

POLITICIZATION OF INTER-ETHNIC CLASHES IN NAKURU COUNTY:
THE CASE OF NAKURU TOWN.1992 -2015:

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DECLARATION

This M.A research project report is my original work and has not been presented for examination in any other University

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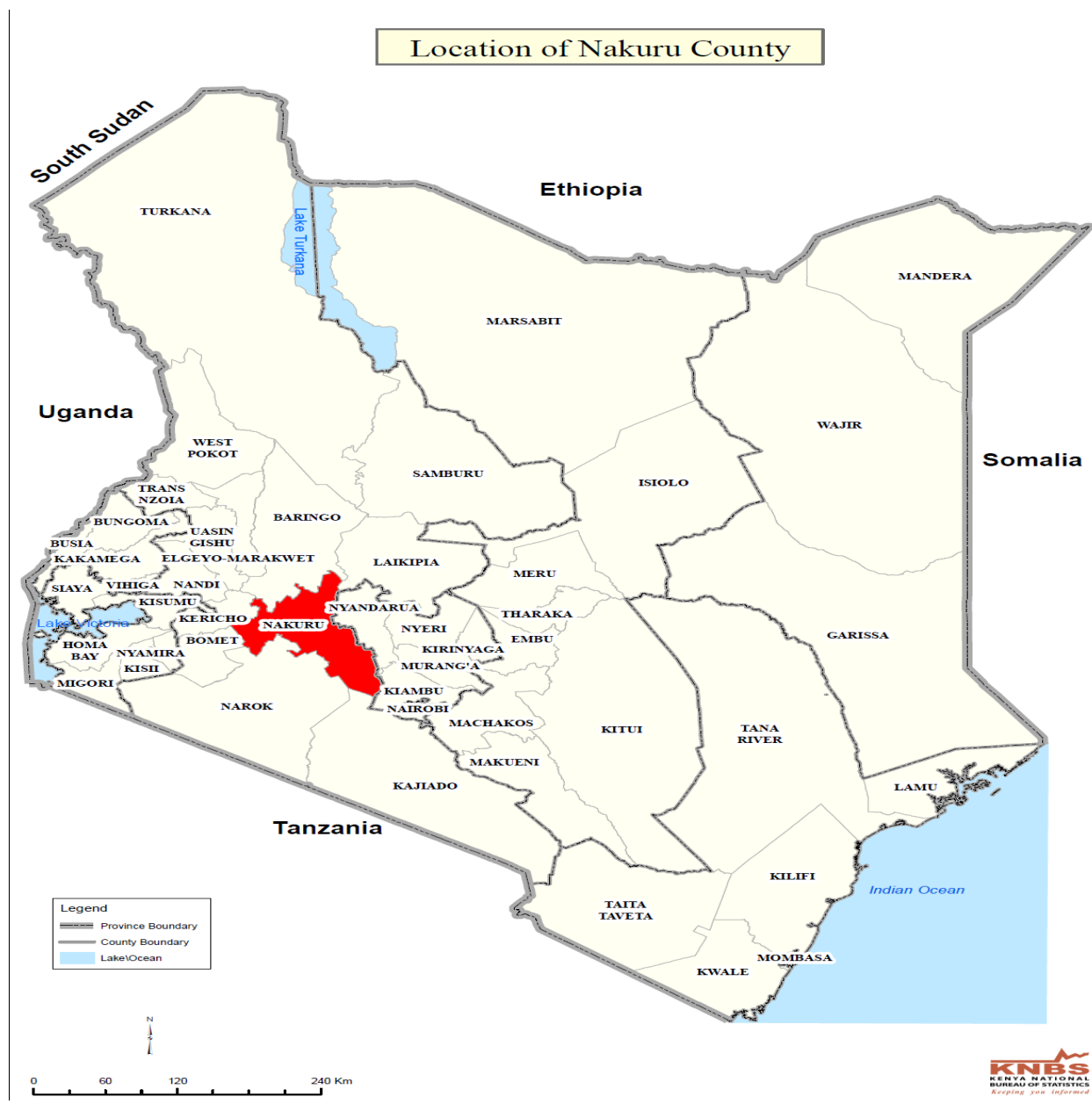
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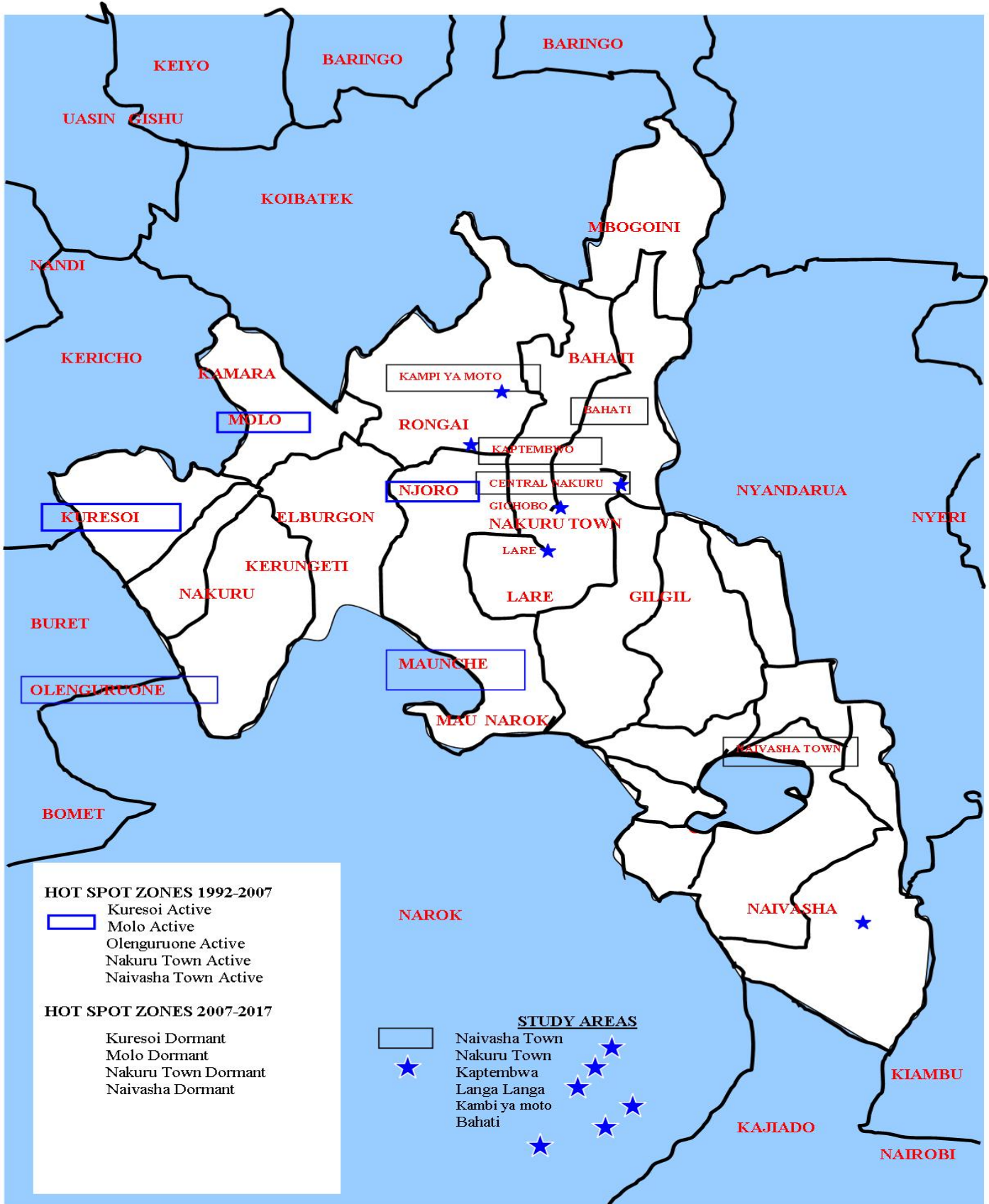
LOCATION OF NAKURU COUNTY



