political organization.

2.1. Evolution and Trading Activities of the Asians in East Africa

There is a wealth of archeological, ideological and documentary evidence indicating that trade and other contacts between Asia, Arabia and the East African Coast flourished as early as 10th century A.D before European imperialism (Chittick, 1975). The earliest documentary evidence is the

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[4]. An initial phase of a longer period of about 60 years (1883-1894). during which the Indians trading and colonial activities penetrated and developed in East Africa. This was followed by a Progressive Phase of a shorter period of about 34 years (1895-1929) which marked the beginning of European alienation and Indian resistance. Finally, the Plateau Phase of about 33 years (1930-1963) represented the turning point of the 'Asian question'. The Indian political activism and resistance stabilized and remained controversial after India's independence in 1947 and outbreak of the 'A/aw *Mau'* uprising and the struggle for Kenya's freedom.

'Periplus of the Erythrean Sea' (Greek word for 'Indian Ocean'), written in about 1st century A.D by a Greek merchant who lived at the Port of Berenike on the Red Sea, Coast of Egypt. It describes how India became the most important market and supplier of goods to the East African Coast and Arabia. It also mentions a Chinese geographical work, from 13th century B.C, indicating Gujarati settlement in the same area (Delf, 1963:1-3; MEA, 2001:93).

Ancient Arab records also reveals how the Arab dhows that travelled between East Africa and India, already found established ports by Indian merchants along the Coast at Mozambique, Bagamoyo, Pangani, Kilwa, Lamu, Malindi, Zanzibar and Mombasa. For instance, Al-Masudi (10UI century A.D); A1 Idrisi (12th century A.D); Marco Polo (13th century A.D); Vasco da Gama (14.h century A.D) and Duarte Barbosa (15th century A.D) who visited the East African Coast revealed trade relations between India and East Africa, involving Arabs, Indians and the Portuguese (Gregory, 1971; Andrews, 1920; Coupland (1961). This legacy of longstanding trading activities was facilitated by the movement of Indian ships from *'Ariaca'* (Western India) to the East African Coast, laden with Indian products such as wooden doors and wooden chests, textile, cotton cloth, Indian beads, wheat, rice, butter, sesame oil, girdles, sugar and honey. In exchange, East Africa exported to India gold, Ivory, tortoise shells and wrought iron ore (Chatopandhyaya. 1970; Davidson, 1960:148; Strandes, 1961).

The origin of the modern Indian and Pakistani global diaspora communities lies mainly in the immigration and subjugation of the Indian sub-continent by the British and its incorporation into the British Empire as slaves and 'indentured labourers' in the 17.h century. They came from South East Pakistan (Sinda), provinces of North West and West of India (Punjab, Rajasthan, Gujarat, Maharashtra and Mysore). The European imperialist disorientation of India's economy which led to large scale famine and poverty propelled Indian large scale emigration to Africa (Patel, 1996:55).

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The period between 1784 and 1805 was significantly arduous for India. In 1790. the Indians experienced locust invasion that devastated both farming and business communities. Again in 1792 and 1793 the region experienced a spread of disease followed by a drought in 1797. Other contributing factors for emigration were the total breakdown of law and order followed by the disintegration of strong central governance provided by the Moguls and the Peshwars. Local petty rulers and feudal lords fought over old feuds, robbers from further east engaged in criminal activities and the warlords molested the ladies of respectable families. All these provided insecurity and unrest among the population which eventually led to migration of the citizens, merchants and business families to the South, Mumbai area and a few to the East African Coast. Notable among them were: Jeram Shivji, Bhatia Laddha, Damji Thakkar, Rehmtulla Hemani and Ramji Pragji[5]. Another contributing factor was the favourable business environment provided by Sultan Seyyid Bin Said from 1804 to 1854 and later by Sayyid Bin Barghash from 1870 to 1888. Significantly, after a failed coup against his brother, Sayyid Barghash was exiled to Mumbai where he was enamored by the culture of architectural adornments and embellishments to buildings which he brought to the East African Coast[6].

The evolution of these waves of migratory activities together make up the complex, diverse and fascinating modern Indian diasporic populations of nearly 30 million people settled in over 70 countries constituting more than 40% of the population in Fiji, Mauritius, Bolivia, Venezuela, Trinidad, Guyana and Surinam (MEA, 2001)[7]. There are smaller South Asian minorities in South

[5]. http://www.us.mc501.mail.vahoo.com/mc. downloaded on August 3, 2010.

[6]. http://www.africana-orientalia@vahooproups.com. downloaded on August 20, 2009.

[7]. Figures vary from 25 million to 30 million depending on whether or not they include NRIs, mixed parentage and their offspring. In general these figures and many statistics do not necessarily include PIOs who are settled or now reside in Pakistan. Bangladesh, Sri Lanka. Burma (Myanmar) and Nepal.

Africa, East Africa, Central Africa, Malaysia, Sri Lanka, UK, USA and Canada. This makes the South Asian community the world's third largest diasporic group, next only to the British and the Chinese (Bhatt, 2003; MEA, 2001). Majority of the East African Indians are Gujarati speaking Hindus and Muslims who constitute over 70% of the Asian population. Among them are the numerically and economically dominant Patels and Lohanas, Shia Khoja Ismailis, Shia Khoja Ithna-Asheris and the Bohras. Others are the Shia Muslims, Sunni, Arya Samaj, Goans, Jains, Sikhs and Christians (Ghai and Ghai, 1970; Salvadori, 1983; Shanti, 1963; Patel, 1999:17-21).

By 1953, the number of Indian immigrants in the larger East African territories was estimated at 152,000 in Kenya, 33,367 in Uganda, 56,499 in Tanzania, 15,812 in Zanzibar and Pemba. 2,600 in Northern Rhodesia, 4,150 in Southern Rhodesia, 4.000 in Nyasaland and 720 in Belgian Congo. Unlike other countries, the Indian population in Kenya increased significantly due to high birth rate, increased emigration, colonial status, economic prospects and low racial tensions with the Europeans (Awaaz, February-May, 2008:17). By 1911, there were 11.886 Indians and in 1921 the figure had increased to 25,253. Likewise, the European population stood at 2,736 in 1911 and increased to 9,025 by 1927 (Mangat, 1969; Rai, 1979; Nanjira, 1976). In 1948 there were 97,687 Asians and by 1962 it reached 176, 617 (Kenya, 1966).

Similarly, between 1948 and 1962 the Asian population in Nairobi increased from 41,810 to 86.453 and in Mombasa from 25,580 to 43,713. This comprised of 47,429 local born Asians (46.6%) and 50,258 (51.4%) foreign bom. In 1958, there were 165,000 Asians and in 1962, there were 88,978 (61.7%) local born and 67,635 (38.3%) foreign bom Asians in Kenya, representing 2% of the total population. On the other hand, there were 29,660 Europeans in 1948 and 55, 759 in 1962, of which

there were 48,207 British. 1687 Italians, 823 South Africans, 545 Irish. 526 Germans and 2,365 others as shown in table 2.1 below:

Table 2.1: Kenya Population Census (1948, 1958 and 1962)

Year	Africans	Asians	Europeans	Arabs	Others	Total
1948	5,219.865	97,687	29,660	24,174	3,325	5,374,711
1958	6.000,000	165,000	64,000	35,000	2,000	6,266,000
1962	8,365,942	176,617	55,759	34,048	3,901	8.636,263

Source: Republic of Kenya (1966)

The First Phase of the "Indian Question' (1834-1894) began with large scale Indian immigration and settlement in East Africa which was influenced by economic, military strategic interests and political demands emanating from British imperial expansion and naval supremacy that forcefully necessitated the building of KUR ('Lunatic Express') from Mombasa to Kisumu and Uganda from 1896-1901 (Chittick, 1975; Davidson, 1960:148; Coupland, 1961). This led to the adoption of the 1834 policy in which the British Indian government sanctioned and awarded contracts to wealthy merchants for recruitment and supply of the second wave of 'indentured' labourers *('Indian coolies")* from India to East Africa. For example, AMJ recruited majority of the 5,331 coolies and clerks on December 12, 1895 for the construction of KUR (Patel, 1996; 2003).

The South Asian settlements in East Africa involved both Muslim and Hindu traders at various intervals. First, were the Khoja Muslims, from Cutch, Gujarat and Bombay. Second, were the Bohras from Cutch and Kathiawar. Third, were the Memans from Sind (Chittick, 1975; Coupland, 1961). Fourth and the least important were the Baluchis, mainly soldiers from Western India. Fifth, were the majority Hindus mainly from Gujarat (North Western India), Cutch, Gujarat and Konkan who were referred to as 'birds of a passage' ('passenger Indians') or non-indentured labourers. They were exclusively lower class and these included the Bhatias who had an exclusive monopoly

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of money lending and also engaged in shop keeping. They emigrated voluntarily and later became the '*dukawallahs*' (Gregory, 1971:146).

From 1896 to 1901, the British Indian government further amended the 1883 Emigration Act thereby encouraging Indian labour emigration and recruitment by the Portuguese on contract from the Punjab (Western India) in such areas as Cutch, Surat, Porbander, Jamnagar and Bombay districts and from cities like Gujarat, Karachi and Calcutta to East Africa. Later, the Portuguese employed Indian masons for the construction of Fort Jesus between 1593 and 1596 (Somjee, 2000; Nanjira, 1976; Rai, 1979; Ngari, 1996:13-26). Majority of the 32,000 labourers, were Sikhs. Goans. Hindus and Punjabi Muslims who worked as railway builders, soldiers, artisans, bricklayers, clerks, craftsmen, merchants, traders, carpenters, plumbers, construction workers, tailors, motor mechanics and electrical fitters. For six years (1896-1901), the Indian labourers working in a difficult terrain and with the determination of '*Harambee*^ spirit, manually laid 582 miles of the colonial railway. In the end a total of 2,493 Indians died in the construction, 6,454 were invalided back and 6,724 stayed on in East Africa while the rest returned to India after the contract ended in 1905 (Chandan, 2007:18-19; Salvadori, 2010; MEA, 2001:95).

[8]. The word '*Harambee*' is a combination of two names which originated in the worship of Hindu gods; *'Har*' and '*Ambe*'. The former, also known as Lord 'Shankar' or 'Shiva' and the husband of *Ambe,* is the god in charge of life, destruction and death. *Ambe,* also known as 'Durga' or 'Kali', is the goddess in charge of power. The two names were adopted into the Kenyan lingua as a Kiswahili words, meaning 'pulling together'. The 'Indian coolies' chanted the two names of their gods, while tirelessly 'pulling together' in carrying out the difficult task of manually moving and laying the rail tracks. However, to the indigenous Africans, the two names sounded like *'Harambee',* meaning 'pulling together' or 'working in unity'. *Harambee* thus originated from the Indian labour experience and was adopted by Kenyan government in the Court of Arms and as a political development slogan in 1963 after independence. President Kenyatta and Moi later popularized *Harambee* as they rallied Kenyans to work in unity in building the nation (Patel, 2006; Kurzbach, 2007:247; Shree Lohana Mahajan Souvenir, 2002:70).

Eventually, by 1890 when East Africa was partitioned among the European powers and Arab domination was on the decline, the Indians had already settled and were by far the most dominant economic community along the East African Coast of Zanzibar, Kilwa, Pate. Bagamoyo, Pemba, Pangani, Tanga, Dar-es-Salaam, Malindi and Mombasa (Rai, 1979; Gregory, 1971; Mangat, 1969:4; Kiriama, 1996:6-12). The Indians constituted the vital middle class and the linkage between Eastern Africa and Europe; America and Asia. They introduced the manufactured goods and technology of the industrial centers of the outside world to the indigenous Africans and brought many natural resources and agricultural products of the African interior to the international markets (Patel, 1996:9-10).

Prior to the colonization of East Africa, the Indians had increased their commercial interest in the East African Coast in the 19th century. In May, 1893, the Indian Rupee coinage was introduced, replacing the German, English and Indo-Portuguese currency until 1920. The apparent success of Indians in East Africa reached its pinnacle in 1840 when Seyyid Said transferred his capital from Omani to Zanzibar and adopted a liberal trading policy towards Indians. Moreover, India being a British colony was juridically an outpost of the Indian Empire. The British established a consulate at Zanzibar (1842-1895) and applied Indian laws under a Consular General who was also a representative of the government of India.

The British government thus supported Indian endeavours in East Africa and by 1852 the British India export to East Africa was valued at £82,000 and imports at £177,000 (Rai, 1979). Secondly, in the 19th century, the officials of the Imperial British East African Company (IBEACo), East African Protectorate (EAP), Colonial Office and Indian government further encouraged Indian emigration and penetration to East Africa. This strategy assisted in opening up the interior and developing commerce for the benefit of the British Empire and Indian monopoly of trade (Benjamin, 1998). Notably among the British Indians to take this opportunity was Allidina Visram,

the most famous Indian *dukawallah* who had established business interests with caravans and vessels penetrating beyond the borders of German East Africa (Zanzibar Tabora, Ujiji) into Uganda (Kampala and Jinja), Kenya (Kisumu, Mombasa), parts of Congo Free State and Southern Sudan between 1893 and 1914 (Gregory, 1971; Mangat, 1969; Ram, 2006; Kiriama, 1996:6-12; Rai, 1979; Nanjira, 1976; Ngari, 1996:14-15).

The abolition of slave trade in the Indian Ocean and the partition of East Africa among the Europeans powers shifted demand from the slaves to the vital goods that the Indians supplied. Most Indians thus ventured into the interior of East Africa where they became small retailers (dukawallahs) bartering their imported wares for the local produce which they in turn sold in wholesale to foreign exporters along the Coast (Kiriama. 1996:10). The 6.000 Indians in Zanzibar, Mombasa and other coastal towns during the early 19th century consisted of bankers, traders and money lenders (Himbara, 1994). It was from this group that the merchants emerged that reflected the expanding trade and commerce encompassing the interior of Kenya (Gregory, 1971:186-188). In this respect, the Indian dukawallahs became the chief agents of European and Asian exotic products in the African villages.

By 1903, many Indian firms and merchants like Visram, AMJ and Jairum Sewji had played an important role in the development and establishment of businesses in East Africa (Mangat, 1967)[9]. For example, AMJ personally and voluntarily offered the facilities of his vast firm (A.M Jeevanjee & Company) for the British and German East Africa for the construction of KUR and

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[9]. Broadly, other Asians who also contributed to political, social and economic development of Kenya through philanthropy and business enterprises in major trading centers included among others: Mohamedally Rattansi, Suryakant Patel, G.L Vidyarthi, Inder Singh Gill, Muljibhai Madhvani, Samaji Nanji Kalidas Mehta, R.B Pandya, R.K Paroo, J.M Desai, Dr. S.D Karve, Dr. F.C Sood, John Karmali and Pramji Mandavia (Awaaz, February-May, 2008:23).

administrative development of EAP (AMJ, 1912; Patel, 1996:38-45; Times of East Africa, May 19, 1906). The KUR line further facilitated the penetration and enlargement of the Asian trading activities in small market centers and towns such as Mombasa, Nairobi and Kisumu and later to other 43 emerging towns in rural areas such as Malindi, Taveta, Mtito Andei, Voi, Sultan Hamud, Nyeri, Kikuyu, Ruiru, Thika, Embu, Naivasha, Nakuru, Kijabe. Gilgil, Mumias, Kisii, Eldoret, Kapsabet, Kericho and Kisumu. The railway transport and bureaucracy of IBEACo was then administered for the next several decades by Asian workers, labourers, civil servants, teachers and police (Mangat, 1967, 1969; Singh: Atieno, 1981:76; Lemoosa, 1996).

It is this long heritage of labour and commercial activities that the present South Asian population of multiple characters and identity has emerged in East Africa and particularly Kenya. Ironically, this prosperity in trade and commerce resulted into enmity and conflict with the British colonial government and thus the beginning of the 'second phase of the Indian question' (Mangat, 1969:4; Kiriama, 1996:6-12).

2.2. The 'Indian Question' and Alienation in Colonial Kenya

Racial discrimination and political alienation generated the Second Phase or Wave of the 'Indian Question' (1895-1929) with regard to their future relationship with the British colonial government, Europeans settlers and Africans (Buel, 1965; Ngari. 1996:16-18). The British Colonial Secretary, A.H Hardinge declared Kenya a British East African Protectorate (BEAP) on July 1, 1895 and in 1920 Kenya became a British colony and Protectorate through Kenya (Annexation) Order-in-Council. Previously, the legislation was done in the UK and conveyed to Kenya in the form of royal instructions, commonly termed as Orders-in-Council for local implementation between 1885 and 1890. The British imposed a parliamentary self-government of the Westminster model in Kenya that ensured exclusive political participation and representation for the whites between 1895 and 1923 both in the Legislative Council (Legco) and Local Government (Kenya, 2005:1-8).

In April, 1905, the administration of the EAP was transferred from the British Foreign Office to the Colonial Office and in July, 1905, the Colonists Association petitioned the Secretary of State for the Colonies for political representation in Kenya. In response, the 1906 Order-In-Council established a constitution with an Executive Council to be chaired by the Governor (President of Legco or Speaker). A Legco was granted with an official nominated majority, unofficial members and an elected minority. It was composed of 9 members (4 ex-officio, 2 nominated unofficial and 3 officials) chaired by the Governor, James Hayes Sadler. The Executive Council legislated until August 17, 1907 when the governor and central government moved from Mombasa to Nairobi, for the first Legco's sitting (Nanjira 1976).

Thus between 1907 and 1952, Indians still had a few seats in the dominated European Legco and African representation was restricted to the Local Native Councils (LNCs), regardless of the principle of communal representation. Up to 1944, the all whites' Legco was either elected by the white settlers or were nominated to the council by the governor. The nominated white clergy, civil servants and white volunteers who represented' African interests in the Legco were styled as Commissioners for Native Affairs and Ministers for African Affairs (Kenya, 2005:1-8).

The British colonial government in London and East Africa intensified the racial problem in East Africa by practicing and encouraging the 'doctrine of racial compartmentalization', where the 'superior' Europeans were at the top, Asians at middle and 'inferior' Africans at the bottom (Mangat, 1969). The European settlers also regarded the Indians as 'inferior', 'uncivilized', and 'exploitative' (Ghai and Ghai, 1970:1; Patel, 1996:114-7). The Kenya Economic Commission (KEC) Report (1919) abused the Indians as "carriers of diseases, lacking trust, immoral and inciters to crime and vice". The report thus justified the anti-Indian racial policy and recommended their expulsion from the colony (Patel. 1996:87).

Racial discrimination was part of a broader colonial policy of divide and rule to antagonize and split the Africans and Asians on ethnic lines. This resulted into a perpetual misunderstanding and superiority rivalry with the Africans which the Europeans exploited by constantly swinging the racial and political pendulum to permanently keep Asians and native Africans in conflict (Mbae, 1996:36-47; Patel, 1996; Nabende, 1996:48-58; Frost, 1997).

Political alienation of the Asians in Kenya began when the Colonial Secretary, Lewis Harcourt and Sir. Charles Elliot, the First BEAP Commissioner passed the Crown Land Ordinance (1902) and the Crown Lands Act (1915) for white colonial paramountcy over other races. In January 1902, the Europeans, led by Lord Delemere spearheaded the alienation of the Kenya highlands for white settlement to the exclusion of Indians. Later, in 1904 and in 1911, he banned Indian immigration to Kenya and demanded the compulsory repatriation of indentured labourers after the end of the railway contract (East African Royal Commission (EARC), 1954:18-19). Subsequently, the colonial government officially encouraged Europeans settlement in the Kenya highlands to agriculturally exploit the interior resources and to raise revenue for the British Empire (Buel, 1965; Ngari, 1996:17-18; Rai, 1979).

The British White Paper ('Devonshire Declaration' of July 25, 1923) was another historical landmark and a critical lesson in the history and politics of the Asian community in Kenya. It underlined African paramountcy, promoted European supremacy, racial discrimination and undermined the Indian political rights, citizenship rights and economic interests (Buel, 1965:294; Gregory, 1971:94-5; Durrani, 2006; Nabende, 1996:48-49). Further, in 1943, the Colonial Secretary, Ormsby Gore reinstated that the Indians were 'mere interlopers in a country that belonged only to Africans and Europeans' (Awaaz, February-May, 2008). The Indians feared Kenya turning into another South Africa where direct imperial control would completely alienate

them through land alienation, racial discrimination, unfair taxation, immigration, judiciary, franchise and educational policies (Biswas, 1992).

In 1924, the Indians responded defiantly by non-payment of poll tax and withdrawal of their political participation in the Legco and municipal councils (Gregory, 1971:282-288, Mangat, 1969:146). These actions led to the arrest and detention of EAINC leaders like Sarojini Naidu (Chairman), Hussein Suleiman Verjee (President), Abdul Wahid President of the East African Indian Congress (EAIC), (1924), Shree Alibhai Ambalal Bhailalbhai Patel (President. 1938-1942; 1945-1946) and J.B Pandya in May, 1925. This prompted Indian deputation to London in 1927 and 1928 led by the latter two to present their grievances (Oza, 1928).

The conflict among the colonial government, the European settlers and the Asians between 1901 and 1923, arguably precipitated the latter's disinterest and complete withdrawal from politics, which further threatened their commercial interests. Consequently, majority of the Asians completely abandoned political and agricultural activities and concentrated on trading and commercial activities (Bennet, 1982:292). Coincidentally, this behaviour confirmed the view that politics was neither a prerequisite for commercial enterprise nor even its complimentary for the Asians, except on rare occasions when political capital was turned into commercial goodwill (Tandon, 1965; Mbae, 1996:36-37). This legacy of economic orientation led to the failure of the community to initiate a unified combative protest movement against the British colonial hegemony and political participation (Rai, 1979; Frost, 1997:28; Lemoosa, 1996:27-35).

2.3. The Asian Political Participation and Representation (1900-1962)

The alienating conditions highlighted above concurrently marked the beginning of the Asian political activism and demand for representation against European colonialism and hegemony. AMJ is regarded as the foremost father; 'grand old man of Kenya', 'merchant prince', great pioneer

and patriarch of Indian politics and business in East Africa. He plunged into politics out of personal conviction to the detriment of his vast business empire and laid the foundation for organized political movement against colonial rule in Kenya (Patel, 1996:223).

"With my career I should not have ventured to pose as a spokesman on behalf of my Indian brothers in East Africa. But to confess the whole truth, I felt very keenly the humiliating condition of my fellow countrymen; I could not bear to see with philosophical calmness, the unequal and unjustifiable treatment meted out to them by the white population of East Africa.... I could not bear to witness with patience the tremendous harm that is being done to the noble idea of imperialism by a policy of colour hatred" (AMJ, in Patel, 1996:55).

In 1900, the Indians, led by AMJ and Allidina Visram actively entered Kenyan colonial politics and demanded for political representation, equality and justice for all races (Oza, 1928). In 1902, in a bid to form a more powerful and better organized political body that could unite all Asians in the BEA territories, the British East African Indians (BEAI) led by Uka Oza and Isher Dass formed EAINC. Its main constitutional objective was to achieve full and equal rights of citizenship for all races in East Africa and annexation of East Africa by India (Ghai, 1965). In fact, Dass, a dynamic, radical, brave, militant advocate and freedom defender, was the first Indian to support the African cause and Asian rights with revolutionary ideals by successfully advocating for *hartal* (strike) against payment of tax (Patel, 1996:144).

The EAINC Led by Manilal Ambalal Desai, its first President, Secretary General and a member of Legco, consistently demanded for Indian elections and representation in both legislative and municipal councils on a common roll; equal rights; opposed Indian exclusion from the highlands, denial of trial by the jury and racial discrimination. Later on March 7, 1914, they were joined by Shrinivas Thakur, L.M Salve and Keshavlal Divivedi (Mangat, 1969:168; Colonial Times, January 26, 1943). On April 1, 1906, AMJ further formed the Mombasa Indian Association (MIA) with him

as President under which he fought and defended Indian interests and rights to representation against European alienation:

"We shall accept nothing less than equal representation, based on equal franchise in which every responsible member of the community shall have the opportunity to exercise the vote... a common electoral roll including the Arabs and the natives and a common qualification would not only be a more logical course, but also the method to minimize the defects consequent on a communal representation" (AMJ, Presidential Speech, EAINC Third Session, 1920; AMJ, in Patel, 1996:71).

In 1907 the British East African Indian Association (BEAIA) was formed to represent Indians in various parts of the country. The prime objective of the three associations was achieving racial equality, and liberty for all races in East Africa through representation in both legislative and municipal councils (Patel, 1996:61; De Souza, 1959). In 1908. the Indians appealed for representation in the Legco and in response in 1909. the Colonial Secretary, Churchill granted the appointment of an Indian to the Legco owing to their meritorious ability. Eventually, in 1910, AMJ was appointed the first non-white person to the Legco as an official Indian member for representation both in the Legco and Municipal Council (East African Standard, April 2, 1910:12). His term expired in 1911 and demands for his replacement or nomination of another Asian representative were rejected by the government on the grounds that there was no prominent Indian of sufficient educational qualifications for the Legco.

Later in 1911, AMJ led an Indian delegation to the colonial government in London and personally pledged 20,000 rupees for addressing the Indian question. They protested against Winston Churchill's betrayal of Asian interests in favour of European interests and vowed to use every constitutional means to oppose territorial amalgamation that would relegate Indians to a position of racial inferiority and subordination. In 1912, the Indians boycotted paying poll tax insisting on 'no taxation without representation'. With the cessation of hostilities in the World War I, the Indians secured back political representation when the Legco, under Governor Northey enacted the 1919

Legco Elections Ordinance which provided for the creation of 11 constituencies for election of 11 Europeans and 2 nominated Indians in 1920.

The Indians to a great extent remained quiet and disorganized until 1914 when EAIC under Tyebali Mullah Jeevanjee (AMJ's brother) as its first President was formed (Oza, 1928). It advocated for equal treatment before the law and representation in the Legco. In March 1919, KIC led by AMJ sent a deputation to India and presented a memorandum to the Viceroy complaining of threat to squeeze the Indians out of Kenya. This fear was confirmed when the status of Kenya was changed in 1920 from that of a Protectorate to a Crown Colony. Again on September 2, 1920 and June. 1923, AMJ presented a Memorandum to the Viceroy in India and protest letters to the Secretary of State for the Colonies describing the Indian grievances in Kenya against the colonial government and European settlers' political, social and economic alienation of Indians in East Africa (Patel, 1996:91).

The 1920s marked the intensification of the second phase of the Indian question. In July 1920, the Nairobi Indian Association (NIA), while claiming franchise on a common electoral roll, restricted the vote to the wealthy and educated Indians. Led by AMJ, the Indians refused and insisted they wanted to see their own interests represented and protected in the Legco by their own people (Oza, 1928:58). The Indians protested against Abdul Rasul Visram and V.V Phadke as their representatives as inadequate and thus boycotted all public bodies, leading to their resignation from the Legco. The 22,000 Indians controlling 85% of the trade had only two representatives compared to 8,000 Europeans who had eleven representatives, while 2.7 million Africans were represented by one appointed missionary (Sunday Standard, November 13, 2011:28-29).

On May 15, 1921 in Mombasa, AMJ declared passive resistance movement against the Nairobi Municipal Council through the principle of "no taxation without adequate representation' (Patel, 1996:112-13; AMJ, 1927). Disappointingly, during his short stint in Legco, AMJ found himself

completely isolated in a situation of intense European racial discrimination. The colonial government crippled his business in 1923 by grounding his shipping lines (SS, Nairobi and SS, Calicut); refusing to pay rent for his buildings; Nairobi Municipal Council demanded payment of rates amounting to Kshs. 12,000; his relatives intensified their rivalry, transferring and mortgaging his assets; and trashed the 99 year-old leases of plots he had developed with Governor Northey and auctioned his plots in June, 1935 (Patel, 1996). Financially ruined and politically disillusioned, he withdrew his seat through non-attendance until his death on May 2, 1936 in Nairobi:

"To those who do not know the conditions in East Africa, it would appear strange that instead of fighting within the council, I should have chosen to absent myself from the scene, and work for my countrymen either in England or India. To such people I may say that my past experience does not encourage me to attend the council. The council is packcd with a government majority and European representatives. I found it to be a sheer waste of time to fight against an interested majority, who refuse to be convinced, and consider other interests than their own. Hence my absence from the council chamber" (AMJ, in Patel, 1996).

Consequently, in 1921 a new agreement between Winston Churchill, the Colonial Secretary and E.S Montagu, the Secretary of State for India ensured enfranchisement of about 10% of Indian population; a common electoral role for Asians and Europeans and 3 or 4 guaranteed seats in the Legco. In addition, despite Lord Milner offering Indians selected seats in the Legco, there was still increased anti-Indian campaign among the Europeans especially those in the Legco led by Lord Delemere and Captain Grogan (Ngari, 1996:20-24). All these proposals which were to be incorporated in a new constitution at the end of 1922 were later abandoned by the colonial government after Churchill betrayed the Asians (Nanjira, 1976).

Unfortunately, on April 24, 1919, Governor Northey dismissed Asian demands for political representation and argued that majority of the Indians were not qualified to vote in Kenya due to the 'paramountcy of European interests in the protectorate'. Likewise, W.H Long, the Secretary of State for Colonies attributed the absence of the Indians in the Legco to non-availability of suitable

persons for the position (Patel, 1996:83). Further, the Electoral Commission Bill restricted the franchise to adults of 'pure European descent". However, while upholding the '1923 Devonshire White Paper Declaration' of African paramountcy and European supremacy, the Colonial Secretary of State conceded to Indian demands. This marked the beginning of the 'Third Phase of the Asian Question' (1930-1962). He amended the 1919 Royal Instructions in 1924 and enacted the Legco Ordinance that provided for the election of 11 Europeans, 5 Indians, 2 Arabs and nomination of I missionary to represent the African interests in the Legco (Nanjira, 1976).

Further provisions were made to introduce Native Councils, pursuant to provisions of the Local Native Council Ordinance in every reserve. Due to Indian opposition of separate voters roll, their elections were delayed until 1934 and by 1939 Asians still had 5 representatives (Hopkins, 1966:121). At the same time a further provision was made for nomination of 1 more clergyman and 1 more Arab in 1943. Thus the Legco was composed of elected and nominated Europeans, Indians and Arabs, while the European clergymen represented African interests until October, 1944 when the Colonial Governor nominated Eliud Wambu Mathu. Still, Governor Phillip Mitchell's Sessional Paper No. 2 of 1945 increased the executive responsibility of the Europeans to the detriment of non-Europeans and diluted Asian representation by promoting the Hindu-Muslim disunity by nominating the latter to Legco. Thus in the 41 member Legco in 1945, there were 33 Europeans, 5 Asians, 2 Arabs and 1 African. At the same time, Governor Mitchell increased the number of nominated African representatives on the council from 2 in 1946 to 4 in 1948 and to 8 by 1953 giving them an unofficial majority in Legco (Nanjira, 1976).

As the pressure for national liberation intensified from 1950, James Griffiths, the Secretary of State for the Colonies made constitutional proposals that were translated into the Royal Instructions of 1951. These proposals were implemented in 1952 and resulted into the increase of the number of government members on the Legco from 16 to 26; European elected members from 11 to 14; Asian

elected members from 5 to 6; African nominated representatives from 4 to 6 and 1 more Arab elected member and 1 nominated representative. The overall strength of the Legco still reflected an unofficial majority in the proportions of the 26 government officials against 28 unofTicials. After 1953 the number of African nominees declined and some were denominated. Separately, during this period, Ambalal Patel resigned from both the Legco and Executive Council in March. 1952, but rescinded the decision after being prevailed upon by Governor Mitchell. He then contested the May, 1952 elections for the Eastern Non-Muslim Seat in Mombasa which he won with 3,874 votes against Dosalal Mehta who garnered 1,028 votes (Malik, 2005).

In 1954, the Colonial Secretary, Oliver Lyttelton pronounced the first Kenyan constitution to replace the 1922 constitution. It generally provided for communal multiracial representation, although it was still inadequate, since the Asians and Africans remained a minority in the Legco. Nevertheless, it introduced a Council of Ministers which like its predecessor (Executive Council) was still appointed and chaired by the Governor. It consisted of 14 ministers of whom 6 were officials from the civil service, 2 nominated members and 6 unofficial (3 Europeans, 2 Asians and 1 African). The composition of the Legco remained at 54 members; 14 European elected members; 6 Asian elected members; 1 Arab elected member; 6 African nominated representatives; 1 Arab nominated representative and 26 European civil servants (8 ex-officio and 18 nominated members).

The first democratic elections in Kenya were held in 1957 in which, 8 African Legco members were elected. The by-elections were held in March, 1958. in the African electoral areas, which had been sub-divided into 36 elected seats and apportioned in the rations of 14 Europeans, 14 Africans, 4 non-Muslim Asians, 2 Muslim Asians and 2 Arabs. In addition, there were 4 'Specially Elected' Africans and another 4 nominated which increased the total figure to 22 Africans. The elected members declined their seats and rejected the Lyttelton Constitution since it was unrepresentative, had restrictive suffrage and without African input.

In order to resolve the deadlock, the Colonial Secretary, Lennox Boyd in November, 1957 held consultations on the constitutional positions with various groups in Nairobi. The European and Asian ministers tendered their resignation to the governor, to give him a free hand for resolving the flawed 1954 constitutional stalemate. On November 8, 1957, Boyd outlined the constitutional changes which were later contained in a Kenya Constitution Order-in-Council signed by Her Majesty on April 3, 1958 and remained in force until 1961. The changes introduced by Boyd increased African and Asian representation to a position of parity with the Europeans. The seats for the African elected members were increased by 6 and provisions made for 12 'Specially Elected' members comprising of 4 Africans (with an extra second seat on the Council of Ministers), 4 Asians and 4 Europeans elected by the Legco sitting as an electoral college, composed of all races in the rations of one third each for Africans, Europeans and Asians. The seats for all elected members were set at 36 and the number of nominated members was still left to the discretion of the governor (Frost, 1997:251).

Acknowledging the inevitability of granting independence to Kenya, the British Prime Minister and the new Colonial Secretary, Ian Macleod convened the First Lancaster House Constitutional Conference meeting in London in January, 1960. Accordingly, Britain declared its intention to grant independence and granting the formation of political parties, Africans majority representation in the Legco and a common multiracial voting list. However, despite these assurances, the colonial government did not significantly increase the total African membership in the Legco in respect to elected, specially elected and the nominated members which stood at only 40, compared to the high number of Europeans, Asians and Arabs. The governor, who was also the presiding officer, still retained unlimited powers of making nominations to safeguard European interests (Nabende and Wangari, 1999:143-152).

In their quest for more representation, the Africans rejected the provisions regarding specially elected members, additional ministerial seats, continued use of qualitative franchise and the general policy of multi-racialism. Earlier, in April, 1958, the Specially Elected Members Association (SEMA) was formed with the primary objective of promoting multiracialism. The New Kenya Group (NKG) stemmed from this association in 1959 with Havelock as the Chairman and Humphrey Slade, Blundell, Musa Amalemba, Wanyutu Waweru, Chunilal Madan and Ibrahim Nathoo (one of the first non-European ministers in the colonial government) as other members (Frost, 1997). Eventually, African representation increased gradually and after 1962 the Europeans and the Asian communities would become constitutionally a racial minority (East African Standard. April 4, 1947).

The 1960 constitution was fairly democratic since it was anchored on representative democracy with a comprehensive bill of rights. Ironically, the formation of KANU, mainly dominated by Kikuyu and Luo tribes drove the African minority dominated Kenya African Democratic Union (KADU), into uniting with the settler the conservative Asian representatives to adopt a decentralized constitution, giving power to regional assemblies, with protection for minorities. It is in the midst of these political conflicts and divisions that the Second Lancaster House Conference leading to independence was convened by the Colonial Secretary, Reginald Maulding in London between February 12, 1962 and April 7, 1962. It was attended by Pio Gama Pinto and his brother, Rosario Gama Pinto, Joseph Murumbi, Fitz De Souza, P.K Jani, K.P Shah, Bruce Mackenzie, James Gichuru, Tom Mboya, Muinga Chokwe and Sam Kariuki, (Nowrojee, 2007:48).

It provided for a federal system of government with a bicameral parliament; creation of six regions and the City of Nairobi as an independent region. All the seven regions were to have regional assemblies whose powers were derived from the constitution and not the central government; and creation of a bicameral parliament whose Lower House would be elected by universal adult

suffrage and whose Upper House was to consist of representatives from the districts (Center for Governance and Development (CGD), 2002; Maina, 1998).

In a summary, there was separate electoral roles for Europeans, Asians, Arabs and Africans, so that each community was guaranteed a fixed number of seats. A similar principle was applied for the appointment of ministerial and executive positions. A total of 49 Europeans (48%), 27 Asians (26.4%), 22 Africans (21.5%) and 4 Arabs (3.9%) were represented in the Kenyan legislature as shown in tables 2.2 and 2.3:

Table 2.2: Legislative Representation of Asians in Colonial Kenya (1910-1962)

Year	Africans	Asians	Europeans	Arabs	Total
1910	0	I	.	*	1
1919	0	2	11	«	13
1921	0	3	*	.	3
1923	0	5	.	*	5
1945	1	5	33	1	40
1954	1	2	*	*	3
1957	8	4	4	1	17
1959	4	1	1	*	6
1961	4	4	*	2	10
1962	4	0	0	0	4
Total	22	27	49	4	102

Source: Own compilation based on Frost Richard, 1997.
Note: * Denotes lack of information and unavailability of data.

Table 2.3: Asian Legislative Council Representation in Colonial Kenya (1910-1962)

No.	Name	Years	Seat/ Constituency	Status
1.	Mr. Chanan Singh	1961-1964	Nairobi Central	Specially Elected
2.	Mr. John Maximian Nazareth	1956-1960	Western Electoral Area	Elected
3.	Mr. Ambalal Bhailalbhai Patel	1952-1956	Eastern Non-Muslim, Mombasa	Elected
4.	Mr. J.B Pandya	1960-1966	Nairobi West	Elected
5.	Mr. Ibrahim Nathoo	1960s*	Legco	Nominated

6.	Mr. K.P Shah	1960s*	Central Area	Appointed
7.	Mr. K.D Travadi	1958-1962	Nairobi	Specially Elected
8.	Mr. Chunilal B. Madan	1959-1962	Central Area	Appointed
9.	Mr. Chanan Singh	1952-1956	Nairobi Central	Specially Elected
10.	Sir. Ebo Pirbhai	1952-1956	Mombasa	Legco member
11.	Mr. Ambu B. Patel	1945-1960	Nairobi Area	Appointed, Elected
12.	Mr. Ambalal B. Patel	1942-1952	Executive Council	Appointed
13.	Mr. Ramesh Gautama	1940-1956	Nairobi Area	Appointed
14.	Mr. A.D Patel	1940s*	Legco	Appointed
15.	Mr. B.S Verma	1940s*	Legco	Appointed
16.	Mr. J.B Pandya	1940s*	Nairobi Area	Appointed
17.	Mr. U.K Oza	1930s*	Legco	Appointed
18.	Mr. Shamsud-Deen	1930s*	Legco	Appointed
19.	Mr. A. Katherhy	1940s*	Legco	Appointed
20.	Mr. Ambalal B. Patel	1938-1945	Central Legislative Assembly	Appointed
21.	Mr. Isher Dass	1933-1942	Legco	Appointed
22.	Mr. Ambalal Patel	1930-*	Legco	Appointed
23.	Abd Mr. Abdul Rasul Visr^m	1920-*	Legco	Appointed
24.	Mr. V.V Phadke	1920-*	Legco & Executive Council	Appointed
25.	Mr. Manilal Ambalal Desai	1919-1926	Legco	Appointed
26.	Mr. Alibhai Mullah Jeevanjee	1910-1911	Nairobi	Appointed

Source: Own compilation from literature and filed work, 2007-2009.

Note: * Denotes lack of information and unavailability of data on the exact period/years served.

2.4. Asian Political Representation in Local Authorities (1910-1962)

The political representation in local authorities (councils and townships) was dominated by the Europeans at all levels from 1895 to 1962. Nonetheless, in 1910, AMJ was nominated as the first Indian by the colonial governor to represent Nairobi Municipal Council. By 1945 there were 13 European members of the council and 7 Asians with no African. In 1946 European representations was raised to 18, 2 Asian Aldermen were added to the 7 Asian councillors and 2 Africans were

nominated as councillors. By 1952, majority representation of LNCs comprised of Africans, while the European District Commissioners were the chairmen, mainly in the white highlands. Thus by 1959, out of a total of 115 representatives, in six major municipalities, there were 66 Europeans (57.4%), 31 Asians (27%) and 15 Africans (13%) as shown in table 2.4 below:

Table 2.4: Asian Local Authorities' Representation in Municipal Councils (1959)

No.	Municipality	Europeans	Asians	Africans	Total
1.	Nairobi	14	7	3	24
2.	Nakuru	11	4	3	18
3.	Kisumu	8	5	2	15
4.	Kitale	10	3	2	15
5.	Eldoret	10	5	3	18
6.	Mombasa	13	7	2	25
	Total	66	31	15	115

Source: Frost Richard, 1997.

At the same time, there were a total of 221 representatives in the county and town councils in 1959, of which there were 169 Europeans (76.4%), 36 Asians (16.3%), 16 Africans (7.2%) and no representation for the Arabs as shown in table 2.5 below:

Table 2.5: Asian Town and Local Council Representation (1959)

No.	County/Town	Europeans	Asians	Africans	Arabs	Total
1.	Nyanza	14	5	1	0	20
2.	Kitale	16	2	1	0	19
3.	Uasin Gishu	20	3	1	0	24
4.	Naivasha	24	2	1	0	27
5.	Aberdare	22	3	1	0	26
6.	Nakuru	22	2	1	0	25
7.	Nairobi	36	2	1	0	39
8.	Machakos	4	4	3	0	11
9.	Kakamega	4	4	2	0	10

10.	Kiambu	5	5	1	0	11
11.	Meru	2	4	3	0	9
	Total	**169**	**36**	**16**	**0**	**221**

Source: Kenya National Archives (KNA), June 25, 1959.