Source: Kenya National Bureau of Statistics, 2013



TITLE: NAKURU COUNTY



Source: National Early Warning and Early Response Centre

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ABBREVIATIONS AND ACRONYMS

ADR	Alternative Dispute Resolution
CEWARN	Conflict Early Warning and Early Response Mechanism
CEWERS	Conflict Early Warning and Early Response System
CIC	Constitution Implementation Commission
CIOC	Constitution Implementation Oversight Committee
CPAP	Country Programme Action Plan
CSOs	Civil Society Organizations
DP	Democratic Party of Kenya
DPC	District Peace Committee
DSICs	District Security & Intelligence Committees
DTFs	District Taskforce (on Small Arms)
EAC	East African Community
ECOWAS	Economic Community of West African States
EWER	Early Warning and Early Response
FBOs	Faith based Organizations
FGDs	Focus Group Discussions
GHA	Greater Horn of Africa
GOK	Government of Kenya
IDIs	In-depth Interviews
IEBC	Independent Electoral and Boundaries Commission
IGAD	Inter-Governmental Authority on Development
KAMATUSA	Kalenjin, Masaai, Turkana, Samburu.
KADU	Kenya African Democratic Union.
KANU	Kenya African National Union.
KNFP	Kenya National Focal Point on Small Arms & Light Weapons
KPR	Kenya Police Reserve
LPCs	Local Peace Committees
LPI	Life and Peace Institute
NSC	National Steering Committee.
SSA	Sub Sahara Africa
SALW	Small Arms and Light Weapons.