The posts of both mayor and deputy mayor were held by the Europeans until 1960 when an Asian became deputy mayor and in 1962 when both posts were taken over by the Africans. By October 1963. the mayor, deputy Mayor, 5 aldermen and 23 councillors were Africans, while the European representation had fallen to 2 aldermen and the Asians had 1 alderman and 7 councillors (Frost, 1997:145). On the other hand, between 1945 and 1963 there were 79 Europeans. 39 Asians and 31 Africans in Nairobi Municipal Council as shown in table 2.6 below:

Table 2.6: Asian Local Authorities' Representation in Nairobi (1945-1963)

Year	Africans	Asians	Europeans	Total
1945	0	7	13	20
1946	2	9	18	29
1953	3	9	18	30
1959	3	7	14	24
1963	23	7	16	46
Total	**31**	**39**	**79**	**149**

Source: Frost Richard, 1997

In summary, between 1903 and 1962, out of a total of 267 representatives in local authorities, there were 185 Europeans (69.2%), 44 Asians (16.4%) and 39 Africans (14.6%). Thus unlike the post-independence era, the Asians were fairly represented and distributed the local authorities (towns, municipalities and county councils). Table 2.7 below shows the list of a few active Asian civic representatives who were elected and appointed or nominated by the colonial government.

Table 2.7: Kenya Asian Local Authorities Councillors (1903-1963)

No.	Name	Years	Seat/Council	Status
1.	Mr. Rehmat Khan Kherdin	1960-1969	Kisumu Town Council	Elected (KANU)
2.	Mr. Amil Jamal	1963-1969	Kisumu Town Council	Elected (KANU)
3.	Mr. Abdul Daya	1963-1969	Kisumu Town Council	Elected (KANU)
4.	Mr. ChhaganbhaiDhanjibhai	1959-1971	Kisumu Municipal Council	Elected (KANU)
5.	Dr. Hassanally Rattansi	1960-1965	Nairobi City Council	Elected (KANU)
6.	Mr. Vithalji Harji Jobanputra	1945-1960	Kisumu Town Council	Appointed
7.	Mr. Vidya Vati Sondhi	1940-1960	Mombasa Town Council	Appointed
8.	Mr. K.D Travadi	1945-1959	Nairobi Municipal Council	Appointed
9.	Mr. Chunilal Kirparam	1945-1958	Nairobi Municipal Council	Appointed
10.	Mr. Alibhai Mullah Jeevanjee	1910-1911	Nairobi Municipal Council	Nominated

Source: Own compilation based on literature and fieldwork, 2007-2008.

2.5.0. The Asian Nationalism and the Struggle for Racial Equality

As previously elaborated, the Asian community engagement in Kenyan politics has been one of personal interest and commitment and not a communal affair. It is out of this context that individual Asians plunged into active politics, made a lot of personal sacrifices, contribution and unheralded support for Kenya's struggle for freedom, equality and independence through representations, protest movements, press and trade unions. The Asians also established and funded voluntary welfare organizations for the provision of social services in major towns and supported the Kikuyu Independent Schools Movement, which later developed into a mass movement for the independence struggle. These organizations laid the foundation for extensive and countrywide political agitation, networks and civil society movement in Kenya.

As early as 1899 Indian locomotive drivers had gone on strike against the colonial government over non-payment of wages and overcrowded housing conditions. Significantly, AMJ was the nerve center of militant Asians and labour rights activist who defended the Asian interests in the early

phase of the Indian question. For over 15 years, he personally devoted his time and wealth challenging European settlers' domination and British colonial discrimination against other races, leading to political disillusionment and collapse of his vast business empire in 1931. His political organization and contribution is therefore, representative of Indian colonial and post-colonial resistance in East Africa:

"Indians in East Africa lost a great pioneer. For nearly two decades, his masterful personality dominated the Indian public life in almost all activities, but more especially in the politics of the period. It is his pioneering courage and foresight that Indians in Kenya are today in a far better position than in any other colony or protectorate of the British Empire. Not a man of much education or fine words, but having indomitable courage and will power which gave him confidence and strength to express opinions freely and without fear of anybody... It was this courage and frankness which had made him a respected and honoured leader of the Indian community" (Kenya Daily Mail. May 18, 1936).

The colonial intensification of the Indian alienation elicited anger and hostility, forcing the Asians into greater political militancy. Paradoxically, this situation also propelled the growth of African nationalism and freedom movement and emancipation in the 1920s (Karadia, 1972:39). The 1923, Devonshire White Paper declaration transformed the Indian question into a major political issue of imperial significance by also highlighting African grievances (Ngari, 1996:22-23). The Asians supported the 'paramountcy of the native interests' and championed the African welfare and cooperation to also highlight their grievances and interests especially at the EAINC annual meetings (De Souza, 1959:313-14; EAINC, 1920; Presidential Address, October 13, 1929).

This eventually led to Indo-African cooperation and solidarity in the struggle for racial equality and independence (Bennet, 1982; Karadia, 1972:39; Gregory, 1981:259- 273). The Asians thus collaborated and patterned their liberation struggle with the native Africans to strengthen their interests and security against the Europeans and colonial government by becoming more active, outspoken and forming political organizations (Mbae, 1996:42-43; Frost, 1997:228). Between 1920 and 1945, the Asians relentlessly fought against colonial injustices like racial discrimination,

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inequalities, lack of representation and established links with the African political associations and elites (Patel, 1996:85). The first Asian East African political representatives nominated by the colonial government from 1926 to 1945 actively defended African interests against European alienation:

"The position of the Asians in Kenya was facilitated as well by a long history of sympathy and support for the Africans despite the risk for such cooperation. During the period before 1945, when direct representation was denied the Africans, the Indian representatives of the Legco played an important role as spokesmen for African opinion, often far more indeed than the European missionary nominated to ostensibly represent 'native interests" (Patel, 1966:121).

For example, AMJ and Desai (1879-1926) provided their buildings and homes for Indian political activism and African nationalists' anti-colonial politics (Mbae, 1996:38-45; Times of East Africa, May 19, 1906; Bennet, 1976; Thuku, 1970). The influential and militant Desai who defended both the Indian and African political and social rights was once regarded as the 'leader of Kenyan Indians'. Desai was the President of the Indian Association (IA) and EAINC for six years (1915-1921). The Desai Memorial Hall and Library was built in 1932 in Nairobi in his honour and acted as the only venue for African leaders' and nationalists' meetings (Patel, 2010).

Again in 1921, the EAINC led by Manilal Ambalal Desai, Isher Dass, Sitaram Achariar provided support to African nationalists like President Jomo Kenyatta, Harry Thuku and Mbiyu Koinange in their activities against the colonial government and the formation of Young Kikuyu Association (YKA) (later renamed East African Association) (EAA), the first African political organization in Kenya (Ghai, 1965). Further. Suryakant Patel offered his business premises in Nairobi to Kenyatta for his anti-colonial activities until 1963 (Awaaz. February-May, 2008:44). Lastly, when the late President Jomo Kenyatta first visited Kisumu after his release from detention in 1953, Nyanza Lohana Vidyarthi Bhavan community accommodated him along with the late President Julius

Nyerere of Tanzania and Milton Obote of Uganda (Shree Lohana Mahajan Souvenir, November, 2002:63-70).

The Asians fought for Kenya's racial equality, freedom and independence through trade union movement, strikes, demonstrations, media, philanthropy, delegations to UK and India, Legco, local authorities and legal representation. Under the leadership and Governing Council of the Law Society of Kenya (LSK)[10], Asian lawyers provided legal aid to both Asian and African nationalists and freedom fighters. Majority of the Asian nationalists, political activists, freedom fighters and businessmen suffered humiliation, arrests, torture and detentions at the hands of the colonial government (EACA, 2002). Prominent active figures in this period included: Antonio Rudolfo Jose Pio Gama Pinto, Makhan Singh, Chanan Singh, Joseph Zurzate Murumbi, Manilal Ambalal Desai, Dr. Fitzeval Remedos Santana De Souza, Achroo Ram Kapila, J.M Nazareth, Jaswant Singh, K.D Travadi, Pranlal Parshotan Sheth and Rehmat Khan Kherdin.

First and Foremost, Pio Gama Pinto (1927-1965) is the founder of United Kenya Party (UKP), Kenya African Study Union (KASU), Deputy Secretary General of K1C, *Mau Mau* activist, Kenya's first political martyr (1965), trade unionist, journalist and revolutionary activist. He

[10] The LSK was a statutory set up by the Law Society of Kenya Ordinance in 1949 as a professional body for lawyers. The posts of the Presidency and Vice-Presidency rotated voluntarily and alternately between the Europeans and Asians for 20 years into independence. Humphrey Slade became the first LSK President (1949-1950) and was succeeded by N.S Mangat QC (1950-1951), followed by L. Kaplan, J. Sorabjee QC, C.F Schermburucker, J.M Nazareth QC, Ivor Lean QC, C.B Madan QC, J.A Mackie-Robertson QC, Chanan Singh (1958). J.O'Brien Kelly, C.B Madan QC (twice) and Shree Ambalal Bhailalbhai Patel, who also served as the Honorary Secretary of the Mombasa LSK Chapter in early 1950s.

It was not until 1970-1972 that S.N Waruhiu became the first African President and Ramnik Shah as a council member. It was during the Presidency of M.Z.A Malik (1973-74) and Vice-Presidency of Ramnik Shah that President Kenyatta passed a law prohibiting the generic use of the titles of President and Vice-President by institutional bodies and thus LSK's designation was statutory changed to Chairman and Vice-Chairman respectively until today (http//www.africana-orientalia@yahoogroups.com. downloaded on August 20, 2009).

worked in KAU with Jomo Kenyatta and Achieng Oneko and made efforts for KAU and KIC to work together. He prepared most of the memoranda and statements issued by KAU on the nationalist agenda. He was arrested at his office in Desai Memorial Hall in Nairobi on June 19, 1954 in the notorious 'Operation Anvil' against Mau Mau and detained in Industrial Area Prison in Nairobi (Nowrojee, 2007).

Pinto was later moved to Mombasa (Fort Jesus) and then to Lamu district at Manda Island (Takwa Special Detention Camp) and imprisoned for five years without trial together with Achieng Oneko and Muinga Chokwe alongside other fifty inmates by the colonial government. He was released in 1958 and kept under restriction order in Kabarnet until December, 1959. He actively fought for freedom, racial equality and independence and lobbied for the release of President Kenyatta and other detainees from imprisonment at Kapenguria in Turkana district (Odinga, 1966; Nowrojee. 2007). For the last 36 years, his legacy and mysterious assassination on February 24, 1965, remains a major concern and significant factor for Asian politics in Kenya.

Second, Chanan Singh (1908-1977), the founder of Kenya Freedom Party (KFP), President of the Indian Youth League (IYL), NIA and LSK (1958), member of Legco and KIC Central Executive Committee, High Court Judge and Parliamentary Secretary in 1961 (Kapila, in Awaaz, May-July, 2007:41-45; EACA, 2002). In 1947, Chanan represented Makhan Singh and Fred Kubai on a deportation case against the former and the latter for disobeying a ban for growing coffee in 1951 and also represented Senior Chief Koinange in 1951. In December 1953, Channan demanded for an inquiry into the discriminatory laws and legislations especially on the failure of the government to appoint Indian judges, barristers, magistrates and doctors. Subsequently, the parliamentary delegation from Westminster in its report (January, 1954) advised for a review of Kenyan Laws towards eliminating racial discrimination (Legco Debates, December 3, 1953:739; Ngari. 1996:18; Truman. 1973:60).

Third, Joseph Murumbi" who served as Secretary General (KAU), Organizing Secretary (KANU). MP for Nairobi South, Acting Prime Minister and President Kenyatta's Personal Secretary represented and defended the latter and other "Kapenguria six'. Murumbi fled into exile to India and then to England where he created numerous links with the pan Africanists (Standard, March 3, 2009). He also worked alongside Tom Mboya and other nationalists to draft the first constitution for KANU. Murumbi was also instrumental in preparation of Kenya's independence constitution and setting up Kenya's first representations abroad as well as overseeing the formation of the East African community (EAC). Fourth, De Souza. former MP and Deputy Speaker of the Kenyan Parliament (Lower House) (1960-1970), who provided legal defence for the freedom fighters and Mau Mau activists in 1952 and participated in the Lancaster House constitutional conferences for Kenyan independence in London as a legal adviser.

Fifth, Achroo Kapila, who represented the 'Kapenguria six' (1952-53), hundreds of Mau Mau activists and freedom fighters. He also represented President Julius Nyerere of Tanzania, Milton Obote of Uganda, Albert Rene of Seychelles, Daniel Moi, Oginga Odinga and Masinde Muliro in the African Elected Members' Organization (AEMO) criminal libel case of 1959. Moreover. Kapila served as President Kenyatta's political advisor and was later honoured as the first recipient of LSK Award of Distinguished Service for his ability, courage and honesty to justice and liberty[12].

[10] Murumbi's father was a Goan civil servant from India (1897), while his mother, Murumbi was a daughter of a Maasai Laibon from Uasin Gishu district. This effectively makes him an Asian, since most indigenous Kenyans claim their belonging to ethnic/tribal background of the father. We therefore, regard him as an Afro/Kenyan Asian or *'Chotara',* a Kiswahili term for progeny of mixed race union. However, his identity still remains controversial and debatable, since Murumbi himself chose to be a Maasai alter his Goan father asked him to declare his parental preference, in response to a directive by the colonial Attorney General that required him to choose either race and renounce all rights of the other (Daily Nation. July 7, 2011).

[12]. Other legendary anti-colonial legal luminaries who represented Africans and nationalist leaders during the Mau Mau emergency period included: Diwan Chaman Lall, Saeed Cocker, Swaraj Singh, Tilak Johar,

Sixth, K.D Travadi (1917-1961), the anti-colonial activist, Legco member (1958-1960), Municipal Council member, Vice-President of INC and the 1962 Lancaster House Conference delegate, defended the Mau Mau activists during the Githunguri trials. He supported KANU and worked for Asian minority and African majority by promoting parliamentary democracy, equal opportunities, justice and the rights of all Kenyans. As President of the Kenya Asian Civil Servants Association (KACSA) and on behalf of the Asians, he demanded for the release of Kenyatta and his colleagues from detention in 1959 (Colonial Times, 1959:159). Travadi worked tirelessly from 1924 until his death in 1961 to improve the social and economic conditions of Asians and Africans. Seventh. Pranlal Sheth, a valiant freedom fighter and a barrister who later helped draft the Lancaster Constitution. He was a campaigner for equal rights and founder of the Kenya Trade Union Congress (KTUC). In 1949 together with Fred Kubai he helped Makhan Singh to form the labour trade union movement in Kenya.

Seventh, Rehmat Kherdin. Kisumu Town Councillor (1960-1969) who passed away in July, 2006, greatly contributed to the development of Kisumu Town (popularly known as 'Kenya's Bombay') and Western Kenya. As an active member of KIC and KANU, Kherdin established strong ties and friendship with the late President Kenyatta and Oginga Odinga and regularly visited the former and his five colleagues at Kapenguria prison. In fact, Kherdin was regarded as an indigenous Kenyan by his associates in Western Kenya due to his close relationships with Senior Chiefs; Musa Nyandusi (Kisii). Arap Tengecha (Kipsigis) and Zablon Akach (Nyakach). He was among the first 16 Asians

Bhandari Brothers, J.S Patel, J.M Nazareth. S.N Pritt, E.K Nowrejee, A.H Malik, S.M Akram, S.P Handa, Sheikh Amin, M.K Bhander and Arvind Jamidah (Odinga, 1966; Gregory, 1983; Ambu, 1962; Mangat, 1972; Seidenberg, 1983:116).

to be naturalized in 1963 as Kenyan citizen ('*Janyakach'*) (man from Nyakach) (Standard. July 3, 2006:12).

Lastly, other notable Asian anti-colonial activists were: Ambalal Patel, Habib Kheshavjee, Davinder Singh Gopal, Babubai Umedhbhai, Chunilal Madan, J.M Desai, Shivabhai G. Amin. D.D Puri, Ibrahim Nathoo, Eddy Pereira, Haroon Ahmed, Lila Patel, Ambubhai Patel. Mulji Jetha. Vithalji Harji Jobanputra, Bhagat Singh Biant (East African Ramagharia Board), A.C.L De Souza, D.H Nurmohamed and Y.E Jivanjee. Legco members included: B.S Verma; Shamsud-Deen. A.D Patel, J.B Pandya, K.P Shah. Eboo Pirbhai, Ramesh Gautama and A. Katherhy (Mangat, 1969:168: Ghai, 1971; Colonial Times, January 26, 1943 (Awaaz, May-July, 2007:41-45; Awaaz, February-May, 2008:23; Awaaz, 2004:24).

Asian journalists and publishers also played a critical role for Kenya's freedom and liberation struggle. In one sense, the progenitor of African nationalism in East Africa was the early political consciousness of the Asians (Carter, 1969:30-34). Notable figures included; AMJ, Ambubhai Patel, Girdhari Lai Vidyarthi, Pio Gama Pinto and Chanan Singh. Ambalal Desai who published the *'East African Chronicle'* {1919), Isher Dass, Sitaram Achariar, Pranlal Sheth. N.S Thakur; D.K Sharda. Jawaharlal Rodrigues and Peter Nazareth (Patel. 1996:85; Seidenberg, 1983:76; Bennet. 1976; Thuku, 1970; Sunday Nation, June 2, 1996). They established and printed militant, anti-imperialist and liberation newspapers which provided access, publicity and supported the African nationalist movements (Durrani, 2006; MEA, 2001:96). Moreover, some of the earliest African presses and pamphleteering owed their existence to Asian support. The publications, lasting sixty years (1901-1963) directly and relentlessly challenged the colonial government which sought to suppress the Asian and African quest for freedom and racial equality.

First and foremost legendary figure was AMJ who wrote to Indian newspapers appealing for the support of Indian nationalists against European discriminatory policies. In 1901, he launched the

first non-white media, 'African Standard' (presently 'East African Standard') that addressed colonial injustices (Patel, 1996:71). Second. Pio Gama Pinto, the editor of the *'Daily Chronicle'* (1952) and *'Colonial Times',* was arrested and imprisoned for five years for his writings on equal rights, freedom and independence for Kenya. On his release, he fundraised and founded the KANU newspaper, *'Sauliya Kenya'* and later*'Pan African Press'* in 1960. He also wrote in newspapers outside Kenya against colonialism and sent reports to Murumbi who had escaped to India and UK (Durrani, 2006:205; Nowrojee, 2007:8; Awaaz, May-July, 2007:41-45; Awaaz, February-May, 2008:42).

Third. Ambubhai Patel, Leader of the Indian Elected Members Organization (IEMO) and a prominent publisher, drafted, printed and distributed many of the Mau Mau fighters' leaflets and publicized the unjust incarceration of Jomo Kenyatta at great personal risk (Seidcnbcrg, 1996:25). He also translated several books into Gujarati and established the New Kenya Publishers Company. These anti-colonial activities led to his imprisonment in India (Kapila, In Awaaz, 2007:59). Fourth, Chanan Singh (1908-1977), used his sixteen years outstanding journalistic work, by contributing to the liberation struggle and editing the influential *'Colonial Times'*; published the *'East African Law Journal'* and other legal publications; presented papers at the annual conferences of the Historical Association of Kenya and made contributions to the various books in the 1960s and 1970s (Seidenberg, 1996: 45).

Fifth, Girdhari Lai Vidyarthi (1907-1985) was arrested several times and convicted for seditious activities against the colonial government. He was the pioneer photojournalist, founder and publisher of the prolific anti-colonial newspapers both in English and African languages. They included: *'the Colonial Press',* and *Colonial Times*, edited by Haroun Ahmed; Gikuyu newspaper, *'Mwigithania'* (Conciliator) in 1928; *'Sauti Ya Mwafrika'*; KAU newspaper in the 1930s and 1940s and Sitaram Achariar's Kikuyu Central Association (KCA) paper, edited by Jomo Kenyatta. The

Vidyarthis also published the first Swahili weekly, *'Habari za Dunia*' (News of the World) in 1939 and the first Luo weekly, *'Ramogi'* (1946), edited by Achieng Oneko.

In the early 1950s, Vidyarthi founded '*Jicho'* and *'Sauti ya Mwafrika* (Africa Voice); Henry Mworia's '*Mumengerere'* (The Knife) and Francis Khamisi's '*Mwalimu'* (The Teacher). Other anti-colonial Asian publications were *Inoororia* (Kikuyu Daily>; Gikuyu Sharpener, a Swahili weekly, *'Africa Mpya'* (New Africa); *The Democrat; Kenya Daily Mail* and *Hindi ya Gikuyu'* (Gikuyu Times). Today four generations of Vidyarthi family has been in the media and publishing industry. His son, Anil Vidyarthi and cousin-photojoumalist, Priya Ramrakha followed his footsteps. Anil is presently the Managing Director of Colouprint Ltd, a renowned publication company. Anil also worked as a photographer at the Nation Media Group in 1963 and covered Kenya's independence celebrations.

Lastly, as an alternative to the East African Standard which had increasingly been viewed as a pro-establishment paper, supporting the colonial government with European and elite Asian readership, the elected Asian leaders in the Legco resorted to the new 'Nation' (presently, Nation Media Group) to present their pro-African anti-discriminatory views. The Nation was also considered an Asian paper because it was established by His Highness the Aga Khan. Asian journalist also embraced the Nation newspaper in large numbers. At various times (1960-1985) more than twenty full time Asian journalists held senior positions at the Nation and thus contributing much to its foundation and success. A few examples included Joe Rodriguez, Chotu Karadia, Cyprian Fernandez and Kul Bushan. Rodriguez was also elected the President of the International Press Institute (IPI). the global organization of editors and publishers (Patel, in East African, August 16-22, 2010).

In defence of workers' rights, the Asians extended their struggle through the influence and direct participation in trade unionism, which operated both as a political and economic organization. In

fact, Kenya's trade union movement has always been part of the national struggle for resisting British imperialist colonial rule, for winning national independence, freedom, consolidating the independence and bringing prosperity to the workers and peoples of Kenya (Singh. 1969). The Asian unions which were formed between 1923 and 1933 included: Railway Artisan Union (RAU) (1922) by Sudh Singh; Trade Union Committee of Mombasa (TUCM); Workers Protectorate Society of Kenya (WPSK) (1933); and the Kenya Indian Labour Trade Union (KILTU) (1934). the precursor of the Labour Trade Union of East Africa (LTUEA) (1937) (Seidenberg, 1983). Meanwhile, the African political consciousness also widened as they formed political associations between 1921 and 1939.

Prominent figures in trade union movement were Makhan Singh (1913-1973), the foremost trade unionist who spent his entire adult life developing the trade union movement and relentlessly championed workers' rights and racial equality through strikes and boycotts; Pio Gama Pinto, the revolutionary political activist and an active trade unionist in the Kenya African Workers Congress (KAWC), East African Trade Union Federation (EATUF) and LTUEA, which he reorganized after the arrest of Makhan Singh in 1950 and Fred Kubai; Chanan Singh, the nationalist who defended Asians and workers' rights both in parliament and public rallies; Habib Kheshavjee, a renowned trade unionist who fought for workers' rights; and Pranlal Sheth (Awaaz, May-July, 2007:41-45; Awaaz, 2004:24; Awaaz, February-May, 2008).

Trade unionism in Kenya owes its success and growth to the vision, dedication and selfless leadership of Makhan Singh. He was the longest political detainee (1950-1961) in colonial Kenya and the first Asian to make a public demand for Kenya's independence and sovereignty for East Africa (Singh, 1969; Ngugi, in Patel, 2006:448). His life and times epitomized the crucial and significant role the South Asians played in the history and political development of Kenya during

the colonial period. His legacy underlies the centrality of trade union movement as one of the epicenters of the struggle for freedom, equality and independence:

"Makhan Singh was a select pantheon of Indian settlers who not only made Africa home, but also became leading anti-colonial freedom fighter who correctly saw the economic emancipation of workers in political terms. What distinguished him from many legendary leaders including even the great Mahatma Gandhi was the constant multi racialism of his politics. He refused to accept a trade union movement segregated by race and poisoned by colonial apartheid that classified black Africans and Asians in a humiliating hierarchy. He argued that both colonialism and imperialism were the enemies of the people" (Ouma and Mutua, in Patel, 2006: VII1-X).

By April, 1935 the Asians had succeeded in transforming the Indian Trade Union (ITU) into the Labour Trade Union of Kenya (LTUK), the first central organization of trade unions in Kenya, with Singh as Secretary. In demanding for favourable working conditions and good wages, LTUK in 1937, organized a successful two month strike in Nairobi building industry that forced the government to introduce anti-trade union legislation. In an attempt to involve and address African workers interests, the Asians in 1939, teamed up with KCA and formed the Afro-Asian Trade Organization (AATO) and extended the trade union activities to cover East Africa. Later in 1939, LTUK changed its name to LTUEA. The union made a huge impact on African workers through popularization and organization strikes in Nyanza, Nairobi and the Coast between 1937 and 1939 (Chandan, 2007:18-19; Patel, 2006).

In 1947, the Asians led by Makhan Singh took over the defunct African Workers Federation (AWF) and organized a successful general strike in Mombasa. They later extended its activities to Nairobi and renamed it the East African Workers Federation (EAWF) with Chege Kibachia as President and Singh as Secretary General. During the World War II. the African political associations were banned and Singh was held in India to scale down the activities of trade unions, but upon his return in 1948, the colonial government unsuccessfully declared him a 'prohibited immigrant' (Patel, 2006). Singh again entered active politics and worked with KIC in 1948

elections. However, they did not trust him and again he abandoned direct politics and returned to trade unionism. On May Day, 1949, the East African Trade Union Congress (EATUC) was launched at a rally attended by several KAU leaders including Jomo Kenyatta, Eliud Mathu, Mbiyu Koinange, Fred Kubai (President) and Makhan Singh (Secretary General) (Patel, 2006).

On February 19, 1950, Singh successfully organized another strike in boycott of elevation of Nairobi Municipality to demand for more representation and recognition of workers' rights. At the same time in April, 1950, Singh and Ambalal Patel, a member of Legco and President of EAINC (1938-1942; 1945-1946) convened a joint EAINC and KAU conference at Kaloleni Hall in Nairobi together with Eliud Mathu, President Kenyatta, Mbiyu Koinange and Tom Mboya to demand for Kenya's independence. Consequently, on May 15, 1950, Singh and Kubai were arrested. This prompted a general strike in which over 6,000 workers from Nairobi, Mombasa, Nakuru, Kisumu, Kakamega, Thika, Nyeri and Nanyuki demonstrated and demanded for their release (Singh, 1969). It was this strike which gave birth to the now famous slogan '*moto moto*' for both labour and political struggles:

"A bonfire was lit on the left bank of Nairobi River in the valley of Pumwani and Shauri Moyo on the first day of the strike. The fire was fed by trunks and branches of trees on the spirit of strikers as well as of the people of Kenya for freedom and independence". *'Moto Moto'* became the slogan everywhere, and this spirit of nationalism was kept burning until Kenya attained her independence" (Singh. 1969).

Singh was charged in the Supreme Court under the Trade Unions and Trade Disputes Ordinance Act in Nairobi for being officials of an 'unregistered trade union' (EATUC) and failing to dissolve it; endangering peace and good government and causing public discontent, hostility and dissatisfaction among races. In his defence, he dismissed the British mandate to rule Kenya and demanded for a complete independence, general elections and sovereignty for the East African territories (Ogot, 1973: VI). The court ruled for his deportation to Maralal in Turkana district, where he stayed in detention for eleven and a half years (1950-1961). Nevertheless, the declaration of

state of emergency in October 20, 1952 and resultantly, the arrest of Jomo Kenyatta and six others and hundreds of other Mau Mau activists, intensified anti-colonial activities of trade unions and the Kenya Federation of Registered Trade Unions (KFRTU) (Daily Chronicle, March 15, 1953; Ogot, 1973:24).

In the meantime, the colonial government shifted its attention in antagonizing the Asians and African nationalists through negative racism and African rising militancy was blamed on the Indians. In defence, Harry Thuku and over 2,000 Africans in 1921 dismissed the allegations of economic exploitation and disloyalty against Indians and declared their support and harmony for them (Gregory, 1983:204-6). Further, when President Kenyatta returned from London after 15 years of exile, he affirmed the political centrality of the Indians to Africans and called for the building of a common platform and unity between the two communities. Tom Mboya also recognized the Asians when he referred to them as 'friends and allies in the struggle for freedom and democracy'. Moreover, in 1960. Masinde Muliro stated that it was the sacrifice of the Indian politicians that rescued Kenya from becoming a white colony like South Africa and Rhodesia (Patel, 1996:221).

In February 1946, the Kenya Indian Association (KIA) strongly opposed any attempt to give self-government to Kenya under the existing European majority in the Legco and instead advocated for good government. They invariably supported African nationalist demands for increased representation in the Legco and fought for the principle of racial equality for all races (Ghai and Ghai, 1970:77-78). Nonetheless, in 1958. the Indians, through the KIC and KFP teamed up with African nationalists and joined both KANU and KADU. They even demanded that the African parties should be kept open to all individuals in order to create truly national parties, but unfortunately, this demand was rejected by the two political parties (Patel, 2006).

2.5.1. Criticism the Asian Politics in Colonial Kenya

The utility of Asian-African cooperation and contribution is still a contested debate. First, the Asians were accused of failing to fully identify, support and participate in the struggle for independence and nation building. If in any case they fought colonialism, it was simply because they were victimized. The Africans also viewed the Asians as hypocritical and part of the colonial system. The Africans felt that they were doubly colonized on one hand by the British masters and on the other hand, the Asian immigrants who had dominated the economy (Ram, 2006). Gupta (1997:59-76) and Nabende (1996:48-58) criticized the Indians for failing to integrate and participate sufficiently in African nationalist movements leading to hostile social relations between the Asians and Africans:

"They failed to participate **in** the struggle for independence and even after independence have not **contributed** significantly to nation building; refused to integrate with Africans due to closely guarded **exclusive** family lifestyle based on caste system and lacking moral integrity and thus cannot be trusted with **the African** destiny (Nabende, 1996:48-58).

Second, the failure of the Asians to transplant in East Africa the spirit of anti-colonialism and political activism which they had experienced earlier in India was that the East African Asians (EAA) immigrants were a trading community whose primary objective was the improvement of their economic interests and prosperity to the neglect of politics. Admittedly, Yash Ghai observed that the EAA weak political activism was partly due to their recognition that they were unable to exert any significant influence on the state of affairs in East Africa. This situation in the face of increasing political alienation confirmed the view that EAA had no ambition and interest for participating in the politics of East Africa (Ghai, 1965:35-51; 1970:76-77).

Third, due to internal divisions, the Asians differed on the kind of support to offer to Mau Mau revolt and the freedom fighters. The conservative Asians who were interested in economic pursuit,

were 'vehemently anti-Mau Mau and generally pro-British in outlook' (Seidenberg, 1983:72; Swainson, 1976). Apollo Ohanga, the first African Minister argued that Kenya Indian National Congress (KINC) was not genuine in its love for Africans since the Indians economically exploited Africans and enjoyed perpetual indifference (East African Standard. October 19, 1945).

In addition, the BEAI actively participated in the World War I, in the hope that Great Britain would reward them with India's independence (Chandra, 1992:256). In fact, AMJ and other Indian political activists believed that Great Britain would preserve the East African territory for Indian development against the white settlers' domination. AMJ even advocated for annexation of Kenya from the colonial office to the Indian empire with a provincial government under the Indian Viceroy (Huxley, 1953:121). He also unwittingly campaigned for Kenya's colonization which lasted 75 years by advocating for the East African territory to be handed over to the British colonial government. AMJ facilitated colonialism by recruiting the labourers and clerks for the construction of KUR and acquired contracts through his company for the provision of supplies and infrastructure from Mombasa to Kisumu (Sunday Standard, November 13, 2011:28-29). Ironically, the war ended and the colonized Indians who had made significant contributions and sacrifices in the battle for Britain's victory were left disappointed, with nothing to celebrate and reduced to the position of a conquered race(Oza, 1928:31).

Fourth, in 1945, Eliud Mathu argued in the Legco that the Indians had never won the gratitude or friendship of the Africans and thus had no mandate to speak on their behalf. Fifth, Atieno (1987:135-149) also argued that the Asian political support for Africans at the time was more a consequence of self-interest rather than altruism and did not impact on the image of the •exploitative Asian according to ordinary Kenyans. Sixth, in 1954, the Asian political representation was blamed to have breached both their special responsibility to Africans and anti-colonial resistance in their acceptance of communal electoral roles and multi-racial government.

These actions by EAINC and KIC thus became a liability to Nehru's anti-imperial intervention in East Africa and furnished doubts of the competence of the East African Indians citizens to become secular and progressive (Sulton. 2005).

Seventh, the Asians were also accused of lacking patriotism and failing to fully identify with Kenya. On the anniversary of the Indian independence and all other festival days and holidays, most Asians decked their shops with Pakistani or Indian flags and never flew the 'Union Jack' or any form of 'Kenyan lion' (Frost, 1997). Despite encouragement by Africans and influential Asians to forget about India and identify themselves fully with Kenya, it became completely impossible since when they turned to India for support, accusations of disloyalty and unpatriotism were still levelled against them leading to their unpopularity with Africans. The basis of the third phase of the Asian question In East Africa was thus laid and strengthened (KNA, July 20, 1945; Atieno, 1989).

Lastly and paradoxically, the unpopularity and negative perception against the Asians was affirmed in 1945 by an Indian member in the Legco that the Asians were "notorious economic exploiters and receivers of stolen property' (KNA, November 16, 1945:232). In 1957, former President Daniel Moi supported the Europeans who exploited Africans, imparted knowledge, unlike the Asians who brought knowledge of commerce and trade, but minimally reinvested in the colony (East African Standard. September 27, 1957).

Consequently, due to these negative perceptions and identity the African political leaders refused to accommodate the South Asians. In fact, Gideon Mutiso (in Daily Nation, March 5, 1982) attributed this bad relationship on the break of unity of the African and Asian politics as one of the least documented aspects of Kenyan nationalism and the failure of creating a multiracial society based on national ideological parties. For example, despite a few Asians joining KANU in 1960, the membership of KANU was practically restricted to Africans only as the then President of KANU, Mr. James Gichuru lamented:

"We would be doing a disservice to you if we opened membership of KANU at this stage to other races. We cannot consign to oblivion the historical injustices of this country. We cannot embark on political integration in the absence of social and economic integration" (East African Standard. March. 25, I960).

In a rejoinder, Tom Mboya, the Secretary General of KANU also downplayed the role of Asians in the struggle for independence and national development and argued that the resolutions, statements and ideas of support from Indians in Kenya were not of much interest to the African (East African Standard, October 10, 1960). These statements by top KANU leadership were a clear testimony of African hatred, resistance and betrayal against Asian political engagement. It is this legacy that has contributed to dismal performance in the post-independence politics.

2.6. The Asian Rivalry', Disunity and Weak Political Organization

Throughout the colonial period, the Indian political machinery was disorganized, inadequate, docile and malfunctioning. They had weak and poorly organized exclusive political and social organizations that could loosely be called associations or congresses rather than parties. These organizations simply served as reservoirs for recruitment of Asians leaders into the legislative councils and public service by the colonial government. Despite forming EAINC and BEAIA, the Asian political organizations still remained very fragile in comparison to the European associations formed in 1910 (Karadia. 1972). Worse still, the BEAI were also undergoing economic depression after the European and African trade organizations boycotted Indian merchandise and goods that wrecked economic havoc on the Indians (Ghai and Ghai, 1970). The BEAI thus failed to build a solid political movement, yet they stood to be inspired by nationalistic movement in India and South African charismatic politicians like Pandit Jawarlal Nehru and Mahatma Gandhi respectively (Mbae, 1996:40).

Asian individualistic politics was patterned along communal voting and representation and this inevitably became the scourge of Asian politics in Kenya. The candidates emphasized communal

and cultural differences among their Indian voters to muster support for themselves. Although there were a few individual Indians who were very active and radical, they could not secure electoral representation in the governing bodies due to lack of broad based communal and class support (Ghai and Ghai, 1970:75). For instance, in July 1920, NIA, while claiming franchise on a common electoral roll, restricted the vote to the 'wealthy' and 'educated Indians' to represent and protect Indian interests in the Legco (Oza. 1928:58). Moreover, AMJ and Makhan Singh's fever and absolute commitment to the cause of justice were not widely shared by Indians who were tired of their long and unending confrontation with the colonial government. Consequently, this preoccupation with communalistic politics diminished their impact and involvement in Kenyan politics (Ghai, 1970:74).

The colonial policy of divide and rule moulded Kenya into a hot bed of rival racial, tribal and communal factions that plagued Asian politics. The British government effectively used communal differences to politically marginalize the Asian community. They weakened, antagonized and undermined the effectiveness of the EAINC and KIC as the representative voice of EAA by compromising the council members and relegating the EAINC to a mere advisory body (EAINC Report, 1938). This led to the first serious split among the Indian communities EAINC Session in 1924 in which Wahid called for an end to the policy of non-cooperation in favour of a compromise. On the contrary, Malik Mohamed, Secretary General of EAINC broke to lead a splinter group favouring closer cooperation with the government in Mombasa (Mangat, 1969:145, Gregory, 1983:291; AMJ, in Patel, 2006). Yash Ghai also blamed the Asians' weak and negative response against the colonial regime:

"The institution of separate electoral communal representation stimulated racial political parties and made racial interests inevitable as political issues. Despite occasional and specific protests, Asians acquiesced in this system as the colonial compartmentalized system socially suited their temperament. Another reason the colonial discrimination system was accepted was that by defining areas of occupation and activity on racial

basis, it made it easier for the Asian to identify his role, and as he was an immigrant, unsure of his right and status, he was probably grateful to be spared the pains of transition and the tensions of racial conflict and competition" (Ghai, 1965:35-51).

Lack of communication between the political organizations and the public which they purported to represent, undermined political education of the Asians. In fact, Asian political participation began with wealthy individuals with immense contribution owing to low political socialization of the community at that time (Oza. 1928). This in turn accentuated the individualistic nature of Asian politics and explains why there was no serious and consistent political activity. Asian political organization was also weakened by the bad press that consistently painted them as 'exploiters' and 'collaborators' of British colonizers. Although there is some degree of truth in this, the Asian organization hardly ever made serious attempts to rebut these allegations, except again, intermittently and on an individual basis (Ghai and Ghai, 1970:73).

The collapse of the EATUC in 1950 can be attributed to the absence of Makhan Singh who championed the movement and risked the racial attacks by both European and African leaders. He was also not fully trusted by fellow Asians, many of whom still believed that they had more to gain by not identifying their interests too intimately with those of the Africans. Even more important. EATUC had only nominal support from KAU leaders. After his release from detention in 1961, Singh unsuccessfully attempted to re-enter the trade union movement, but again faced rejection by the new capitalist African leaders who were suspicious of his socialist leanings and membership of the dreaded Indian Communist Party (ICP) (Chandan, 2007:18-19).

The emergence of African political consciousness and activism was a further contributory factor in the decline of Asian politics. The influential EAINC abandoned active politics in June, 1952 after sixty years of political limelight and was renamed KIC. The Asians shifted their struggles to issues of immigration, discrimination, better civil service terms and favourable agricultural commodity

prices. Ultimately, the political battle for power against the settler community and the British government was becoming less an Asian and more of an African affair:

"With the exception of a few individuals, the bulk of the Asians were ambivalent in their attitude towards the rising force of African nationalism. The Asians would perhaps seem to have been unduly pessimistic, but fear was nonetheless a dominant characteristic of Asians in the 1950s. They were a separate economic class with vested interests, constituted a minority immigrant community which could easily be identified as belonging to a different race altogether. There also existed no strong African group whose interests could be identified with the Asians" (Ghai and Ghai, 1970:76-77).

The last crucial split among Asian leadership occurred during the eve of the 1960 Lancaster House Conference on the question of whether to support the African nationalists unconditionally or whether to demand electioneering safeguards for the minorities by retaining communal roles and reserved seats in the national assembly (Ghai and Ghai, 1970:80). The more radical members of the INC led by Chanan Singh splintered and formed KFP in February, 1960. Its constitution was patterned along universal declaration of human rights and emphasis on social, political and economic rights which they felt should be enshrined in the independence constitution.

Although KFP's membership was open to all races, in reality it was an Indian political party formed to challenge the more conservative Asian representatives in the government and to get Asians admitted as members of African political parties. KFP also advocated for complete independence against the gradual approach, a common roll instead of a communal roll and 'open' seats rather than reserved seats for the minorities. However, the Lancaster House Conference instituted a common roll instead of a communal roll and the position of minorities was safeguarded. This led to dissolution of KFP before independence and its members joined KADU and KANU (Ghai and Ghai, 1970:80).

2.7. The British India and Asian Politics in Colonial Kenya

The struggle for independence in India was important to other colonies under colonialism, especially the inspiration from Mahatma Gandhi and first Prime Minister, Pandit Jawaharlal Nehru. Gandhi was assassinated in 1948 and cremated after which some of his ashes were brought to East Africa and South Africa. In South Africa, the ashes were cast into the sea at the point where the Indian Ocean and the Atlantic Ocean meet. In East Africa, they were cast in River Nile at Jinja at a point where his statue has been put up. These actions show the strong connections that Gandhi had with Africa (Nowrojee, 2007:4).

The Asian political organizations received major inspiration and support from the Indian government, INC and Indian nationalists in their opposition to European hegemony in Kenya. A striking familiarity and longstanding relationship existed between EAA and Indians in their political struggles against British colonialism. The presidency of EAINC was modelled along the structure of INC, with Sarojini Naidu as its first president in 1924 and 1929. As far back as 1937, the INC Spokesman, Jawaharlal Nehru called the Indian minority immigrants to respect and identity with the aspirations of the majority local populations (Pant, 1974).

India's struggle motivated and played a major role in Pio Gama Pinto's freedom struggle against British rule in Kenya (1938-1947). He felt that if the people in India could fight for their freedom, Kenyans could also do the same. He thus spent the rest of his life fighting colonialism (Nowrojee, 2007:4). As a member of the EAC Parliament, Pinto worked with the Liberation Committee of the Organization of African Unity (OAU) from the freedom of all countries in Southern Africa like FRELIMO of Mozambique against Portuguese colonialism. He also assisted refugees from South Africa and Angola to find asylum in other countries towards organizing resistance movement (Nowrojee, 2007:49).

The Indian nationalists led by Nehru and Gandhi supported BEAI in their opposition to racial discrimination and immigration restrictions. Gandhi's passive resistance approach *('Satyagraha'),*

against British imperialism appealed to both Indian and African political leaders. As the leader of INC, Gandhi expressed support and solidarity with BEAI in their heroic and noble struggle and approved their campaign for peaceful, non-cooperation and full equal treatment (Gregory, 1983:195). In adopting the cause of the BEAI by highlighting their plight throughout the British Empire, INC closely followed the Indian question between 1919 and 1923 by sending delegations to the annual meetings of EAIC in Nairobi and London; rejecting the 1923 Devonshire White Paper; opposing increase of poll tax in 1924 and 1926: protesting against the appointment of Hilton Young's Commission without any Indian representation; and condemning the Feetham Commission on Local Government in 1927 (Patel, 1996:80).

In reciprocity, EAINC offered support and consequently suffered imprisonment, detention, hanging and deportation for the Indian independence movement. For example, in 1915 a small group of Indians including Salve and Divvied, the founder members of EAINC were arrested and imprisoned in May, 1916 for periods varying between six months to fourteen years on charges of sedition and anti-British behaviour. They were accused of being members of the Hindustan Ghadr Party, a revolutionary movement that advocated for armed struggle against the British in India and Africa (Patel, 1996:80; De Souza, 1959:73:76).

The end of the World War II coincided with the turbulent politics of the Indian sub-continent and the end of three hundred years of British colonial rule. This created divisions between the Muslims and Hindus that eventually led to disunity and the formation of India and Muslim Pakistan as two countries in August 1947. This disunity further catalyzed the internal differences and loyalties of the heterogeneous Asian communities in Kenya. This internal conflict adversely affected EAA political unity, interests and relationship with Africans (Mbae, 1996:44-45; Frost, 1997).

The Asians shifted their war from the struggle against colonialism to their petty sectarian divisions of Hindu and Muslims. This new development prompted several leaders including the Aga Khan

who advised his Ismailia Muslim followers in March, 1948 to avoid creating the Hindu-Muslim rivalry in India. Pakistan and Hindustan quarrels in East Africa, but rather to exist as one and united as East Africans for the sake of their salvation. In line with this position in March 1950, Ibrahim Nathoo also criticized Allah Ditta Qureshi, Secretary of Muslim Central Association (MCA) for undesirably importing disunity from India to Kenya and having authored an unrepresentative memorandum on behalf of all Muslims directly to the new Pakistani government (Awaaz. February-May, 2008).

Nevertheless, the unity, harmony and cooperation that previously existed among the earlier generations of Asian leaders were shattered in the early 1950s. The Colonial Governor Mitchell acknowledged the Hindu and Muslim disunity and the latter's (especially the Punjabi Muslims) agitation for the principle of separate communal voting rolls and seats in the Legco in fear of the former in the June, 1952 General Elections. Eventually, the EAA Muslims separated under their leader, Sir. Eboo Pirbhai as Chairman of MCA. He had been knighted by Governor Mitchell in January, 1952 and nominated as a Legco member to assert their separate status from the Hindus. They also moved out and established their own social welfare and community organizations like the Mombasa Women's Association (formerly Indian Women's Association) and Pomegranate Club (Ghai and Ghai, 1970:75; Awaaz, February-May, 2008; Patel, in Awaaz, 2004:40-42).

The INC attitude towards Indians in Africa and changes in the post-independent Indian government policy towards diasporic Indians further weakened the Asian political identity and strength in Kenya (Gupta 1997:59-76). With India's independence, the BEA1 lost an important ally as the new government eschewed involvement with Indian diasporic politics. They were left in a contradictory position of identifying themselves with the country of their adoption and at the same time regarding themselves as 'guests in Africa' (Gupta, 1968:309). Thus at a crucial time in Kenyan independence.

Asians had little support for their demands and it is not surprising that their predicament, especially on citizenship remained precarious (Ghai and Ghai, 1970:13).

The struggle against the Devonshire declaration was weakened by the waning support of the Indian government and its people. They were preoccupied with a new wave of anti-Indian legislation in South Africa and the growing strength of nationalists at home and thus could not address the Indian grievances in East Africa. In fact, as early as 1923, EAINC had predicatively noted the helplessness, indifference and lukewarm attitude of India and Gandhi's admission of powerlessness and his challenge to BEAI to fight imperialism and discrimination (Oza, 1928:71; Gregory. 1983:229).

Nevertheless, in 1947, Nehru revived the Indian struggle against British colonialism by demonstrating a strong interest and commitment to African decolonization. The nomination of Sri Apa Balasheb Pant (1912-1992), India's first High Commissioner to Kenya, East Africa, Central Africa and Belgium Congo in 1952 represented a direct response by Nehru to a formal request made earlier by EAINC to INC in September, 1946 during the 18th EAINC Annual Session in Mombasa (Awaaz, February-May, 2008:18). Pant befriended Kenya with missionary zeal and saw a special relationship between the people of India and Africa. He demanded for equality, unity and cooperation between the two races and fought for Indian representation in the Legco and executive organs of the central government and public administration (Pant, 1974:22-35).

"To me it seemed that the immediate problem of the relationship between Kenya's Indian residents and Africans had to be considered in the wider context of African aspirations for freedom and the relevance of our experiences in India to such a struggle" (Pant, 1974:51 -52).

Pant vigorously supported African colonial liberation struggle and independence upon which he was crowned as an elder of Kikuyu. Luo and Kamba communities for recognition of his liberation and freedom struggle. Pant built African journalism capacity by persuading the existing Indian

newspapers to help in the provision of equipment and materials. On the other hand, in championing the freedom struggle, he worked closely with S.G Amin, the President of EAINC (1948) and supported Pio Gama Pinto. He also arranged for Joseph Murumbi, Acting Secretary of KAU, who had fled Kenya into exile to meet the Indian President and Prime Minister as KAU's external representative in March, 1953. Consequently, the Indian government sent Diwan Chaman Lall to defend Kenyatta and the Kapenguria six in April, 1953 and financially supported Murumbi for several years in Britain in his anti-colonial activities (Pereira, in Awaaz, February-May, 2008).

However, in early 1952, the Indian liberation struggle and momentum changed swiftly in an entirely adverse direction. First, this was due to Nehru's increasing neglect of anti-colonial politics in Africa towards developing firm links with the non-aligned world. Second, the British conservatives under Churchill had ousted the long reigning labour party from the UK government in November, 1951. This led to the appointment of Oliver Lyttelton as the new Colonial Secretary and Allan Lennox Boyd as his Junior Minister whom together with Governor Mitchell were focused exclusively on introducing multi-racial legislative system in Kenya in the forthcoming June, 1952 general elections. Third, As a result of the massive cost and casualty of the war by the end of 1954, the Indians had awakened to the realization that their expectations from Nehru and Pant were not genuine and credible. India had no real interest in their fate and predicament, but focus exclusively on the African majority's plight and struggle for independence and thus could not intervene on their behalf (Awaaz, February-May, 2008).

Fourth, the Mau Mau revolt in Central Kenya had begun to exert its disastrous effect on all aspects of life and the Indians, including Pant were threatened and disoriented. The only exception was Pio Gama Pinto who organized and sustained a secret Mau Mau 'War Council' and largely credited for preventing the wrath of the Mau Mau from being vented on the Indian community, assisted and won the trust of leaders like Stanley Mathenge, Jomo Kenyatta. Chief Koinange and Tom Mboya

(Pant, 1974). Pinto worked with the Central Committee of Mau Mau during the 1952 'state of emergency', mobilized funds, food, arms and Indian businessmen in support for Mau Mau (Nowrojee, 2007:17). Nevertheless, majority of the Indians kept off the Mau Mau activities in which twenty-one Asians were murdered. The effects of this insurgency deeply shocked the traditionally conservative and non-violent majority Hindu community and warned them of the impending attacks by the Africans (Awaaz, February-May, 2008:49).

In this volatile environment, the Indians had no long term realistic future since they were reduced to mere spectators and thus had no influence or role in Kenya's independent politics This is evidenced in the failure of the colonial government to link the Kenya Indian mission with any involvement and incitement of the Africans to rebellion against the British rule (Pant, 1978). Consequently, a few Asians including those who were deemed automatic citizens by birth stayed beyond the first decade of independence. Most of them foresaw the impending political and economic danger and emigrated to more favourable and open democratic societies. Perhaps from a long term perspective. Nehru's admonition suffices and Pant's strategy might have helped the Africans to ignore the Asian role and also reinforced their emigration (Gregory, in Awaaz, February-May, 2008:34-50).

Fifth, the nature and extent of Indian support for the liberation struggle during the 1952 Mau Mau violent uprising and towards independence remained controversial. The ideological misunderstanding and policy implementation standpoints between Nehru's realism and Pant's Gandhian idealism, brought confusion, tension and mixed signals to the Asian interests in East Africa. Nehru did not want to offend the British and yet he sympathized with liberation movements, justice and freedom for the African colonies. In fact. Nehru's tragic blindness and ignorance to Kenyan reality received a warm welcome from the Africans, particularly, Jomo Kenyatta who promoted and used it against the Asians (Awaaz. February-May, 2008).

"The terrorism and violence of the *Mau Mau* campaign came as a personal shock to me as well as an obstacle to our efforts.... I did not conceal my reaction to them and in consequence earned a reprimand from Nehru, who exploded in anger at my failure to distinguish between 'imperialistic' violence and that of the 'freedom struggle'. He nearly threw me out of his office because 1 was harping unnecessarily as he judged, upon outrages committed in the name of freedom (Pant, 1974:26).

Earlier in April, 1950 at the first joint meeting of KAU and EA1NC led by Jomo Kenyatta and J.M. Nazareth respectively, Nehru reportedly dismissed the Indian claims in East Africa and indicated India's unwillingness to provide support and protection to Indians against Africans. He argued that the Asians in Africa were 'guests' and the interests of the Africans was dominant. The government thus gave the Asians the choice of either tolerating the Africans or leaving East Africa (Pereira, In Awaaz, February-May, 2008:29). At a meeting in August, 1952 between Nazareth (1908-1988), the first Kenyan local born President of EAINC (later KIC) and Nehru, the Indians in Kenya dismissed the latter against his collective reference to Indians as 'guests in Africa' as unfortunate and fraught with dangerous implications. He argued that the Indians in Kenya fall in two classes: those who have been in Kenya for more than one generation and had decided to make Kenya their permanent home and those who were 'birds of a passage' and could rightly be referred as 'guests' (Awaaz. February-May, 2008).

The Indians and Africans political activism was further dampened by the premature and unceremonious departure of Pant whom the colonial government had viewed with suspicion and mistrust due to his close association with influential Africans like Chief Koinange, Daudi Kabaka and Jawaharlal Nehru. He was recalled back to India in January, 15, 1954 to a lesser position and his major dream of promoting a peaceful multi-racial society, stabilizing relations between Indians and Africans and enhancing Indian contribution to African independence diminished in East Africa (Pant, 1974:22; Seidenberg, 1996:126).

2.8. Conclusion

The building and sustainability of the infrastructure and economy of BEAP could not have succeeded without the contribution of the Asians in building KUR and laying the foundation of trading activities from the Indian Ocean to Lake Victoria. However, under the British colonial government, the Asians faced racial discrimination, injustices, inequalities and prejudice that created the recurrent problem of the "Asian question' in the formative periods of Kenyan politics. Asian alienation from political participation and representation in the legislative, executive councils, local authorities and exclusion from the Kenya highlands prevailed at all levels during the colonial period (Patel, 1996; Mangat, 1969:138; Huxley, 1953:218).

This period was thus dominated by the conflict between the Europeans and Asians and the deliberate attempt by the former to stir up anti-Indian feelings among the Africans. In response, the Asians actively opposed and relentlessly fought European imperial colonialism and also helped in the development of African nationalism and the struggle for independence. They financially, legally and morally supported freedom fighters and movements, opposed racial discrimination, sent anti-colonial delegations, organized trade union movements leading to their arrests and detentions.

Astoundingly, majority of the ordinary Asians never actively participated in politics, but simply reacted to it in an instinctive search for survival, peaceful existence and security. Except for a few ambitious individuals, politics was not a major concern for the community as a whole. Representation to the Legco and local authorities were very much dependent on the efforts of politically active individuals. This meant that only the rich and wealthy individual Asians could afford to join politics and contest elections or those who had either communal support or rich friends to finance the elections (Ghai, 1970:72-76).

This chapter has confirmed hypothesis two and accomplished objective two by explaining the historical, political, economic and social factors as responsible for Asian political alienation in Kenya. The next chapter explores the impact of colonial legacy of alienation and the turbulent politics of race relations on the Asian politics in post independent Kenya.

CHAPTER THREE: POLITICAL PARTICIPATION OF THE ASIAN COMMUNITY IN POST INDEPENDENT KENYA

3.0. Introduction

This chapter focuses on the Fourth (1963-1990) 'Denouement Phase' and Fifth (1991-2012) 'Terminal Phase' of the 'Asian Question". It begins by tracing the Asian declining legislative and civic representation levels in Kenya's one-party and multiparty political systems under President Kenyatta, Moi and Kibaki regimes. The next part discusses how the post-independence governments of President Jomo Kenyatta and Daniel Moi initiated draconian laws and racist policies that consolidated their imperial powers and personal rule against the opposition, political activists and other ethnic communities including the Asians. Lastly, the Fifth Phase examines the end and the prospects for revival of the Asian politics under the multiparty democracy system. The conclusion summarizes the main issues discussed and provides the background and perspective for detailed analysis of the barriers to Asian political participation in chapter four.

3.1. Evolution of the Asian Representative Politics in Kenya

The African and Asian agitation for more political representation and racial equality from the British colonial government led to the third Lancaster Conference that produced the third constitution in April, 1963. This constitution was modelled along the British Westminster-multiparty parliamentary democracy with a decentralized power structure ('*Majimbo*' system) and a bicameral legislature. There were 113 seats in the House of Representatives (Lower House) and 41 in the Senate (Upper House) administered by two speakers and two deputy speakers (Institute for Education in Democracy (IED). 1998). Kenya was delineated into 117 constituencies that elected

one representative each to the House of Representatives including three Asians". There were also twelve 'Specially Elected' members (elected by sitting MPs) and one ex-official seat reserved for the Attorney General (Kenya, 2005:1-13).

The colonial statutes of Kenya independence Order-In-Council granted Kenya independence on December 12, 1963. The then Colonial Governor, Malcolm MacDonald. became the Governor General or Head of State, while Jomo Kenyatta became the Head of Government and the Prime Minister. On 11 November, 1964, parliament enacted the Constitution of Kenya (Amendment Act) 1964, No.28 which declared Kenya a 'Sovereign Republic' on December 12, 1964. The act vested all powers which were held by the Governor General in the President of Kenya, who now became the Head of State, Head of Government and Commander-in-Chief of the Armed Forces. Jomo Kenyatta became the first President and Jaramogi Oginga Odinga, first Vice-President, with a cabinet of eighteen ministers that included three Asians; Channan Singh, Joseph Murumbi and Fitz De Souza (Kenya, 2005:1-13).

The racial system of representation was abolished at independence in favour of First-Past-The-Post (FPTP) or Plurality Electoral System. This system presented new challenges for Asian politics in Kenya as representation was henceforth based on contesting and winning the elections. Accordingly, the First General Elections (May, 1963) was held on a universal suffrage leading to

[13]. Kenya's electoral territories are subdivided into various sub-units by the ECK based on population density, means of communication, geographical features, community interests and boundaries of existing administrative areas. Electoral units relating to parliamentary representation are known as constituencies; while those relating to local authorities are called wards. Demarcation of the 113 constituencies was first done in 1962 when the then Regional Boundaries Commission (RBC) divided Kenya into 8 provinces and 41 districts. The Minister for Local Government had the responsibility of determining the electoral areas and nominating councillors. The present 175 local authorities were constituted by the same Minister (Kenya, 1997).

the historic KANU-led Madaraka government on June 1, 1963. Joseph Murumbi was elected MP for Nairobi South (presently, Langata Constituency) and appointed the first Minister for External Affairs (presently, Ministry of Foreign Affairs). He served until 1969 and was succeeded by Yunis Ali (1969-74), a member of the Nubian minority community. De Souza was both elected the MP for Parklands constituency (presently, Westlands) and Deputy Speaker of Parliament after defeating Fred Mati in hotly contested elections on June 7, 1963 until 1969 after losing the seat to Samuel Kivuitu.

Chanan Singh was also 'Specially Elected' MP for Nairobi Central (KANU) to the House of Representatives (EACA, 2002). Later he was appointed Parliamentary Secretary (Assistant Minister of State for Constitutional Affairs) and Legal Advisor to the Prime Minister, Jomo Kenyatta. However, in 1964, he resigned and was appointed Puisne Judge of the High Court of Kenya and later to the Court of Appeal until his death in 1977 (Sunday Nation. June 2, 1996; Kapila. in Awaaz, May-July, 2007:41-45). The KANU Parliamentary Group nominated Pio Gama Pinto and finally elected him as a Non-African Member to the Central Legislative Assembly. Later in July, 1964, he trounced African candidates and won the seat for the 'Specially Elected' in the House of Representatives until 1965 after assassination. At the same time in 1963, Pinto was elected Member of EAC Parliament (Nowrojee. 2007:48).

The Senate (Upper House) elections held on June 7, 1963 for the 41 administrative districts had no Asian representation. Nevertheless, Hamir Jamal defeated Walter Odede, the pre-independence political detainee and freedom fighter and was elected the first MP for Kisumu Town in 1963, thanks to the assistance of Oginga Odinga. a close associate of his father. He served for six years since the 1966 'little elections' were never held for Kisumu Town. The First Parliament started with 113 MPs because no elections were held for the five North Eastern Province constituencies due to insecurity. The seats were subsequently filled through 'nominations'. There was also a

provision for the dissolution of one third of the seats every 2 years for future reservation of the senate (Kenya, 2005:1-13).

A unicameral legislature was created at the end of 1966, following a constitutional (Amendment Act), No. 19 of 1966 for the amalgamation of the Senate and the Lower House of Representatives. This resulted into the National Assembly (Single Chamber House) presided over by the Speaker, Humphrey Slade and Deputy Speaker, Fitz De Souza until February 6, 1970. The amendment also created 41 new constituencies to accommodate the erstwhile 41 Senators (MPs) who had been the representatives of the 41 districts in the senate.

Having been presumed elected by the National Assembly sitting as an electoral college, the 12 "specially elected' members in the House of Representatives also continued to serve in the same capacity. This resulted in the increase of parliamentary constituencies to 158 in 1966 through the Constitution of Kenya (Amendment) Act No.4 of 1967 (Kenya, 2005:1-13; Kenya, 1966). With a record of 172 elected, specially elected and 2 ex-officio members, the Senate (First Parliament- 1963-69) was dissolved on November 7, 1969 and the Second General Elections for the Second Parliament (1969-1974) held in December. 1969 in which Mr. Rehmat Khan Kherdin lost narrowly to Grace Onyango[14].

In the Third Parliament (1974-1979), out of the 158 contested seats there was no Asian representation. However, the Fourth Parliament (1979-1983) was uniquely significant in the history of Kenya following the election of a Kenyan of European origin; Philip Leakey (KANU)as MP for

[14]. The actual election results for Kisumu Town Constituency in 1969 were unavailable from the ECK and secondary data. However, a key Asian respondent in Kisumu town estimated that Mrs. Grace Onyango garnered 1,965 votes; Mr. Rehmat Khan Kherdin, 1,700 votes; Mr. Caleb Iganji, 1,500 votes; Mr. Samson Odoyo, 1,400 votes and Mr. John Bruno Oloo, 1,000 votes.

the cosmopolitan Langata constituency and appointed an Assistant Minister. He retained the seat for three consecutive terms until 1992 when he lost the seat to Raila Odinga (FORD-Kenya). The late Krishan Chander Gautama (KANU), a Kenyan of South Asian origin was also elected the MP for Parklands constituency after defeating Isaac Wachira Waweru and served until 1983 when he lost to Samuel Kivuitu. The Fifth Parliament (1983-1988) had Jan Mohamed (KANU) elected and appointed Assistant Minister for Tourism (Kenya, 2005:1-13).

The Sixth Parliament (1988-1992) had no Asian representation, despite the increase of constituencies in 1987 by 30 to 188, 12 nominated members and 2 ex-officio members (Kenya. 1987). In the Seventh Parliament (1992-1997), the seats were increased by 22 to 210 in 1996 (Kenya, 1996). Rashid Sajjaad of KANU was nominated to parliament by President Moi and Abdul Karim (KANU) was also elected MP for Lamu East and appointed Assistant Minister for Labour. Following the exit of former MP, Njoroge Mungai from Westlands (1988-1992) to Dagoretti constituency; the Asians bounced back in 1992 when Amin Walji (KANU) narrowly won the parliamentary elections for Westlands with 8,687 (32.60%) votes and served until his death in 1994. A by-election, which the Asians never contested was held in which the incumbent Fredrick Omulo Gumo of KANU won with 1,204 (39.67%) votes (Table 1.1). In the 1997 general elections, Frederick Gumo of KANU defended his seat and again narrowly won the elections with 17,882 (57.20%) votes. Amin Mohamed Alibhai of the National Development Party (NDP), an Asian was a distant third with 5,104 (16.33%) votes (Table 3.2 and 3.3).

Table: 3.1: Election Results for Westlands Constituency (1992)

No.	Candidate	Party	Votes	% of Valid Votes
1.	Mr. Amin Walji	KANU	8,687	32.60%
2.	Mr. Wanguhu Nganga	FORD-A	7,602	28.53%
3.	Mr. Betty Tett	DP	5,609	21.05%
4.	Mr. Muchiri Wa Njuguna	FORD-K	2,545	9.55%

5.	Mr. Harun Mwau	PICK	1,908	7.16%
6.	Mr. Isaac Waweru	KNC	212	0.80%
7.	Mr. Kamau wa Mbugua	KSC	83	0.31%
	Total Valid Votes		26,646	67.40%
			Voter Turnout 1	54.65%

Source: Institute for Education in Democracy (IED), 1998:35.

Table: 3.2: Election Results for Westlands Constituency (1997)

No.	Candidate	Party	Votes	% of Valid Votes
1.	Mr. Frederick Omulo Gumo	KANU	17,882	57.20%
2.	Mrs. Betty Tett	DP	17,877	57.18%
3.	**Mr. Amin Mohamed N. Alibhai**	**NDP**	**5,104**	**16.32%**
4.	Mr. Batroba Changeda Kemoli	FORD-K	4,137	13.23%
5.	Mr. Eddah Rubia	SDP	2,536	8.11%
6.	Mr. Kariba Charles Muniu	SAF1NA	783	2.50%
7.	Mr. Wanguhu Nganga	FORD-A	685	0.45%
8.	Mr. Simon Karanja Kemoni	LPK	140	2.19%
	Total Valid Votes		31,262	89.38%

Source: Institute for Education in Democracy (IED), 1998:36.

The Eighth Parliament (1997-2002) and Ninth Parliament (2002-2007) had no Asian representation (Kenya, 2005:1-13). Lastly, in the Tenth Parliament (2007-2012) following the 2007 general elections, Mr. Shakeel Shabir Ahmed was overwhelmingly elected on the Orange Democratic Movement (ODM) party as MP for Kisumu Town East. This was largely attributed to his close association and support from Raila Odinga, the ODM Party Leader and presidential candidate whose family also has close historical relationship with the Asians; his fearless, ferocious, and articulate vision; acceptance and integration with the Luo community; better performance in improving social services delivery in Kisumu Municipal Council and its elevation to a "Millennium City" during his tenure as a nominated councillor and mayor: and the legacy of his father, a social worker and Kisumu philanthropist.

Thus in the ten parliaments (1963-2012) since independence, there were only 16 (1.75%) Asians and 2 Europeans (0.2%) representatives in the 222 seats out of a combined total of 1021 elected and nominated MPs as illustrated in table 3.3 below:

Table 3.3: Kenya Asian Members of the Legislative Council (1963-2008)

NO.	Name	Years	Seat/Constituency	Party
1.	Mr. Shakeel Shabir Ahmed	2007-2012	Kisumu Town East	ODM
2.	Mr. Amin Walji	1992-1996	Westlands	KANU
3.	Mr. Rashid Sajjaad	1992-1997	Nominated	KANU
4.	Mr. Abdul Karim	1992-1997	Lamu East	KANU
5.	Mr. Jan Mohammed	1985-1988	Mombasa Town	KANU
6.	Mr. Krishan Satish Gautama	1979-1983	Parklands	KANU
7.	Mr. Jamal Hamir Hasham	1969-1974	Kisumu Town	KANU
8.	Mr. Pandya Annant Jaganath	1969-1974	Mombasa Island North	KANU
9.	Mr. Joseph Zuzarte Murumbi	1963-1969	Nairobi South	KANU
10.	Dr. Fitz De Souza	1963-1971	Nairobi North and East	KANU
11.	Mr. Amir Jamal	1963-1969	Kisumu Town	KANU
12.	Mr. Pio Gama Pinto	1963-1964	Central Legco	KANU
13.	Mr. John Maximian Nazareth	1963-1966	Nairobi Municipal Council	KANU
14.	Mr. Chanan Singh	1961-1964	Nairobi Central	KANU
15.	Mr. Ibrahim Nathoo	1960-1964	Member of Legco	Nominated

Source: Own Compilation based on KNA Official Reports, 1969-2008; Kihoro, 2007.

Comparatively, the Asians have been fairly represented in the post-colonial local authorities' politics in Kenya by having more opportunities for political engagement than at the parliamentary or national levels. They have been politically active and influential in Nairobi. Mombasa, Kisumu, Meru, Nycri, Kakamega, Voi, Nakuru, Eldoret and Kisii local authorities' councils. For example, the Hindu Lohana community has dominated Asian politics in Western Kenya since 1900.

As illustrated in chapter two, foremost among them was Rehmat Khan Kherdin. He was elected Councillor of Kisumu Town, Milimani Ward in 1963 and served for five years before

unsuccessfully contesting the Kisumu Town parliamentary seat in the1969 elections. His son, Mohamed Aslam Khan was the Organizing Secretary of KANU and a national delegate for South Nyanza district. He was elected twice consecutively and served in Migori Municipal Council for ten years. The Luos trusted and voted for the Asians due to their political historical upbringing, association with the late Oginga Odinga and contribution to the development of Nyanza province.

Following the 2007 general elections, out of the 800 councillors in 175 local authorities, there were 9 Asian elected and nominated councillors. Jaffer Muzzafar Mohamed. the Westlands Constituency ODM Secretary General was nominated as a Councillor by ODM in the Nairobi City Council and appointed Chairman of the Licensing Committee (Table 3.4). However, in June 2009, the Minister for Local Government, Deputy Prime Minister and Deputy ODM Party Leader, Musalia Mudavadi extended the terms of nominated councillors for the remainder of the five year terms (2007-2012), but dropped three ODM nominated councillors in Nairobi including an Asian. The Councillors; Said Mahboub, Diana Kapeen and Martin Karanja and were replaced by Hassanali Omido, Mweha Kamau and Francis Kuria respectively. Diana Kapeen who had also declared her interest in the Deputy Mayor's seat was replaced by Mweha Kamau, a close ally of the Prime Minister. Raila Odinga (Daily Nation, June 24, 2009:4).

Table 3.4: Kenya Asian Local Authorities Councillors (1963-2008)

No.	Name	Year	CouncilAVard/Position	Political Party
1.	Mr. Jaffer Muzzafar Mohammed	2008-2012	Nairobi City Council	Nominated (ODM)
2.	Mrs. Diana Kapeen	2008-2012	Nairobi City Council	Nominated (ODM)
3.	Mr. Lelani Ismailia	2008-2012	Kisumu City Council	Nominated (ODM)
4.	Mr. Nareshkumar Ramnhair Partel	2008-2012	Kisumu City Council	Nominated (ODM)
5.	Mr. Gibe Kassim Abdul	2008-2012	Nakuru Municipal Council	Elected (ODM)
6.	Mr. Vaghela Harvatsingh Mangalsingh	2008-2012	Kakamega Municipal Council	Nominated (ODM)
7.	Mrs. Najma Awan	2008-2012	Kakamega Municipal Council	Nominated (ODM)

8.	Mr. Vimal Chadha	2008-2012	Embu Municipal Council	Nominated (PNU)
9.	Mr. Abdul Rahim Dawood	2008-2012	Meru Municipal Council	Elected (PNU)
10.	Mr. Shakeel Shabir	2002-2007	Kisumu City Council	Nominated (NARC)
11.	Mrs. Najma Awan	2002-2007	Kisumu City Council	Nominated(NARC)
12.	Mr. Lelani Ismailia	1997-2002	Nairobi City Council	Elected (KANU)
13.	Mohamed Aslam Khan	1992-1997	Migori Town Council	Elected (KANU)
14.	Mr. Dogo Khan	1992-1997	Kisii Town Council	Nominated (KANU)
15.	**Mr. Bhatt Khan**	**1992-1997**	Voi Town Council	**Elected (KANU)**
			Deputy Mayor	
16.	Mr. Anwar Khan	1988-1992	Nakuru Municipal Council	Elected/Nominated
17.	Mr. Muzzafar Juma Khan	1988-1992	Nakuru Municipal Council	Elected (KANU)
18.	**Mr. Abdulatif Shakeel**	**1974-1979**	Kisumu Town Council	**Elected (KANU)**
			Railways Ward	
19.	Mr. Damji Pragji Mandavia	1974-1979	Kisumu Town Council	Elected (KANU)
20.	Mr. Takhar Alderman	1974-1979	Nakuru Municipal Council, Mayor	Elected (KANU)
21.	Mr. Rehmat Khan Kherdin	1960-1969	Kisumu Town Council	Elected (KANU)
22.	Mr. Amil Jamal	1963-1969	Kisumu Town Council	Elected (KANU)
23.	Mr. Abdul Dahya	1963-1969	Kisumu Town	Elected (KANU)
24.	Mr. Chhaganbhai Dhanjibhai	1959-1971	Kisumu Town Council	Elected (KANU)

Source: Own compilation based on literature and fieldwork, 2007-2008

3.2. Authoritarianism, Betrayal and Asian Political Alienation

The 1960s were turbulent times for the Asians as the community was apprehensive of their future. The immediate period after independence had serious ramifications for the socio-economic and political positions of the Asians and other immigrant races in Kenya. It fundamentally transformed the character of Asian politics. The attainment of independence led to apprehension, uncertainty and attacks on Indians which forced them either to seek constitutional safeguards or assurances from the African leaders, or as a last resort, the government of India. Prominent African leaders also disowned the Asians and declared it was their responsibility to win the confidence of Africans

(Ram. 2006). Consequently, politics became dangerous and a few who tried were assassinated, threatened, exiled and frustrated. Sunny Bindra also blamed Kenyan political leadership betrayal and the fear that has led to racial antagonism and isolation of the Asians from indigenous Africans:

"Our confining ourselves to our cultures is not an act of self-belief and confidence. It is based on fear, suspicion and distrust. Once in the struggle for independence, the Asians shoulder to shoulder with the Africans. But, later, successive waves of Africanization, denial of permits, cancellation of permits and passports and the violence of 1982 coup have instilled fear deep into our hearts. The more we are resented, the more we isolate ourselves and the more we are resented. Fear stands to blame for our isolationism" (Bindra, 2008).

The imposition of a new constitutional order ushered new challenges for the 177,000 Asians left behind by the British colonial government. Under these circumstances, they had to adapt themselves to a new political regime which was determined to carry out radical reforms on the racial colonial structures. For instance, the British colonial government's policy of separate political representation for the Europeans, Asians and Africans in the organs of the government was dismantled. The whole scenario perfectly coincides with Yash Ghai and Dharam Ghai's previous fears of the pending alienating nature of the Kenyan post-independence political system:

"Both in theory and practice there is no place for the Asian community as a distinct political entity in East African politics, since there is no more representation on racial lines: there is an acute dilemma for the Asian politician. He is entirely dependent on the African party leader for his survival and promotion...if he cannot do this, he must either swallow his opposition or go into the wilderness".... Politically they are impotent. What it means is that as a community, they cannot influence the nature of the regimes that will come into power and the kind of political constitutional changes that may come about in East Africa" (Ghai and Ghai, 1965:46; 1970:49).

The introduction of *Africanization*[15], 'indigenization' and nationalization policies in the 1960s and 1970s were aimed at alienating, frustrating and expelling all foreigners, including the Asians trom Kenya. Zarina Patel (in Daily Nation, December. 1999:17-21) argued that Africanization in reality became '*Kikuyunizatiori'* and later *'Kalenjinization'* under President Moi which alienated other ethnic and racial groups like the Asians. These discriminative anti-state policies were couched with racist "hidden agenda' to serve the interests of African businessmen and politicians to the exclusion of Asians and other races. Against this background of political alienation coupled with the legacy of colonialism, it is not surprising that the advent of independence and the introduction of indigenization and Africanization policies instilled feelings of insecurity and hopelessness among the Asian community and other 'foreigners' in East Africa as Yash Ghai had predicted:

"This will involve important changes in the additional allocation of functions and status between the three races. It would appear that in working towards these objectives, the East African governments are not going to be significantly concerned with the consequences for Asians. It is up to the Asians to seek their salvation and to work out for themselves their place in an increasingly fluid and changing society. If Asians desire to play a vital and progressive role in the societies in East Africa, they will have to accept radical, at times painful changes in their present positions, attitudes and behaviour" (Ghai, 1965:35-51).

The Kenyatta regime embarked on Africanization policy and affirmative action for the recruitment of Africans into the civil service and greater participation in the political and socio-economic spheres. In 1964, Duncan Ndegwa. the Head of the Civil Service and Secretary to the Cabinet issued a circular that eventually removed all Asians and non-citizens from the upper echelons of the civil service. In response, Fitz De Souza, K.P Shah and Joseph Murumbi unsuccessfully pleaded for

The term *'Africanization'* had first been introduced by KADU Chairman and the first African Minister for Labour, Mr. Ronald Ngala in 1961 and was later changed to *Kenyanization'.* The term itself is ambiguous as the designation 'African' can be used racially or geographically and thus may or may not include non black citizens like the Asians (Patel. 2006:406).

ab **lition** ot racial discrimination in the civil service and appealed for President Kenyatta's **rvention.** Consequently, the Asian civil servants, traders, manpower and expatriates became **Nulnerable,** unpopular and unwanted. They suffered, lost their shops and jobs and left Kenya with their **families** to India, **UK,** Canada, India and Pakistan (Daily Nation, December, **1999:17-21;** Ghai Ghai, **1965:44).**

T"hese indigenous African empowerment policies and propaganda led to disillusionment and alienation of Asians. The indigenous Africans branded the Asians as 'non-indigenous' group of blood suckers' exploiting the Kenyan economy. This made the Asians to be an identifiable harmless target by the Africans and thus created unemployment, instilled fear, and exodus and threatened their future. This condition inevitably culminated to Asian withdrawal from all forms of politics. The newly independent government had thus hindered their efforts for racial equality and social integration at a time when the Asians was grappling with the questions of loyalty and citizenship which were and are still crucial for political engagement (Ghai, 1971).

These racially motivated policies of Africanization by the new government provided trading, employment preferences and opportunities to indigenous black Africans. The 1967 Trade Licensing Act and Immigration Act regulated businesses owned by non-Kenya citizens and curtailed the permanent residency rights of non-citizens. The British Asians were the victims of this racist policy as their rights to work or trade were withdrawn leading to their departure (Lester, **2003:44).** The practical implementation of these measures was fraught with huge potential for mischief, anxiety and resultant uncertainty as the community remained subject to a delicate underlying tension and balance between resentment and restraint (Ghai, 1971).

The British Asians thus either gave up their British nationality in order to become Kenyan citizens belatedly or obtained work permits, or left the country as they got clearance to UK, Canada and India. In July, 1968 in New York during the Central Broadcast System (CBS) television program

jpout the Asian question, Tom Mboya, the then KANU Secretary General and Kenya's first \i ster for Planning and Economic Development, dismissed the Asians citizenship and termed their departure a good riddance (Daily Nation, July 18. 1968).

The indigenous African discrimination against other races in the Kenyatta regime thus dominated tht- fourth phase of the 'Asian question' leading to political rejection, betrayal and intimidation of a few outstanding Asians and African nationalists such as Makhan Singh. Pio Gama Pinto. Joseph Murumbi, A.R Kapila, Chanan Singh. Pranlal Sheth, Fitz De Souza, J.M Desai, Haroun Ahmed, Ambu Patel, Oginga Odinga, Paul Ngei, Achieng Oneko and Bildad Kaggia (Hornsby, 2011). In defence of their socialist ideology and their contribution to African nationalism, struggle for independence and common electoral roll. Pinto pleaded with the new government during the celebration of Independence Day on December 12, 1963:

"The sacrifices of the hundreds of Kenya's freedom fighters must be honoured by the effective implementation of our policy-a democratic, African socialist state in which the people have a right to be free from economic exploitation and have the right to social equality. Kenya's *Uhuru* must not be transformed into freedom to exploit or freedom to be hungry and live in ignorance. *Uhuru* must be *Uhuru* for the masses-*Uhuru* from exploitation, ignorance, disease and poverty" (Pinto, 1964; Nowrojee, 2007:65).

"Nonetheless, President Kenyatta and his political power brokers; Tom Mboya. Njoroge Mungai. James Gichuru, Charles Njonjo, Daniel Moi, Ronald Ngala, Mbiyu Koinange and Bruce Mackenzie betrayed and disowned the nationalists including Asians due to their Eastern-socialist ideology (Hornsby, 2011). The government failed to recognize Makhan Singh's nationalist contribution. One episode that significantly highlighted this conflict and tribulations was the rejection of his request to contest a seat in Nairobi. Further, the Kenyatta government deemphasized AMJ's role in Kenyan history by counter demanding the honour he had been accorded through the public naming of streets in AMJ's name (Patel, 2006).

In a bid to play an active political role in the independent government, Singh compassionately wrote to President Kenyatta and Mbiyu Koinange (Minister for State) requesting to be selected as a KANU nominee to contest one of the specially selected national seats of the House of Representatives. Disappointingly, President Kenyatta declined his request:

"Dr. Prime Minister, I wish to consult you and have your reliable advice as to how best and in what appropriate and adequate way I could play my part in building up our new Kenya under your leadership. I shall be grateful if you would kindly let me know when I can see you for the purpose". "I wish to play my full part, devoting whole of my time and contributing all my experience gained in the course of 30 years of my revolutionary political and trade union life. I am now 50 and so far very little opportunity has been given to me to work in KANU and KFC and absolutely no opportunity in the legislative and executive organs of the government. I have been patient waiting for the Prime Minister and national leaders to take their time in deciding what opportunity and adequate part can be allotted to me" (Singh, in Patel, 2006:437-8).

The great Asian patriot was thus completely alienated from Kenyan politics leading to his misery, frustration, neglect, quietness and public isolation. He finally retired from public life as a political recluse and devoted his time and energy to writing history of trade unionism in Kenya until his death in 1973, aged 60 (Chandan, 2007:18-19; Patel, 2006:446). Summarily, the deliberate attempt to undermine the positive role of the Asians in the struggle for independence by the colonial and independence governments is what personifies the injustices perpetrated against Asian nationalists:

"The things AMJ fought for have not been realized in Kenya. Ethnic and racial divisions still supersede a national consciousness and hollow cells for unity are consequently heard. Truly representative elections elude us even in the present multi party era and the goal of accountability and transparency remains unrealized. Human rights activists include in their concerns the need for equal rights for all minorities and Asians are still being accused of controlling the economy and being clannish. It is unrealistic for any of us to have expected him to involve himself with the Africans as a primary concern" (Patel, 1996:223).

The genesis of post-independence politics of alienation began with the overwhelming 1963 KANU elections victory that enabled Kenyatta's government to abandon the federal *('Majimbo'J* multi-party constitution towards a centralist one-party system. KANU and KADU merged in 1964

leading to the dissolution of the latter in 1965 and paving the way for changing the constitution. The new constitutional order rendered the Asians politically insignificant as it marked the transition from colonial communal representation to majoritarian representation that exclusively favoured indigenous Africans. This new development thus set the stage for authoritarianism, political patronage and disempowerment of the party personalized on the Kenyatta presidency to the neglect of other democratic institutions (Ghai, 1965:35-51).

Unfortunately, on February 24, 1965, Pio Gama Pinto, an indefatigable politician and an ally of Oginga Odinga, was murdered in Nairobi, becoming independent Kenya's first political martyr. This tragic incident was a pointer to a turbulent future for Asians in the increasing volatile ideological politics. Further, President Kenyatta initiated several constitutional amendments, including the Constitution of Kenya (Amendment) Act (1966) and Preservation of Public Security Act (1966) which legalized detention without trial (Kihoro, 2007:21-26). The two amendments strengthened the executive, with more powers over parliament and the judiciary (CGD, 2002).

Pinto was Odinga's foremost tactical advisor and linkman with socialist Russia, China, and Eastern Europe. Thus after his assassination, the Odinga led Communist left-wing lost its parliamentary strength and the Lumumba Institute, established by Pinto as an ideological training center for local KANU officials was closed (Odinga, 1966). Public liberty, land reforms, wealth distribution, nationalization, organization of state power, economic development, reward for freedom fighters and international relations were curtailed and a series of organizational and leadership changes in the party and parliament ensured a bias to western capitalism. Consequently, KANU disintegrated and collapsed at the anti-Odinga stage managed Limuru Conference in 1966 due to power struggles and the cold war ideological conflict between Odinga's (Communist-Eastern bloc) and President Kenyatta's (Capitalist-Western bloc). This led to high profile resignation of Odinga as Vice-

President along with twenty-nine MPs on April 14. 1966 from KANU and joined the opposition party, Kenya People's Union (KPU) (Kihoro, 2007:135-139).

Joseph Murumbi (1911-1990), first Minister for Foreign Affairs and MP for Langata replaced Odinga as the second Vice-President on May 3, 1966. However, due to betrayal, frustration and disillusionment with President Kenyatta's authoritarian regime and the assassination of his great friend and mentor, Pio Gama Pinto, Murumbi resigned in August, 1966 and was succeeded by Daniel Arap Moi on January 3, 1967 as the third Vice-President of Kenya. After resignation, he led a quiet life at his Muthaiga residence in Nairobi and his two-hundred acre Intona Ranch in Trans Mara district, while serving as Chairman of KNA Council until 1969 as MP for Langata. Later, 1972, together with his American friend, Allan Donovan and his wife, Sheila Kane, co-founded the 'African Heritage' gallery with a massive library of over 6,000 books, stamps, African arts and culture, liberation politics and trade. He led a simple life collecting and stalking artifacts for the promotion of Africa's cultural heritage until his death in 1990. Presently, the 'Murumbi Gallery' is housed at KNA and NMK, both of which he was also the chairman (Standard. March 3, 2009).