ABSTRACT

This paper focuses on the politicization of ethnic clashes in Nakuru town between the periods of 1992 to 2015. The selection of the study area was informed by its previous conflict history that has witnessed the relapse of inter communal clashes especially during election period. This study offers an explanation for this conflict situation by looking into the role of elite manipulation, origin and impact of ethnic hatred and the relationship between ethnic insecurity dilemmas. In addition, the paper lays emphasis on the protracted nature of perceived ethnic tensions and fears with regards to the heterogenic nature of the county. Accordingly, the reintroduction of Multi-Party Politics in Kenya coincided with the escalation of heightened political ethnic confrontation where political elites and other actors apply various means to win elections. It is argued that the political elites have adopted various methods to ensure their stay in power through political control. This study explains how complex myth, symbols and emotions can be employed by elites, like leaders or politicians, to seduce ethnic groups into conflict. To explain the relationship, the researcher adopted the political symbolism theory to show how elite manipulates group myths that justify hostility. The hostile myths, in this view, produce emotion-laden symbols that make mass hostility easy for chauvinist elites to provoke and make extremist policies popular.

DEFINITION OF KEY TERMS

Alternative Dispute Resolution: Are other forms of dispute resolution including dialogue, negotiations, reconciliation, mediation, arbitration and traditional dispute mechanisms?

Architectures for Peace: Platform for consultations, collaboration, cooperation and co-ordination of peace issues by representatives from the government, United Nations agencies, private sector, Civil Society Organization and development partners.

Conflict –relationship between two or more parties (individual or group) who have, or think they have, incompatible goals.

Conflict Early Warning: The act of raising an alert about the threat of new (or renewed) conflict sufficient in advance for preparedness, response and preventive action.

Conflict Early Warning Mechanism: Processes and Structures that collect analyze data on conflict indicators; and provide advanced warning information about conflict risk and vulnerability.

Catalyst factors: are factors that affect the intensity and duration of the conflict; they may be internal, such as the military balance between the opposing sides, or external, such as UN intervention.

District Peace Committees: Are community representative institutions based at various administrative levels. As peace architectures they bring together the informal traditional dispute resolution mechanisms that involve elders, women, political leaders on one hand and formal mechanism namely governmental and non-governmental on the other.

Elites: Those few individuals who occupy the top political position plus any other individual with equivalent role in decision making at national institutions.

Historical injustices: unhistorical injustices dating back to the colonial times and the period immediately after independence.

Integrated IDP: IDPs who took up residents with friends and kinsmen, or rented accommodation in urban areas either immediately following or after a short sojourn in IDP camps.

Mediation :Is the process where a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict.

National Accord/Coalition Government: An arrangement of power sharing between two Kenyan political parties, PNU (headed by President Kibaki) and ODM (headed by Raila Odinga), leading to a “hybrid “of government.

Negative Peace-means the absence of war and other forms of direct violence .It is achieved when war or crime that might have happened is prevalent.

Negotiation .Is the process of direct dialogue between two or more individuals or groups in which they generate options and make an agreement concerning conflicting interests and need.

Political Elites: Specifically refers to those individuals who wield a disproportionately large amount of power or participate in making nationally authoritative decision.

Positive Peace –is a condition where non violence, social justice and ecological sustainability remove the causes of violence .It is achieved when social institutions f peace are in place that makes the idea of using war or other violence unlikely to occur.

Proximate Factors: factors contributing to a climate conducive to violent conflict or its further escalation, sometimes apparently symptomatic of a deeper problem.

Trigger Factors: single key acts, events, or their anticipation that will set off or escalate violent conflict.

Structural Factors: Pervasive factors that have become built into the policies, structures and fabric of a society and may create the pre-conditions for violent conflict.

CHAPTER ONE: INTRODUCTION

1.1 Background and Introduction

According to Kemal Ozeden, the Berlin conference of 1884/85 with its instruments of colonialism and imperialism suddenly disrupted and stifled the first indigenous African revolutionary process and development patterns of the African urban areas¹. This led to centralized political, economic and administrative systems in the new colonial centers. The scenario triggered off a new wave of urbanization in Africa with adverse consequences on development needs. In the new administrative centres Africans lived in small spaces, under poor sanitary conditions and prone to illnesses. The colonial governments' response was not to improve the African conditions, but rather to separate Europeans from Africans and to enact African urban influx control laws. In South Africa, for example the official policy of apartheid from 1948 was replicated albeit in milder form in other colonial states, the policy was informally extended to settler countries like Kenya, Nigeria, North and South Rhodesia, Tanganyika and almost all the colonial governments where they created new segregated reserved areas based on race. In terms of urban development, Africans were compelled to live in the least developed areas in the periphery of the cities. This led to the rise of slums in African urbanization.