Disappointingly, in 1976 Murumbi was again betrayed when out of patriotism and honesty, he sold his Muthaiga home with the art collections at a modest fee to the government through KNA after turning down numerous bids from overseas art dealers on the understanding that it would be transformed into a museum and a research center-'Murumbi Institute of African Studies' (MIAS) funded by the United Nations Education, Scientific, Social and Cultural Organization (UNESCO) (Daily Nation, July 7, 2011). Instead, in 1986 the art collections were removed, the house demolished and property sold to private developers in his presence. The collections languished at KNA until Donovan revived the 'Murumbi Trust' in 2006 (Sunday Nation. June 2, 1996).

Further, the government has failed to recognize and honour his service and contribution to the nation. During his tenure as a Foreign Minister he set up many embassies and high commissions for

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Kenya, while at the same time attending several key international conferences and meetings. Ironically, his home castle in Trans Mara district, next to the famous Maasai Mara Game Reserve which could have been preserved as a national historical monument and a tourist site fell into neglect and vandalized after the death of his wife in October, 2000. It is currently facing imminent auction by the Agricultural Finance Corporation (AFC) over unpaid loan of Kshs. 8 million in 1985 which he defaulted due to poor health (Daily Nation, July 7, 2011).

Moreover, the City Council of Nairobi in June, 2006 approved the development, amalgamation and sub-division of a section of the Nairobi City Park, a national monument and part of the grave of the late Murumbi, Sheila and Pinto. This was a national disgrace and shame, coming at a time when Murumbi Trust was struggling to revive the heritage (Sunday Standard, November 12, 2006:12; Daily Nation, July 7, 2011). Earlier in 2005, a gang of thieves raided Murumbi's grave and stole the brass plaque and marble headstones marking the spot where he was buried in 1990. This action elicited emotional condemnation:

"There could have been fewer people who were more honest, more humbled, more unwavering, principled and more selflessly generous in their contribution to the fight for independence and the building of a new Kenya than Murumbi. Why should he be allowed to suffer such a humiliation……The values for which Murumbi and other figures who objected to the direction the nation took after independence are the same values we cry out for today. It is a slur on their memory that things like this should be allowed to happen".….we have desecrated his name and memory and now we are dancing on his grave. This is a national shame of monumental proportions which is still stalking the nation and should be stopped now" (Sunday Standard, November 12, 2006:12).

Correspondingly, this action was reminiscent of the sale and the destruction of the famous Desai Memorial Library and Hall in 1991 which played a key role in the struggle for colonial liberation by a private developer in Nairobi represented destruction and disrespect of the past and present cultural heritage of the Asian community. The building symbolized the unity of the progressive

Indians with the workers and the peasants' movement. Surprisingly, there were no protests and complaints from the public or the government (Awaaz, 2003; Patel, 2010).

An ally of Odinga, Hassanali Rattansi, was demonized and humiliated by the Kikuyus and other fellow African colleagues under Kenyatta's leadership leading to his resignation at the City Council of Nairobi in 1966. During the same period Pranlal Sheth, another close ally of Odinga and other six individual Asians were deported on charges of engaging in subversive activities, disloyalty and unpatriotism towards Kenya. This action led to protests from the Asian community which the government defensively dismissed (Awaaz, October-December, 2004:24).

Rodriguez Fernandez and Kul Bushan. Asian political journalists were frequently picked up by the notorious 'Special Branch' police for interrogation. Fernandez was perceived to be a close friend to Foreign Minister, Njoroge Mungai. Fernandez interviewed Ugandan President Milton Obote after his overthrow and Idi Amin after the coup in 1971 and also covered the arrest of Odinga in Kisumu town after the October 25, 1969 riots against President Kenyatta following the murder of Tom Mboya on July 5, 1969. After publishing a report in 1974. the Special Branch threatened his life and fled with his family (East African, August, 16-22, 2010).

Finally, Yash Pal Ghai the renowned Kenyan Asian scholar was denied the Faculty of Law Deanship of the University College of Nairobi and threatened by detention order in 1971, leading to his exile from Kenya for many years. This was a response to a book Ghai and Patrick McAuslan wrote: *"Public Law and Political Change in Kenya"* (1971) that incurred the displeasure of President Kenyatta's authoritarian regime. The book was a vigorous attack on the colonial and post-colonial policies on the abuse of the rule of law and human rights in Kenya. It was also a compulsory reading for all the law faculties in East African universities and this led to radicalization of many students who later championed the democratization and reform process in Kenya (Sunday Standard, September 5, 2010:26).

In order to manipulate the 1966 by-elections and lock out the Odinga led opposition, the government enacted the Constitution of Kenya (Amendment) Act No. 17 of 1966 that required MPs who quit their party to seek fresh mandate from the electorate. Further, the Constitution of Kenya (Amendment) Act No.2 of 1968 prohibited independent candidates from presenting their candidature for election at both parliamentary and civic levels in the forthcoming 1969 General Elections. By December 1969, Kenya had turned from a multiparty democracy to a *'de facto'* one-party state with an imperial presidency under Jomo Kenyatta. The 1969 and 1974 elections witnessed political violence, widespread electoral offences and irregularities manifested by the large number of election petitions and nullification of results (Kihoro, 2007:28).

Meanwhile, political impunity continued with the assassination of Tom Mboya, the then Minister for Planning and Economic Development on July 5, 1969 and the murder of Josiah Mwangi Kariuki, the outspoken MP for Nyandarua North in March, 1975. The 1969 riots in Kisumu town following the assassination of Mboya, against President Kenyatta during the opening of ceremony of Russia Hospital (now Nyanza Provincial Hospital), left eleven people dead. His assassination aggravated the strained relationship between Kenyatta and Odinga. Consequently, Alnoor Dahya. a nine-year old Asian boy was also fatally shot at their nearby home. His father, Abdul Dahya, a former councillor of Kisumu Town, who had also attended the ceremony escaped unhurt. A curfew imposed by the government after the riots also interfered with the Asian celebrations of Shia Imami Ismaili Muslims and the wedding of His Highness the Aga Khan on October 28, 1969 (Standard, October 25, 2010:20).

The culmination of tension that had gripped the country and the armed forces after the political events that followed Mboya's assassination and detention of Odinga also triggered a failed coup in 1971 in Nairobi by a group of disgruntled soldiers against President Kenyatta's authoritarian leadership and management of the armed forces (Standard, July 26, 2010:10). These events instilled

tear and insecurity among the Asians and thus negatively affected the prospects of any political activity and association with radical African politicians. For example, 41 years later family of Abdul Dahya and Zarin Dahya nostalgically recollects the painful memories of the 1969 Kisumu killings that claimed their only son and which changed the life of the family forever (Standard. October 25, 2010:10).

Moreover, the new electoral laws and the tough KANU eligibility rules which were purposefully meant to intimidate Odinga and KPU were detrimental to Asian political participation since they had to obtain citizenship then join KANU and embrace its ideology or completely abandon politics. Thus as Yash Ghai and Dharam Ghai had rightly predicted and observed, in this highly volatile and restricted political environment, the Asians had no space and opportunity for political participation:

"An effective Asian entrance in politics will be difficult...it could be disastrous for the Asians to get involved in the subterranean struggle for power within the single party system. The Asians wanted active support and participation as the new systems demand absolute loyalty, insisting on uniformity, and were suspicious of any kind of dissent. This will mean that they will not be able to play a very active or influential part in the party" (Ghai and Ghai, 1965:35-46; 1970:49).

Unfortunately, in 1975, the respected Asian legal luminary, Achroo Ram Kapila, who passed away in October 15, 2003, was humiliated when the government arrested, detained and jailed him. This followed a raid in his offices for which the then Attorney General, Charles Njonjo falsely accused and charged him for smuggling foreign currency into Kenya from Seychelles, against foreign currency regulations (Awaaz, 2004:24). A great injustice had been done to him on the account of the nature of the alleged offence and his past contribution to the nation. He had fallen out with President Kenyatta's establishment and especially Njonjo who was a most powerful Attorney General and aide to Kenyatta (Awaaz, February-May, 2008).

The above cited anecdotes indicated that the new leadership of President Kenyatta had the determination of entrenching authoritarianism, personal rule and alienating the Asians. Kenyan

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politics had become very dangerous, highly ethnicised and the preserve of a few ethnic and powerful indigenous African elites. This condition coupled with the Somali guerilla warfare insurgency and the army mutiny in 1964, instilled fear, hatred and insecurity that eventuall} alienated and hindered Asian political participation. KIC disbanded and amended its constitution from protecting and furthering the political rights of Indians in Kenya to furthering the economic and social rights (Patel, 2006:402). Many Asians also emigrated out of the country, among them Pio Gama Pinto's wife, Emma and the family who now lives in Canada.

3.3. The Post Kenyatta State: Personal Rule and Reform Struggle

Like his predecessor, after ascending to power on October 10, 1978. President Daniel Arap Moi embarked on consolidating his position both within KANU and the government to contain ethnic and opposition insurgency. His imperial presidency thus became more authoritarian and undemocratic than Kenyatta's regime as witnessed in the arrests, detentions, murders, killings and repression against critics and the opposition. This condition weakened the political system, promoted impunity and fear among Kenyans, including the Asians.

For example, in 1981, Salim Lone, a pioneer journalist and an advisor to Prime Minister, Raila Odinga, was arrested by the notorious Security Intelligence Service (Special Branch) and charged for publishing seditious articles in *Viva* magazine and later fled Kenya to USA in 1983. In 1987, Ahmed Khan, Asian KANU politician and a former councillor (Migori County Council) was grilled, arrested and tortured for condemning the one party system of KANU regime. The 1982 coup had made the Moi regime paranoid and journalists, students and lecturers were tortured and jailed for sedition and political publications were banned.

In order to contain Odinga and KPU leaders. President Moi introduced stringent, mandatory and authoritarian rules for KANU elections in the party manifesto. The electoral process was confined

to candidates who had "satisfied" KANU's conditions and this perpetuated patronage politics. It stipulated the requirements of KANU life membership, citizenship; identification with the government and KANU policies; proof of party loyalty; and mandatory KANU branch recommendation for all civic and parliamentary candidates among others (Weekly Review. November 21, 1979). All these conditions negatively impacted on the Asian political participation since they had to acquire citizenship, demonstrate loyalty and join African dominated KANU party or abandon politics completely.

The expulsion of Odinga and KPU leaders from KANU in May 1982 and the government increasing authoritarianism against the opposition activists and civil society groups triggered the agitation for multiparty democracy. In response, the government pushed a landmark Constitutional (Amendment) Act No.7 of June 9, 1982. that resulted into the infamous Section 2 (A) which constitutionally transformed Kenya from a '*de facto*' one-party state into a *'de jure*' one-party state with KANU as the only legal political party in Kenya (Kihoro, 2007:28). These political tensions and manipulations, led to the attempted military coup d'etat of August 1, 1982 that left 159 people dead and loss of property. All these events instilled insecurity and fear leading to Asian exodus from Kenya and dislike for politics.

In 1985, KANU abandoned the secret ballot system and conducted nominations and elections using the '*mlolongo'* (queue-voting system) under the stringent clearance rules of 1979. The elections were characterised by rigging in favour of the losers against the winners in what became known as 'selection within elections'. As a result, only two-thirds of the 188 parliamentary seats were contested. The new rule thus discouraged and denied registered voters including the Asians the right to fair participation in the electoral process and representation. Likewise, the 1988 general elections was also flawed and hugely discredited due to widespread irregularities. It discouraged

and denied many Kenyans including the Asians the opportunity for exercising their democratic rights (Wanjohi, 1993:32).

The period beginning 1989 was characterized by calls and agitation for constitutional change towards a democratic political system by pressure groups, Forum for the Restoration of Democracy (FORD) activists and western donors. The government initiated a Constitutional (Amendment) Act No. 12 of 1991 on December 10, 1991 which repealed Section 2 (A) of the constitution, culminating to the (re) introduction of a multi-party political system. This new development opened the democratic space and freedom for Asian political participation.

The fragmentation and ineffectiveness of the opposition, forced the CSOs, including Asian political activists led by the National Convention Executive Council (NCEC), to spearhead the struggle for pluralism and constitutional reforms by resorting to mass actions, protests and civil disobedience. The KANU government bowed to pressure, and together with the parliamentary opposition formed the Inter-Parties Parliamentary Group (IPPG) to level the playing field for the 1997 general elections. This included the sharing of nominated seats in both parliamentary and civic assemblies between political parties. Equally, these reforms have offered opportunities and increased Asian political participation and representation witnessed in the nomination of Asians by various political parties. However, despite amending the constitution 29 times since 1963 to 1997, there have been several power struggles and wrangling over the type of constitution until August 27, 2010 when a new constitution was promulgated through a national referendum on August 3, 2010.

The above activities and events confirms how the constitutional developments in Kenya under *"dejure"* one party system by KANU has been interfered with amendments and changes towards consolidating presidential powers against liberty and democratic participation to serve vested ethnic and selfish interests. This has resulted into the adoption of political and electoral systems that has negatively curtailed Asians' political participation.

3.4. Race Relations and Politics: Revisiting the 'Asian Question'

Despite being in Kenya for over three hundred years, the Asian immigrants still have a precarious foothold. The persistence of racism and ethnicity has hindered racial integration and political participation of the Asians. Since independence, racial prejudices, negative feelings and stereotypes between the Africans and Asians still exist in Kenya.

Due to the legacy of colonialism, there is deep-rooted love-hate relationship, racist resentment, ethnic animosity, mistrust, hostility and frustration between Kenyans of Indian origin and black indigenous Kenyans. The latter uses race as a tool to denigrate the latter (*Wahindi*) as 'racists', 'foreigners', 'bigots', 'cultural recluse' and 'exploiters. As a result, their political attitudes towards the Africans have been patronizing and naive (Awaaz, July-September, 2006:7). These identities and accusations have created real and imagined threats and perceptions to Asian existence and security and thus affected their political participation. Agehananda Bharati captured the antagonistic race relations between Asians and other races in East Africa:

"Some of the more liberal Asian educated readily admitted the exploitation of the native customer....the discourteous given to them ....but the majority of the Asians do not see it that way. We Asians, so several small *duka* owners told me, do care much for the public relations with our customers, we do not treat them politely....whether they are Asian, African or whites" (Bharati, 1972).

In contrast, the Asians view themselves as part of a marginalized community and a permanent 'guest race' and blame the indigenous Africans for these negative stereotypes to justify their alienating conditions and emigration from Kenya (Nazareth. 1981; Patel, 1999:17-21; Musalia. 1996:62-63; Daily Nation, June 25, 2007; Daily Nation, February 19, 2007). These misconceptions on the Asians have prevented them from political engagement and made them to remain invisible in Kenyan politics. Many feel persecuted and threatened and have thus retreated into quietude, living in constant alert and expecting the worst. Similarly, Sunny Bindra (2006) also dismissed the

economic domination and exploitation allegations by indigenous Africans and blamed the colonial legacy of racial stereotypes and corrupt indigenous Africans for the Asian alienation.

The Asian question has been practically characterized with incidences of open expression of racism, hostilities and betrayal by the indigenous Africans and political leadership against Asians. The former has been rhetorically giving assurances to the 'Asian question' without any practical commitment to the latter's political participation, representation and integration. For instance, former President Daniel Moi mischievously invited Indian President Sanjiva Reddy in June. 1981 and demonstrated how the Indians had integrated with the indigenous Africans to form a multi-racial and free enterprise society (East African Standard, June 23, 1981). He declared the Indian interests and existence were thus guaranteed and secured. President Mwai Kibaki in his speech delivered at the Visa Oshwal Center on July 10, 2005, for celebrating Manu Chandaria's achievements and the contribution of the Asians in development, also rhetorically assured the community of his government's commitment to non-discrimination against the Asians.

Moreover, the Asians have continuously faced hostilities and intimidation from Africans. In 1982, Africans targeted, looted, damaged and unleashed violence against Asians shops and residential areas of Ngara and Parklands in Nairobi, estimated at Kshs. 500 million, upon which many Asians panicked and left Kenya for Canada, UK and South Asia (Newsweek, August 23, 1982). The legacy of this event has persistently influenced and defined the relationship between Asians and Africans:

"To an extent the community has never recovered from this scare. In the 1980s the Asian community deposited huge sums of cash abroad and in every elections year since 1992, they were ready to take off at a moment of notice, scared that the nation was dangerous. It is a documented fact that class domination often appears as racial domination and resentment grew around what appeared as South Asian dominance of the economy. It is in such conditions that the Asians withdrew into their cocoons and exclusive social life" (Patel, 1999:17-21).

In 1997, Stephen Ndicho, MP for Juja. in a newspaper editorial condemned Ahmed Khan as a strange white man attending KANU Delegates' Conference and complained that the party's constitution did not allow the membership of 'foreigners'. The fact that its constitution has no provision for racial politics and representation, meant that KANU is a tribal and racial party belonging to indigenous African communities. In October, 2007, councillors in the Meru Municipal Council angrily attempted to hold a demonstration in the Meru town for fear of an Asian clinching the mayoral seat. Finally, former President Daniel Moi publicly denounced the Chairman of CKRC. Yash Pal Ghai, as an alien and called for a halt to the constitutional review process until an indigenous Kenyan was appointed after the 2002 elections. This was an open demonstration of racism from the head of state and an incredible statement in view of the fact that KANU itself had appointed Ghai (Daily Nation, November 4, 2002). All these events confirmed Yash Ghai and Dharam Ghai's previous apprehension:

"Most Asians feel that they have no future in East Africa, where race is too a fundamental factor and that no measure of integration will help them. It is obvious that if the relations are defined purely in racial terms, then the Asian community will forever be alienated and the Asian problem will continue to persist almost by definition. The governing elite with its mediocrity, destruction and indifference to national need does precious little to foster better race and ethnic relations" (Ghai and Ghai, 1970:87).

On the other hand, the Asians have exhibited a portrait of a racial group who are still viewed as profoundly a conservative and racist community who exclusively pursued and maintained a feeling of racial superiority, their cultures and traditions of social isolation and exclusive lifestyle. This is deeply ingrained in their caste centered social organization existing within a framework of commercial and political relations in fact. Majority of the older generation Asian citizens and Africans still habour racist culture and behaviour (Simatei, 2001:74; Nazareth, 1972:133; Moravia, 1970).

Initially, conservative Asians opposed racial integration efforts even from their own due to internal divisions. Consequently, these divisions resulted into the formation of non-African and caste based Asian political parties like the KFP by Chanan Singh (Arya Samaj) and UKP by Pio Gama Pinto (Goan) which made no impact due to Asian disunity and the unfavourable environment of volatile and ethnicised politics. Again in 2005, for example, Shailesh Adalja published an article on racial integration, but was unfortunately, physically attacked by members of his own community for expressing radical views (East African. May 16-22, 2005). Further, despite demonstrating loyalty to the Kenyan government, the Asian refusal to live together and integrate socially and culturally with inferior Africans represent lack of patriotism and commitment to the Kenyan political system (Ram, 2006). Yash Ghai and Dharam Ghai also made similar observations:

"Asians had been used in their home societies to living in more or less exclusive communities even within a village. Their social relations were confined to the members of their own community. It was therefore, not surprising that the Asians felt it unnecessary to establish social contacts with their African neighbours. There was also an intense feeling of snobbery bom of a belief in the superiority of their culture. Consequently, they did not only disregard the African socially, but treated him in other contacts as less than human. Africans remember with bitterness the humiliation they have suffered at the hands of the Asians" (Ghai and Ghai. 1970:8).

Illustratively, aforesaid in chapter one, Nazareth, attempted to analyze the role of the Asians in East Africa by narrating his own failure to convince and politically unite Asians and other races in the late 1950s. Surprisingly and unfortunately, he was attacked and humiliated by ruthless diehards of splintered communal and caste politics that disunited Asians and Africans. Disillusioned and disappointed by his experience and regretful of his identity, he dejectedly left East Africa in the mid-1970s, pointing out that 'to have been born a Goan in Kenya, poor and bright was to some extent worse than to have been young, bright and black'. This eventually led to the missed opportunities for social integration and the creation of a multi-racial society based on national ideological political parties after independence (Nazareth, 1981; Daily Nation, March 5, 1982).

Shiva Naipaul also in her tour of East Africa in the 1970s described the Asian as the 'eternal other' after experiencing how the Indian brought India with him and kept it inviolate. In comparison, she gave an example of Trinidad and Tobago where the Indian community is well integrated and assimilated with the indigenous communities. Consequently, this isolationism and aloofness has led to resentment among indigenous Africans, their economic and business acumen notwithstanding. This resentment exploded in 1982 during the attempted coup d'etat (Patel, 2010, Star. July 15, 2010:22-23).

However, some of the old barriers to inter-racial social integration are breaking down. Comparatively, the younger generations are more active and interested in politics than the older people who were active at independence struggles and shortly after independence. Yash Ghai and Dharam Ghai (1970) had also noted this progress and remained optimistic with the Asian younger generations and African elites who are more liberal and social.

Nevertheless, adjustment and adaptation to the Kenyan society for ensuring Asian racial integration with Africans and other races still remains difficult. The Kenyan state has failed to forge integrative relations amongst the different races in order to achieve political equality and fair representation especially for the Asian minority. The Asians, Africans, Arabs and Europeans practice racial coexistence and have oriented themselves to subordinate parochial loyalties, social and political beliefs which has hindered the establishment of a national identity and patriotism towards a multiracial/cultural society. The Asians have therefore, not effectively and fully integrated with Africans at the political level which is essential for their survival and a prerequisite for political participation. In response, Sunny Bindra also challenged the indigenous Africans, Kenyan Asians and other races to embrace each other and forge integrative initiatives for good race relations:

"The danger is when someone says 'integrate" the community hears 'intermarry". That is a fallacy, and one that has stood in the way of meaningful amalgamation for decades. Inter-marriage should be a personal

matter for individuals; integration is another issue altogether. It involves recognizing the common glue that binds us to the soil. It means regarding those with whom we share the soil not only as equals but as friends. It requires that we get involved in the partnerships and joint ventures that go beyond patronage and mutual exploitation. It asks that people share their culture and explain its nuances-and take delight in their differences-knowing that underlying different skins is our common humanity" (Bindra. in Awaaz, March 1, 2005).

The aforementioned racial prejudices and negative stereotypes by indigenous Africans and politicians have regularly bolstered the assumption that the Asians are not interested in politics and lacks engagement capacity. The Asians feel alienated and thus it is unacceptable to struggle against black leadership (Daily Nation, December 12, 2007:10). Yash Ghai and Dharam Ghai (1970) had noticed this pending predicament and advised the Asian politicians to make painful adjustments by being more radical and outspoken in order to be recognized. This condition has resulted into Asian low voter apathy, dissatisfaction and disillusionment with the political system.

3.5. Asian Citizenship, Nationality and Dilemma of Identity Politics

In Kenya and East Africa, the concept of nationality which is often synonymous with citizenship is more of a description of cultural, tribal, origin and racial identity than a matter of political and personal right (Mamdani, in East African, July 25-30, 2011). Kenyan citizenship is acquired by birth, registration and naturalization. Citizenship still remains the most crucial factor restricting the rights, identity and obligations to political participation and representation from the state, which the Asians have failed to partake and claim. Citizenship confers the right and obligation to vote in elections, the right to be elected or nominated and appointed to political office.

After a continuous presence of over three hundred years and having the fifth generation, the identity of the Asian non-indigenous minority in Kenya still persists. The definition of the Asian identity and citizenship remains controversial due to multiple labels that the community attaches to itself and is viewed by black Africans. The notion of home is thus unfixed, multiple and

characterized by "dialectics of longing and belonging". East Africa and India are therefore, regions active with family life, commercial pursuits and political stakes, even while historical records do not consistently include overseas Indians in the national imagination (De Veer, 1995).

This situation therefore, raises a number of complex questions. Do they consider themselves as Africans, Indians, Pakistani, South Asians, Asian Africans, NRIs, Kenyan Asians, Kenyans of Indian origin. Kenyans or all of these? Does a 'Kenyanized', 'naturalized', 'Africanized' or 'indigenized' 'Asian'/'Indian' lose the descent tag 'Indian' or 'Asian'?; What are its civic, cultural, political and social identities?; When really does one become a Kenyan?; Is colour pigmentation and length of residency a factor in distinguishing between an 'African', a "Kenyan" and a 'foreigner'?; and do political whims overshadow legal explanations of a Kenyan citizen? Indeed. Rasna Warah (1999) lamented on her ambiguous status as a "fourth generation' immigrant to Kenya without identity, origin and loyalty.

Nevertheless, majority of Asians are proud of their Kenyan identity, but with the caveat of attachment to the 'Indian part'. The Indian part is still important and relevant for maintaining Indian values, religion and identity. The debate goes deeper than the superficial aspects of indianness'. How much should the Asians hold on to their identity in Kenya where racial discrimination predominates? Can separateness be accepted and respected even as a common identity for Kenyans is being forged in a multi-racial democracy? On the one hand, the concept of Indianness subconsciously creates a sense of isolation from the broader Kenyan society. On the other hand. Indianness also fosters a strong sense of community among the Indians. While they are trying to integrate into a broader Kenyan culture, the process is flawed on both ends. There still exists a large degree of a culture of separateness in lifestyle, work, socialization and education that the Indians have created and inadvertently perpetuated in Kenya from which they are politically and socially alienated.

The concept of citizenship in the British Nationality Act (1948) and the actual imminent independence of former British colonies in South Asia and East Africa created four potential citizenships for the Asian population in East Africa; British. Indian. Pakistani or Kenyan. This was later replaced by the British Nationality Act (1981), which created separate categories of'British citizens', 'British Overseas Citizens' and 'British Dependent Territories Citizens'. Accordingly, the Kenyan Asians developed a distinctive East African identity, which is different from other South Asian diasporas (Herzig, 2007).

The Commonwealth Immigration Act (1962 &1968) and Kenya Independent Act (1963), allowed Asians to retain their British citizenship during the two years transition (Lester, 2003:52-72). In 1963, nearly all the indigenous black African population and second generation Asians qualified for 'automatic' Kenyan citizenship with a consequential and immediate loss of British nationality. The rationale for the former was that they were indigenous and 'belonged' to the country. As for the immigrant Asians. Arabs and European communities, it was felt that the longer they had been settled, the greater would be their sense of attachment to Kenya and its people. However, those who held British or foreign passports and who failed to apply for Kenyan citizenship were technically aliens and thus lost their livelihood, security, properties and the right to live in Kenya (Gupta. 1975:125; Awaaz, October-December, 2006:1-38; Awaaz, May-July, 2007:21-27).

Concomitantly, after 1963 the British government failed to honour their international, legal and moral obligations of protecting the lives and alien rights of British Asian passports holders. This led to dispersal and disorientation of Asian citizens, identity and interest with Kenyan politics. Many Asians had long before realized that their positions were precarious in East Africa whatever their citizenship (Plender, 1971:287-316; Lester, 2003:52-72). The British Exodus Act (1968) racially discriminated against Asians and dominated public debate on the 'Asian question' in East Africa and Britain. In all these respects, the British Asians were treated less favorable than their fellow

British citizens of European ethnic origin (Plender, 1971:287-316). The Asians who lost Kenyan citizenship (citizens without status) suffered frustration of immigration restrictions in the UK. Europe, Africa and Asia. Moreover, the British Race Relations Act (1968) failed to entrench a multiracial society free of racial prejudice for all commonwealth citizens, including EAA.

In 1970 the dispossessed British East African Asians (BEAA) complained to the European Commission of Human Rights (ECHR) over violation of their civil and political rights. On December14, 1973, the commission found the government guilty of racial discrimination and human rights violation. This prompted the enactment of Race Relations Act to address the grievances of racial discrimination, justice and equality and later, the Human Rights Act (1998) to facilitate effective constitutional protection of fundamental civil and political rights. The case led to a dramatic improvement in the position of the 200,000 BEAA nationals (Lester, 2003). After the 1972 expulsion in Uganda, the British government accepted the Asian UK passport holders and many moved to USA, Canada and Australia. These countries were quite receptive of the Asians due to their skills, resourcefulness and adaptability. The exodus nevertheless, indelibly marked the uprooting and migration, en masse of thousands of Kenya Asians into Britain and became a recognizable turning point in their global diasporic dispersal (Plender. 1971).

Consequently, the identity of 177,000 Kenyan Asians was settled when they were offered the choice of taking Kenyan citizenship or retaining their alien nationalities. However, only about 100,000 applied and obtained Kenyan citizenship with 77,000 rejecting, applying or retaining either British or Indian and Pakistani nationalities (Gregory, 1971). This was partly due to the government's denial of dual citizenship which led to Asian rejection of Kenyan citizenship. Asians were also pessimistic about their future in Kenya, discrimination in the civil service and treatment as 'second class' citizens due to Africanization policy which had been racially and economically motivated.

Eventually, majority of Asians were non-citizens and were politically disenfranchised. By 1979 over 25,000 Asians holding dual citizenship were technically disenfranchised (Sunday Nation. November 11, 1979). This condition was worsened by a split between the Asian citizens and non-citizens, which again not only debilitated their political strength due to different political allegiances. It also set up a situation in which citizenship holders were asking for preferential treatment against their non-citizen colleagues. As a result the few Asian voters could not secure seats in both parliamentary and local authorities' elections. In addition, the Asian politicians were also in a dilemma of seeking African support which was unlikely and almost impossible (Ghai and Ghai, 1970).

The provisionality of Asian citizenship in Kenya is thus due to a weak sense of national identity. They failed to fully and legally identify themselves with the post-colonial Kenyan state and the indigenous Africans. This is because their adoption of citizenship was motivated by convenience, rather than identification with the core group (Rothchild, 1968:421-437). Instead, they identify themselves with separate and different regional, ethnic, linguistic, caste, class, sect and religious groupings. The fact that the Asians came to East Africa as slaves of the colonial government puts them in a precarious position of 'colluders' and 'exploiters', a label that cannot be successfully erased from the indigenous Kenyans' consciousness. According to Yash Ghai and Dharam Ghai, this orientation and the racial stereotypes negatively affected Asian identity and prevented political, economic and social integration with the indigenous Africans:

"If they had been inspired with any missionary zeal, they would have endevoured to provide education to Africans and introduced them to their own lifestyle and ideology. If they had more overt political ambitions, they would have cultivated people and leaders of other races particularly the Africans. They would have won more friends, dispelled some prejudice about themselves which persist so markedly to this day, and generated greater sympathy for their own predicament . . . .If the Asians in the colonial period had shown a spirited support for freedom and anti-colonialism like the way they celebrated the independence of India and

Pakistan; and if they had completely identified with the African aspirations, the Asians might have reserved for themselves a position of respect and leadership among the Africans today" (Ghai and Ghai. 1970:76-77).

Above all, they were always plagued by a subterranean sense of physical insecurity, heightened during the Mau Mau uprising period and later the authoritarian politics under President Kenyatta and Moi regimes. Culturally, they were never a part of the indigenous landscape, which is also partly attributed to the legacy of colonial policies:

"Asians had no real stake in the country; they were temporary 'guests' whose sole purpose was to make as much money as possible before retiring to India. In any case they were always sending money to India and thus draining the country of its wealth. Their religion and culture were backward, obscurantist and wholesome-a direct threat to the civilization mission of the Europeans. Many of these accusations were stuck and the anti-Asian speeches of some of the African leaders today are reminiscent of the early South African settlers. The myth of the Asian returning to India was sedulously cultivated; yet evidence shows that very few Indians ever went to retire in India and that an overwhelming majority of them regarded themselves as permanent residents of East Africa where they saved and invested" (Ghai and Ghai, 1970:5).

As a trading immigrant community, the Asians adopted this libertarian conception of citizenship for commercial interest and security of their families (Vassanji, 1989:52). Second, communitarian citizenship emphasizes on social participation in public and community affairs and demand for the contribution of individual citizen to the common good of the society as a guarantee for equal citizenship (Voet, 1998:10; Ghai and Ghai, 1970:83). This conception of citizenship appealed to the indigenous Africans who wanted to see significant Asian contribution to economic, social and political development of the post-colonial Kenyan society. It is thus clear that the most important marker of national identity in Kenya is ancestry/descent and not nationality, but commitment and contribution to the nation state.

In view of the above, Africans wanted to see their relationship with the Asians primarily anchored on unity in the struggle against colonialism, racial harmony, social inclusivity and fairness in business and trade. These aspects coalesced to create an African view of a 'good Asian citizen'. In

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other words, the Indian citizen is expected to negotiate his citizenship through being good, which really means uplifting the living standards of Africans, being generous, charitable and apolitical. This meant heavy sacrifices on the part of the Asians whose major concern was security of their families, trade and savings. The failure of these expectations, inevitably led to a clash of interest between the libertarian self-interest (favoured by Asians) and the communitarian self-interest (favoured by Africans).

Non acquisition of citizenship is taken to be symbolic of the Asian distrust of African governments, the acerbation of racial tension between Asians and Africans, with the result that old accusations are given fresh blood (Ghai and Ghai, 1970:84). This conflict was socially constructed, and racialised with the unfortunate result that the Asians were considered 'harmful' elements, 'bad', 'provisional', 'partial', second class' race citizens and 'bloody foreigners', prejudicial to the interest of East African states and therefore, fit for deportation irrespective of his citizenship or origin. These stereotypes have transformed the political identity of Asians as 'foreigners', 'outsiders' and 'apolitical' community. On the other hand, the black African has remained an 'insider' and a 'good citizen' whether he is a criminal or rebel (Kahyana, 2003). In the same vein. Sibi Okumu, also rhetorically accused the Asians of unpatriotism and economic fraud:

"They defraud the economy; they don't care about helping anybody else. They lack nationalistic fever. They cheer unpatriotically for Pakistan against Kenya in sports. They do not wish to involve themselves in the political process, they stick in themselves, they do not allow anyone to marry their daughters, and they are mean to their workers and pay next to nothing" (Okumu, in Awaaz, July-September, 2005).

Consistently, under Kenyatta, Moi and Kibaki regimes, most middle and upper class Asians disengaged from national politics, developed apathy towards Kenya and focussed their attention and investments to India. UK, USA, Canada, Australia and South Asia by having dual citizenship that profited and cushioned them against real or imagined threats. Over 80-90% of them held more than one passport and thus it is common to find in one Asian family; German, British, Indian.

Pakistani, American. Canadian and Kenyan citizen (Weekly Review, September 24, 1982; Dail) Nation, September 26, 1980; Sunday Standard, April 4, 2004:5).

The current Asian population of 103,000 reveals that 80% of them were born in Kenya, of which 71% are Kenyan nationals, 18% British and 9% Indian. Further, 99% have relations abroad, of which 88% are in the UK, 64% in India, 40% in Canada, 26% in USA, 21% in Australia, and 11% in Pakistan (Heizig, 2006). These connections in other countries means that the Asians are not interested in Kenya, but are simply exploiting and expropriating profits abroad and thus will remain •guests' in East Africa. Zahid Rajan, an expert on South Asian politics, warned the Asians against the dangers and controversies of multiple and ambivalent identities of citizenship.

The discourses of nation, identity, citizenship and race in Kenya accumulated around the "Asian question'. According to Salim Lone, in 1979 thousands of Indians in Kenya were denied the right to citizenship and work and were politically disenfranchised. Again, over 2.5 million potential Kenyan voters were disenfranchised owing to lack of identity cards between 1993 and 2007 (Sunday Standard, December 14, 2008:21). In several cases the government has attempted and withdrawn the citizenship of Asians perceived to be 'undesirable', 'criminal' and "disloyal" like the deportation of Pranlal Sheth and other six Asians in 1966 by President Kenyatta. Inexplicably, the Moi and Kibaki regimes also deported many Asians from Kenya. This situation has resulted into fear, voter apathy, political exclusion, discrimination and disinterest in politics by the Asians.

Generally the Asians were a privileged minority and they could have contributed and received much more had it not been the reckless behaviour and insensitivity of the Kenyan politicians who condemned the community in order to gain popularity, political fortunes and economic favours. The Asian question and identity dilemma climaxed in the late 1980s and early 1990s, when political parties and individual politicians began using it for rallying support and garnering public sympathy. During national celebrations and political campaigns, influential African politicians

frequently target Indian wealth and blame the Asian economic domination and exploitation as the biggest challenge to Kenya's development.

Kenya's ambivalent position in relation to its Asian citizens was reflected in 1972, following the expulsion of Asians in Uganda by President Idi Amin in 1971. While President Julius Nyerere of Tanzania condemned the incident. President Jomo Kenyatta remained silent. Subsequently, MP for Butere and Assistant Minister for Environment and Natural Resources, Martin Shikuku, declared that Kenya should follow Idi Amin's steps and expel the Asians (East African, August 16-22, 2010:VI-VII). Again, in 1981 and 1985, Shikuku launched a scathing attack on Asians for allegedly 'abusing' and "taking for granted' Kenyan citizenship, siphoning capital out of the country and called them 'paper citizens'. He accused the community for failing to have political, economic, social and cultural interests and named former Assistant Minister for Tourism, Jan Mohamed, safari rally driver, Joginder Singh and former Kenyan Ambassador to Egypt, Feisal Hineway, all of whom left Kenya with huge amounts of money and settled in other countries (Sunday Nation, July 12. 1981:4).

Shikuku further blamed the community for frustrating and excluding indigenous Kenyans from participating in industrial and commercial sectors; condemned the "racist policy' by Asians, particularly in Parklands for not renting houses to Africans; urged the Attorney General to restrict the issuance of citizenship to deserving applicants; proposed the deportation of lawyers without citizenship and repatriated money to India and accused lawyers like W.S Deverell and further asked the Attorney General to take action against the lawyers and big foreign companies which engaged foreign lawyers and foreign accountants robbing Kenyans of such opportunities (Daily Nation. September 7, 1981; June 5, 1985).

In support, more MPs led by Koigi Wamwere railed at racism and backed Shikuku over economic dominance by non-Africans that had relegated Africans to inferior position for the last 70 years.

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According to Wamwere with the exception of Pio Gama Pinto and Makhan Singh, the Asians and Europeans did not participate in the struggle for independence and yet they controlled the country's economy. He called for greater control and Africanization of the economy (East African Standard. July 4, 1981:7; Daily Nation, September 7, 1981).

In a rejoinder, Krishan Gautama, the MP for Parklands later clashed with Shikuku in parliament over the "Asian question' as the latter stood by his remarks and insisted the former was a paper citizen. Gautama termed the racial utterances unconstitutional, unfortunate and a threat to foreign investment. He maintained he was a citizen of Kenya and vowed not to be intimidated by anyone into a third class status or paper citizenship. He blamed them for practicing double standards while at the same time condemning apartheid in South Africa (Weekly Review, November 12, 1981; Daily Nation, December 6, 1981).

In a press statement, A.M Kwajah. defended Asians' citizenship, dismissed economic dominance claims. He vowed not to tolerate any political fanaticism, unjustified attacks and wondered how the government tolerated racist personal attacks (Daily Nation, December 11, 1982). He argued that since Shikuku became the Chairman of Afro-Arab Friendship Society (AAFS), he had conveniently changed the term 'Asian' to 'Indian'. Further, Kwajah wondered why there were no economic experts in Kenya appointed by parliament to ascertain which tribe was controlling the economy (Daily Nation, November 12, 1982). The Minister for Constitutional and Home Affairs, Charles Njonjo also dismissed the allegations and condemned the MPs for using parliament to condemn Kenyan Asians and Europeans (Daily Nation, July 6, 1981).

Despite Asian reactions, in 1982, the "Asian question' was revived when the Minister for Energy. Nteere M'mbijiwe criticized the Asians in Meru district for failing to attend five KANU rallies held in the area. The Minister also wondered why the Asians failed to join other Kenyans in supporting the one party system and the expulsion of Oginga Odinga and George Anyona from KANL

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(Sunday Standard, July 28, 1982). The 'Asian question' resurfaced during the struggle for the second liberation when opposition political parties led by Kenneth Matiba declared war against the Asians and promised to give 'Indigenous Kenyans' priority against others.

In 1992, President Mwai Kibaki's Democratic Party (DP), Martin Shikuku and Kenneth Matiba's FORD Asili accused the Asians for economic domination, malpractices, supporting the KANU regime and called for their expulsion from Kenya. All these attacks and counter accusations demonstrated the deep seated hatred and mistrust between the Asians and Africans. It affected the former's interests, cooperation and engagement with Kenyan African dominated politics.

The Asians have also been accused for shunning and not fully identifying itself with Kenyan political functions, national events, celebrations and holidays and thus failed in shaping the destiny of the country. Instead, they have been active in celebrating their cultural events and spiritual leaders like the Aga Khan and the Bohra. This raises the question of their sincerity, patriotism and commitment to the destiny of the nation. The conspicuous absence of Asians in public celebrations has been questioned severally. For instance, in 1982, politicians such as Philip Leakey and Njenga Karume lamented on the lack of interest among Asians in participating in national activities and celebrations (East African Standard, October II, 1982). Again in 1983, the Kenyan political leadership accused the Asians for enjoying the fruits of Kenya's independence than most indigenous Kenyans and yet they dishonour the country's national holidays (Kenya Times. December 16, 1983).

3.6. Political Economy and the Role of Asians in Kenya

The major reason for Asian immigration to East Africa was largely economic and thus by and large they became a business community. Consequently, their behaviour and activities were confined and were largely determined by economic interests (Ghai and Ghai, 1970:76-77; Patel. 1997:109). In

the post-independence era, the 'Indian question' has persisted due to the stigma of their dominance and control of the commercial and industrial enterprises with accusations of being monopolistic and unscrupulous. Consequently, these economic barriers have hindered social and political integration, necessary for Asian political participation.