In the post-colonial era, Africans urban centers have become arenas of social symbolic conflicts and places of gender, class, ethnicity, and myriad of other variations of identity-related differences. Although, one of the major roles they play is that of a powerful integrator, many urban centers have greatly been transformed into epicenters for marginalization and violence². Conflict issues in these areas are characterized by the construction of group boundaries that create exclusive spaces among ethnic tribes in urban centers. Ethnicity and politics in this area represent two sides of the same coin because special politics subscribed to by social actors shapes politics and intergroup relations among the urban dwellers.

¹Kemal Ozeden.(2012).“Urbanization and Political Challenge in Developing Countries”. Journal of
²Mouzelis, Nicos.(2000).‘Sociology of Development: Reflection on the present crisis’. Sociology, 22(1), pp.23-4

According to the Economic Commission for Africa³, many governments in postcolonial Africa are unable to meet the basic needs of much of their urban population. These areas are surrounded by shanty towns with high levels of unemployment and poverty resulting in a rise in crime, violence and civil insurgency. The situation has created a devastating effect on the structures and processes of political development of African urbanization frameworks. In most African states, tribal identities have been the anchors upon which ambitious individuals or groups have been able to achieve position of status, dominance and wealth⁴.

In its half century of independence, Sub-Saharan Africa has been scarred by internecine conflicts, many of which have been the result of the manipulation of ethnicity for political gains especially in urban centers⁵. Accordingly, political studies affirm that African voters tend to make their electoral choices as communities or racial groups rather than on individual merit or competence⁶. Similar to many democracies that often involve competitive politics in the region, various groups and classes of persons see elections as a contest between ethnic groups for political hegemony and control of state resources⁷. Ethnic support and sectional interest are perceived to be more important than party loyalty, ideologies and values. Each indigenous ethnic group would always prefer their own candidates to win elections a pre-assumption that raises the likelihood of electoral related violence.

In most African states the incumbent regimes deliberately provoked violence in varying ways in order to increase their chances of remaining in power. For example, in South Africa under F.W de Klerk, Malawi in 1993-1994, and Zimbabwe's use of so-called war veterans in 2000-2002.

An example is the case of Jos crises in Angola of 1999, 2003, 2007 and 2011 elections⁸. Similarly, in Borno state especially in Maiduguri, the racial division in 1979 between the Kanuri

³Economic Commission for Africa (ECA).(2000).Social Dynamics of Agrarian change in Africa. Addis Ababa: Ethiopia.

⁴Mamdani, M. (1996). Citizen and Subjects: Contemporary Africa and the Legacy of Late Colonialism. Princeton: Princeton University Press.

⁵Kemal. "Urbanization and Political Challenges" op. cit., p. 5

⁶Angelique Haugerud. (1995).The Culture of Politics in Modern Kenya. New York: Cambridge University press. p.18

⁷ibid.,p.8

⁸Malaquias A.(2007).Rebels and Robbers: Violence in Post-Colonial Angola. Stockholm, Sweden: Elander Gorab AB,.

and Hausa racial groups culminated in a violent political struggle and thuggery between the Great Nigerian Peoples Party (GNPP) and the National Party of Nigeria. On the same note, the periodic incidents of electoral related violence in Kenya in 1992, 1997, 2007/08 and 2013 (that experienced relative peace) where ethnic groups have attacked each other on political affiliation has resulted into death, displacement and destruction of property in Nakuru, among other places. The transition to multi-partyism Kenya in the early 1990s created a new political context, which conditioned the ruling parties to adopt new political strategies to ensure they would not lose power through competitive elections⁹.

1.1.1 Introduction

Electoral related conflict episodes in Kenya have been noted to be ethnically defined expression of political conflict, where ethnicity has become a medium of political violence and not its cause¹⁰. In line, the recurrent nature of this conflict in many parts can also in a way be attributed to the movement of ethnic groups to areas where they constitute the minority¹¹. This has led to politicized stereotypic tendency based on ethnic identity that have led to deliberate attacks and displacement of other tribes. According to Oyugi, this was a calculated move aimed at interfering with electoral outcome in most parts of the Rift Valley Province¹². This contributed into in a self-perpetuating system, which increases the likelihood of future conflicts by sharpening ethnic identity and chauvinism, as well as promoting the doctrine those specific regions of the country belong to particular groups. In support, the elections period of 1992, 1997, 2002, 2007 and 2013 were all characterized by the urban related ethnic political overtone¹³.

⁹Steven B.(2003).Quite diplomacy and Recurring Ethnic Clashes in Kenya. Ottawa: Canada.

¹⁰Angelique Haugerud. The Culture of Politics in Modern Kenya , op. cit.,p.14

¹¹Chatterjee,Partha .(2004). Politics of the Governed: Reflection on Popular Politics in Most of the World. Delhi: Permanent Black.

¹²Oyugi W.(1997).Ethnic Relations and Democratization Process in Kenya,1990-1997.Africa Journal of Political Science,2(1),pp.41-69.

¹³Research Interview with County Peace Coordinator, Solomon Wanguru in Nakuru Town on 14th March 2015.

1.1.2 Nakuru County

Nakuru County is situated on the floor of Rift Valley Province and shares borders with Baringo, Laikipia, and Nyandarua Counties to the North and North East respectively. It borders Narok County to the South and Bomet and Kericho Counties to the South West, and Kiambu and Kajiado Counties on its South Eastern tip. The County has six constituencies namely Naivasha, Nakuru Town, Molo, Kuresoi, Subukia, and Rongai (see map on page iv). However, the county is highly heterogenic in nature hosting almost all ethnic groups in Kenya. This makes it one of the largest cosmopolitan areas in the country with ethnic communities including the Luhya, Gusii, Luo, Meru, Kamba, Maasai, Turkana and Kenyans of Sudan origin having permanent residences in the county.

There has been a long-standing conflict between the Kalenjin and the Kikuyu dating back to post-independence days surrounding the issues of settlements, political affiliation, identity and ownership of land. Political dynamics have been at the core of these conflicts where different communities align themselves to the various political parties¹⁴. Furthermore, the presence of a high number of unemployment among the youth in the County makes them prone to recruitment into illegal groups such as *Mungiki*, *BodaBoda* and Matatu cartels¹⁵. In line, an increase in insecurity and conflict incidents in the county's urban and peri urban centers has been attributed to its proximity to the volatile borders with Baringo County that provides easy access to small arms.

The onset of electoral related inter-ethnic conflict in Nakuru County has its origin during the 1992 electoral period. During this period, violence became institutionalized at both presidential and parliamentary elections and thus contributing to the growing politicization and proliferation of violence. This has led to the relapse and escalation of electoral related violence

¹⁴Kagwanja, Peter.(2009).Courting Genocide: Populism, Ethno-Nationalism and the Informalisation of violence in Kenya's 2008 post-election crisis. Journal of Contemporary African Studies, 27(3), pp. 8-25

¹⁵Rasmussen, Jacob. (2010). Mungiki as youth movement: Revolution, gender and generational politics in Nairobi, Kenya. Journal of Youth Research, 3(3), p.16

in both at the periphery and in the major urban centers pitting communities against each¹⁶. Prolonged persistence of structural grievances in urban centers among the local has further been linked to the various forms of inequalities including the unequal allocation of land and other national resources as well as access to public goods and services. This has led to the lack of trust for state owned institutions by ethnic groups who blame the state for prolonged historical marginalization.

1.2 Research Problem

Ideally, urban center can be a strong instrument for social integration due to the high levels of development that brings community together through shared services. This implies that urban communities have a high tendency of a reduced internal differentiation levels¹⁷. The scenario produces new wants and preferences for collective goods as ethnic barriers are weakened leading to heightened levels of integration. As a result, it is always expected that an urban community tends to have a diminished sense of a community¹⁸, due to high levels of integration among various ethnic groups. The argument suggests that political alignments in urban places should not be ethnic based but should rather be defined by the desire for a common ideology. However, in Nakuru town issues of perceived grievances have for long taken ethnic dimensions among the communities. This has negatively contributed to heightened political contestation or sometimes violence during election period thus detribalizing politics and eroding civic nationhood¹⁹.

Of concern, Nakuru town has continuously witnessed the relapse of electoral related ethnic clashes during the electioneering year. This has been linked to the onset, duration and escalation of conflicts in other hot spots areas. The indivisible nature of the inter communal clashes of Nakuru town has been tied to the national, local and county dynamics. This scenario acts as a

¹⁶Omotola, S. (2010).Explaining Electoral Violence in Africa's 'New' Democracies. African Journal on Conflict Resolution, 10(3), pp. 26.

¹⁷Horowitz, D.L (1985).Ethnic Groups in Conflict. Berkely & L. Angels: University of California Press

¹⁸Oyugi, W.(1993). "Ethnic Politics in Kenya", in Nnoli, Okwudiba (eds.) Ethnic Conflict in Africa. CODESRIA.

¹⁹Kagwanja ,P., M.(1998).Killing the Vote: States-sponsored violence and the flawed election in Kenya(Kenya National Human Right Report). Nairobi: KHRC.

clear indicator that the onset of inter communal clashes is highly intertwined in both urban and peripheral areas during the election periods²⁰.