As demonstrated in chapter one and two, Asian exclusive domination and exploitation of the economy in trade, commerce, finance and banking industries to the neglect of politics have made indigenous Africans to develop negative perceptions and stereotypes against the Asian community. They are accused and labelled as being •corrupt', •exploitative', 'racist', 'political renegades' and 'paper citizens' (Weekly Review, May 12, 1982). In addition, the Asians exclusively band together and run their businesses on social and economic networks in an economy primarily divided into an Asian 'rich' and African 'poor'. The community is at fault for maintaining business exclusivity and negative attitudes towards the Africans, while claiming that they are Kenyans yet they are ever ready to fly away like gangsters in difficult times to join their brothers and cousins whose citizenship is scattered in five more countries. The Asians have thus refused to integrate with the African indigenous communities and form business partnerships with Africans. Asians had access to capital through their international ethnic networks and they dominated the economy by offering bribes and colluding with government officials (Sunday Standard, April 4, 2004:5-7).

On the other hand. Amin Gvvaderi (1996) summed up the mutual suspicion and stereotypes by arguing that the Asians' viewed the Africans as 'lazy' and 'thieves' that required supervision and discipline. Unexpectedly and surprisingly, Sunny Bindra also blamed the Asian community for providing a perfect platform and justification for the above allegations and accusations:

"Due to their funny accents and huge families, their penny-pinching ways, their strange gods and business success, they have become easy target for African hatred and condemnation. They have succeeded economically because they are scrooges, corrupt and exclusive" (Bindra, in Awaaz, November I, 2006).

Undoubtedly, Ghai and Ghai (1965:41) pointed out that the presence of large and economically sophisticated Asians has had the effect of retarding African participation in the commercial sectors of the economy. They have devoted relatively little energy for the economic advancement of the Africans. Consistent with former President, Daniel Moi's previous assertion, they further argued that the skills and training which Africans acquired from Asian business firms were by-products of their own employment with the latter rather than the result of a conscious attempt to promote the economic position of the Africans.

As elaborated in chapter two, these conditions of accusations and blame game have degenerated into bad relationships that has directly and indirectly resulted into widespread anti-Asian policies, violence, racial discrimination, resentment, jealousy and hatred with Africans and consequently jeopardized their political participation. In the aftermath of the 1982 attempted coup, accompanied by wanton looting and damages, the Asians lost property estimated at Kshs. 500 million and many were physically assaulted and over forty women raped, of which six victims committed suicide (Newsweek, August 23, 1982). In certain incidents, trading licenses of the Asians have been revoked and in certain cases threatened with expulsion. Thirdly, there have also been cases of criminal and political murders in which the victims were not robbed of any properties (Standard. August 7, 1993). In 1994, anti-Asian leaflets hit Nairobi accusing the Asians of corrupt practices. The leaflets 'authored' by 'Mau Mau prosperity', declared armed war against Asians and claimed its main agenda were to liberate the Africans from Asian colonialism (Standard, September 29, 1994).

The enduring legacy of these events instilled psychological fear and retreat among the Asians in Kenya. Indeed Yash Ghai's (1965:40) prediction confirmed the above analysis as the economic future for Asians in Kenya has been precarious over time since the introduction of Africanization policy and the volatility of multiparty politics. Moreover, the current widespread fear and

pessimism among the Asians is attributed to poor economic performance; insecurity, unemployment. Africans' competition, growing emigration and generally gradual erosion of the many privileges which the Asians previously enjoyed.

Political corruption is an issue that has dominated the 'Asian question' in the post-independence Kenya. The Asians have always perpetuated corrupt and authoritarian regimes that has ironically, strained their relationship with indigenous Africans and thus alienated them from all forms of political participation. Incidentally, unlike the colonial times, the Asians have indirectly exerted political influence through 'back door' contacts and connections with civil servants and politicians. This orientation favoured the Asians who had been active in the economic sector, but hardly present in the political, social and cultural arenas (Shah, 2004; Ramchandani, 1976). While remaining apolitical, the growing collaboration, unscrupulous involvement and support of 'mafiaso-type' South Asian corrupt wheel dealers and some elites with corrupt African politicians and middlemen under President Moi and Kibaki regimes have impoverished the Africans and made *'Muhindi'* unpopular, mistrusted and unwanted (Patel, in Awaaz, 2004:41).

Interestingly, African political leaders have blackmailed and intimidated Asians with handsome contributions and donations of 'political money' mainly from the ruling parties under the guise of the government safeguarding their business interests (East African Standard, September 15, 1983; Sunday Nation, September 28, 1990; Sunday Nation, June 30, 1996). The Asians cannot therefore be ruled out completely from politics. They have covertly participated in politics and indirectly secured representation by funding the elections behind the scenes by sponsoring candidates in politics to advance their economic interests by securing business concessions and contracts. Many Asians backed the then ruling party-KANU, influential opposition leaders and later Kibaki regime. Illustratively, a few influential tycoons like Rashid Sajaad were nominated by KANU in the 1992 general elections.

In 1992, Kamlesh Pattni secretly donated Kshs. 2 million for campaign to the then Opposition Leader, Oginga Odinga and his party FORD and in 1997, Moi's Asian allies held an exclusive high cost luncheon for his campaign kitty (Sunday Standard, April 4, 2004:5-7). The Kalenjin clique and its cronies in the Moi regime recruited the South Asian business tycoons to help them as junior partners against Kikuyu domination and to selfishly exploit the Kenyan economy. Finally, and strangely, the Asians and Africans have been inviting each other to their functions that have witnessed Asian excessive display of wealth in fundraising, charitable and donation activities some of which have been acquired illegally, like Kamlesh Pattni whose corrupt history is well known in Kenya (Standard. July 24, 1996).

Accordingly, some Asians have been smuggling large sums of money from Kenya or being involved in corruption related scandals and deals in procurement, export and import businesses (Standard, February 23, 1982; Daily Nation, May 27, 1996). They have smuggled millions of shillings out of the country through under-invoicing of exports and over invoicing imports. Through retail and wholesale trade, they mint millions of shillings and sometimes they do not declare this for tax purposes. The money is sometimes siphoned abroad to enable them acquire resident status in Britain (Daily Nation, September 27, 1978; Daily Nation, November 15, 1985).

As early as 1982, Joginder Singh, the famous safari rally champion was accused of irregularly selling 'Jamahiriya' House to the Libyan government valued at Kshs. 5 million far below Kshs. 12.5 million filed with the Commissioner of Lands (East African Standard, February 28, 1982: Kenya Times, June 4, 1983; Weekly Review, October 15, 1982). In 1982, Alnoor Kassam the former Chairman of Trade Bank limited and Ian Ryaner, a Director in the bank, ripped the Central Bank of Kenya (CBK) massive profits through fake export documents for pre-shipment export finance facility. Moreover, in 1992. Kassam obtained Kshs. 226 million through Hasanati Limited for supply of frozen fillet to France. He also used Holding Resort Limited and Empire Holdings

Limited to receive Kshs. 1.2 billion purportedly for exporting frozen perch fillet to Germany, Israel. Japan and France. Instead he reinvested the money in treasury bills and earned interests (Weekly Review, July 15, 1994). Lastly, in 1995, Manish Shah and Babu Mavadva were arraigned in court for evading duty for tyres amounting to Kshs. 26.5 million.

This process reached its acme in 1993 when Pattni, conspired with government ministers and senior officials and defrauded CBK Kshs. 9.93 billion through illegal and dubious means which came to be referred to as the 'Goldenberg Scandal". The whole saga began in 1990 when Pattni requested the Kenya government to grant his company, Goldenberg International the sole rights to export gold, diamonds and jewellery for a period of five years with payment of 35% export compensation. By 1991 Goldenberg circumvented the agreed rules and procedures through irregular deals and failed to export gold and diamonds (Weekly Review, May 1, 1994). In 2008, after 15 years of protracted legal battle, Pattni surrendered the Grand Regency Hotel to CBK through the Kenya Anti-Corruption Commission (KACC) in exchange for freedom and amnesty.

Previously, in 2006, Deepak Kamani, Rashmi Chamanlal Kamani and Anura Pereira had been accused of being the chief architects of the multi-million 18 security related 'Anglo Leasing' scam, with proceeds of kickbacks spreading to senior government technocrats and politicians under President Kibaki's National Rainbow Coalition (NARC) regime. Surprisingly, they were allegedly given amnesty by KACC after cutting deals with authorities to surrender some of their wealth in exchange of freedom and amnesty. These corruption scams and their admissibility have cumulatively damaged the Asians integrity and image; dented the country's economy; stained political leadership; and ultimately diminished the political, economic and social contribution of the Asians in Kenya.

In 2009, Asian business tycoon and Chairman of Triton Petroleum Company, Yagnesh Devani together with Mahendra Pathak, Julius Kilonzo, Benedict Mutua, Collin Otieno, Peter Mecha and

Phanuel Silvano were charged in court over the 'oil scandal' worth Kshs. 7.6 billion. The fraud involved Triton Energy Limited. Kenya Pipeline Company (KPC), Ministry of Energy and Kenya Commercial Bank (KCB) in August. 2008 at Kipevu Oil Storage Facility in Mombasa. Consequently. Devani fled the country and is reportedly living either in India or UK. The Minister for Energy and Imenti South MP, Kiraitu Murungi was unsuccessfully censored in parliament through a vote of no confidence over 'political responsibility' for the scandal.

Devani has close ties with Kenyan prominent politicians, including the Prime Minister, Raila Odinga, Deputy Prime Minister, Uhuru Kenyatta and former Vice-President, Moody Awori. In fact, it is widely rumoured that Devani heavily funded the 2007 general election campaigns for the ODM party. Despite its inability, Triton Energy Limited (owned by Devani and Prankaj Somaia) secured a government tender to purchase national oil supplies for a six month quota through the intervention of Odinga who has personal and family interests in the oil industry. Afri Global Limited and African Oils Limited, firms owned by his brother, Oburu Oginga (Assistant Minister for Finance and MP for Bondo) and his son, Fidel Castro respectively benefited from the scandal (Nairobi Chronicle, January 23, 2009).

In August, 2011, the Madhvani family moved to court and sued the Kenyan government for revoking the ownership of 119 pieces of land in Kwale County through a Gazette Notice on July 15, 2011. The land belonging to Emfil Limited, a company associated with the Madhvanis was purchased in the 1980s from Associated Sugar Company Limited. The government argued that the land was initially reserved as a public utility and was illegally allocated (Daily Nation. August 11, 2011:1-2).

The Asians have also been linked with criminal activities in association with African politicians. A case in point is the saga of the Armenian Artur brothers; Artur Margayan and Artur Sagayan who were invited and hosted in Kenya by an Asian businessman, Raju Sangani. The two are believed to

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have been hired by influential politicians and raided the Standard Media Group in March. 2006 for preventing the publication of alleged politically damaging information. The Parliamentary Committees on Administration and National Security and Justice and Legal AfTairs recommended that Sangani and politician/businessman, Kamlesh Pattni be investigated over the controversial raid (Sunday Standard, March 1, 2009:6-8).

As previously illustrated, corruption has bolstered negative perceptions and undermined the Asians' effective representation and participation in parliament and local authorities. In March, 2010, Shakeel Shabir (MP, Kisumu Town East) resigned in a huff as Chairman of the Parliamentary Committee on Local Authorities after tabling a report to parliament on the Nairobi City Council 'cemetery scandal' in which the government lost Kshs. 283 million. Shakeel was reportedly forced to quit the position by the Prime Minister, Raila Odinga, after he refused to tone down the report indicting Deputy Prime Minister and Minister for Local Government, Musalia Mudavadi that recommended he should take 'political responsibility' and step aside (Standard November 1, 2010). However, coincidentally, in a •harmonized report' in August, 2010 between the Parliamentary Committee on Local Authorities and Local Authorities and Funds Accounts Committee chaired by Wajir North MP, Mohammed Gabow and Wundanyi MP, Thomas Mwadegu respectively, absolved Mudavadi of any political responsibility (Standard November 3, 2010). Nevertheless, his resignation before the report was debated in parliament demonstrates the fear and alienation faced by the Asian political representatives.

These economic crimes and corrupt activities of a few Asians and African political elites have entrenched the stereotype of Indian as corrupt and exploitative community which should be socially and politically alienated. Consequently, the entire Asian community has been blamed with the unfortunate result that they are the biggest drain and threat to Kenya's political economy.

3.7. Multiparty Democracy and Asian Politics (1991-2012)

The 'Fifth Phase' of the 'Asian Question' (1991-2012) coincided with the re-introduction of multiparty democracy in Kenya and the struggle and promulgation of a New Constitution on August 27, 2010. The advent of multipart)' politics in 1992 presented both opportunities and threats for Asian politics after decades of marginalization in the one-party state KANU regime. This new development has positively influenced the political attitude of the Asians as many are increasingly showing a remarkable interest and active involvement in politics.

The Asians have been forming and joining political parties, campaigning, voting and contesting the elections especially under President Kibaki's regime. This has been witnessed in the increased number of candidates in 1992, 1997, 2002 and 2007 general elections and nominations in the national assembly and local authorities. Nevertheless, despite being discriminated and underrepresented, the formation or identification with political parties by the Asians is still difficult, numerically insignificant, risky unpopular and antagonistic for their survival and integration with the indigenous black African population. This is also compounded by the Societies Act, Political Parties Act (2011) and New Constitution (Kenya, 2010, Ch.7) that criminalizes the formation of racial, tribal and religious political parties.

Thus it will be extremely difficult for Asians to openly and independently champion sectarian interests. The Asian led political parties must therefore, be ideologically nationalistic and broad based to serve all Kenyans irrespective of their race, religion, culture, ethnicity and background to avoid arousing fear, hatred, racial discrimination and negative stereotypes from majority indigenous Africans and other races. For example, due to tainted image of corruption, selfish commercial interests, isolationism and racial discrimination, galvanizing support and promoting the Growth Development Party (GDP) and Kenya National Democratic Alliance (KENDA) ideologies by Kamlesh Pattni and Aurelio Rebelo respectively to the majority indigenous Africans and other

conservative Asians failed in 2007. To most Asians the move by the two politicians tarnished the name of the community and further alienated them. The failure of Asians to support them thus demonstrated the rejection of their own and general disinterest in politics.

Against this background, the Asians should instead emulate other minorities by joining, aligning, participating and supporting the existing mainstream black African dominated political parties whose manifestoes serve them politically and work closely with other Kenyans on a national platform to win their confidence, acceptance and electability. However, this is also difficult owing to the poor structure and management of the political parties that has failed to accommodate the Asians. Political party leaderships are still practicing what one respondent referred to as 'remote control'-patronage and cronyism in the nomination of candidates. For example, the poor performance by Asians in the 2007 general elections can be attributed to lack of Asians' leadership in the Party of National Unity (PNU) and ODM top decision making organs or tribal 'figure heads' to lobby and influence for the nomination and elections of their presidential, parliamentary and civic candidates.

At the same time, the era of multiparty politics has sidelined the Asians from the old patterns of political economic patronage and corrupt networks for selfish commercial interests of the former one party state KANU regime. It has also made them more arrogant and isolationist since they minimally contribute in fundraising and attend public functions, political rallies and celebrations. This period has also witnessed the entrenched deep ethnic divisions, and confrontational politics that culminated into electoral violence, racism, oppression, fear and insecurity by the majority indigenous Africans. This has condition has politically disempowered and alienated the conservative minority Asians. Worse still, it also revived the sensitive 'Asian question' when opposition political parties led by Kenneth Matiba of FORD Asili declared war against the Asians and other races in favour of 'Indigenous Kenyans'.

Before any general elections or signs of disturbance, Kenyan Indians especially the Gujaratis store supplies of food for security against any impending violence. Many Indians also emigrate to Tanzania, India, Canada, USA, Australia and Britain on "holidays' before general elections to avoid tensions and violence. Political violence was witnessed in the 1992, 1997 and 2007 general elections. For instance, the 2007 post elections violence left over 1,300 people dead, thousands injured, over 600,000 Internally Displaced Persons (IDPs) and property looted and destroyed by tribal gangs and armed militia bankrolled by politicians and supporters of perceived enemies of both rival ODM and PNU parties. Accordingly, Asian properties and businesses were destroyed, vandalized and looted mainly in Kisumu town.

Fearing for their lives and in anticipation of troubles and violence in the controversial 2007 elections, many Asians left or sneaked out of Kenya especially in Kisumu town quietly in advance to other foreign countries including the neighbouring Tanzania and Uganda. This was reminiscent of Idi Amin's expulsion of Asians in Uganda in the early 1970s. Previously, a similar event occurred in 1991 following the brutal murder of former Minister for Foreign Affairs and International Cooperation, Dr. Robert Ouko. And like any other communities who have been historically targeted and victimized based on ethnicity and racism, the Asians were no exception.

In a nutshell, the introduction of multiparty politics marked the death of Asian politics. Apart from the peripheral demonstrations by a few activists and politicians; there is no serious political participation and representation in the legislature, executive and local authorities as illustrated in this newspaper editorial:

'•Where are the Indian voices in Kenya's leadership today? Where are the cogent organized Indian leaders debating on either side of the political divide? What happened to them? Where are the Pio Gama Pintos, Makhan Singh, A.M. Jeevanjee, M.A Desai, and Joseph Murumbi of today? Who is intimidating and threatening the Indian renaissance in Kenya? Wake up Indians in Kenya and lead from the front" (Standard. March, 20, 2006:14).

In response, the Asians realized that their economic, religious and cultural organizations, while providing excellent leadership and organizational structure for the provision of commercial and social services, could not effectively champion and represent their political interests since they were apolitical. Ultimately, in 1991, the Kenyan Asians formed the Asian Professional Group (APG) with Amin Gwaderi (Chairman), Salim Talib (Assistant Secretary) and Swam Singh Sodi (Vice Chairman), Arvind Tanna (Secretary General), the late Himmat Devani (Treasurer) and Annop Shah. Dr. Jayendra Devani, Dr. Mohan Lumba and Ramesh S. Bhatt as executive members. The objectives of APG were: bringing about awareness amongst all Kenyans of African, Asian and European origin; contributing to the role played by Asians in the development of Kenya and struggle for independence and redeeming the negative perception of Asians in Kenya.

In the countdown to the 1992 General Elections, APG was transformed and registered as Eastern Action Club for Africa (EACA) on August 17, 1995. Its aim was to bring together Asians under one umbrella group towards establishing a platform for voicing political interests; enhancing representation; soliciting support and liaising with political parties; and promoting the objectives of the Kenyan Asians and other minority groups in Kenya. However, as a precursor of a political party, EACA failed in its objectives and representation of Asian interests since it was not a political organization, it was not strongly grounded at the grassroots and the community was still much afraid and suppressed by the KANU-Moi regime. Nevertheless, EACA created awareness on the Asian experiences through *Awaaz*.

Contrastingly, Muzzafar Juma Khan, former Nakuru Municipality Councillor saw the introduction of multiparty politics as a threat to minorities' politics and representation particularly of Asiatic origin who had been subjected to considerable criticism and harassment. He thus called for the formation of the Association for the Unification of Minorities (AUM) lobby to represent the interests of minorities. He further argued that due to their small numbers and geographical spread.

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the minority groups were disadvantaged in voting their representatives into parliament and local authorities. The proposed AUM Constitution had the objectives of championing the interests and responsibilities of the minorities; fostering the spirit of brotherhood and unity among all minority groups; bringing together representatives of various minority groups and their registered organizations; promoting principles of good governance and social justice and establishing links with minority groups in other countries[16].

Nevertheless, despite the difficulties and pessimism observed notwithstanding, in 1994, Amin Alibhai and the late Lelani also unsuccessfully contested the Westlands parliamentary seat in the 1980s and 1990s. Zarina Patel also made a bid for Starehe Constituency seat in Nairobi, but withdrew at the nomination stage citing party ideological deficit and unfairness (Patel, 1996:75). In the 2002 General Elections, Walji Ashif Sadrudin of KANU lost with 8,921 votes against the winner, Fredrick Gumo of NARC who garnered 35,248 votes. Irshad Sumra also failed to get support and nomination on a KANU ticket to contest the Embakasi parliamentary seat.

The countdown to the 2007 general elections saw the formation of Kenyan Asian led political parties for the first time since 1960s. On December 10, 2006. Kamlesh Pattni became the first Kenyan Asian to head a political party after re-launching the moribund KENDA party with himself as the Chairman. He declared party's interest and sponsorship for presidential, parliamentary and local authorities' polls in all the 210 constituencies and declared his interest for the presidential and Westlands constituency parliamentary seat for the December, 2007 general elections. His entry into politics elicited condemnation and integrity of the Kenyan political process owing to his

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[16]. Extracts from a Letter, dated February 22, 1992, written by Mr. Muzzafar Juma Khan to a prominent and popular Kisumu Asian politician and businessman, Mohamed Aslam Khan, son of the doyen of Asian western Kenya politics, the late Rehmat Khan Kherdin.

questionable involvement in corruption scandals in the Moi regime (Sunday, Nation, December 10, 2006:13-18). He later withdrew from the presidential race before the nominations and supported PNU candidate. President Mwai Kibaki.

The GDP was registered on September 14. 2006 and launched on January 25, 2007 with the veteran Nairobi lawyer and Chairman of the Asian Foundation, Aurelio Rebelo as Chairman. Salim Talib. Secretary General and Swam Singh Sodi. Treasurer. Ultimately, Rebelo announced his candidature for the Westlands parliamentary seat on November 6, 2007 and called for submission of nomination applications for presidential, parliamentary and civic applicants in all the 210 constituencies for the December 28, 2007 general elections. Unfortunately, no candidate was either elected or nominated on GDP ticket. According to Rebelo, GDP targeted the three minority groups of Kenyans of Asian descent, European and American origins, with immense economic power and who have previously been apolitical. Its objective is enhancing growth and development through building a nation based on integrity, enterprise, diversity, equality and non-violence, infrastructure development, poverty alleviation, employment creation and de-ethnicization of governance institutions.

Admittedly, Rebelo rationalized his involvement and motivation in politics due to the encouragement and support the party received from South Asians that dominated its membership and the need to address the negative stereotypes against the community:

"My entry into politics has been necessitated by the contribution the community has made in the development of Kenya. It is acknowledgeable that the community has kept out of politics for the last 45 years largely on account of intimidation and frustration from the older generations who have consistently considered Kenya's politics a risky behaviour. Hence the need for the community to be inclusive in the decision making process. This depends on gaining trust of all Kenyans by participating at national levels. The image of the community has been brought into disrepute by the activities of a few buccaneer billionaire looters whose activities have cast a shadow over the community" (Rebelo, in Awaaz, September, 2006).

Towards the 2007 general elections, the Muslim community which felt victimized by President Kibaki's government, mobilized politically under the National Muslim Leaders Forum (NAMLEF) to champion their rights and supported ODM's presidential candidate, Raila Odinga against the incumbent, President Mwai Kibaki. NAMLEF and Odinga signed a Memorandum of Understanding (MOU) in which the latter reportedly committed to nomination of 20% Muslim MPs and councillors, appointment on government positions and safeguarding their interests.

The Muslims protested against the deliberate and systematic discrimination, violation and marginalization by successive regimes since independence. In response. President Mwai Kibaki offered a Special Desk at the Ministry of Immigration and Registration of Persons in the run up to the 2007 general elections, which the community rejected, claiming it was their right as Kenyan citizens and not a favour. Consequently, on October 15, 2007, President Kibaki appointed the *"Presidential Special Action Committee to Address Specific Concerns of the Muslim Community in Regard to Alleged Harassment and/or Discrimination in the Application/ Enforcement of the Law "*, chaired by Abdullahi Sharawe.

In its report findings in March 2008, the committee documented a list of discriminatory practices and violations in the issuance of identity cards and passports, persistent historical injustices, corruption, lack of political representation, marginalization and violation of fundamental human rights and freedom of the Muslims by the government, largely under the pretext of fighting terrorism. It recommended that the government should stop condoning or perpetuating discrimination and violation of human rights on account of religion, ethnicity, race and origin. However, there is no evidence to demonstrate the government's commitment to the implementation of these recommendations.

Most significantly, in the December 28, 2007 general elections, the Asians turned up for voting in unprecedented numbers and contested various seats. There was one presidential, four parliamentary

and 20 civic candidates in various political parties countrywide (Daily Nation, December 12. 2007:10). Notable among them were: Shakeel Shabir who won the Kisumu Town East Constituency parliamentary seat and was also elected Chairman of the Parliamentary Committee on Local Authorities (2008-2010); Nazlin Rajput Umar, who unsuccessfully contested the presidential and Kamukunji Constituency parliamentary seat on Progressive Workers Party (PWP) and lost to Simon Mbugua of PNU; Irshad Sumra who controversially and unfairly lost the 2007 general election nominations and 2008 by-election nominations both for ODM in Embakasi constituency to Mugabe Were and Esther Passaris respectively.

Likewise, Amin Walji unsuccessfully contested the Westlands Constituency parliamentary seat. Earlier, he contested the ODM party nominations for Westlands constituency and narrowly lost to the incumbent, Fredrick Gumo after being disqualified by the party headquarters for engaging in 'violence' and 'intimidation'. He later defected from ODM and in December, 2011 was elected the Chairman of Kenya African Democratic and Development Union (KADDU), alongside Cyrus Jirongo (Lugari MP), as Party Leader. Kamlesh Pattni unsuccessfully contested Westlands constituency on KENDA and Aurelio Rebelo also contested the Westlands Constituency seat on GDP. The latter three lost heavily to the Minister for Regional Development Authorities, Fredrick Gumo of ODM. Interestingly and surprisingly, Lina Jebii Kilimo, (Assistant Minister for Cooperative Development and Marketing), won the Marakwet East parliamentary seat on KENDA ticket. The party also won several local authorities seats countrywide. Although, Africans are yet to demonstrate their grassroots support and goodwill for the Asians, these minimal achievements, demonstrated the willingness and readiness of indigenous black Africans to embrace the Asians and vote for their candidates.

3.8. Asians and the Quest for Democracy and Political Reforms

President Jomo Kenyatta and Daniel Moi's personal rule and alienation of opposition and the civil society from mainstream politics led to the proliferation of informal channels as alternative vehicles of political participation and representation. These included ethnic association, intricate patronage networks, state house delegations and *harambees,* which politically marginalized many communities including the Asians. However, in the multiparty era, the Asians revived its political heritage through active participation in political reforms, constitutional review process and civil society movement to enhance democracy in Kenya.

Prominent Asian political activists included Fitz De Souza who represented the Asian community in the constitution of Kenya review process (2001-2005) and participated and defended the 1963 Lancaster House Constitution; Jan Mohamed who served in both Kenyatta and Moi regimes: Pheroze Nowrojee, a distinguished constitutional lawyer and a political and human rights activist who participated in the second liberation for multi-party democracy and political reforms in 1990s. He is presently the Chairman of AAHT, Convenor of NCEC and Treasurer of the Social Democratic Party (SDP). At some point he joined active politics alongside Ugenya MP and SDP Party Leader, James Orengo under *Mageuzi,* a pro-reform pressure group. He has won admiration and received various international human rights awards. Notably, the *Pravasi Bharatiya Samman Puraskar* (Distinguished Overseas Indian Award) on January 9, 2007 from the President of India. Dr. A.P.J Abdul Kalam in recognition of his outstanding contribution to human development and nationalistic selfless politics; and Achroo Ram Kapila, the renowned anti-colonial legal luminary who represented the pro-democracy crusaders and the FORD activists in the early 1990s.

Others are Davinder Lamba, a political and human rights activist, former University of Nairobi student leader in the 1990s during the clamour for constitutional reforms, Co-Convenor of NCEC and the Executive Director of Mazingira Institute-an environment and governance lobby group:

Professor Yash Pal Ghai, former Chairman of CKRC (2003-2004) scholar, constitutional expert and convener of the Kenya Asian Forum (KAF)[17]. He has variously criticized the government for stalling political and constitutional reforms and democratization process; Mustafa JafTer, human rights activist; Salim Lone, advisor and Communications Director to Prime Minister, Raila Odinga and ODM 2007 campaign strategist to the 2007 ODM presidential candidate and Party leader. Raila Odinga; and Mr. Zahid Rajan. a civil society activist, writer and publisher of South Asian history and founding member of Coalition of National Convention (CNC), an initiative for the Kenya constitutional review process.

Lastly, Mr. Jayesh Kumar Dave, the diminutive radical politician and philanthropist who formed **a** pseudo-scholarly organization, the Executive Club of Intellectuals (Standard, March 20, 2006); **and** Zarina Patel, the granddaughter of AMJ, founding member of AAHT and Deputy Director **and** Managing Editor of Awaaz journal. She is a biographer, social scientist, human rights, race relations activist and environmentalist. She has participated in national politics and South Asian affairs, Kenya's constitutional review process as a member of *Ufungamano* Initiative for Constitutional Change and also worked with the National Council of Churches in Kenya (NCCK) in the field of community and race relations. In 1996, she successfully fought against the move **by** the City Council of Nairobi and 'private developers' to convert 'Jeevanjee Gardens', the popular recreational park, built by AMJ in 1904 into a parking bay. In 2003, NARC government appointed her as a member of the Task Force on Truth, Justice and Reconciliation Commission (TJRC).

[17]. KAF is a lobby group for advancing social justice and reforms, cohesion and nationhood, by working as an integral part of the community of activist participants in the Kenyan social process. It is directed by a Steering Group composed of its founder members; Zarina Patel, Yash Pal Ghai, Pheroze Nowrojee, Sudhir Vidyarthi, Zahid Rajan, Aurelio Rebelo, Abdul Hamid Slatch, Mohinder Dhillon, Rustam Hira, Mohez Karmali, Madhukant Shah and Davinder Lamba rhttp:/Avww.kasianforum.org).

The Asians have also participated in the meetings and campaigns for peaceful elections, national prayers, voter education, Kenya Elections Domestic Observation Forum (KEDOF), political mediation and the constitutional review process through Ufungamano Joint Forum of Religious Organizations (U-JFRO) co-chaired by Rashmin Chitins, the current Secretary General of the Hindu Council of Kenya (HCK). In 2002, HCK organized two forums for NARC opposition leaders and the KANU government in which over 1,200 Asians attended. They voiced their concern over political marginalization and acknowledged the Asian political exclusion and outlined various recommendations.

However, despite all these efforts, Asian political culture has not favoured their active participation in politics. The nature of the Hindu religion and by extension HCK and other Asian CSOs is that they are few and inconspicuously conservative due to multiple and various group interests within the organizations that has inhibited unified radical positions on national and political issues. The HCK, the umbrella body of all Hindu institutions in Kenya is a religious, charitable, social and apolitical organization. In fact, HCK has always been confronted with the dilemma of uniting the community and at the same time forging commercial interests, constitutional review and immigration issues to the government.

The HCK has thus been very passive, negative and non-receptive to Asian politicians compared to its counterpart-Supreme Council of Kenya Muslims (SUPKEM) and other religious organizations like NCCK and Kenya Episcopal Conference (KEC) which are politically active due to their numerical strength and cultural orientation. In addition, SUPKEM, whose membership is largely Arabic and indigenous African communities represent political constituencies and not their communities. Thus they cannot represent the South Asians who are regarded as 'foreigners' and are viewed as one community. Likewise, professional bodies like KAM, Kenya Private Sector Alliance (KEPSA) and Kenya Asian Business League (KABL) that have large Asian membership can only

champion and represent Asians interest to a smaller degree and only when politics threaten the economy. Lastly, unlike the Asians who are comparatively 'economically and socially privileged', the indigenous African minorities have powerful local, national and international CSOs for championing their political, economic and social interests.

In 2003, EACA's top officials; Mr. Amin Gwaderi (Chairman), Salim Talib (Vice-Chairman) and Swam Sodi (Convenor-Political Caucus) complained against President Mwai Kibaki for ignoring and neglecting Kenyans of Asian origin in the nominations and appointment of the cabinet despite the organization supporting and making major contributions to the formation of the NARC government (Standard, January 11, 2003). Further, the Vice-President and Minister for Home Affairs, Kalonzo Musyoka and the 2007 ODM-Kenya presidential candidate met with HCK. led by Vanrajansingh Sarvaiya and received a memorandum on grievances to be addressed under his presidency. They also petitioned Kalonzo to nominate an Asian to parliament, having lacked representation in the eighth parliament. In response, he recognized the economic role of the Asians in manufacturing and entrepreneurship and promised to look into the grievances (Standard, December 12, 2007:3). He revisited the Asian question in January, 2012 when he appealed to the Indians who fled Uganda in the 1970s to return and invest in East Africa. Nevertheless, characteristically like other presidential candidates, he has failed to recognize and honour his promises to the Asian community.

Nonetheless, Kenya's political leadership and the Indian government has recognized and honoured the Asian community for their outstanding contribution to economic, political and social development. Former President Daniel Moi awarded Rehmat Khan Kherdin the Order of the Grand Warrior (OGW) in 2000 (Standard, July 3, 2006:12) and Damji Pragji Mandavia with the Head of State Commendation (HSC) and 20 years Distinguished Service for *Nyayo* era in December, 1994 Jamhuri Day Celebrations. Mandavia has also been honoured with Gold Medal from Lohana

Mahajan of East Africa for dedicated service to humanity (Shree Lohana Mahajan Souvenir, November, 2002:25-36; HCK, November, 2001:7).

Moreover, on December 8. 2008, President Mwai Kibaki also honoured Professor Shrikant M. Bhatt and Professor Kirana M. Bhatt (Second Class-Elder of the Order of Burning Spear (E.B.S); Mahendra Dayalal Shah (Third Class-Moran of the Order of Burning Spear (E.B.S); Vijoo Rattansi and Hirji Shah (Order of the Grand Warrior of Kenya (O.G.W); Ramesh Chunilal Mehta (Silver Star of Kenya); Hardev Singh Kular, Arun Ramji Devani, Prem Sagar Mohan, Purshotam Kotecha. Sahir Masood Mughal (Head of State Commendation (H.S.C)-Civilian Division) (Awaaz, May-July, 2007:10). Lastly, in 2005, Pio Gama Pinto was posthumously honoured with the first *Uhuru Award of* the Jaramogi Oginga Odinga Foundation; Kenya National Commission on Human Rights (KNCHR) posthumously honoured Pinto with the 2007 *"Fourth Annual Human Rights and Democracy-Milele Lifetime Achievement Award"* in recognition of his illustrious contribution to human rights and democracy in Kenya (East African Standard. February 19, 2007); and the International Organization of Journalists (IOJ) honoured Pinto posthumously with the 1965 International Prize. The awards confirm his contribution, ideals, legacy and relevance (Nowrojee, 2007).

In 2002, the Indian government honoured Fitz De Souza, alongside other people with the prestigious '*Pravasi Bharatiya Samman Puraskar*' Award for his outstanding contribution in the fight for freedom, democracy and struggle against British colonialism. In January 2004, he was again honoured by the Indian Prime Minister for his outstanding contribution to the understanding of the Indian civilization and advancing the cause of Global Indian Family diaspora abroad (Awaaz. 2004:24). Again in January 2007, he was honoured together with other eight persons by the Commissioner for Non-Resident Indian Affairs (Government of Goa) during the Global Goans Convention for Eminent Non-Resident Goans and Persons of Goan origin (Awaaz, 2007).

3.9. Conclusion

The post-independence era of President Kenyatta, Moi and Kibaki's regimes alienated the weaker minority ethnic communities including the Asians from politics largely in favour of powerful black indigenous African majority ethnic groups. Having been alienated by the new wealthy neo-colonial African elites that perfected ethnic and violent politics, it remains extremely difficult if not impossible for the Asians to make a comeback in Kenya's politics. As revealed from the structure of the post-independence government (1963-2012), Asian political participation and representation in the presidential, parliamentary, local authorities and political parties' leadership has constantly remained poor and declined due to unfavourable and volatile political environment. This has been characterized by authoritarianism, political violence, assassinations, racial discrimination and negative ethnicity. Nevertheless, despite all these challenges. Asian political participation and representation is very promising going by the large number of contestants in the 2007 general elections, political activism, widening democratic space under President Kibaki's regime and the prospects under the New Constitution (Kenya, 2010).

This chapter has confirmed and accomplished three objectives and three hypotheses of the study. Given this condition, the way forward will be to identify the obstacles to Asian political participation in Kenya and suggest recommendations or remedial measures in chapter five.

CHAPTER 4: BARRIERS AND CHALLENGES TO ASIAN POLITICAL PARTICIPATION IN KENYA

4.0. Introduction

The three preceding chapters have historically demonstrated the enduring difficulties and challenges faced by Asian community in the Kenyan political system. Consistent with the questionnaire (Appendix 4) and underlining three objectives and three hypotheses, this chapter outlined and explained the factors and conditions that have excluded and severely limited the effective participation of Asians in Kenya's politics since 1963. The chapter is organized into six parts, each analyzing a specific obstacle to political participation. These sections include: historical and colonial barriers; structural and institutional barriers; threshold barriers; sociological barriers; cultural barriers; economic barriers: and external and international barriers. The chapter ends with a conclusion which summarizes the main issues and findings.

4.1. Historical and Colonial Barriers

These are the enduring effects of ancient Asian cultures, traditions and the persistent legacy of colonialism in the modern Kenyan society that has systematically undermined Asian contemporary political participation.

4.1.1. Historical Factor

As illustrated in chapter two and three, historical events have defined the Asian economic, social and political predicament. The pioneer Asians in Kenya had a poor sense of history, limited vision, no strong support from the colonial and Indian government, no ambitions of aggression and annexation, numerically small, politically weak and apathetic. The current Asian political alienation was therefore, inevitable. Their political activities have historically been largely one of accommodation and survival. For a large part they were content with the existing peace and their

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brand of political participation was intermittent and sporadic depending on occasions when their peaceful existence appeared to be challenged (Ghai, 1970:72-76).

Most importantly, the reason for Asian immigration to East Africa was largely economic and thus by and large they became a business community. They came to Kenya as railways constructors, artisans and businessmen and thus their behaviour and activities were confined and largely determined by economic interests (Ghai and Ghai. 1970:76-77; Patel, 1997:109). Politics was thus out of question and this legacy still rules their mindset and generally explains the current low political profile. In contrast, the Asian immigrants in other African countries like South Africa were indentured labourers. They were thus able to effectively mobilize and form associations to defend their rights which entrenched and nurtured the foundation for political integration and engagement at an early stage.

Worse still, the Asians failed to fill the leadership vacuum left by the colonialists as opposed to Africans who had a united nationalist outlook aimed at eliminating foreign minorities in the state. Thus their participation was inevitably non-achievable and unacceptable. Moreover, as previously illustrated, the legacy and success of early Indian trading and merchant activities accumulated over a number of centuries at the East African Coast, ironically led to the intensification of the 'Indian question'. This condition detrimentally elicited racial hatred, hostility and enmity from both the Africans and the European immigrants.

4.1.2. Cultural Origin, Identity and Communal Divisions

The Indian sub-continent is a diversity of heterogeneous immigrants with different traditional, regional, ethnic, linguistic, cultural and religious backgrounds which has negatively affected social, economic and political relations both in India and the diaspora. These divisions were and have been extended to Kenya with the various Asian immigrant communities nostalgically identifying with

their original 'homelands' and not with the Indian and Kenya nation. Ironically, for many Kenyans, India is not fragmented and the South Asians are collectively referred to as 'Indians' with the region of origin being insignificant. As explained in chapter two, this historical legacy of persistent internal and communal divisions, divided loyalties, multiple citizenship and caste system has negatively characterized the Asian post-colonial politics in Kenya.

The European settlers accused the Asians of being loyal to India and never thinking of Kenya as their home, whereas Africans considered Asians to be British loyalists and collaborators (Awaaz. October-December, 2006:1-38). They suffered from an added burden and contradiction of always remaining 'foreigners' and 'outsiders'. They were always a people in transition and not 'Africanized' into what could be termed as 'African-Asian' or 'Asian-African'. They were 'ethnic outsiders' who never really felt wholly at home or embedded in the soil of Africa, and so there was a kind of preordained inevitability about their departure from East Africa forcefully or voluntarily. They were expected to have inherited and cultivated a sense of loyalty to the country (Daily Nation, June 25, 2007).

4.1.3. Racism, Ethnicity, Class and Xenophobia

As discussed in chapter two and three, racism and ethnicity has negatively affected Asian political development in Kenya. According to Bharati (1965) the indigenous populations of the Indian sub-continent were the 'dark skinned Dravidians' who were later conquered and subjugated by the 'light skinned' Indo-European Aryans who founded Hinduism in India and who used the caste system as a political and socio-economic weapon by giving divine ideological sanctions to the Aryans to enslave the 'Dravidians'. In Kenya, the Asian Hindus may have likened the 'dark skinned' Africans to the Dravidians whom they regarded as species of inferior, sub-human beings and 'untouchables' ('*dalits')*. Political engagement with the majority black Africans was naturally out of question and so is today. Inevitably, the Asians were therefore, profoundly a conservative

and racist community who exclusively pursued and maintained their cultures and traditions of social isolation and lifestyle within a framework of commercial and political relations. In fact Moravia (1970) laconically observed:

"Indians and Africans have no social contacts; they do not eat together and do not inter-marry. Indians are racists, not of the present day, but from thousands of years back, not individually and by chance, but on the basis of centuries old system; for that reason, it is not difficult to see what they think of the Africans".

4.1.4. Legacy of Colonial Policies and Race Relations

The enduring legacy of British colonial alienation and race relations has persistently fostered marginalization, racial discrimination and negative stereotypes, which have undermined Asian political participation since independence. The Asians still view themselves as victims of colonial and post-colonial legacy of alienation. On the other hand, the indigenous Africans view the Asians as the living vestiges and symbols of colonial injustice and slavery and continuing agents of its maintenance in Kenya.

As will be illustrated, the Asians have been supporting corrupt and dictatorial governments in power since colonialism to protect their security and selfish economic interests. They are thus negatively perceived as exploiters, privileged class, socially and culturally isolated and unwilling to integrate or develop intimate social relationships with black Africans. During periods of political turbulence, these charges against the Asians gain renewed potency. This explains why despite being in the country for over 300 years, Kenyans of Asian descent have not been politically and socially integrated with the black African majority. It is this legacy of colonial political economy, legal system and 'social stereotypes' had a lasting effect that poisoned the possibility of social integration and acceptance leading to political alienation of the Asians in independent Kenya (Ghai and Ghai, 1970:86).

The policy of racial segregation, divisive politics and negative ethnicity inherited by the post-colonial Kenyan leaders has had profound implications on race relations and Asian politics. They have continued to undermine the drive towards nationhood, communal integration and equality and political representation of the Asians and other marginalized minorities (Patel, 1997:223). The current ethnic-based political system which was imposed and promoted by the British colonial government to consolidate its domination and fragmentation of the Kenyan society cultivated a sense of despair and drove away the Asians from politics. In fact, debate still rages on whether Asians are a resourceful asset or an economic burden. The current Asian ethnocentrism and isolationist group mentality of maintaining a closed society of language, religion and social values was also reinforced during the British rule.

As revealed in the previous chapters, the organization of the colonial society into a three-tier racial compartmentalization system negatively affected political, economic and social race relations in post-colonial Kenya. The colonial state deliberately fostered racial segregation and afforded the Asians better economic opportunities than Africans. The Asians considered themselves superior and as a result, the Africans viewed the Asians as part and parcel of the ruling system 'above'. Because of their concentration on the economic sectors closest to the Africans, namely in the wholesale and retail sectors, it became a common belief that the Asians were 'exploiting' the Africans. The basis of the present day Asian dilemma in East Africa was laid (Atieno, 1987:135-149).

Contemporarily, the bad race relations between Asians and indigenous Africans can thus be attributed to the weight and influence of colonial exploitation, economic inequalities, communal rivalries, racial discrimination, prejudices and stereotypes. It is this inbuilt inescapable legacies which are responsible for the recurrent source of hatred, resentment and tensions between and among the two races (Ram, 2006).

Secondly, the colonial racial hierarchy and negative perceptions led to the indigenous Africans' construction of Asians as 'collaborators', 'co-colonizers' and active ally of the imperialist who were and are still "harmful to the Kenyan political, social and economic interests. They are therefore, a people unworthy of full Kenyan citizenship. It is this view that has led to the labelling of Asians as 'get-rich-quick-immigrants' in transit, 'exploiters', 'racially arrogant' and 'socially exclusive' individuals (Kahyana, 2003:99-111). Consequently, these stereotypes have made many Asians to retreat into seclusion and ultimately migrated to other countries. Historically, the Asians who left Kenya are still very bitter, negative and have discouraged their colleagues.

Similarly, Ghai and Ghai (1970:4-5) also decried the lasting effect of these negative racial stereotypes. They noted that the categorization of people on racial lines had the effect of strengthening prejudice through segregation and exclusiveness that ensured the condemnation of the entire community. Hence the Asian was considered a "mean and secretive' 'dukawallah' who cheated and insulted his African customers. On the other hand, the African was viewed as "dull, unintelligent, lazy and dishonest', while the European is 'tough and aggressive' and has done much for the country. The racial attitudes in East Africa have thus been strongly influenced by these stereotypes.

The Asians also abetted British imperialism by facilitating the building of the **Kenya**-Uganda Railway and implementing colonial discriminatory and exploitative policies (Tandon, 1965; Ghai and Ghai, 1970:1). The railroads thus form part of a persistent and misleading image of Asians in East Africa. Former Ugandan President Idi Amin used it to justify the expulsion of Asians from Uganda in 1972, arguing that their building contract had ended and it was time they left East Africa. The Asians thus assumed the blame for the colonial system, while the Europeans, remained relatively free from black African hatred (Lakidi, 1975:82).

Thirdly, the African colonial state recognized civic and ethnic identities as the basis of African political tradition (Mamdani, 1998:2; 2011). The former was the identity of the citizen and was racially defined. East Africa has ethnic and territorial post-colonial traditions of citizenship without a common citizenship. The citizenship has taken an ethnic citizenship rather than territorial citizenship. The former considers the home in relation to family or ethnic origin, while the latter considers the home as the place of residence. According to Mamdani, the colonial power thus divided Africa into racial and tribal groups. The former were viewed as outsiders and the latter as indigenous natives. Races were considered as having history and mobility, while the tribes had only the geography and have stayed permanently in the tribal homeland:

"The vision of a world populated by 'indigenous' peoples with 'non-indigenous' minorities is a distinctively modern, secular and colonial. The idea that each tribe has a tribal homeland, that each tribe rightfully belongs to its homeland, is native to its homeland, is a settler notion. We have bought it and consider it as part of our custom and have become central to our political character" (Mamdani, in East African, July 25-30, 2011).

The concept of tribal homeland has thus been elevated to a key principle of political governance where majority tribes compete for political power, rights and resources to the exclusion of minorities. This unchallenged distinctive political feature had its effects exemplified in the election violence in Kenya in 1992, 1997, 2002 and 2007 (East African, July 25-30, 2011). Thus the legacy of British colonial policies on nationality and citizenship has continuously affected Asian identity, loyalty, allegiance, acceptance and perception of Kenya as a temporary foreign land. The Asians were politically alienated and regarded as non-citizens and were not allowed to vote or stand for elections. Disappointingly, many Asians realized that their positions were precarious in East Africa whatever their citizenship (Plender, 1971:287-316; Lester, 2003:52-72). This condition has disoriented, disillusioned and disenfranchised many Asians and thus affected their political participation in Kenya.

Fourthly, the colonial legacy impacted upon and largely defined the political, social and economic organization of Kenya. Racially organized political associations like KIC, MIA and KFP, deprived the Asians the collective voice in determining their future role in Kenyan politics (Seidenberg. 1983). This is the heritage the country had to contend with in the development of a democratic representative system of government. The inheritance and maintenance of undemocratic British colonial structures and systems of governance have perpetuated authoritarianism, centralization of the state and personal rule to the neglect and disregard of constitutional and political reforms under President Kenyatta, Moi and Kibaki regimes (Maina 1998; CGD. 2002). This condition has instilled fear and political marginalization of the Asians and other minorities. It demonstrated the unwillingness and lack of political reforms for greater public involvement in politics.

Consequently, the potential economic rivalry, stereotypes and bad race relations between the Asians and Africans discouraged political collaboration and unity. The missionaries' and Europeans' attempt to prevent an African-Asian front was a further contributory factor. Communal and racial political representation discouraged the leaders who sought to speak for their community and others (Ghai and Ghai, 1970:8). This legacy of poor low keyed participation and quietness of Asians in the volatile anti-colonial struggles has persisted with the community still being viewed as a villain in post-colonial reference (Sunday Times, October 9, 1994; Weekly Review, August. 1982). Zarina Patel (in Awaaz, 2006) painstakingly wondered what could have been the national role of the Asians if they had not been alienated from agriculture. Would not the Asian role as farmers brought them into close contact with Kenya's rural population, made them more rooted in the country and more politically active? In short, the British colonial state created the political and economic structures that caused the legacy of the 'Asian problem'.

4.2.0. Threshold Barriers

Threshold Barriers refers to those barriers that must be overcome before formal participation in politics such as constitutional and legal system, nationality, citizenship, identity and residency. This section, mainly dealing with hypothesis one and two and objective two, examines the negative impact and prospects of the above factors on Asian political participation in Kenya.

4.2.1. Constitutional and Legal System

A constitution is an agreement that defines the country's basic structure, law and principles of governance for the citizens. A constitutional state that enhances democracy, rule of law, justice, freedom and human rights is a prerequisite for political development. The old and new constitutions (Kenya, 2008:Ch.3: 42, 70; 2010:Ch.4) recognizes the fundamental human rights and civil liberties for ensuring representation of populations, communities and minorities' interests. Ideally, therefore the Asians have an inalienable constitutional and legal right to participate and be represented in Kenyan politics. However, in practice, the realization of this democratic right has been impossible due to existence of archaic and flawed Old Constitution (1963-2010). It failed to provide adequate policies, legislative and institutional framework for the protection and promotion of Asian minorities' interests against discrimination and marginalization.

Moreover, the secular equality embodied by the old constitution cannot be reconciled to the Hindu identity of the state and the social exclusion symbolized this irreconcilability. Considerably, the government's failure to initiate constitutional and political reforms between 1963 and 2009 for greater public participation consigned the Kenyan Asian minorities into political marginalization and under representation. On the other hand, the new constitution has an elaborate institutional arrangement for reforming the political system and structure of the state towards enhancing democracy, separation of powers, integrity, accountability, participation and representation for the marginalized and disadvantaged communities like the Asians (Kenya, 2010; Sunday Standard. September 5, 2010:26).

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The constitutional right to vote and to choose representatives is central to the concept of democracy. The old constitution under the Bill of Rights has no explicit guarantees on the right to stand for or vote for the presidential or national assembly elections (Kenya, 2008; Ch.5). Instead, these rights are mentioned in Section 5, 34 and 43 that deals with qualification to be a presidential candidate, parliamentary candidate and to vote in presidential and parliamentary elections. Further, these qualifications are put in negative form ("shall not be qualified unless..."), which diminishes the entitlement to these important rights especially for the minorities like Asians (Ghai, 2007:1-112). These requirements make registration rather than citizenship the criterion for voting and thus the government's exercise of discretionary powers. This indirect denial of the right to vote and to stand for elections constitutes a serious obstacle to Asian participation in electoral politics. They cannot therefore, claim any right to representation due to failure in the fulfillment of stringent electoral requirements, lack of a defined constituency and numerical strength necessary for winning the elections.

The principle provisions of human rights as spelt in the Bill of Rights in the Old Constitution are deficient due to its weak and ineffective nature for enforcement and protection of civil and political rights (Kenya, 2008:Ch.5). The government has used this limitation to justify discriminative and illegal policies for violations, derogations and suspensions of fundamental human rights against many Kenyans including the Asians and other minorities. Former Chairman of CKRC, Yash Ghai highlighted the deficiencies of the Old Constitution (1963-2010):

"It generally depicts neglect and poor record of enforcement of rights and the rule of law; severe limitations on judicial protection and enforcement of rights; widespread denial of rights; no right to meaningful political participation; no provisions for special minority rights and representation; no provision for social economic and cultural rights and nothing either in the form of directive principles or rights; nothing on solidarity rights; negative portrayal of existing cultural rights; no specialized bodies like the ombudsman or human rights commission for the promotion and enforcement of rights; no provision for retributive justice; and generally low regard by authorities on human rights" (Standard, December 12, 2007).

The Bill of Rights is part of the international system of human rights and Kenya is a signatory to various treaties, norms and standards that oblige it to implementation. However, Kenya has a poor record of respecting, reporting, observing, domesticating and implementing regional and international human rights instruments. The violation of these rights have excluded and ineffectively rendered the Kenyan Asians and other ethnic minorities' participation in politics and public life. A few examples include: the International Covenant on Civil and Political Rights (ICCPR) on the right to vote, run or be elected, participate effectively in the conduct of public affairs and the prohibition of statelessness (United Nations, 1998); the Framework Convention for the Protection of National Minorities, International Convention on the Elimination of all forms of Discrimination (ICEFD); United Nations' Declaration of Minority Rights; and the General Assembly Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The Old Constitution (Chapter 6) under Citizenship Act (Cap, 170), Registration of Persons Act (Cap, 173) and Immigration Act (Cap, 173) has perpetuated citizenship-based discrimination, denationalization and violation of rights in acquisition of identity cards, birth certificates and passports. The corrupt, inefficient and bureaucratic procedures of registration and acquisition of citizenship for foreigners, aliens and immigrants or outright denial of citizenship by the state has potentially discriminated, disenfranchised and undermined the political rights of many Asians. As explained in chapter three, these punitive provisions have denied the Asians the freedom and opportunity to participate in politics and public affairs and finally led to the abandonment of politics, statelessness and emigration to other countries.

In addition, the constitutional provisions on citizenship have denied many Asians and alien the right to influence, vote and stand for elections, save for those already born in Kenya and naturalized. The Constitution of Kenya (Amendment Act) of 1985 reduced the time frame of granting Kenyan

citizenship to people born in Kenya and provided that citizenship can only be acquired by a person born in Kenya after December 11, 1963 and if either one or both of his or her parents were Kenyan citizens. Since citizenship is a voting requirement in Kenya, this provision had far reaching implications for the Asians due to disenfranchisement, voting rights and standing for elections (Kihoro, 2007:29).

Lastly, the Old Constitution did not provide for dual citizenship. It prohibits any person holding dual or multiple citizenship from standing for and holding public and political office. In effect, it bars Kenyan Asians with dual citizenship from political participation and representation. Further, it also denies permanent residents the right to vote, since they must acquire citizenship. Permanent residency status also has implications for Kenyan political parties due to the requirement that only those on the electoral roll (citizens) are eligible to vote in the nominations. This regulation has rendered the Asians stateless and further reduced their potential influence in political party affairs. Disenfranchising permanent residents is indirect discrimination that has reduced the chances for Asian political representation.

On the other hand, the New Constitution provides for dual citizenship. The Kenya Citizenship and Immigration Act, 2011 and the Kenya Citizens and Foreign Nationals Management Service established on October 4, 2011, will be responsible for citizenship and immigration processes. This will greatly benefit the Asian community by addressing the problems of statelessness and discrimination. It provides a very comprehensive and elaborate Bill of Rights. It guarantees affirmative action programmes for ensuring that minorities and marginalized groups are represented in governance; special opportunities in educational, economic and employment; develop their cultural values and languages; and access to basic needs (Kenya, 2010:Ch.4).

It further provides for the recognition and protection of human rights and fundamental freedoms and promoting social justice for all Kenyans. Specifically, in the implementation of rights and

fundamental freedoms, the state and public officers have the duty of addressing the needs of vulnerable groups including, women, older persons, persons with disabilities, children, youth and minorities or marginalized ethnic, racial, religious or cultural communities.

4.2.2. Nationality, Identity and Citizenship

As already noted in chapter three, the choices, multiple identities and orientation has marginalized and made the Asians politically and socially vulnerable. The Asian immigrants' sojourner mentality' and a perception by indigenous Kenyans and the state that the Asians are "foreigners' are detrimental to their political development. They feel like strangers and this explains their unpatriotic activities and behaviour. Although living in Kenya, a part of the Asians still remains estranged, nostalgic and detached from Kenya. Often when the question of the Asian citizenship is debated, the community would remain divisively quiet and African allegations that they were •paper citizens', and "racists' to boot, would stick. The assumption is that their silence signalled a collective guilt. Thus without unequivocal practical commitment to Kenya and its citizens, the Asians will always be consigned to political obscurity.

4.3.0. Structural and Institutional Barriers

Refers to those barriers that exist within the Kenyan political system and electoral system that reduces the likelihood of minorities' level of political participation. This section looks at limitations and inadequacies bedeviling the organizational structures and capacities of these institutions in relation to the Asians' political participation.

4.3.1. The Political System

The Kenyan political system is structured and modelled along the Westminster style that favours majoritarian democracy and "tyranny of the African majority" against minority political participation. The highly centralized nature of the Kenyan state and political power under a unitary

system of government with powerful imperial presidency with powerful elites has perpetuated personal rule, authoritarianism and alienation of many communities and regions perceived to be opposed to the regimes, including the Asians from the political system (Ghai, 2008:211-226; East African, August 30 -September 5, 2010).

As elaborated in chapter three, the changing nature of Kenya's political system under successive governments has prevented the minority Asians from freely and fairly exercising their democratic right to political participation. Consequently this has led to instability of the state, marginalization. victimization and loss of faith in the political system by the Asians. The unforeseen circumstances notwithstanding, it is inevitable that Asians will never participate and be represented in Kenyan politics as the indigenous African domination of politics will continue to persist by definition.

The Asians have thus exhibited a parochial and subject political culture within the undemocratic Kenyan political system. Unlike Asians in other diasporic countries, the Kenyan Asian middle class have remained completely nonpolitical, passive, unpatriotic and lack engagement with Kenya's political system. They have become more politically cautious against offending the political establishment and refrained from public participation. They have been accused of sitting on the political fence and lost representation from the political system. The assumption is that this silence is a sign of comfort, isolation and invisibility or complicity which will continue to perpetuate their political marginalization and underrepresentation.

However, the New Constitution (bill of rights, representation and decentralization of political power and devolution) offers hope for meaningful political participation and integration for the Asians and other minorities (Kenya, 2010: Ch. 4, 7&11). It also provides some autonomy and PR for minorities located in areas where they are numerically predominant through the count) assemblies and executives (East African, August 30-September 5, 2010).

4.3.2. Political Parties

Political parties have a key role in both facilitating and undermining the political participation of ethnic minorities. First and foremost. Kenyan political parties' organization and structures are not well established. They are undemocratic, non-cohesive, non-ideological, non-pragmatic, corrupt and ethnic/tribal based. This condition has inhibited Asian participation and representation at top party decision making organs and structures. Moreover, the African dominated political party leadership is highly personalistic and leader-centric. An assertive, ambitious, selfish and charismatic party leader, together with a set of close followers and associates, runs the parties like private organization in total disregard of their constitutions and pursue political power through elections and patronage networks.

Significantly, local and national political elites, mainly indigenous Africans are drawn from the former ruling party (KANU) and these political leaders have promoted ethnicity, concentrated power and failed to provide the political reforms for enhancing participation and representation of the marginalized and minority communities. It means that the Asians have no chance for political engagement and must either force themselves into the hierarchy and activities of the parties or seek support by dancing at the whims of their leaders. Contrastingly, the indigenous Africans have blamed the Asians for failing to join and participate in political parties' activities. This is due to lack of political interest in pursuit of economic interests which has provided them with peace and comfort. Realistically, the African led political parties have thus lost hope, interest and representation of the minority and invisible Asians in favour of the more visible, active and interested African voters.

Second, lack of an open and fair environment that encourages active involvement in mainstream parties is a primary obstacle to Asian politics. There is neglect and reluctance by majority ot political parties to represent and advocate Asian interests, appoint Asian candidates, incorporate

Asians in party leadership or associate themselves, their manifestoes and programs with the Asians. According to respondents, the Asians have also been denied representation in the Constituency Development Fund (CDF) Committees as in Westlands and Starehe constituencies, despite their heavy presence and appeal for inclusion. The indigenous Africans are skeptical of the Asians whom they regard as politically insignificant and undesirable due to their wealthy status and apolitical nature. As a result, the Asians generally view mainstream political parties and politicians negativel) and thus have little support, respect, trust and confidence in them.

Third, political parties in Kenya lack internal democracy. The membership and recruitment of party leadership is highly centralized, arbitrary and violent and are manipulated by the majority African top leadership. This scenario presents a real obstacle for ordinary Asians to fairly vie at the grassroots level and rise to the top leadership echelons without compromises and risks. Further, politics is about numbers and the Asians are numerically disadvantaged due to their small minuscule population of less than one percent, which is representatively insignificant for political parties and their leaders. These practices have further exacerbated the exclusion of traditionally under-represented and disadvantaged Asians minorities.

Further, the acclamation method for KANU party nominations favoured majority African electorate and the party whose leadership was authoritarian and African dominated. The abandonment of secret ballot system and the introduction of '*mlolongo*' (queue-voting system) for nominations and elections in 1985 and 1988 further worsened the Asian political dilemma. The Asians minority could not win any seat in this system dominated by indigenous African majority. In addition they feared victimization from black Africans in the event that they voted for their own or unpopular candidates. These conditions were hugely detrimental to Asian voting rights, political participation and electoral representation, which eventually culminated into complete withdrawal from politics.

While the advent of multiparty politics in 1991 provided the community the freedom and liberty to form and join of political parties, it has disempowered and alienated Asians due to negative ethnic politics by the black Africans. The negative and sensitive proclamations by black African political leaders highlighted in chapter three, created widespread fears, insecurity and political apathy among the vulnerable minority Asians leading to withdrawal from politics. The Asians and their CSOs have also been very inactive and docile in the political arena. Except for a few individuals, they have never come out strongly and collectively in defence of their political interests and for other Kenyans. Instead, during political demonstrations, they abandon the Africans and hide in their comfort zones.

Fifth, the inability of the Kenyan party system to foster partisanship or party attachment among the Asians and other minorities is uncertain and problematic. Since party attachment is an important incentive for voter turnout and other forms of political participation, the instability of the party system has hindered the mechanisms of accountability and representation that elections in a democracy constitute. It has demoralized and hampered political participation of Kenyans especially the minority Asians. The Kenyan political party system is "shapeless', 'chaotic' and •floating'. The parties competing for popular support change from one election to the next, thus making accountability and legitimacy difficult, because voters can neither reaffirm nor withdraw their support from the party they voted for at the previous elections.

Since the entry of multiparty politics, a number of political parties have moved in and out of the electoral and legislative process. The fact that newly formed parties like the FORD. FORD Asili. FORD-Kenya, DP. SDP, NDP. NARC, ODM, ODM-Kenya, NARC-Kenya, PNU and PNU-Alliance can become the largest parties and that most of them have only been represented in electoral politics once or twice, justifies the instability of the Kenyan political party system. The

rate at which these political parties are formed, changed and merged or vanished have threatened meaningful political participation and representation for the Asians.

Sixth, Kenya lacks an inter-connected set of socio-political conditions and institutions, including a well-informed citizenry and a responsive state for effective participation of citizens in a democracy. Political parties have performed poorly in the domain of civic education and socialization of citizens on democratization and political participation especially for the marginalized and minority communities like the Asians. Lastly, Asians are lacking political experience, courage, knowledge and networks. Without encouragement and exposure to intricate power networks in the political system and political parties, Asians have missed the opportunities of participating in the political processes and public affairs.

Further and lastly, prejudice and stereotypes by mainstream political parties have regularly bolstered the assumption that the Asian community is not interested and do not have political engagement capacity. They will thus be permanently excluded from politics as long as they remain politically marginalized, isolated and disinterested. This situation has resulted into Asian low voter participation and disillusionment with the entire political systems. In fact, Yash Ghai and Dharam Ghai (1970) had noticed this pending predicament and advised the Asian politicians to make painful adjustments by being more radical and outspoken.

Thus given the above deficiencies of indigenous African led political parties, new Asian political parties or organizations could provide an effective means of promoting Asian identity, while articulating and advancing their own rights through political representation. However, no Asian based political parties have achieved measurable success. In addition, as with all forms of identity politics, there is a risk that Asian issues could become marginalized or that Asian parties would not fully reflect the internal diversity of views and interests. The Asian parties' failure to attract a substantial percentage of Asian vote during previous elections indicate that the community do not

necessarily vote as a bloc nor do they necessarily support the ethnic based parties and candidates who claim to represent them.

However, the New Constitution offers opportunities and freedom for minorities and other marginalized groups like the Asians to fairly, freely and equitably participate in politics and political parties without discrimination and marginalization (Kenya, 2010:Ch.7). The Political Parties Act (2011) empowers the Registrar of Political Parties to monitor, investigate and supervise political parties to ensure compliance with the Act. Political parties must sign Political Parties' Code of Conduct: membership and governing bodies must reflect regional and ethnic diversity, gender balance and representation of minorities and marginalized groups; and must ensure their governing bodies meet the requirements of Chapter Six of the New Constitution.

4.3.3. Party Nominations and Selection Process

The procedures by which candidates are selected differ according to political parties and electoral rules. The internal practices of political parties have had a significant impact on the extent to which Asians and other minorities are represented. Nominations for presidential, parliamentary and civic elections generally require citizenship. English and 'Kiswahili' language proficiency, registration as a voter, membership of a registered political party and in competitive cases, successfully contesting party nomination or pre-election process.

The Asians face difficulties in qualifying and winning nominations in an indigenous African dominated process. This is because candidate selections and nominations are highly inefficient, ethicized, corrupt, personalized and centralized in the hands of party leaders and officials at the national level and local branches in favour of Africans. However, the New Constitution provides hope for the Asians and other minorities by contesting seats as independent candidates (Kenya. 2010:Ch.7). A further difficulty faced by the Asians is the localized geographical nature of

constituencies and wards. A high proportion of politicians are born in the areas they represent and are personally well known to the majority indigenous African voters. This has resulted into the politics of locality, personality and ethnicity which has favoured indigenous black Africans. **A Kenyan with Asiatic background or born outside Kenya, living in urban areas and lacking a background of long residency and profile is therefore, naturally disadvantaged.**

4.3.4. The Electoral System

The electoral system defines the structure and the rules for political competition and engagement in a democracy. The choice and selection of the electoral system should therefore be carefully designed to ensure effective participation and representation of all the citizens, especially minorities (Lijphart, 1994). The Kenyan electoral system is regulated and conducted by the National Assembly and Presidential Elections Act, 1977: 7). The ECK is required by Section 41 (10) of the Old Constitution to promote free and fair elections.

However, Kenya's constitutional and legal framework relating to the elections contains a number of weaknesses and inadequacies in its organizational structure, composition and management system that compromise its efficiency and effectiveness. The electoral process is characterized by widespread irregularities and malpractices like vote rigging, disenfranchisement, voter apathy, corruption, ethnicity, political violence and intimidation (Nairobi Law Monthly, January, 1995: National Elections Monitoring Unit (NEMU), 1993; Daily Nation, February 19, 2007).

The Elections Offences Act, 1958 (Chapter 66) has not been repealed; the Electoral Code of Conduct (1977) that regulated the obligations, responsibilities and duties of political parties and their candidates is 'toothless' and has been violated with impunity (Kivuitu, 2002); there are delays in the determination of election disputes and irregularities since there are no election tribunals; and the structure, composition and management of ECK and appointment of commissioners is flawed.

unrepresentative and lacks independence, integrity, legitimacy, fairness and accountability. For example, no Asian has ever been appointed or nominated as a commissioner or returning officer in ECK and voter education has regularly neglected the Asians. All these shortcomings have eroded the integrity of Kenya's electoral system and political process to the extent that the Asians have been disillusioned and withdrawn from electoral politics.

The ethnic winner-take-all politics has weakened formal institutions perpetuated political violence in which control of the presidency is the ultimate goal and the price for the elections (Mueller, 2008:185-210). The 1979, 1983, 1988. 1992, 1997, 2002 and 2007 general elections witnessed widespread electoral offences and irregularities over the struggle for political power by majority ethnic indigenous Africans. Ironically, the few active Asians like Shakeel Shabbir, Ishad Sumra. Kamlesh Pattni and Amin Walji plunged into this volatile politics successfully due to their brave, articulate, social networks and organized approach against the African opponents. Nevertheless, this volatile and violent ethnicised environment has enhanced the exclusion and withdrawal of the Asians and other minorities from politics and other all forms of political activities.

The Kenyan electoral system has consolidated ethnic consciousness and affiliation and promoted the formation of ethnically based political parties. Representatives of majority indigenous African ethnic communities often belong to the same party and this has consolidated it as a political group to the detriment of minorities like the Asians (Ghai, 2007:96). The majority indigenous Africans whose geographical concentration in specific and particular areas, albeit from diverse backgrounds and identities has created strong 'ethnic electorates' favourable for representation. On the other hand, it is much harder for the Asians to be elected owing to the demographic nature of the electoral system. The minority 'Asian ethnic electorate' is a politically non-cohesive, internally diverse, scattered and lacks a unified or common political purpose and interest. Thus they cannot

sufficiently constitute a distinctive political constituency favourable for contesting and winning the elections.

At another level, the Asians have been accused of not voting every five years during the elections and instead migrate for holidays to Arusha. Dubai, Durban, Mumbai, New Delhi, London, Toronto and Sidney. This is due to the fear of violence and election timing. The Kenyan general elections which are conducted in the month of December, normally coincides with the annual December holiday summer trips to India in the cold session which begins from November, through to December and ends in January every year. In contrast, April to September is always very hot in India and thus is unfavourable and avoidable for the visiting Kenyan Asians. Nevertheless, an election in December is a national problem characterised by voter apathy even for the indigenous Africans who also move for holidays and vacations during this period.

Under the Old Constitution, Kenya had both majority (plurality) and FPTP (winner-take-all electoral system) which has inherently and discriminatively favoured the dominant indigenous African communities against the Asians and other minority groups. The FPTP system does not only compromise democracy, but also fail to reflect the wishes of the voters with a wide variance and proportional inequality between parliamentary/civic seats and national votes especially for minorities. The FPTP voting system which relies exclusively on the 210 Single-Member Constituencies (SMCs) and 175 local authorities with over 2,500 civic wards is insensitive and inadequate. It has failed to guarantee PR or even a minimal percentage of seats for political parties and minorities like Asians.

The FPTP system has perpetuated balkanization of the Kenyan electorate into winners and losers along ethnic, regional and ideological groupings. The party and candidates with majority votes win representation and the defeated opponents lose everything. It means that the elections are effectively "no-choice" contests given that most electoral constituencies, wards and regions

dominantly, exclusively and singularly 'party zones'. The advantages of incumbency also undermine electoral competitiveness for people perceived as 'outsiders'. New and small parties are almost completely shut out of representation unless they are backed by influential powerful elites and the bigger tribes. For example, as discussed in chapter three, the Asian led political parties like GDP and KENDA which had little support, with small ethnic base and less geographically concentrated, won only one parliamentary seat and a few civic seats in the 2007 general elections after risky and costly campaigns.

Moreover, FPTP has led to wholesale wastage of voters on losing candidates, disenfranchised, disenchanted and depressed voter enthusiasm and participation of thousands of Asians and other Kenyan voters both at local and national levels. The whole process seems to be preordained and there are very few choices for the Asians whose prospects for political leadership are increasingly becoming remote. The FPTP has thus led to under representation of the Asians and other marginalized groups and restricted voters' choices to candidates of the main political parties which are dominated by the majority African ethnic electorates/groups.

By restricting voters' choices and under representing voters especially from the Asian minority, winner-take-all elections has devalued the Asian right to vote, which is a fundamental democratic right. In fact most Asians would prefer representatives of their own race as had been in the 1963, 1969, 1974. 1979, 1988 and 1992 parliamentary elections in Langata and Westlands constituencies, but FPTP system often denied them this realistic opportunity. This explains why the proportion of Asian elected political representative lags far behind other minorities' share of the electorate (Appendixes 2&3). Lastly, as earlier explained the absence of constitutional and electoral reforms (1963-2009) has endangered democracy and undermined the Asians" confidence and participation in the electoral process. They have thus resorted to political quietude to protect their lives and

business interests. In a nutshell, participation in electoral politics is simply dangerous and an exercise in futility.

Nevertheless, the New Constitution offers hope for the Asians by providing provisions for the promotion of representation of marginalized groups, including, women, persons with disabilities, youth, ethnic and other marginalized communities in parliament (Kenya, 2010:Ch.8). It also limits the FPTP system for presidential elections with a requirement that the winner must have more than half of all the votes cast in the elections and at least 25% of all the votes cast in each of more than half of the forty seven counties. The membership of the national assembly, senate and count) assembly shall also consist of the members of the marginalized groups as prescribed by an act of parliament (Kenya, 2010:Ch.8&9). However, the FPTP will still operate at the elections of the county governors and deputy governors, senators and MPs under SMCs (Kenya, 20l0:Ch.l 1).

4.3.5. Delimitation of Electoral Boundaries

The geographical dimension of representation in electoral constituencies and wards and their delimitation is particularly important in determining the behaviour, identity, attachment, capacity and the level of participation for both the candidates and the electorate. The boundaries delimitation has offered opportunities and potential problems for the Asian minorities' political participation and representation. Due to constitutional and legal weaknesses, the creation, delimitation and distribution of electoral units has been arbitrarily characterized by gerrymandering in favour of political, ethnic, regional, racial and personal interests.

Since independence, the distribution of ethnic groups has had a fundamental impact on the electoral geography of Kenya by controlling the delimitation of parliamentary constituencies and administrative boundaries (Fox, 1996). The KANU regime systematically over-represented the smallest and geographically dispersed communities by allocating more parliamentary

constituencies than the larger progressive opposition communities and regions (Maina, 1998). This discriminatory electoral boundary delimitation and divisive tribal politics has created tension and polarization that has disfavoured and marginalized the minority largely urban-concentrated Asians in Westlands. Langata, Starehe and Kisumu Town constituencies.

Consequently, unlike the colonial era. changes in the electoral boundaries significantly dealt a major blow to the Asians' political participation and representation. The old residential, racial and territorial categorization of the constituencies especially in major urban centers in which the Asian community was homogeneous and enormous in numbers was abolished. The current constituencies have no physical or national provisions for minorities since they were redrawn to reflect the cosmopolitan and tribal nature of the rapidly urbanizing Kenyan polity. This rendered the Asians an insignificant political minority in favour of Africans.

For example, Langata and Parklands constituencies which used to be the home of the majority of Nairobi's Asians and where they had representation became larger, more cosmopolitan, densely populated with upcoming residential and market areas[18] dominated by majority indigenous Africans and Parklands renamed Westlands. The two constituencies' most densely populated wards are Kibera and Kangemi which stand in stark contrast to the other more elitist wards. Consequently, since 1997, no Asian and European has been elected in the two constituencies. However, the splitting of Westlands constituency into Westlands and Parklands constituencies could offer an

". The new residential and market areas which the Independent Electoral and Boundary Commission (IEBC) (2012) has classified as County Assembly Wards are: Kitusuru, Karura, Kangemi and Mountain View in Westlands constituency; Karen, Nairobi West, Mugumo-ini, South C and Nyayo Highrise in Langata constituency; and Laini Saba, Lindi, Makini, Woodley, Kenyatta. Golf Course and Sarangome in the new Kibra constituency).

opportunity for Asian representation in parliament (Interim Independent Boundaries Review Commission (IIBRC), 2010).

In response to this problem, the defunct ECK proposed three-tier system for future review of constituencies' boundaries which the IIBRC and IEBC simply used as a point of reference. Using the population density, electoral areas were to be classified into three zones; urban, rural-urban and rural to achieve PR. The PR is makes votes across electoral units count equally, achieve greater inclusiveness and opportunities, remove boundary gerrymandering, ensure continuity for minor parties, strengthen the parties' national identity and puts a check on parliamentary hegemony. The ECK proposal for equitable representation for urban centers was to create constituencies of between 60,000 and 80,000 registered voters in the first classification. The second classification for rural-densely populated areas was to be not more than 50,000 and not less than 40,000 voters. The third category of rural-sparsely populated arid regions was to have not less than 10,000 and not more than 15,000 registered voters to cater for the expansive, dry regions with few people (Standard. October 23, 2008:4).

The IEBC is responsible for reviewing the numbers, names and boundaries of constituencies and wards periodically to ensure adequate and equitable representation of the people (Kenya, 2010:Ch.l0). The New Constitution envisages that the boundary delimitation will be conducted in a manner that entrenches objectivity and consistency taking into account Kenya's diversity. However, the boundary delimitation and demarcation of additional electoral units faced man\ challenges due to the emotive and divisive politics which created tension and polarization as the public agitated for curving out enclaves of tribal uniformity, misconceptions and unrealistic demands (IEBC, 2012). Although the IEBC used defunct IIBRC's and Parliamentary Departmental Committee on Justice and Legal Affairs' reports as its primary and secondary reference materials respectively in the delimitation of 290 constituencies and 1,450 wards, it ignored minorities and

marginalized groups in favour of majority interests, notably the creation of Parklands constituent as proposed by IIBRC. It therefore, still remains difficult for delimitation of electoral units in favour of the Asians and marginalized groups, unless further legislation is enacted and special guarantees provided.

4.3.6. Parliamentary and Civic Nominations

According to the Old Constitution, there are 12 nominations for MPs to the National Assemblj shared out proportionally among the political parties based on party parliamentary strength (Kenya. 2008:Ch.3). On the other hand, the nomination of councillors in local authorities is based on a percentage of the number of those elected. Although there are no clear procedures and rules to ensure equity and fairness, these nominations are expressly meant to represent 'special interests' like the Asian minority community. With the exception of a few local authorities, this regulation has consistently been violated by political parties and the executive in their failure to nominate Asians to parliament.

The New Constitution is also inadequate as it does not directly guarantee Asian minority representation. It simply provides for the allocation of party list seats through PR by IEBC in proportion to the total number of seats won by candidates of the political party at the general elections. Each party participating in the elections will nominate and submit a list of all persons who would stand elected if the party were to be entitled to all the seats allocated. With the exception of county assemblies, each party list must reflect Kenya's regional and ethnic diversity (Kenya, 2010:Ch.7).

The Asians and HCK alleges discrimination by political parties and the three regimes for nominating 16 Muslims and Arabs communities mainly from North Eastern and Coast Province to parliament against 3 Asians since independence (Appendix 3). Unfortunately, ECK has failed to

stamp its authority on nominations owing to weak legal framework and enforcement mechanisms. On the other hand, the Asians and other ethnic minorities have failed to challenge this constitutional and legal anomaly for their rightful representation. Understandably, Asians cannot force or manipulate political parties to nominate them. This is because it is not in their culture to demand, seek favours and publicize their activities and successes for recognition or rewards.

Previously the nominations were provided to people of good moral character and propertied individuals. However, contemporarily, corruption, immorality and unemployment have eroded the integrity and the concept of political representation for the Asians and other Kenyans. The nomination process has been flawed, lacking merit and unrepresentative of the diverse ethnic communities in Kenya. They have been left to political parties' and individual leaders' discretion and manipulation for providing jobs and rewarding political cronies, supporters, relatives and friends with vested selfish interest and not for the public good.

President Kenyatta never nominated an Asian to parliament and President Moi and Kibaki has inherited this legacy. The only exception has been the involvement of Asians in politics with selfish economic interest as was witnessed in the nomination of Mombasa tycoon, Rashid Sajaad of KANU in 1992 by President Moi. Moreover, HCK has never got any nomination despite numerous promises by the presidential aspirants during the electioneering period. In the 2002 general elections, NARC party led by President Kibaki reneged on its promise and failed to nominate Aslam Khan and a woman candidate, forwarded by the Asians. The latter was regarded as a non-Kenyan citizen having previously obtained a British passport. Further, in 2008, only one Asian was nominated in Kisumu Municipal Council; amidst complain from the Asians that there were no consultations and that the candidate was a stranger having lived very little in Kisumu.

Fortunately, ECK could in future overrule political parties whose nominations failed to take into account minority interests. This followed a landmark judgment by the High Court on December 18.

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2006 that directed ECK to stamp its authority over nominations and ensure political parties complied with the law when nominating MPs and councillors. The minority II-Chamus community had filed an application in the High Court against the Attorney-General and ECK over unfair representation that favoured the majority Tugen community in Baringo Central Constituency. The court ruled in their favour and further widened the possibilities of such communities having their own representatives in parliament. The judge directed that their interests be considered at the next boundary review by ECK to prevent unfair representation and marginalization in future (Daily Nation, December 19, 2006). This case provided a practical lesson for the Asians who despite following the proceedings contemplated a similar action, but withdrew quietly.

Karuti Kanyinga (2006:345-397) and ECK proposed the PR system for future electoral reforms for the parliamentary nominations. According to ECK, all parties will be allotted a proportional number of slots of nominated MPs based on the number of votes cast for the party in the previous elections. The parties will also be required to submit their list of preferred nominees to the ECK in advance. This will effectively lock out losers sneaking through the back door to parliament and local authorities and parties abusing the nomination process to reward their cronies (Sunday Standard, August 24, 2008:18).

4.4.0. Sociological and Cultural Barriers

These are barriers that exist within the society; people's lives, cultures, activities and behaviour. This section illustrates the transformation and enormity of the social barriers faced by the Asians in their efforts to participate in the politics of the Kenyan heterogeneous society.

4.4.1. Social Organization

The Asian global diasporic communities have persistently and consistently portrayed a life of dignity, resilience and resistance under adverse conditions of alienation due to its strong cultural

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identity, religious diversity and a stratified caste system based on social organizations (MEA. 2003). The Indian diaspora in East Africa carried with them a social baggage that was uniquely Indian with religious and caste royalties (Star, July, 15, 2010). These social categories are still acknowledged and emphasized by the Indian state. The link between social connectedness and political participation therefore, means that both formal and informal social networks play a prominent role for the politically alienated Kenyan Asians.

As illustrated in chapter three, Asians are extremely ethnocentric, exclusive and communalistic in their social behaviour. This prejudicial behaviour is reflected in their reluctance and refusal to engage with the indigenous Africans. The obligations and rewards of friendship, camaraderie, neighbourliness and family ties are very powerful since they create solidarity incentives and unit> that encourages and discourages participation. It is perhaps not surprising that the Asians are confused when accusations of disloyalty against them are based on lack of social relations with Africans and their failure to turn up at political rallies (Ghai and Ghai, 1970:76-77).

Arguably, lack of social integration and cultural assimilation due to 'cultural freeze' has been the greatest hindrance to engagement and identification with majority poor Kenyans and its politics. Yash Ghai (1970) correctly predicted social integration and assimilation as the greatest dilemma the Asians will face in post-independence era. They are not prepared for the total abandonment of their ancient culture and way of life to the dominant indigenous African cultures as the price of survival. Cultural diversities may come to be regarded as stumbling blocks on the path towards national integration and national unity. A great majority of Asians would prefer emigration than submerging their identities into the dominant African cultures.

The Asians are therefore, responsible for and are to blame for their alienation. This has led them to be viewed with suspicion, mistrust, insincerity and xenophobia by Africans and other races. Sunny

Bindra challenged the community to defensively face the challenges instead of simply dismissing them as racism and hatred against them:

"This 'island mentality' of social exclusion is our biggest mistake. We live amongst ourselves, surround ourselves with things Asian, and follow our own rituals and practices to the exclusion of outsiders. Our contact with the African majority around our 'island' is formulaic: they are our customers, employees and suppliers; they are the politicians we must keep happy up to secure our future; they are policemen, bureaucrats and regulators who get in the way of our business and demand bribes; they are the beneficiaries of our occasional largesse; and they are the unfathomable masses surrounding us with their impenetrable stares and the whiff of latent violence" (Bindra, in Awaaz, March 1, 2005:11-14).

The Asian drive to stick together and associating with one another on the basis of common background, race, ethnicity, religion and cultural and social origin is natural. It achieves a degree of exclusion that is highly organized and effective in maintaining their economic privileges and the welfare. Exclusion from other communities and refusal to engage with the wider public offers them a sense of security, cohesiveness and integration, but nevertheless, alienates them from majority indigenous black Africans (Oonk, 2004:1-34). For example, despite the Portuguese colonizing Goan India for over 500 years, compared to the British that colonized the rest of India for less than 200 years, the Goans have remained much more cohesive with the locals and fully converted to Christianity. However, the Goan social integration with indigenous black Africans has failed despite majority being Christians, educated and westernized like the indigenous Africans[9].