What is not clear is how and why negative ethnicity in urban centers remains protracted in nature and flares up into violence during the election period. Consequently, communities have deliberately turned against each other leading to deaths, destruction of property, displacement and loss of other livelihood assets. The existence of these conflict issues has defied the assumption that urban communities tend to enjoy a high level of integration. This study will therefore try to establish to what extent, if at all, the politicization of electoral related inter communal conflicts explains this phenomenon, with Nakuru town as the case study.

1.3 Research objectives

The objectives of the study are:

1. To determine the origin and impact of ethnic hatred and election violence in Nakuru town.
2. To examine the relationship between elite manipulation and ethnic violence in Nakuru town.
3. To examine the relationship between ethnic insecurity and violence in Nakuru town.

1.4 Justification of the Study

Despite the many excellent studies on how to build peace in divided societies, there remains a dearth of practical advice for policy-makers on how to manage inter-ethnic urban conflict. Though conflict is a normal part of any healthy society a great deal of attention has in recent years been focused on how to prevent conflict on a one “*size fit all approach*” bases. In particular, more attention needs to be given to the key political choices that determine the period of conflict. This study attempts to look into the role of elite who have significantly determined the nature of inter-ethnic urban conflicts. In practice, this will significantly inform the understanding of how political elites dictates the onset, duration intensity of urban related identity conflicts.

²⁰Research Interview with a District Peace Committee Member in Naivasha on 22nd April 2015.

In Kenya both state and non-state actors of peace such as the National Steering Committee on Peace Building and Conflict Management (NSC) and the National cohesion and integration, has for decades engaged in attempts at finding solutions to the urban electoral related violence. For instance, Nakuru County has been long recognized as a violence hot spot and this study will yield data and information that can help in the proper intervention strategy by the various stakeholders of peace in the region through policy formulations.

Stakeholders of peace need not to rely on haphazard personal experiences, or subjective “expert judgment”. They instead should base their method, decision and action on concrete knowledge of issues on conflict that will be supported by the research findings. This will improve the analysis of the conflict and help in mitigating the recurrence of electoral related violence in the County, and elsewhere. Hopefully, the study will also form a basis for further research on the nature of urban related electoral conflicts. It should also lead to the generation of new ideas for the better and more efficient intervention for peace in Kenya and the rest of the world.

1.5 Scope and Limitation of the Study

The study covered the period between 1991 to 2015. This was a period when Nakuru County experienced episodes of inter-ethnic violence. Fieldwork and library research was conducted in March 2015 to May 2015 in Nakuru town. The county was chosen because it has a history of tribal clashes during the election period resulting to deaths, displacement and destruction of property. Secondly, given the vast nature of Nakuru County alongside limited time, resources and the complexity of conflicts in the County, the study confined itself to the electoral related conflict among the urban residents of Nakuru town, which during this period community have turned against each other for political and tribal affiliation. The study specifically aimed to determine the role of ethnic hatred; elite manipulation and ethnic tension on the recurrence of inter-ethnic violence in Nakuru town. However, the scope of the study was limited by resource constrains. In addition, due to the sensitive nature of some of the information sought, the informants have remained anonymous

1.6 Literature review

This section is a review of the literature related to the determinants of politicization and inters ethnic violence. The review is conceptualized under the objectives of the study and focuses mainly on ethnic hatred, elite manipulation and ethnic tensions and their relationship to the recurrence of urban violence with a special emphasis on Nakuru town.

1.6.1 Literature on Ethnic Hatred and Conflict

Snow and Keen²¹ point out that intrastate violence between factions erupts as a consequence of tribal and ethnic affiliations that have been suppressed, but never truly removed from the hearts and minds of the warring parties. They argue, further that the end of Cold War allowed the re-emergence of inter-ethnic hatred in Europe and African states. Using the same logic of ethnic hatred one can argue that the escalation and recurrence of ethnic violence in Nakuru town during the electoral period was a result of long standing negative sentiments between different communities. Clinton and Brown²² emphasize these views by saying that in the presence of trigger factors long simmering hatred between communities can easily flare up into violence.

However, according to Fearon and Laitin internal war may not actually correlate to the end of the cold war or regime change²³. The latter's argument shows that Cold War was only one single factor in the rise of inter-ethnic violence in African states. This is because the post-cold war intra state conflicts were largely caused by internal factors such as political instigations by the state and institutional failures. The notion of ethnic hatred fails short in explaining the role of internal political factors in determining the onset and duration of inter-ethnic conflicts especially in the urban centers.

According to Blagojevich, ethnically diverse societies carry various degrees of conflict potential. Examples are ethnic emotions, rooted in historical memories of perceived grievances

²¹Keen, D.(2008). Complex Emergencies. Cambridge: Polity Press.

²²Brown,M.(2001).The Causes of Internal Conflict: An Overview in Brown M.E,(1sted).Nationalism and Ethnic Conflict. Mass London: MIT press.