Most Asian-African relationships have only been at the shopkeeper-customer or master-servant level. There have been no attempts at cultivating harmonious understanding and good fellowship. This is blamed on the inability of indigenous African manual workers and Asian industrialists to

[9]. http://www.africana-orientalia@yahoogroops.com, downloaded on March 2, 2010.

socially mix together, considering the profound differences in culture and traditions; disparities in income that has broken inter-racial progress and initiatives; the rapidly growing African elite-politicians, civil servants and professionals who are not anxious for inter-racial social contacts (Ghai, 1970). This situation has been exacerbated by the expulsion threats by politicians that have provided a source of destabilization and the justification for emigration of the Asians to other politically stable countries. The problem of social integration is thus not peculiar to Asians alone, but also common among the indigenous African communities who have diverse cultural and ethnic stereotypes that fosters exclusion. Ironically, for failing to socially and economically integrate, the indigenous Africans have lost the benefits on Asians entrepreneurial ability.

Generally, the Asians view African culture as inferior having been corrupted by western values in comparison to their "great Indian culture'. According to Harsita Waters, the Asian immigrants have persistently retained their traditions, culture and values. Many Asians in Kenya still cling stubbornly to the Punjab or Gujarat cultures, look down upon Africans, lock out Africans in their areas of influence and refuse to integrate. Against this backdrop, it is hardly surprising that they supported the Indian team against Kenya during the 2003 Cricket World Cup Games (Sunday Standard, April 4, 2004). Agehananda Bharati also blamed the Asians for their alienation due their racist behaviour against the Africans:

"'The Asians supported and even helped create African nationalism and gave a lot of money to African leaders, but yet, the more perspicacious and objective among the Asians....readily admitted the wrongs their people did to the Africans; exploitation in the dukes, bush and the cities; the discourteous treatment given to them by the Asians; open flaunting of disrespect towards African culture and African physiognomy" (1964:342-349).

Communication is enhanced through the use of common language, values, kinship ties and other sources of social solidarity. This predilection for social and cultural exclusiveness has kept off Africans in matters of intimate relationships and social integration for fear that their culture may

also be corrupted (Ghai and Ghai. 1970; Sunday Nation. September 29, 1985). Moreover anc ironically, Asians lack of presence in the rural areas, poor interaction with Africans and their apparent economic prosperity has exacerbated the negative perception, hostility and hatred **b>** indigenous Africans against them (Patel, In Awaaz, 2004: 41). This behaviour has been very detrimental to their political participation.

Today, partly due to insecurity, the Asians maintain a closed society of fortressed segregated neighbourhoods and residential areas behind high walls and barbed wire fences protected by guards and property agents. In addition, the Asians have promoted the establishment and provision of exclusively religious and caste based individual, private and separate fellowship, sports, recreational, social clubs and social centers. These include: EACA; Simba Union (Kisumu, Nairobi and Mombasa); Nairobi Gymkhana; Railway Indian Club; Goan Institutes (Nairobi and Mombasa): Mahajanwall Hall on Limuru road, Nairobi; Brahmsabha for Brahmins and Lohana Majanwadi for Kyshatria (Nairobi Times, February 14, 1983; Kenya Times. September 29, 1985; Daily Nation. April 12, 1983).

Segregation was also extended to places of worship such as mosques, temples and Goan churches. To maintain their racial purity, Asians built schools to cater for their communities i.e. Visa Oshwal for the Jains; Aga Khan Schools for the Ismailis. Even in multiracial schools, relations with African children are superficial because Asian families instill a sense of superiority attitudes which are magnified when children grow older (Sunday Nation, September 29, 1985). Lack of accessibility and utilization of these social facilities and centers has hindered black African social and economic integration with the Asians. As explained in chapter three, this refusal and general ignorance of the integrative economic, social and political development challenges is a big hindrance to good race relations and therefore, not conducive for Asian political participation and representation (Pant. 1974; Daily Nation, April 20, 2007:10).

Notwithstanding, a promising notable exception to cultural freeze is the erosion of Hindu purity for the Lohana community which is a consequence of the cultural interaction with whites, Africans and Arabs. The three generations (1880-2000) abandoned 'mother India', the old traditions of caste system, adopted western culture and lifestyle and became part of Indian Africans with international identity (Oonk, 2004:1-34; Salvadori, 1983). This explains why compared to other Kenyan Asians, the Lohanas are fairly social and integrated with Africans and are politically active **especially** in western Kenya where they predominate. They have also attempted to integrate with the locals successfully and live harmoniously in Nyeri, Mount Kenya region and Makindu where they speak local languages and participate in politics.

Moreover, as noted by Herzig (2007) in chapter one, the situation is now diminishing, changing and improving as Asians and Africans are beginning to socially, economically and politically integrate. Particularly, the new generation of young Asians are now socializing and mixing freely at a very early age with black Africans unlike the older generation who still observe Indian traditions, caste system and hate politics. Thus some isolated incidents should not be hyped and construed to demonize the whole community. In conclusion, the Asians will continue to be measured by the degree of their assimilation patterns conforming to the dominant African culture and lifestyle Respondents remained optimistic that some of the younger generation will engage in politics in various political parties. But, this might be impossible, as majority still feel too exposed and insecure to play any significant role.

4.4.2. Demographic and Population Size

The Asians who are regarded as the '43rd ethnic group' forms one of the largest ethnic minority groups in Kenya today. Since 1963, they have remained a minority community as their population has traditionally accounted for less than 1% of the total population. The most populous ethnic group is the Kikuyu, 6.6 million (20%); followed by Luhya, 5.3 million (14%); Kalenjin. 4.9

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million (13%); Luo, 4.0 million (12%); Kamba, 3.8 million (11%); Kenyan Somali, 2.3 million (11%); Kisii, 2.3 million (11%); Miji Kenda, 1.9 million; Meru, 1.6 million; and **non**-Africans (Asians, Europeans and Arabs) (1%). In terms of religion, it is estimated that the Protestants account for 45% (18.3 million); Roman Catholic 33% (9 million); Indigenous Beliefs 10%; Muslim 10% (4.3 million); and others 2% (KNBS, 2010)[20].

In effect, alienation over the years has led to the reduction of Asian population against an increasing indigenous population and thus affected their political participation. The Asian population has steadily decreased from 97,687 (1.81%) in 1948 to 35,009 in 2009 (0.09%) of the total Kenyan population of 38.6 million. On the other hand, the indigenous African population has increased tremendously from 5,219,865 in 1963 to over 38 million in 2009 (KNBS, 2010). The Asian population thus accounts for an insignificant proportion of the Kenyan total population and are thus naturally disadvantaged in competitive politics. Apart from Nairobi. Mombasa and Kisum-town with a population of 5,000 Asians, political participation and representation is limited and impossible, since they are geographically scattered and concentrated in 'small pockets' with insufficient size to control, mobilize, form the majority of votes in a requisite number of constituencies or wards and elect their own.

[u]. The 2009 census population results have generated controversy. Rasna Warah faulted the report and argued that KNBS contradicted itself by putting the population of Hindu religion in Kenya at 53,393. She argued that it was impossible to reconcile these figures as the population of Hindus cannot be more than the Asians and that over 20,000 indigenous Africans cannot convert to Hinduism in just ten years. Moreover, while majority of the Asians in Kenya follow the Hindu faith, there are many who follow other religions such as Islam, Christianity, Sikhism, Jainism and atheists. Zahid Rajan argued that there was no specific code for the Asians in the census and that the Asians were coded as Somalis. Thus the data for the two communities were flawed and this explains the abnormal figure of 2.38 million Somali population particularly which were later cancelled by KNBS and challenged in court (Daily Nation, September 6, 2010:12). These figures also contradicted other reports estimated the Kenyan Asian population at 102.500 (MEA, 2001; Kenya, 2008; Awaaz, 2008:5).

All these has enhanced marginalization and made it extremely difficult for Asians to vote as a bloc and garner a sizable percentage of black African votes in an FPTP system. It means that the Asians cannot and will not participate in politics and be represented in legislative and civic assemblies as long as they are few in numbers. Admittedly, some Asian respondents were satisfied with this state of affairs terming it a permanent reality. Nevertheless, Rasna Warah challenged the Asians to use their numbers and organizational capacities to fight back through political activism and voting instead of putting up and emigrating (in Daily Nation, February 19, 2007).

4.4.3. Communal Divisions, Disunity, Class and Rivalry

Many communities in Kenya have internal divisions and it is a misconception to view the Asians as one homogeneous and insular community. The EAA and other diasporic countries do not form a community in the usual sociological sense of the term. They are not a monolithic and cohesive community, but a conglomeration of many fragmented, diverse and autonomous sub-cultural communities; deeply divided and disunited along religion, tribe, colour, class, origin, caste (Donna 1972:255-264).

These internal divisions, rivalry and mistrust are deeply rooted in their traditional beliefs and ideas of political and sectarian organization. The generation gap coupled with cultural gap has thus left the Asians in a dilemma. Consequently, the Asians have remained fearful and sharply divided among themselves and with the indigenous Africans (Ghai and Ghai, 1970; Mbae, 1997:44-45). This condition has led to lack of unified common position on issues and interests and debilitated their strength, internal marriages, social integration and political participation. For example, there is a strenuous Indian and Goan relationship in East Africa in which the latter is socially considered the 'other' by the former especially Punjabis and Gujaratis. On the other hand, many Goans display a sense of exclusiveness, superiority over other Asians, western culture and consider themselves as

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'Portuguese' and not 'bloody Indians'. Likewise, the people from other parts of India viewed the Goans as "less Indian")[21]. This illustration demonstrates the existence of under-currents of tensior and extreme animosity between different Indian communities in Kenya and other parts of East Africa especially after Indian independence in 1947.

The division of the Asians between those who took Kenyan nationality and those who retained British passports and the strong differences in attitude between the post-independence migrants from Indian subcontinent and descendants of the original migrants has played a negative role in their political participation. As discussed in chapter two, individualistic politics has rendered engagement in politics a personal choice and conviction and not a communal affair. This ha- further alienated the Asians from black Africans who mobilize politically from ethnic and communal perspective. In response, the Asians have resigned, arguing that their representation in the legislature or local councils would not serve their interests.

At the other extreme, these broad internal divisions constitute the major social and cultural units ir. a hierarchical framework of political dominance and subordination. At the widest level, one stratur. especially the upper caste or class monopolize leadership roles, while the lower caste or class and other segments are treated as relatively homogeneous, sub-cultures lacking political power. Thus the nature of the social divisions within the various Asian communities in Kenya, favours the rise of leaders from the upper strata only (persons of high caste or high economic status or both (Donna, 1972:255-264). Considerably, these divisions have marginalized others especially the

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[21]. Prem Kishore Saint, Selma, Nigam and Pravin, in http://www.africana-orientalia@vahoogroops.cor downloaded on March 2, 2010. Saint is a regular commentator on the 'South Asian question' who lived ir Kisumu, Mombasa and Nairobi (1949-1968) and now lives in South California, USA.

lower castes; weakened the Asian cohesion and unity; prevented the creation of ethnic, gender and class-based alliances across racial divides that is crucial for political integration; and undermined political participation and unity.

4.4.4. Ethnicity and Racism

As previously illustrated, the history of ethnic politics in Kenya has been an enduring recipe for political marginalization and polarization for both majority indigenous Africans and the minority Asians. Many communities have not participated and benefited meaningfully from the three successive governments and this condition has set a very dangerous precedent and misconception of politics. Although, it is human nature to coalesce along kith and kin, the irreconcilability of Kenya's fragmented and deeply divided ethnic groups, identities, loyalties and associations against nationhood and statehood thus remains the biggest obstacle to political participation and integration for many Kenyans including the Asians.

Ethnicity and ethnic biased state have characterized Kenyan electoral politics in which political parties are exclusively and discriminatively organized. It is regarded as a source of political and economic power from which the political system is organized by powerful ethnic elites that has consistently sustained the politics of ethnic hegemony (Sunday Nation, March 15, 2009:19). Arguably, there is no permanent racial or tribal hostility by the Africans against Asians since the former have to some extent been very tolerant, free and friendly to the latter. It is the Kenyan power hungry political leaders who have perpetuated ethnic/racial hatred, hostility and eventually antagonized social relations among and between various communities and races. This sectarian ethnic polarization has rendered Kenyan politics a zero sum game that has marginalized the Asians from the political system.

As explained in chapter two and three, ethnic and identity politics have always exploded into reckless destructions and loss of lives as in the 1969 Kisumu riots, 1982, 1985, 1992, 1997 and 2007 elections which endangered the political environment for the Asians. In the makeup of confrontation and violent tribal politics between Odinga and Kenyatta, the Asians had no place, making it extremely difficult to engage in active politics in fear of repercussions and making their positions precarious. The future of Asian politics in Kenya thus remains very bleak as polarization of the state continues through divisive ethnicity and negative racial prejudices that have created and bred a culture of mistrust, hatred, fear, negative stereotypes, discrimination and corruption in the entire political system.

There is a massive demand and competition for political power among the different ethnic communities that the possibility of an Asian recognition and participation is remote and unrealistic. The Asians cannot identify with any community or form their own political party, making it extremely difficult and almost impossible for them to fairly participate in politics; contest, campaign, win elections and secure nominations. Consistently, the Kenyan elections can be termed as 'ethnic censuses' due to the ethnic identity foundation of voting behaviour. Racial, cultural and tribal solidarities strongly predict voting patterns and behaviour, making elections a head count exercise for identity groups (Horowitz, 1985). Yash Ghai also observed that it is this preoccupation with ethnic politics that has hindered the realization of a new constitutional order, social integration, fairness and social justice (Sunday Standard, October 24, 2008:16). Consequently, this condition has undermined democratization, hindered nation building, integration and politically marginalized the minority Asians.

Owing to his struggle for Kenya's freedom and independence, Fitz De Souza would have been the first speaker of the independence national assembly and not the deputy speaker were it not for racial discrimination against the Asians by President Kenyatta in favour of a European. Humphrey

Slade. President Kenyatta openly favoured his Kikuyu community and frustrated Asians engagement in politics through Africanization and indigenization policies., Ironically, the Kalenjin community under President Moi corruptly used the Asians economically to counter Kikuyu political and economic dominance (Patel. in Daily Nation, December, 1999). Further, the heightened tensions and fears that the Asian community is a reject and thus should be disowned have led to mass immigration to Australia, UK and Canada where there are opportunities, security stability and favourable treatment. At the same time, the indigenous Africans have refused to vote for a few brave Asians who have attempted to vie for various seats in electoral politics as revealed in chapter three. Paradoxically, the continued absence of Asians in politics and will reinforce and enhance the negative stereotypes and misconceptions against them.

The enduring culture of stereotypes, prejudice and preconceptions has been historically embedded and entrenched in the social, economic and political psyche of the Kenyan society to the extent that it has contributed to negative ethnicity against communities. The abiding force of ethnic and tribal stereotypes has overridden any sense of nationalism and cohesion and cultivated hatred and bitterness among Kenyan communities. This has brought tensions, misunderstanding, political and social boundaries and multiple forms of alienation between and among the minority Asians and majority indigenous Africans. Similarly, too much allegiance to India has also contributed to negative perceptions of unpatriotism and exploitation.

Moreover, institutions like families, schools, clubs, religious organizations and state institutions have failed to address this problem in a comprehensive and inclusive manner. Kenyan children are socialized with negative stereotypes against other communities, leading to construction of Asians with negative stereotypes and identities. Further, the Kenyan poor educational system is not favourable to the Asians and this has made young Asians to be disinterested in Kenyan politics and public affairs. As a result, the Asians have resorted to sending their children to study outside

Kenya for General Certificate of Secondary Education (GCSE) in Britain and other commonwealth countries due to its wide recognition, reputation and flexibility.

The continued Asian notion of cultural, racial and moral superiority over Indigenous Africans f^ not only undermined any chance of social acceptance, but also made it impossible for them to actively engage in electoral politics and to be recognized. The explanatory model adopted b;- indigenous Africans interviewed in understanding the Asian alienation painted the latter negatively and ignored the positive aspects. The Asians are regarded as 'third class paper citizens, exclusive racists, isolationists, fearful and withdrawn'. The community has thus lost hope on the assumption that despite their efforts and contribution to the Kenyan society, they have always been bracketed and treated as exclusive foreigners. This scenario has created tensions, negativity and hostility that have ironically fostered seclusion. Ultimately, the persistence of these negative racial stereotypes coupled with self-isolation has entrenched the feeling of victimhood, insecurity, self-marginalization and strengthened the ethnic identity of the Asians.

Institutionalized racism within the political system and widespread prejudice and ethnic discrimination by black Africans cannot allow participation and the rise of Asians in politics. Racial discrimination, xenophobia and intimidation have alienated the Asians from actively participating in politics and national affairs. The Asian political candidates have been rejected by the African electorates and called derogatory names; *'Muhindi',* yet they are genuine Kenyan citizens. Moreover, the issuance of citizenship and business license is riddled with corruption and discrimination, where an Asian has to bribe the officials with huge sums of money to obtain citizenship. These policies have frustrated the Asians, making them insecure and forcing their migration to other countries.

Finally, as explained in chapter three, anti-Asian violence explains the underlying black African racist resentment and hatred against them in Kenya. These events and attitudes have snuffed out

Asian political activism. They marked a turning point for the Asians became painfully aware thr the reality of a race-less nation in Kenya was just a myth. The distinctive identity markers of ha\ ing 'brown skins', 'funny hairstyle' and 'foreign language' make them stand out socially and cultural!;, for racial prejudices. Eventually, fear, frustration and social stigma have changed the mindset of the Asians to the extent that they remain tolerant and quite to indigenous African racial discriminatior. and alienation.

Responsively, the National Cohesion and Integration Commission (NCIC) has developed the Kenya Ethnic and Race Relations Policy (2012) aimed at promoting and ensuring racial and ethnic inclusion, integration; cohesion; peaceful coexistence among Kenyan communities; and racial and ethnic representation in employment, governance, public affairs, political system and educational institutions. The National Value System will also ensure that all students from primary to university take a course in citizenship to learn and embrace the contribution of all communities (Daily Nation. March 20, 2012:13).

4.4.5. Caste System, Religion, Marriage and Language

The Asians are several generations removed from the Indian sub-continent, leading a lifestyle mostly rooted in Indian cultural beliefs with distinct identity in family relations and structures. Caste refers to endogamous and hierarchical groupings and identities, mainly maintained b> marriages within a patriarchal system. Caste, religion and ethnicity are key factors that have persisted, redefined and hierarchically distinguished various Indian groups from others. The caste segmentation and stratification of the Indian society is an undesirable feature for the electoral process due to its strong influence on Indian political culture, status, social position and economic conditions. The Indian caste system has failed to address the deep internal divisions within the

community by acting as a barrier to internal and external integration. It has fragmented ar: prevented Indian unity, common approach and engagement in politics.

The Asians of Hindu descent imported to Kenya the conservative caste system which dhiCr human society into Brahmans (priests) as the highest caste, followed by the Kshatriyas (warrior Visyas (traders) and the Sudras (artisans). Beneath the Brahman's feet are the masses of the cursec untouchables who have been relegated to servitude (Bharati, 1965; Kenya Times, September 2 1985). Caste is still being practiced in Kenya especially by majority Hindus in social relations t other ethnic groups and economic classes. The promotion of Hindu culture has reinforcec alienation and negative perceptions among the Asians and against Africans which has affecte; racial integration and political participation. The persistence of Hindu lifestyle has naturally mac: the Africans to reject the Asians as 'foreigners' and 'outsiders'. Nevertheless, majority c: lower/caste Indians have a shared commonality with African working class than the busing elite/upper caste/class Indians.

Unlike Indian indentured countries like South Africa and Latin America where Indians were poor and intermarried, caste endogamy is still important among the Kenyan Asians which had a more recent history of'passenger' or non-indentured migration (Schwartz, 2004:36). This explains wh; the Asians in these countries are well integrated with the indigenous local communities, political active and fairly represented. The upper caste Hindus discriminated against Africans and Muslim? whom they considered as 'alien', "unsafe" and "polluted". In contrast, for Hindus and Muslims frorr the lower classes (Ismailia, Ithna Asheris and Ramgharia Sikhs) religious and racial purity was n a major factor in their migration and have thus married and fairly integrated with indigene-? Africans.

Unsurprisingly, the problem and controversy over inter-ethnic/racial marriages is not unique t; Asians alone, Africans also do not marry each other due to strong cultural prejudices and this is the

nature of human society. Marriage is considered in both African and Asian societies a communa! affair. However, the Hindu cultural traditions and marriages are very strong and preservative as compared to the dynamic African- and western culture which is in disharmony and unacceptable tc majority Africans. In 1962, a remark by Tom Mboya on intermarriages in an integrated societ} elicited widespread indignation from the Indians. Endogamy is persistent and marrying outside the community is like a taboo and is unacceptable in the Indian society.

For example, a Patel marrying a Shah is an anathema. This inevitably makes any marriage affair or relationship with Africans impossible. Many Asian parents still encourage their children to marry in India and in Kenya within their own caste. Punjabis choose their marriage partners, not only in their respective places of residence, but from the homeland and other countries around the world (Ballard. 2004:14; Angelo, 1997). In most cases, marriage is conditional on the African abandoning his/her cultural heritage for acceptance by an Asian partner, which Africans view as racial discrimination. This is because to the Asians. Africans are regarded as 'impure', "house boys' or "domestic servants'. This makes inter-racial marriages impossible and difficult, although a few have managed. This behaviour guarantees ethnic separation and intensifies high visibility of "Indianness' in a non-Asian society and which also hinders unity, socialization and cross integration, necessary for political participation and identity.

Nevertheless, there is a decline and resistance against the caste phenomenon. Marriage arrangements in both India and Kenya are fading away from caste boundaries towards a casteless Hinduism where the lower and backward classes are engaged in political, social and economic spheres with indigenous Africans. Inter-caste, inter-communal and inter racial marriages amongst later immigrants and the younger generations has played a major role in reducing the divide based

on old Indian traditions. A few Asians have married Africans, Europeans and Arabs resulting int.: mixed races or half castes *('Chotaraj*[22].

Marriages between Hindus and Muslims, although on a small scale, have also been instrumental in reducing the religious divide. This has been common among the Arya Samaj, Sunni Muslims, Sikh and Hindu Lohana communities particularly in Kisumu and Nyeri districts. For instance, the late pioneer Kisumu town politician and businessman, Rehmat Kherdin Khan, married both an Asian and a Kalenjin with whom they lived together harmoniously for decades and among generations in what became known as 'the 'rainbow family'. His descendants also married and integrated with other Asians, Arabs, Kikuyus, Luos, Luhyas, Kisiis, Kipsigis, Nubians and Kamba communities. His son, Mohamed Aslam Khan, a member of the Luo Council of Elders speaks '*Dholuo'* and has given his children Luo names, including Raila Odinga, Prime Minister and ODM Party Leader. The Kisumu East Town MP, Shakeel Shabir is also married to a Luo in Kisumu and this has bolstered his popularity and political support from the Luo community.

According to Pascale Heizig (2006), 17% of Asians are married outside the community, of which 2% are inter-racial marriages, 20% of women and 15% of men are married outside the community. Despite this modest progress, there is still underlying racial and cultural resentment and tension between Asians and indigenous Africans. It is still very difficult for the Asian/Indian girls to marry Africans, even though they socialize in clubs, games and schools. A case in point was the aborted

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[22]. The term '*Choiara'* is a subject of hybridity (mixed ancestry) which originated in India, where there is a caste system. It refers to a person of parent of different races, especially offspring of a European and an Indian. The term entered the Kenyan political and cultural discourse to the extent that one of the politicians in Rift Valley who fervently supported President Moi was famously referred to simply as *'Choiara'*. The word therefore, has negative connotations in everyday parlance (Awaaz, May-July-2007:29).

controversial marriage between Harpeet (Asian) and Clement Oluga (Luo) which was **vehemer:** opposed and dismissed by Raju Syan, who cursed her daughter and predicted doom for the coup - (Awaaz, February-May, 2008).

The Hindus believe in a culture of quite philosophy of giving back fortunes to the people in retu— of god's reward and blessing. The Indians have assisted poor Kenyans without publicity or sell-aggrandizement and which has unfortunately made them socially invisible, unpopular an: politically irrelevant. This is in contrast to African culture of publicity, popularity, pride, l a r g e r and affluence that has characterized Kenyan politics. In addition, due to ignorance a r : misunderstanding, many Kenyans view the Hindu religion as idolatry and thus are comfortable w i:r Islam and not Hindu. This partly explains why the Muslims are politically active, represented a n : integrated compared to the Indians.

Religion and language offers one of the most significant aspects of exclusive cohesion anc inaccessibility among the Kenyan Asians, but has also divided them into mutually exclusive compartments that broadly comprise Hindu (80%), Islam (18%) and Christianity (2%). These categories are further sub-divided into Indian Muslims, Indian Christians, Indian Hindu anc Muslim communities' organizations and associations. On ethnic identity, the Punjabi language i> part of the Sikh identity which is culturally, economically and politically promoted among the younger generations to the exclusion of other Asians and Africans. Religion and language have thu? hindered intra and inter-racial integration, critical for political engagement

4.4.6. Betrayal, Rejection, Dishonour and Neglect

As discussed in the previous chapters, the positive and immense contribution of the Asians in the struggle for freedom and independence has been deliberately played down and ignored b\ the European colonialists, Kenyan political leadership, indigenous black Africans, intellectui

sympathizers, and chauvinists of all shades (Ngugi, 1981). The Asians have made a lot of contribution to political, social and economic development, but the three post-independence regimes and majority Africans have betrayed and perpetuated their political alienation. They consistently neglected and failed to recognize, appreciate, reward and honour the Asians:

"The Asian struggles have been consigned to the dustbin of history as indigenous black Africans and leaders have continuously ignored, criticized and down played the enormous colonial and post-colonial political, economic and social contribution of the Asians in the development of Kenya" (Awaaz, July-September. 2005:22-60; 2003).

It is thus unfortunate and regrettable that the Asian Kenyan citizens have never had a chance to participate in politics. They have remained cautious and concerned about the unprincipled, rhetorical and hypocritical nature of the indigenous Kenyan politicians. As a result there has been disillusionment with the political and electoral system. As illustrated in chapter two and three, notable examples are Makhan Singh, who was politically marginalized and died a desperate man. the tribulations faced by Asian independence heroes, particularly Pinto and Murumbi after fighting against colonialism and for Kenyan independence was a great betrayal to the Asian community. The government has also failed to honour AMJ who despite being immortalized for 75 years b> 'Jeevanjee Gardens' had two streets which were named after him in Nairobi and Mombasa changed to Mfangano and Mwagogo respectively. By denying and ignoring Asian contribution, the Indigenous Africans have politically alienated the Asians and pushed them further into a cocoon-isolation and aloofness.

Kenyan oral and written history and the struggle for freedom and independence have been distorted, portrayed and glorified in favour of the indigenous Africans communities, Mau Mau activists and Kapenguria six. There is little mention of other communities especially the Asians whose colonial led to the birth of colonial resistance and trade union movements. This has made

Kenyans to generally feel that the Asians were colonial collaborators, exploiters, foreigners - - made no contribution to Kenya's political development. It has also reinforced the nega- stereotypes and misconceptions about the Asians. This is a tragic distortion of history to the tV .- generation especially Asian children who have been made inferior, apolitical, stigmatized ar; passive. Importantly, Asian active political participation would have ensured re-writing ot history, defence of its rights, visibility and positive recognition in the Kenyan polity.

4.5. Economic Factors

As earlier explained in chapter three, President Kenyatta's regime alienated Asians to the exter that they were discouraged from politics. Instead, they were reduced to businessmen anc fundraisers for African politicians in pursuit for power. The Africanization policy marginalized the Asians in trade, civil service, citizenship, identity and social relations. Since the African politicia: viewed the Asians as businessmen ignorant of politics, they ignored and underrepresented Asir issues and interests. Moreover, government policies since independence have never promote: minority and majority economic empowerment. Consequently, lack of Asian participation politics is loss for Kenya as they are an important segment of the country's economic sector and humar resource which are vital for political development.

The poor economic performance and low living standards have been declining leading to gross inequalities and poverty for majority indigenous Africans. This has also threatened Asian econom: stability and investments and partly culminated into their immigration to other countries. On the other hand, the Asians feel more economically empowered, making them to retreat in comfort zone But due to growing inequalities, it is these economic comfort zones that have become breeding grounds for negative perceptions and insecurity and which has in turn threatened their econom . interests and survival. They will thus continue to be targeted by violence, crime, discrimination and xenophobia by the impoverished Africans.

Nevertheless, due to their industry, entrepreneurial nature and adaptation the Asians have been ver-resilient and have continued to prosper despite political threats, discrimination, insecurity and negative stereotypes. In reality, any entrepreneurial diasporic minority community in any country in the world has always faced resentment and injustices and Kenya is not unique. No country can expel its entrepreneurial citizens or foreigners and expect to prosper. The indigenous Africans pushing for their expulsion are ignorant of the consequences and economic imperatives of the country and the global economy (Chege, 1998, 1997; Chua, 2006).

As noted in chapter three, there is still a persisting generalized unfounded belief and accusation that the Asians have been contributing minimally to the development of Kenya. They have been unfairly accused of dominating and exploiting the economy through corruption, selfishness, exploitation and unpatriotism. This means that they will continue to be viewed with suspicion, hatred and prejudice. For instance, the Asians have been condemned for mistreating African workers by paying little wages and dismissing them irregularly as witnessed in the industrial strikes. This has exacerbated the racial tensions and negative stereotypes to the extent that the African workers have retaliated by refusing to politically support the Asians in the elections. Surprisingly, Sunny Bindra warned Asians against the siege mentality:

"We retreat to our bunkers and keep only our kith and kin in key company positions. We are threatened with forced expropriation and expulsions, so it is only sensible to keep a foot hold elsewhere. These are the vicious circles that bedevil the economy and keep it spinning in one place; a place where a chosen few continue to mint money. We are suspicious, unkind, mistrustful and wary. We are unable to build a nation that can take off and achieve its potential. All vision is lost in the cloud of racial, tribal and social misapprehension that we keep generating (Bindra, in Awaaz November 1. 2006).

The few Asians who have been involved in politics are viewed as corrupt and this has worsened African negativity. They are thus unelectable and do not have any respect, trust and moral authority for leadership and political power from both the community and Africans. Ironically, most Asians

are uncomfortable with corrupt individuals and do not want to be associated. They have thu maintained silence to avoid ruffling the feathers with the state and reckless politicians. Corruptior. is also against Hindu religious principles of morality and ethnical behaviour. They view their colleagues engaging in politics, advocating for racial integration and associating with Africans as rejects, threats and betrayers of Asians' identity, livelihood and economic interests.

The Asian business elites have condemned and refused to financially and morally support 'controversial' and 'radical political' literature publications especially from their own community Sunny Bindra, who has been very vocal on Asian issues in the media, has faced warnings and discouragement from his Asian community to be very careful on the articles due to the negati\e repercussions. The Asians have also failed to support and vote for its outspoken and radical politicians. A case worth emulating is Kamlesh Pattni; the Chairman of KENDA and 'House of Traditional Elders of Kenya' and a Church Pastor (Hope International Ministries) has been vilified by the community for actively championing the racial integration agenda. As revealed in chapter three, this negative behaviour explains the rejection of its presidential, parliamentary and civic candidates.

In reality and naturally, the accusations that the Asians are corrupt and control the economy is not entirely true. They have been exaggerated by the Africans and the media. It is the nature of human beings to bribe as they engage in business and this behaviour is universal and applies to all communities. In fact, it is true the Asians controlled the economy in the 1960s, but this has changed with globalization and economic dynamics. Currently, the economy is dominated by Multinational Corporations (MNCs) in banking, construction, processing and manufacturing industries. This stereotype is blamed on indigenous African politicians and bourgeoisie with selfish interests who face stiff competition from the MNCs. They have diverted the blame on the vulnerable Asians and

this has eventually marginalized the Asians from poor black African masses who are the maijor voters.

The Asian tragedy by and large depict the community as having deliberately isolated itse politically, yet India is politically active and is the largest democracy in the world. Despite the:- economic contribution and dominance, majority of the Asians have been inactive, fear:- underrepresented and forgotten in Kenyan politics due to economic reasons. To the Asians it wrong to mix business and professionalism with politics, except when it affects economic interests The community is also disjointed since majority are in the middle class and are fully preoccupies with economic matters to the neglect of political activities. They thus see themselves as apolitici group and this is the general trend, although there are few exceptions. The Asians are thu- responsible for their political alienation:

"Targeting of Asians as a group belonging to a certain economic class is largely as a result of Asian shon-sightedness. By flaunting their wealth and failing to convert their political **influence, Asians in Kenya are** in **a way hastening their own fall. Asians must seek political influence** through **the democratic instruments** of **the day, because once Asians integrate well at the political level, their social and economic problems may be dealt with more sympathetically" (Warah, 1999).**

Nothing can stop the Asians from elective politics and since elections in Kenya have become materialistic, they should use their wealth and money to win elections. However, as Kenya - industrial class and a relatively prosperous community, their material interests have always beer aligned with those of African elites and powerful politicians. In this connection, they have resorted to participating indirectly in politics by seeking patronage and lobbying at the back door for corrur dealings with powerful African politicians to the neglect of poor ordinary Kenyans. Powerful Asians have provided financial resources to both the ruling and opposition political parties ir. general elections and this has favoured selfish representation of wealthy Asians. This is because

many of the grand corruption scandals perpetuated by Africans have involved Asians due to th-commercial acumen and professionalism.

Unfortunately and ironically, Asians have always been unfairly and discriminatively charged corruption and made archetypal scapegoats for all the economic malpractices by Afiicar politicians. This has led to racial profiling, suffering and greatly injured their reputation and trus: among Africans. The community has been accused of complicity and implicitly supporting corruption by failing to overtly condemn the vice which has impoverished indigenous Africa.-. Unsurprisingly, Asians have withdrawn their participation and interest in the Kenyan put! c service; since they are still viewed with a lot of mistrust and suspicion. This is due to the prevailing conditions of marginalization, racial discrimination, stigma, unfair structure and composition of the government, low remuneration and poor working environment. Political influence and wealth are viewed as one and the same thing and thus Asians are regarded as wealthy and should not vie for public office.

Apparently, there seems to be an unofficial policy that public service positions are only for Africans. Even in the *'Kenya Vision 2030'* development policy, there is no mention of how the government intends to tap the resource and expertise of the Asians for economic development. Instead, the Asians have concentrated in their family businesses and the private sector which are comfortable and lucrative. Many young Asian professionals have also emigrated to overseas due tc lack of employment in the civil service and the volatile political environment.

The only exception is the judiciary where the Asians have been appointed and well represented. despite ordinary Asians losing faith in the institution. Kenyan laws are based on Indian and commonwealth jurisprudence and this explains why many of Indian educated lawyers in the colonial period have been appointed in the judiciary. Interestingly, there is a close correlatio^-between business and the judiciary in which the community often lobby for appointments to

safeguard their economic interests. There are trends in litigation in the way commercial casei _

decided e.g. insurance companies owned by the Asians are favoured in delivering judgment

Ironically, a case involving two African communities would better be handled by an Asian to a',

ethnic perceptions. Nevertheless, their numbers have gradually reduced as many have opted ::»

private practice. This preoccupation with judicial politics to serve their economic interests ha*

further alienated the Asians from politics.

4.6.0. External and International Barriers

Despite obtaining nationality and citizenship, the positions and interests of the Asian diaspor

communities have remained very weak and precarious due to persistence of racial discrimination

xenophobia, intimidation, and hostilities. In Eastern Africa, Southern Africa and the Caribbea-

Island countries, Asians have been accused of racism, disloyalty, economic dominance ar:

threatened with violence and expulsion. Political Alienation of the Asians has been witnessed in

Uganda, Tanzania. Zanzibar, Madagascar, Mozambique, South Africa, Congo, Zambia, Gharx

Burma in 1948, Fiji, Bolivia and Venezuela (Salvadori, 1989; Kumar, 2006). These internationa

experiences and their consequences especially in East Africa, illustrates the Indian fragilir

hostility, discriminatory and blatant racist mechanisms deployed to keep them politically alienate-

due to their economic dominance. This in turn has led to insecurity and destabilizing psychologies,

influences on the Asian politics in Kenya. Consequently, they have remained silent to avoid an;

confrontation or victimization by indigenous Africans and the political establishment. Neverthele>-

these external events should offer valuable lessons to Asians for meaningful political, social arc

economic engagement with indigenous Africans.

Anti-Asian feelings, domination and exploitation of the African economy in Uganda were dominar:

on the political agenda of the black nationalists and post-independence leaders (Mutibwa. 1992

On January 5, 1969, Uganda's former President Milton Obote introduced the policy of

'Africanization' and threatened the 50,000 Ugandan Asians holding British **passports**

expulsion. This policy dented Asian business interests, sparking off capital flight that trigge*;-

crisis. Paradoxically, President Obote's offer of citizenship to 35,000 non-citizens including A5--

triggered a military coup in January, 1971 in which General Idi Amin overthrew his govern.-" -

and declared an "economic war" on the Asians.

President Amin demonized and condemned the Asians as "saboteurs' undermining the econorr-

due to economic malpractices; domination of trade, manufacturing sectors and civil sen...

sending of profits to India; and failing to integrate with Africans communities. The alienati r

Ugandan Asians reached its nadir in August 4, 1972 when President Amin eventually expei

80,000 Asians with British passports and handed over their abandoned businesses to his supporte:

(Marette, 1987:8; Mamdani, 1999:305-166). Likewise, in 1971, President Amin, kicked out :

Madhvanis, one of the richest Asian families in East Africa from Kakira sugar plantation an:

nationalized their properties. However, in 1985, the family won a legal battle to reclairr

properties (Daily Nation, August 11, 2011:1-2).

Ironically, the impression that the minority arrogant Asian tycoons and prominent businessrr;

have always supported successive regimes in Uganda is being viewed as perpetuating :

domination of business by the Asians. The 2007 violent public environmental demonstra:

targeting Asian shops and citizens against the proposed excision of 7,000 hectares of Mabira forr

to one of Uganda's historic and largest Asian sugar company, Mehta Group revived the 'As .

question'. The issue degenerated into a racial conflict leading to the targeting of the Asian sh:r

and the killing of Deval Rawal (Daily Nation, April 20, 2007:10). The incident conjured inl-

and fears of the 1971 Amin's military coup and 1972 persecution and expulsion of Asians: :

aftermath of the 1982 and 1971 coup attempts that reminded them of the Ugandan ugly incider:

and the 1960s East Africa "Africanization' and nationalization policies (Sunday **Standard-** A_r 2004:5-7).

Significantly and ironically, the post 1972 Asians in Uganda and by extension Kenya **strength** their social exclusivity across castes and they remained politically inactive due to widesr': insecurity, intimidation and hostility from the indigenous Africans that uprooted then: physically and psychologically (Mamdani, 1984). Although the Kenyan government has officially denounced the Asians, the traumatic impact of the 1972 event that led to A vulnerability and uncertainty in Uganda has instilled psychological fear, disillusion-- victimization and economic instability for the Asians in Kenya. All these events and consequences underlined the fragility 'and volatility of the political and economic envirorrr: facing the EAA immigrants. They demonstrated lack of inter-racial integration as the Asiani still treated as foreigners. This is a symptom of the failure to build a post-colonial multireel ; multicultural East African society.

In Tanzania, there were allegations directed against the Asians on the domination of the ecer capital flight and recruitment of expatriates. The Arusha declaration of 1967, socialism. Ujan: policy, indigenization and the introduction of multiparty politics led to labelling of Asians as main 'non-indigenous' group of "blood suckers', selfishly exploiting the economy. Under Nyere*; socialist ideology, most middle and upper class Asians disengaged from politics and divers " their citizenship, leading to emigration of over 70,000 Asians to the UK and Canada in the lv~ The Asian political and social vulnerability was perhaps most evident when together with An they became the target of violent attacks during the Zanzibar revolution of 1964 in which 10,000 Asians were forced to migrate to the Mainland Tanzania (Voigt, 1998).

Further, several opposition parties like Democratic Party (DP) in the 1990s declared war . promised to give 'Indigenous *Tanzamans-'Wa/alahoi'* (downtrodden) priority over 'non-indigi-

Tanzanians-'Magabacholi' (thieves and looters). This action heightened the **'Asian questio**

citizenship, sparking off violent popular antagonism against Asians and Arabs. **Again in** D—

salaam, Asians were attacked and their properties looted. These events created racial **tensions.**

widespread waves of resentment, mass withdrawal and exodus among the **Asians and** Arafc

Politics for the EAA had become a highly sensitive and defensive identity politics anchoret!

T   A -

racial discrimination and resentment against racial minorities (Plender, 1971; Daily Nation.

20, 2007:10).

In Congo, the Zairean dictator, Mobutu Sese Seko's "*Africanization* Policy" in the **1960s,** *it-*

devastating physical and psychological impact on the Asian economic fortunes when he force

gave away the property of both Europeans and Indians to his cronies (Kurzbach, **2007:264-1-**

Naipaul, 1994). In Mozambique at the height of the 14-year civil war that ended **in 1994.**

200,000 Asians migrated to Botswana and other countries for investment opportunity

Madagascar in 1987, there were governments' engineered anti-Asian riots. Due to poor ecor

the Zambian government put excessive pressure on Asian traders in 1988 which led to emip_

(Nyanchoga, 1990:70-83: Salvadori, 1989). Finally, in Malawi the Asian population has dras:..

reduced due to marginalization and poor economy. The state has also disenfranchised 'foreign;-

including Asians by granting permanent residency after ten years, without the right to **vote -**

stand for the elections.

Although the Indians have been fairly integrated and politically represented in the South A:~-

society, they are still being discriminated and 'stereotyped' as being 'exploitative', **'immo-.**

'unpatriotic', 'dominating' the economy and 'marginalizing' the local population (Meer. >-:

Lastly, in Fiji in 2000 and 2006, the military led by Frank Bainimarama overthrew a democra: ;

elected government of Prime Minister, Laisenia Qarase (ethnic Indian) over corruption allega:

Previously, Fiji's three earlier coups, from 1987 were also racially motivated with indige-

Fijians fearing political dominance by ethnic Indian Fijians who already controlled the economy (Economist, December, 2006:52-53).