²³Fearon, and Laitin.D. (2003). "Ethnicity,Insurgency, and Civil War". American Political Science Review,97(1),pp.44-76.

that are at the core of conflict potential²⁴. Blagojevic's argument supports Donald Horowitz' claims that ethnicity embodies an element of emotional intensity that can be readily aroused when the group's interests are thought to be at stake. This view implies that ethnic emotions when conflated with other political and institutional failures can lead to ethnification, intolerance and competition which can result in inter-ethnic violence.

In support, Kaplan²⁵ argues that, ancient ethnic "hatred" is primordial, sharply distinct, and resilience across all institutions and activities. This presents a high risk for the repeated destructive conflict. Accordingly, ethnic groups can resist assimilation and erosion despite education, secularization and modernizations. In his view, there is primitive instinct for violence inherent within warring parties. However the notion of ethnic hatred cannot alone account for the timing of the outbreak of violence nor can it account for the phases of inter-ethnic groups co-operation or peace in Nakuru Town. As a result, a context of instability and uncertainty about the political, social, and economic future of communities is created. This scenario creates 'collective fears' of the future among ethnic groups a situation, which facilitates a manifestation of emotional antagonisms among them.²⁶ However, although they acknowledge the emotional aspects in dictating conflicts, they failed to illustrate the linkage between the political actors and the eruption of electoral related conflicts.

Mwangi and Kimenyi, further argue that ethnic clashes in Kenya have been purely the result of "ethnic hatred." But this hatred must be qualified²⁷. This is connected to electoral politics and competition among ethnic groups over resource ownership and ethnic violence can be equated to the resurgence of precolonial barbarism. In support, Murungi viewpoints that democratic transition in 1991 inflamed latent tribal hatreds²⁸. There existed a reservoir of resentment and

²⁴Blagojevic, Bojana. (2004). Ethnic Conflict and Post-Conflict Development: Peacebuilding in Ethnically Divided Societies(published Ph.D diss, Rutgers University, New Jersey).

²⁵Kaplan, R (1994). The Coming Anarchy. The Atlantic Monthly, 273(2), pp.44-76.

²⁶Lake, David A. and Donald R. (1996). "Ethnic Fear and Global Engagement". The international Spread and Management of Ethnic Conflict. IGCC Working Paper no.20, San Diego: CA, pp.16-20

²⁷Kimenyi, Mwangi S. and Ndung'u, Njuguna, S. (2005). Sporadic Ethnic Violence: Why Has Kenya Not Experienced a full-blown Civil War?. In P. Collier and N. Sambanis (Eds), Understanding Civil War (Vol. 1: Africa), World Bank: Washington, D.C.

²⁸Murungi, K.(1995). Ethnicity and Multi-Partism in Kenya. Nairobi, Kenya: Kenya Human Rights Commission.

mistrust of the Kikuyu by the Kalenjin (the ethnic group most affected by violence) arising from what was perceived as Kikuyu's expansionism. But it calls for further research to explain how the relationship between tribes can suddenly turn from cordial to unreasoned hostility and violence.

In the Kenyan context for example, the call for political pluralism was perceived by the Kalenjin leaders in Kenya as a call for the end of Kalenjin hegemony of the Moi regime. On 21.9.1991 Rift Valley MPs pledged to counter any attempt to displace them in leadership. This was during various rallies, which were held before the 1992 elections. Assistant minister Paul Chepkok urged the Kalenjin people to arm themselves with sticks, bows and arrow and destroy any FORD member on sight²⁹.

This provides a clear view of how political elite greatly contributed to electoral related ethnic conflict of 1992, 1997 and 2007. Furthermore, ethnic emotions appear to be *primordial* and are socially, politically and historically constructed reality – drawn from the memories of past injustices, grievances and some positive things³⁰. Thus memories of past injustices real or perceived committed by various regimes contributed greatly to negative ethnic relations among the communities in the town.

Although ethnicity is definitely present among the communities in Nakuru town and has been a source of tension, the notion fails to explain why episodes of violence manifest themselves only during election periods. In addition, it also does not show why inter-ethnic attacks have occurred among different communities that were subjected to similar historical injustices. For example, relapse of inter-ethnic clashes during election periods suggests that ethnic “hatred” cannot explain the trigger factors which have dictated the conflict onset in the town. On the same note, during the 2007 and 2013 electoral violence, incidents were mainly between the Luo and the Kikuyu who had previously formed an alliance during the 2002 general election. Consequently,

²⁹Oyugi ,W. (1992).*Ethnicity in Electoral Processes* .op. cit., p.54.

³⁰Lake, David A. *Ethnic Fear and Global Engagement*”. *The International Spread and Management of Ethnic Conflict*, op. cit., p. 23

ethnic “hatred” fails to explain how the political dynamics have played out among the communities with similar historical experiences in Nakuru town.