4.6.1. Role of India and British Governments

After independence, the Indian government abandoned and neglected its diasporic community in Kenya which it had hitherto supported in the colonial period and this might explain the negative events discussed above. To some extent, this continues to be a debatable issue even following the formation of the Ministry of Overseas Indian Affairs and the celebration of India Diaspora Days *(Pravasi Bharatiya Divas)* events. The Prime Minister, Jawaharlal Nehru refused to intervene on Indian persecution abroad, stating they were matters between Indians and their new states of residence (Savita, 2009). Thus cooperation and relations between India and Kenya has always been non-political and devoid of internal affairs in favour of security and economic issues. Similarly, as explained in chapter three, the British government enacted punitive anti-Asian legislation that made the Asians to leave Kenya in 1968. This led to an exodus of over 100,000 Asians holding British passports to other countries and which later affected their identity, population and politics.

Today, despite being the largest democracy in the world, India is still a country fragmented and plagued by religious and cultural differences. While caste discrimination has been outlawed for more than half a century and a quota system established with the aim of giving the *Dalits'* (social outcasts) a fair share of opportunities in the government, most remain almost destitute (Standard. April, 15, 2009:39). This continued practice of the Hindu caste system in India has ironically worked against the community's identity, solidarity and racial integration with indigenous Africans which are vital for their political participation.

However, due to its increasing industrialization and modernization, India has abandoned its isolationist policy and has developed initiatives and programmes for promoting and safeguarding

its global diasporic interests, including Kenya. It is very proud and committed to the promotion its diasporic communities' maintenance of their cultural heritage, commitment to *Bhartiyata* ('Indianness)' and deep attachment to India that has given them a common identity and success in over 110 countries, but which has also marginalized them with indigenous communities (MEA. 2003; GOPIO, 2007; Sharma. 2004). Contrastingly, it is argued that the Asians are much assimilated in Kenya to the extent that majority does not have strong cultural and political linki with India and this might explain why they have become apolitical.

4.6.2. Transnational Networks and Social Remittances

Kenyan Asians have established formal and informal social networks with the 'motherlands' on the one hand and among the NRIs and PIOs around the world on the other. The Punjabis and Gujaratis have maintained a rich and strong socio-cultural, economic, religious and political network through family ties and kinship obligations, marriage ceremonies and other ritual activities with their global kith and kin. They have thus formed mutual and beneficial 'transnational communities* into what today can be referred to as 'Global Punjabi (World Punjabi Congress) or Gujarati Community' (Chandrashakhar and Kumar, 2006). Conversely, these international networks have eroded their attachment and ideological identity with the Kenyan state and its majority Africans and thus diverted their attention and political interest.

Social remittances refer to transnational political, social, religious and cultural multiple transactions of monetary resources, goods, symbols that are transmitted intentionally and unintentionally b> migrants and through the mass media and modern technology from the host country to the recei\ ing country (Faist, 2000). Indian diasporic population typically view themselves as 'ethnic others' in Kenya, reworking traditional forms of social customs, religious engagement, popular culture and linguistic affiliation through collective interaction with India and other diasporic countries. The> also cultivate a shared sense of heritage and homeland through community based organizations tha:

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facilitate the interactive flow of resources to and from India and other Indian diasporic countrie (MEA, 2003; GOPIO. 2007). Social remittances have therefore, influenced and strengthened the attitude, cultural practices and social values of Asian immigrants in Kenya, thereby negatively affecting racial integration and by extension political participation.

4.6.3. International Capitalism

The international exploitative capitalistic system has strengthened the 'Asian question" and th-i exacerbated the racial tensions and negative stereotypes against them. The notion of the Asiar, exploiting the African was due to basic capitalistic contradictions that obtained with regard to the expropriation of the surplus value created by the African producers and its appropriation by the Asian middlemen, who were the beneficiary links in the chain of appropriation by international capitalists, cultivated within the environment of racial limits of upward economic and sociai mobility (Atieno, 1989:135-14).

As explained in chapter one, Amy Chua (2006) also blamed international capitalism for the resentment discrimination and marginalization of economically dominant Kenyan Asian minorities. Moreover, the diasporic Asians have been industrially globalized and are contributing much to the global economy through human resource expertise, resource exploitation, generating wealth and channeling remittances back home. As a result, the Africans have externalized their problems and failures in relation to the 'conceived' immediate external enemy-the Asian. On the contrary, it is the western MNCs that are the greatest exploiters of the third world economies Today, MNCs control major and lucrative economic sectors, but nevertheless, the culprit has always been the South Asians. With increasing globalization and economic recession, this system will continue to antagonize Africans and Asians and thus undermine their political and social integration in Kenya.

4.7. Conclusion

This chapter has accomplished the three objectives of the study by establishing the extent and level of political participation of the Asians; examining the factors and conditions behind Asian political participation deficit; and evaluating the effectiveness of the state and political system in facilitating Asian political participation. It has also accomplished the three hypotheses by explaining the domination of politics by indigenous Africans under President Kenyatta, Moi and Kibaki to the exclusion of the Asians; underscored the legacy of longstanding traditional, historical, economic and external obstacles in political system as greatly responsible for the current Asian political alienation and the effect of a flawed constitution and undemocratic political system on Asians" political participation.

The broad based findings have also confirmed hypothesis two that political participation of the Asians has declined and remains negligible if not nonexistent. It has revealed multidimensional relationships between and among various barriers and the degrees of political participation anc alienation as important intervening variables. The study has thus established a positive relationship between political participation and alienation. The more democratic the political system an; constitution, the greater the degree of political participation of the Asians. Further evidence showed that outside electoral arrangements, communal participation and descriptive representation car. reduce political alienation by enhancing political engagement, support and identity of the Asiar. community with the Kenyan political system.

When analyzed and averaged across different contexts qualitatively, political participation gap between the minority Asians and majority indigenous Africans is larger, more substantial and statistically significant in the Kenyan majoritarian electoral system and presidential centralized political system. Consistent with expectations, the general assessment and level of satisfaction is tha: the Asian community is alienated in the political system. Majority of the respondents were

dissatisfied with the prospects of Asian politics and predicted a bleak and uncertain future. The psychological reaction to this exclusion from the political system and the state has resulted into Asian withdrawal from all forms of political participation.

On the other hand, it would be an overestimation to conclude that the Asians are politically alienated. They have never been given a chance and opportunity to participate in politics. Lack of interest is just a perception by indigenous Africans that the Asians are apolitical community. To a certain extent they have demonstrated remarkable political interest and won electoral seats, particularly in urban areas. Generally our results support expectations that the Asian political alienation will be minimized under a new constitutional dispensation, democratic political system and racial integration as outlined in the next chapter.

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0. Summary

The 'Asian Question' has been an emotive and a predominant theme in the colonial and pos*-colonial politics in Kenya. The migration of Indian diasporic community from the West Coast c: India to East Africa and their financial, trading and commercial role has been central to Kenya's political, economic and social development. However, despite this remarkable contribution in an alien environment, their positions and interests have remained precarious due to political alienation characterized by marginalization and racial discrimination.

Asian politics in Kenya began during the colonial period in which they objected to racia! discrimination, land alienation and political marginalization. Individual Asian political activist-formed political associations and trade union movement to demand for racial equality, justice, representation and independence. Over the last fifty years. Kenya has witnessed unprecedented political development and transformation. On the one hand, the political participation and proportion of African representatives has steadily increased. On the other hand, the politica participation and representation of the Asian community has declined drastically due to unfavourable political system and external factors.

The one-party state political system was a momentous experiment for Kenya's representative democracy. The imperial presidency and personal rule by President Jomo Kenyatta and Daniel Mo: undermined freedom and democracy leading the Alienation of the Asians and other communities This condition generated the struggle for a new constitutional democratic order that led to the introduction of multiparty politics in 1992. Nevertheless, there is still lack of strong politica: institutions and structures supportive of participatory democracy. Ethnic politics, flawed

constitution and poor electoral system are still the biggest challenges facing the Kenyan polity as minorities like the Asians still remain at the periphery of politics.

Ideally, it is an essential requirement of a functioning democratic system that everyone exercises his/her political and civil rights as voters and citizens of the state. However, there is widespread dissatisfaction with politics and democracy in Kenya due to alienation of racial minorities. The Asians have suffered numerous, multiple and aggravated forms of political and social alienation that have prevented them from actively participating in politics and integrating with Africans. As a result, Asian political participation and representation in parliament and local authorities has been very low, poor and neglected. This condition is a danger to democratization as it reinforces and legitimizes political marginalization and represents a bleak and unpromising future for the Asians. The Asians will thus continue to be alienated by the Kenyan political system and Africans unless they begin to demonstrate interest in politics and actively integrate with other communities.

The study observed lack of consensus and consistency in the arguments and **counter**-arguments from the respondents. The obstacles and the recommendations are therefore still controversial and subject to debate and multiple interpretations between and among the Asians and Africans. In view of the contradictory responses and blame game from both sides, it was difficult to arrive at a definite conclusion. Nonetheless, perceptions still matter and these warrant careful investigation and further research to enrich our understanding of the Asian question in Kenya and Africa.

5.1. Conclusion

This study has discussed the historical and contemporary contribution and challenges facing the Asian community political participation in Kenya. It has been a long, difficult, costly and dangerous struggle for the Asians to identify and participate in politics. President Kenyatta. Moi and Kibaki's regimes have perpetuated undemocratic political systems that have alienated and

marginalized the Asians. Needless to stress that political alienation has undermined the theories ar.

principles of participatory democracy. As a result, the political participation gap between the

Asians and indigenous Africans has widened tremendously since independence.

The doctrine of political equality demands that the Asians, just like other Kenyans must have zhe

same chances and opportunities for participation and representation in a democratic politic::

system. Political participation is therefore, very important for creating links of loyalty and identity

to the state and the Kenyan polity of which Asians form a part. However, the possession of polit:.-

power and dominance by indigenous Africans has undermined the exercise of popular sovereignty

resulting into political alienation, which is antithetical and inconsistent with the theory -

participatory democracy. Inclusion is a political development issue and is increasingly recognize-

as a political right issue for minorities all over the world.

This study has achieved and confirmed three objectives and four hypotheses. It has **conclusive!;**

confirmed that the consistent political alienation of the Asians has been due to a combination e:

internal and external factors. It is an indictment of how badly Kenya has managed the politics o:

race, ethnicity, leadership and integration.

5.2.0. Recommendations

The debate on minority political participation has been widely acknowledged and has presente:

central questions and complex challenges on minorities' participation and representation in

democratic politics. Political theorists have grappled with this issue and struggled to analyze the

procedures and mechanisms most effective in ensuring fair participation and representation. On the

strength of the findings of this study, we have proposed the following multifaceted long-term ar:

short-term mechanisms and strategies that should considered, adopted and implemented to increax

or improve the Asian community political participation and representation in Kenya.

5.2.1. Recommendations to the State and Government

1. The implementation of the New Constitution (Kenya, 2010) and political rel:ʳ⁻ especially on minority rights and freedoms will promote democracy and poh: - participation of the minorities and marginalized groups, including Asians.

2. The composition of parliament into the Lower Chamber (National Assembly) and I :: . Chamber (Senate) under the New Constitution will promote representation and protec of rights of the Asians and other marginalized communities (Kenya, 2010:Ch.8).

3. Devolution and decentralization of the government and the state under the New Constitu: will promote democracy, political accountability and protect the interests and rights minorities and marginalized groups like the Asians (Kenya, 2010:Ch.l 1).

4. The operationalization of Political Parties Act (2011) will streamline the organizat; character, governance and management of political parties. This will offer opportuni: . and promote the rights of Asians to participate in the political system and processes.

5. Operationalization of Electoral and Boundary Commission Act (2011) and Elections A. (2011) will transform the electoral system, making it independent, efficient, transport and accountable. The New Constitution mandates IEBC to restore public trust an.; confidence and ensure participation and representation of minorities like Asians in the electoral system (Kenya. 2010:Ch.7:84).

6. The constitution should enshrine the principle of positive discrimination and recogniz. ethnic minorities as political constituencies by reservation, creation or guaranteeing minimum number of seats for representatives of minorities like Asians in elections.

7. The adoption of PR in the New Constitution will provide a fair, flexible, **adaptable** s> scr of representation for the Asian minority and other marginalized communities than It's: current FPTP system (Kenya, 2010: Ch.7:90).

8. Strengthening NCIC will ensure effective implementation of policies and programmes promoting tolerance, respect, conciliation and cultural diversity to ensure racial and ethrtx harmony, cohesion and integration. The New Constitution also empowers the state recognize, promote and respect Kenya's diverse multiracial/cultural values (Ken>. 2010:Ch.2).

9. The provision of dual citizenship in the New Constitution will enable the Asians who ha multiple identities to enjoy the provision of the Bill of Rights (Kenya, 2010:Ch.3&4). T~ state should also create and promote a concept of common citizenship based on residen.; and not on racial, tribal, political identity and origin.

10. Establishment of Department of Minority and Multicultural Affairs or Commissioner : Minorities with a special responsibility of protecting the rights of ethnic and rac_ minorities and marginalized groups like the Asians.

11. Kenya's educational system should introduce and implement policies and programs ir. :r. curriculum to inculcate, foster, nurture and promote a culture of nationhood, rac;- integration, patriotism, multiracialism, multiculturalism and values of democra:;. governance from primary to university levels.

12. Kenya should align and integrate its foreign policy towards enhancing its strategic an. economic interests with India and global Asian diaspora. The government should devei. - an Asian Diaspora Policy favourable to attract the Asian diaspora back home ar encourage their participation in politics and economic development.

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5.2.2. Recommendations to Political Parties

1. They should develop organizational structures and affirmative action policies and prograr that fosters, accommodates and encourages the participation of minorities and **margina;** groups like the Asians.

2. They must have a national character, ideology, internal democracy, promote and up n national unity, respect human rights and allow or encourage minorities' participation in political system and party politics.

3. They should have clear nomination rules and procedures and strive to nominate minor:: : like the Asians and marginalized groups based on competence, impartiality, fairness _ moral integrity.

4. They should honour electoral pledges, embrace and accept Asians as Kenyan citizens a.-. voters. This will instill confidence, identity, trust, commitment and patriotism for ra^ integration and greater political participation.

5. They should de-ethicize and shun political violence by instilling and encouraging inter-community dialogue, peaceful coexistence, tolerance and inclusion of racial minorities ar._ marginalized groups like the Asians.

6. Asian political parties must champion Asian interests and operate in wider national con:e for all Kenyans towards fostering racial integration.

7. Political organizations active in the promotion of democracy should conduct voter educati. - awareness programmmes and capacity building for the Asians to ensure their politi. participation and representation.

5.2.3. Recommendations to the Asian Community

1. The Asians must reassess their position, move out of their cultural barriers, pur. .-, integrative approaches and actively engage with other Kenyans in politics and **integraticr**

2. They have the responsibility of individually and collectively committing themselves to v nation-state by embracing and demonstrating Kenyan citizenship, identity and patriotism

3. They must stand up. be vocal and outspoken, exploit the new democratic space an. forcefully demand for their political and constitutional rights as Kenyan citizens.

4. They must improve their political skills and organizational capacity by becoming mc. assertive, effective and competent to effectively participate in the political system.

5. They should begin opening up their businesses and forming business alliances an: partnerships with indigenous Africans towards sharing their entrepreneurial skills, fosteri '. integration and promoting harmonious racial/ethnic relations.

6. They must strike a middle ground by identifying conformity areas and also helpir; indigenous Africans to achieve their economic and social aspirations. This form multiculturalism will probably be the least conflictual.

7. In the context of pluralism, they can achieve social integration within Africans as a distin. unit and maintain their identity by accepting African political and social institutions.

8. A more radical process is assimilation in which the Asian identity will disappear an: completely conform or assimilate to the dominant African culture towards a homogeneous society. This option might be difficult since the Asians are not prepared for the tot: abandonment of their ancient culture and lifestyle.

9. Convention of roundtables and forums will provide opportunities for the Asians to engag:
   in dialogue and jointly participate and identify with Africans. Like African political eliX-
   the Asian business community can effectively champion the political agenda of the Asiar.

10. Asian CSOs should aggressively voice their political interests and alienation in the politic^
    system by playing a greater role in advocacy, reforms, empowerment, lobbying an:
    demanding for Asian participation and representation. This must be done in a wider cornera
    in concert and collaboration with other Kenyans to assert national appeal and **legitimacy.**

2.4. Recommendations to the Indigenous African Communities

1. The Indigenous Africans must recognize, accommodate, respect and tolerate the Asians a
   Kenyan citizens capable of political participation and leadership.

2. They should stop demonizing and victimizing the Asians over their poverty, corruption arc
   unemployment. They should view their presence as an opportunity for industrii-
   entrepreneurial and professional development.

3. As part of a common Kenyan enterprise, a transformation in attitude must begin from th.
   communities, political system and social institutions to inculcate a multiracial/ethnic socie~
   by recognizing, integrating and working together with Asians towards a shared future for _
   cohesive and integrated Kenya.

4. Inter-racial cooperation and integration through joint membership to clubs, organizations
   sports and inter-racial marriages can be potential avenues for political, social and econon .
   integration between the Asians and Africans.

5.3. Concluding Observations

The choice between different mechanisms and measures for promoting the Asian minority polii participation is mainly a question of political will that heavily depends on the majority indiger Africans and the political system. Notwithstanding, the prevention and elimination of the obstacles and challenges, it is clear that a fair participation of the Asians in the political system ar. processes is a key issue which should be accorded great attention if participatory democracy : thrive in Kenya. The above recommendations offer opportunities and limitations which are - entirely within the scope of this study. However, it must be conceded that while they will guara.⁻ : and facilitate Asian political participation, it does not necessarily follow that their implement: or recognition will minimize or eliminate the obstacles. It will require more research 2- multidimensional and multifaceted initiatives/approaches from the Asians, Africans, governrr- and CSOs to address the 'Asian question* in Kenya.

Appendix 1: Research Questionnaire

Political Participation and Alienation of Racial Minorities in Africa: The Kenya Asiai Community Experience (1963-2012)

Dear Friend/ Informant,

As a postgraduate research student at the Department of Political Science and Pur Administration, University of Nairobi, I am gathering information and data from Africar indigenous Kenyans, Asian community in Kenya, political organizations, civil soc:e: organizations, religious organizations, government institutions, trade unions, scholars, writers ar>: experts on the Asian community political participation in Kenya. Your response and feedback v. complement and enhance my ongoing research on this topic and thus help guide the further development and analysis of the Asian political alienation and prospects for greater politicz. participation in Kenya.

Enclosed please find a copy of a general open-ended questionnaire that is designed to let me kn; your interest in sharing your views and experiences on Asian political representation in Kenya *arc* also to briefly tell us about yourself. If you are interested for further interviewing or have an; questions, please contact me at the Department of Political Science and Public Administration cn 0720562967 or by e-mail: wmaganda@yahoo.com. If you would also like to share th questionnaire with other experts on the politics of the Asian community in Kenya, contact me i additional copies of the survey. Once you have filled out this questionnaire, please sign, date anj mail it to:

Willis Otieno Maganda,
Department of Political Science and Public Administration,
University of Nairobi.
P. O. Box 30197-00100,
Nairobi, Kenya.

General Questionnaire

Contact Information

Date:

Last Name:_____**First Name:**

Race/Tribe:_____**Religion:**

Sex:_____**Nationality:**

Profession:_____**Institution:**

Address:

City:_____**State:**_____**Postal Code:**

Telephone Number:

E-mail address (Optional):

Tips for Completing the Questionnaire

- Remember these questions are just guiding references. If you want to include information or other issues not covered or mentioned in our questions, please feel free to do so.

- Remember you can use or continue your response on the back of the questionnaire.

- Please be sure to complete the contact information section above. This will allow me to g=" in touch with you in the future.

- If your handwriting is hard to read, consider requesting for oral interview or asking someone whose writing is clear to type or write down your responses, thoughts a r: feelings.

1. To what extent would you say the Asians are interested in Kenyan politics?

2. Do you feel the Asians are politically marginalized? If yes, how has the following factors affecte: their political participation in Kenya?

   a) Historical Legacy

   b) Cultural Stereotypes and Religious Beliefs

   c) Racism and Ethnicity

   d) Constitutional and Legal system

   e) Political System

   0 Electoral System

   g) External Conditions

3. In your opinion, how has the introduction of multi-party politics influenced political participation of the Asians compared to one party era in Kenya?

4. What are the implications and prospects for none (under) representation of Asians in local authorities and legislative assembly in Kenya?

5. To what extent have Kenyan political parties and their leaders represented the interests **of A s i a n s** another racial minorities in Kenya?

6. Briefly explain the prospects and challenges of formation of a political party or association to c a t e r i Asian political interests in Kenya?

7. In your view, what is the future and practice of participatory democracy with regard to t h e A s i a n politics in Kenya?

8. What is your assessment and level of satisfaction with political participation of the Asians **in K e n y a ?**

9. What steps should the state and government take to ensure political participation of the A s i a n s i r Kenya?

10. What steps should political parties take to ensure that their manifesto and internal democracy r e f l e e political interests of the Asians in Kenya?

11. What steps should the Asian community take or consider for ensuring political participation of the Asians in Kenya?

12. What steps should the indigenous Africans take or consider for ensuring political participation of the Asians in Kenya?

Permissions for use in the Outcomes:

In this study, I would like to quote and include comments, thoughts and views you have shares this questionnaire in the thesis and any future publications. Ideally, I would like to credit them • your name, but also willing to include them anonymously and simply list some general descrip : information like age, gender and race. Alternatively I can add the responses to my general base research knowledge without quoting the answers directly in the findings. Please tell us • preferences in these regard (tick the option thut you prefer and sign below):

I grant permission to the University of Nairobi/ researcher to quote my responses in this **questionnaire** an- use my name in association with these comments.

I grant permission to the University of Nairobi/ researcher to quote responses in this questionnaire but not grant permission to associate my name to these quotations. (I agree to be quoted anonymously).

I grant permission to the University of Nairobi/ researcher to use the responses in this questionnaire stn :* as back ground information to be used as part of the information gathering for the overall research.

Your Signature:_____Date:_

Please print your name_

Tell us more!

Did you find that you had more to say about Asian political representation in Kenya than the spa; provided? Would you be interested in filling out an additional questionnaire or being interviewed mcr extensively? Check the box below and we will contact you to discuss further interviewing.

Please contact me: **By phone   1____1**
                                By e-mail   J____j

Best time to contact me is:

Thank you for your participation and assistance.

Willis Otieno Maganda

Department of Political Science and Public Administration,

University of Nairobi,

P.O. Box 30197-00100,

Nairobi, Kenya

Appendix 2: Ethnic Composition of Parliamentary Seats (1963-2012)

No	Ethnic Group/Race	1963-1969	1969-1974	1974-1979	1979-1983	1983-1988	1988-1992	1992-1997	1997-2002	2002-2007	2®*~2012
1.	Kikuyu	36	32	38	33	32	39	37	42	40	40
2.	Luhya	23	19	20	18	20	24	27	26	28	28
3.	Luo/Suba	17	16	17	18	17	22	23	26	26	25
4.	Kamba	10	12	12	13	17	16	16	18	19	16
5.	Kalenjin	20	18	20	20	19	25	23	26	26	24
6.	Somali	10	11	12	12	12	12	12	12	12	16
7.	Miji Kenda	6	6	3	6	6	6	5	9	10	9
8.	Kisii	8	7	8	6	7	9	10	11	10	11
9.	Borana	4	3	4	5	4	5	6	6	7	7
10.	Maasai	5	5	5	6	6	7	6	7	7	5
11.	Sabaot	2	1	1	1	1	1	1	1	1	1
12.	Turkana	2	3	3	3	3	5	5	5	4	4
13.	Samburu	2	2	2	2	2	2	2	2	2	2
14.	Kuria	1	1	1	1	1	1	1	1	1	1
15.	Meru	8	7	7	7	8	5	6	6	6	6
16.	Embu	3	6	4	4	3	5	5	8	8	8
17.	Pokot	3	2	2	2	3	2	2	2	3	3
18.	Taita	3	3	3	3	4	4	3	4	4	4
19.	Pokomo	4	4	5	3	1	3	5	3	3	3
20.	Arab/Swahili	4	5	6	4	5	6	5	4	3	4
21.	Asians	4	0	0	1	0	0	1	0	0	1
22.	Europeans	0	0	0	1	1	1	1	1	0	0
	Total	175	163	173	169	172	200	202	220	220	220

Source: Own compilation based on Wanyiri Kihoro (2007:82-128).

Appendix: 3: Ethnic Composition of Nominated and 'Specially Elected' MPs (1963-2012)

No.	Ethnic Group/Race	1963-1969	1969-1974	1974-1979	1979-1983	1983-1988	1988-1992	1992-1997	1997-2002	2002-2007	20r 2»U
1.	Kikuyu	0	2	3	4	3	2	1	2	2	1
2.	Luhya	1	1	0	0	1	1	1	0	2	0
3.	Luo/Suba	0	1	2	1	0	1	1	1	1	1
4.	Kamba	2	1	1	1	1	1	I	2	2	0
5.	Kalenjin	2	1	0	2	3	2	2	3	3	1 J
6.	Somali	1	1	1	1	1	2	1	2	1	
7	Borana	0	1	0	0	0	1	1	1	0	0
8.	Maasai	1	1	1	0	1	1	0	0	0	0
9.	Sabaot	0	0	0	0	0	0	0	0	0	0
10.	Turkana	0	0	0	0	0	0	0	0	0	0
11.	Samburu	0	0	0	1	0	0	0	0	0	1
12	Kuria	0	0	0	0	0	0	0	0	0	0
13.	Kisii	0	0	1	1	1	0	2	0	0	1
14.	Meru	0	0	0	0	0	0	0	0	0	0
15.	Embu	0	0	1	0	0	1	I	0	1	1
16.	Pokot	0	0	0	0	0	0	0	0	0	0
17.	Miji Kenda	0	1	1	I	1	0	0	1	0	1
18.	Taita	0	0	0	0	0	0	0	0	0	0
19.	Pokomo	1	0	0	0	0	0	0	0	0	0
20.	Arab/Swahili	1	1	1	0	0	0	1	1	0	2
21.	Asians	3	0	0	0	0	0	0	0	0	0
22.	Europeans	3	1	0	0	0	0	0	0	0	0
	Total	15	12	12	12	12	12	12	13	12	12

Source: Own compilation based on Wanyiri Kihoro (2007:82-128)

Appendix 4: Ethnic Distribution of Ministers in Kenyatta Regime (1963-1978)

Ethnic Group/Race	1966		1967		1968		1970		1978	
	No	%	No	%	No	%	No	%	No	%
Kikuyu	6	28.6	6	28.6	8	31.6	6	28.6	6	28.6
Luhya	2	9.5	2	9.5	1	5.3	2	9.5	1	4.8
Luo/ Suba	3	14.3	3	4.3	3	15.8	2	9.5	3	14.3
Kalenjin	1	4.8	1	4.8	1	5.3	2	9.5	1	4.8
Kamba	1	4.8	2	9.5	2	10.5	2	9.5	2	9.5
Kisii	2	9.2	2	9.5	1	5.3	2	9.5	2	9.5
Meru	1	4.8	1	4.8	1	5.3	1	4.8	1	4.8
Miji Kenda	2	9.3	2	9.5	2	10.5	2	9.5	3	14.8
Others	3	14.3	2	9.5	1	10.5	2	9.5	2	**9.5**
Europeans	0	0	0	0	0	0	0	0	0	0
Asians	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total	**21**	**100**	21	**100**	**20**	**100**	**21**	**100**	**21**	**100**

Source Karuti Kanyinga, 2006:345-397.

Appendix 5: Ethnic Composition of Assistant Ministers in Kenyatta Regime (1965-1978)

	Ethnic Group/Race	1966		1967		1968		1970		1978	
		No	%	No	%	No	%	No	%	No	%
1.	Kikuyu	5	**17.9**	4	13.8	4	14.8	**6**	15.8	**9**	**27.3**
2.	Luhya	3	**10.7**	j	10.3	3	11.1	**6**	15.8	3	**9.1**
3.	Luo/Suba	3	**10.7**	3	10.3	2	7.4	3	7.9	**2**	**6.1**
4.	Kalenjin	3	**10.7**	4	13.8	4	14.8	4	10.5	**6**	**18.2**
5.	Kamba	3	**10.7**	3	10.3	3	11.1	3	7.9	**1**	**3.0**
6.	Kisii	0	**0**	**0**	0	0	**0**	2	5.3	1	**3.0**
7.	Meru	**1**	3.8	**2**	6.9	2	7.4	2	5.3	2	**6.1**
8.	MijiKenda	2	**7.1**	2	6.9	2	7.4	3	7.9	2	**6.1**
9.	**Others**	8	**28.6**	8	**27.9**	7	**25.9**	_	_	7	**21.2**
	Total	**28**	**100**	**29**	100	**27**	**100**	**29**	**100**	**33**	**100**

Source. Karuti Kanyinga, 2006:345-397.

Appendix 6: Ethnic Composition of Ministers in the Moi Regime (1979-2001)

Ethnic Group	1979		1982		1985		1987		1994		1998		2001	
	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Kikuyu	8	30.0	7	25.0	5	20.0	4	14.2	1	4.2	1	4.0	1	
Luhya	3	11.0	3	11.0	2	8.0	3	10.7	4	16.7	5	19.0	4	h
Luo/Suba	3	11.0	3	11.0	4	16.0	5	17.8	1	4.2	0	0	2	
Kalenjin	3	11.0	3	11.0	3	12.0	2	7.1	4	17.0	6	22.0	5	u
Kamba	2	7.6	2	7.4	2	8.0	3	10.7	4	16.6	4	14.8	4	
Kisii	2	7.6	2	7.4	1	4.0	2	7.1	2	8.3	2	7.4	2	
Meru	1	3.8	2	7.4	1	4.0	1	3.5	2	8.3	1	3.7	1	
MijiKenda	2	7.6	2	7.4	2	8.0	2	7.1	2	8.3	2	7.4	2	t
Others	2	7.6	3	11.0	5	20.0	6	21.2	4	16.6	6	**22.0**	7	
Total	26	**100**	27	100	25	100	28	100	24	100	27	**100**	28	1

Source: Karuti Kanyinga, 2006:345-397

Appendix 7: Ethnic Composition of Ministers in Kibaki Regime (2003-2008)

	Ethnic Group/ Race	January, 2003-June, 2004		June, 2005-Nov, 2005		Nov, 2005-January, 2008		April, 2008-Dec, 2009	
		No.	%	No.	%	No.	%	No.	
1.	Kikuyu	7	21.2	5	17.2	6	18.1	6	**14.**
2.	Luhya	6	18.1	4	13.7	7	21.2	8	19.
3.	Luo/Suba	4	12.1	1	3.4	1	3.1	5	H i
4.	Kalenjin	4	12.1	3	10.3	2	6.1	5	l i i
5.	Kuria	0	0	0	0	1	2.5	**0**	ox
5.	Maasai	2	7.4	2	6.8	2	6.1	2	*4J*
5.	Kamba	3	11	3	10.3	4	12.1	3	*12*
6.	Kisii	0	0	2	6.8	2	6.1	2	4.7
7.	Meru	2	6.0	2	6.8	2	6.1	1	2 J
8.	Miji Kenda	2	6.0	2	6.8	3	9.0	2	4."
9.	Somali	1	3.0	1	3.4	2	6.1	3	7 -
10.	Turkana	0	0	0	0	1	3.1	**1**	2J:
11.	Samburu	0	0	0	0	0	0	0	**0.**0
12.	Embu/Mbeere	1	0	1	3.4	0	0	**1**	2 i
13.	Pokot	0	0	0	0	0	0	**1**	ZJ
14.	Coastal Arabs	**1**	0	1	3.4	0	0	1	n •
15.	Swahili Tribes	0	0	0	0	0	0	0	0.0

16.	**Taita**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**z .**
17.	**Pokomo**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**6**
18.	**European**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**(L**
19.	Asians	**0**	**0**	**0**	**0**	**0**	**0**	0	t i
20.	**Others**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**o.:**
	Total	**33**	**100.0**	**2 7**	**100.0**	**33**	**100.0**	**4 2**	**m i**

Source: Personal Computation based on the Structure of the Government of Kenya, January 2003- Apr

Appendix 8: Ethnic Composition of Assistant Ministers in Kibaki Regime (2003-2008)

Ethnic Group/ Race		Jan, 2003-May, 2004		June, 2004-October 2005		Nov, 2005-April, 2008		April, 2008-Dec, 2009	
		No.	%	No.	%	No.	%	No.	
1.	Kikuyu	7	25.0	9	23.0	9	22.5	8	16.3
2.	Luhya	5	18.0	7	17.9	6	15.0	5	10.2
3.	Luo/Suba	3	11.0	3	7.6	0	0.0	4	8.1
4.	Kalenjin	2	7.0	4	102	3	7.5	5	10.2
5.	Kuria	1	4.0	1	2.5	1	2.5	1	2.0
5.	Maasai	2	6.8	2	6.8	2	5.0	3	6.1
5.	Kamba	2	7.0	4	10.2	3	7.5	3	6.1
6.	Kisii	1	4.0	1	4.0	2	5.0	4	8.1
7.	Meru	2	7.0	2	7.0	2	5.0	2	4.0
8.	MijiKenda	1	4.0	2	4.0	2	5.0	3	6.1
9.	Somali	1	4.0	2	5.1	3	7.5	5	10.2
10.	Turkana	2	6.8	1	2.5	1	2.5	0	0.0
11.	Samburu	0	0	1	2.5	1	2.5	1	2.0
12.	Embu	I	4.0	1	2.5	1	2.5	2	4.0
13.	Pokot	0	0	0	0	1	2.5	1	2.0
14.	Coast Arabs	0	0	0	0	1	2.5	1	2.0
15.	Taita	0	0	0	0	1	2.5	1	2.0
16.	Pokomo	1	4.0	1	2.5	1	2.5	1	2.0
17.	European	0	0	0	0	0	0	0	0.0
18.	Asians	0	0	0	0	0	0	0	0.0
14.	Others	0	0	1	2.5	0	0	0	0.0
	Total	31	100.0	42	100.0	40	100.0	50	100.0

Source: Personal Computation Based on Structure of the Government of Kenya, January 2003-April, 2008

Appendix 9: Estimated Size of Overseas Indian Community: Countrywise

No.	Country	PIOs	Indian Citizens	Stateless	Total
1.	Afghanistan	500			500
2.	Algeria	5	40		45
3.	Andorra		200		200
4.	Angola	45	250		295
5.	Argentina	1,200	400		1,600
6.	Armenia		200		200
7.	Australia	160,000	30,000		190,000
8.	Austria	3,005	8,940		11,945
9.	Azerbaijan		250		250
10.	Bahrain	NIL	130,000		130,000
11.	Barbados	2,100	100		2,200
12.	Belarus		70		70
13.	Belgium	NIL	7,000		7,000
14.	Belize	500			500
15.	Benin	450			450
16.	Bhutan		1,500		1,500
17.	Botswana	3,000	6,000		9,000
18.	Brazil	1,500	400		1,900
19.	Brunei	500	7,000	100	7,600
20.	Rulgaria		20		20
21.	Burundi	300			300
22.	Cambodia	150	150		300
23.	Cameroon	250			250
24.	Canada	700,000	150,000	1000	851,000
25.	Cape Verde	4			4
26.	Chad	125			125
27.	Chile	39	611		650
28.	China	5	300		305
29.	Colombia	1	19		20
30.	Comoros	50			50
31.	Costa Rica	1	15		16
32.	Cote D'ivoire	30	270		300
33.	Croatia	10			10
34	Cyprus		300		300
35.	Czech Republic	20	400		420
36.	Denmark	900	1,252		2,152
37.	Djibouti	280			280

38.	Dominica		20		2 0
39.	Ecuador		5		5
40.	Egypt	40	1,350		1,390
41.	Eritrea	30	1,723		1,753
42.	Ethiopia	34	700		7 3 4
43.	Fiji	336,579	250		336,829
44.	Finland	410	750	10	1,170
45.	France	55,000	10,000		65,000
46.	Guinea Bissau	25			2 5
47.	Gambia	135			1 3 5
48.	Germany	10.000	25.000		35,000
49.	Ghana	2,000	1800		3,800
50.	Greece				7,000
51.	Guadeloupe	40,000			40,000
52.	Guatemala	22			2 2
53.	Guyana	395,250	100		395,350
54.	Hong Kong	28.500	22,000		50,500
55.	Indonesia	50,000	5,000		55,000
56.	Iran		800		800
57.	Iraq	50	60		110
58.	Ireland	600	1.000		1.600
59.	Israel	45,000	300		45,300
60.	Italy	36,000	35,500		71,500
61.	Jamaica	60,000	1,500		61,500
62.	Japan	1000	9,000		10,000
63.	Jordan	30	900		930
64.	Kazakhstan		1,127		1,127
65.	Kenya	85,000	15,000	2,500	102,500
66.	Korea (DPRK)		5		5
67.	Korea (ROK)	200	2,500		2,700
68.	Kuwait	1000	294,000		295,000
69.	Kyrgyzstan	100			100
70.	Laos	18	107		125
71.	Lebanon	25	11,000		11,025
72.	Libya	400	12,000		12,400
73.	Lithuania		5		5
74.	Madagascar	25,000	3,000	1,000	29,000
75.	Malaysia	1,600,000	15,000	50,000	1,665,000
76.	Maldives	1	9,000		9,001
77.	Mali	20			2 0

78.	Mauritius	704,640	11,116		715,756
79.	Mexico	400			400
80.	Mongolia		35		35
81.	Morocco	25	350		375
82.	Mozambique	20,000	870		20,870
83.	Myanmar	2,500,000	2,000	400.000	2,902,000
84.	Namibia	32	78		110
85.	Netherlands	200,000	15,000	2.000	217,000
86.	New Zealand	50,000	5,000		55,000
87.	Nigeria	8,000	17,000		25,000
88.	Norway		5,630		5,630
89.	Oman	1000	311,000		312,000
90.	P.N Guinea		1,000		1000
91.	Panama	211	1,953		2,164
92.	Peru	10	135		145
93.	Philippines	24,000	2,000	12,000	38,000
94.	Poland	75	750		825
95.	Portugal	65,000	5,000		70,000
96.	Qatar	1,000	130,000		131,000
97.	Reunion Islands	220,000	55		220,055
98.	Romania	2	489		491
99.	Russia	44	16,000		16,044
100.	Saudi Arabia		1,500,000		1,500,000
102.	Senegal	13	8		21
103.	Seychelles	2,000	3,000		5,000
104	Singapore	217,000	90,000		307,000
105.	Slovakia		100		100
106.	Solomon Island		20		20
107.	South Africa				1,000,000
108.	Spain	16,000	13,000		29,000
109.	St. Lucia		200		200
110.	St.Vincent&Grenadines		160		160
111.	Sudan	300	1,200		1,500
112.	Suriname	150,306	150		150,456
113.	Sweden	9,000	2,000		11,000
114.	Switzerland	8,400	4,800	300	13,500
115.	Syria	1,800			1,800
116.	Taiwan	1,800			1.800
117.	Tajikistan	NIL	400		400
118.	Tanzania	85,000	5,000		90,000

119.	Thailand	70,000	15,000		85,000
120.	Trinidad/ Tobago	500,000	600		500,600
121.	Tunisia		70		70
122.	Turkey		300		300
123.	U.A.E	50,000	900.000		950,000
124.	Uganda	7,000	5,000		12,000
125.	U.K				1,200,000
125.	Ukraine		3,400		3,400
126.	U.S.A				1,678,765
127.	Uzbekistan	40	650		690
128.	Vanuatu		50		50
129.	Venezuela	400	280	10	690
130.	Vietnam		320		320
131.	Yemen	100,000	900		100,900
132.	Zambia	10,000	3,000		13,000
133.	Zimbabwe	15,500	1,200		16,700
	TOTAL	8,686,437	3,902,458	468,920	16,843,580

Source: MEA, 2001: X1V11-1: http://www.indiandiaspora.nic.in/contents.htm: http://www.gopio.net

Appendix 10: Indian Diaspora in Other Countries in Africa

No	Country	Population	PIOs	NRIs	Stateless	% of Population
1.	Algeria	30,200	5	40	Nil	Insignificant
2.	Angola	12,000	45	250	Nil	Insignificant
3.	Benin	4,590	450	Nil	Nil	Insignificant
4.	Botswana	1,500	3,000	6,000	Nil	0.66
5.	Cameroon	15,863	250	Nil	Nil	Insignificant
6.	Cape Verde	437	4	Nil	Nil	Insignificant
7.	Chad	7,068	125	Nil	Nil	Insignificant
8.	Cote D'ivoire	16,000	30	270	Nil	Insignificant
9.	Djibouti	4,600	280	Nil	Nil	Insignificant
10.	Eritrea	3,317	30	1,723	Nil	Insignificant
11.	Ethiopia	63,500	34	700	Nil	Insignificant
12.	Guinea Bissau	1,315	25	Nil	Nil	Insignificant
13.	Gambia	1,200	135	Nil	Nil	Insignificant
14.	Ghana	19,400	2,000	1,800	Nil	Insignificant
15.	**Kenya**	**28,400**	**85,000**	**15,000**	2,500	**0.36**
16.	Madagascar	14,800	25,000	3,000	1,000	Insignificant
17.	Mali	10,109	20	Nil	Nil	Insignificant
18.	Mauritius	1,186	704,640	11,116	Nil	60.35
19.	Mozambique	16,500	20,000	870	Nil	Insignificant
20.	Namibia	1,700	32	78	Nil	Insignificant
21.	Nigeria	125,000	8,000	17,000	Nil	31.00
22.	Reunion	70,946	220,000	55	Nil	Insignificant
23.	Senegal	9,000	13	8	Nil	Insignificant
24.	Seychelles	81,000	2,000	3,000	Nil	6.10
25.	Sudan	29,000	300	1,200	Nil	Insignificant
26.	**Tanzania**	**32,000**	**85,000**	**5,000**	Nil	**0.28**
27.	Tunisia	9,200	Nil	70	Nil	Insignificant
28.	**Uganda**	**21,500**	**7,000**	**5,000**	Nil	**Insignificant**
29.	Zambia	10,200	1,000	3,000	Nil	Insignificant
30.	Zimbabwe	11.900	15,000	1,200	Nil	0.10
	TOTAL	**653,431**	**1,179,418**	**76,380**	**3,500**	**100.00**

Source: MEA, 2001:94; http://www.indiandiaspora.nic.in/contents.htm: http:/ '\v-w\v.gor

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