Oberschall, who points out that ethnic relations are burdened with collective myth, fears and hostile emotions embedded in culture and socialization, has advanced similar arguments. Their history highlights past conflict and threats from other groups³¹. According to Oberschall even during periods of peaceful cooperation, incidents can spark hostilities that escalate rapidly to destructive conflict. Negatively skewed relations among the urban communities in Nakuru town reflect a condition of negative peace. Therefore, this research will seek to establish whether the sentiments of this author are relevant to the case of Nakuru town.

On the same note, Bernard Lewis argues that the primordial approach asserts the existence of “ancient hatreds” among ethnic and cultural groups. The urge to define and reject the other goes back to our remotest human ancestors and indeed beyond them to our animal predecessors³². Furthermore, the ethnic hatred theory fails to address the issue of structural factors that can lead to inter-ethnic violence. A proper understanding of the causes of ethnic political mobilization and conflict is crucial, and we must move beyond simplistic discussions of ‘ancient hatreds’ to search for more systematic explanations. “Ethnic hatred” as an explanation is too mono-causal in the sense that it fails to appreciate the complexity of internal conflict in relation to the interaction of various social-economic factors. Accordingly, confining explanations of ethnic conflict solely to primordial causes also implies a degree of ignorance and prejudice towards the societies affected by conflict³³.

However, Kaufman distances himself from what is popularly referred as "ancient hatred theory," arguing that attitudes and even identities in question have varied over time. What is interesting about the ancient hatred theory is the part about hatreds, not the part claiming that the hatreds are

³¹Rothchild, Joseph.(1981). Ethno-Politics: A Conceptual Framework. New York: Columbia University Press.

³²Lewis, Bernard.(1992).Muslim, and Jews: The Christians and Jews: The Dream of Co-existence. London : Vintage.

³³Horowitz, Donald L.(1981).“Patterns of Ethnic Separatism”. Journal of Comparative Studies in Society and History, 23(2),pp. 56-64.

ancient³⁴. Kaufman's view is relevant to the study in that it helps to qualify the ethnic hatred by linking it to electoral politics and competition among ethnic groups who feel threatened by the others.

1.6.2 Literature on Elite Manipulation and Conflict

According to Crawford³⁵, countries whose political institutions politicize ethnic differences are more vulnerable to ethnic conflict than countries whose political institutions promote social integration of diverse cultural groups. The instability and uncertainty that result from a major structural change and the institutional inability to regulate inter-ethnic relations provides a "perfect" condition in which political entrepreneurs can manipulate ethnic emotions in order to mobilize groups for their own political purposes.

He further argues that, politicians exploit ethnic differences by drawing upon historical memories of grievances to "whip up" hatred in order to gain or strengthen their power. The dynamic that develops between political entrepreneurs and their followers are to a certain extent likely to cause an inter-ethnic security dilemma. The author acknowledges that politicians take advantage of the existing structural condition in the society to manipulate ethnic divisions. Bardhan, reinforces this argument by pointing out that in ethnically divided societies, electoral processes are likely to undermine democracy by entrenching and deepening the present divisions between winners and losers³⁶. His view is relevant to this study because it explains how political elite mobilize community in order to safeguard their political interest against perceived threats in Nakuru town.

³⁴Kaufman, J. (2001). Modern Hatred: The Symbolic Politics of Ethnic War. Ithaca, NY: Cornell University Press.

³⁵Crawford, Beverly, et al. (Eds.) (1998). "The Causes of cultural Conflict: An Institutional Approach". In Beverly, Crawford and Ronnie, The Myth of Ethnic conflict. International and Area Studies Research, 98. Berkeley: University of California.

³⁶Bardhan, (1997). A Political-Economy Analysis of the Ethnic Conflicts in less developed Countries. World Development Report . London: World Bank

Rothschild³⁷ argues that, political entrepreneurs manipulate fears and uncertainties of groups they represent and are able to “awaken a consciousness of common grievances and a desire to rectify these wrongs. They help create and reinforce ethnic polarization in the society. Accordingly, ethnic cleavages allow political entrepreneurs to mobilize grievances against distributions of benefits that are perceived to be unfavorable to any group. Political entrepreneurs use rhetoric of fear, blame, and hate as a tool of division and control. Though the author highlights the critical role of politician in mobilizing their communities he fails to explain why ethnic mobilization occurs. This study seeks to explain why urban residents have experienced electoral related conflict.

Rothschild accepts that politicians have indeed exploited and magnified ethnic consciousness by manipulating tribal unity in the face of perceived common enemy³⁸. According to Machira, since the 1992 general elections in Kenya there has been a significant escalation of sporadic violence and inter-ethnic conflicts. He argued that, this is partly attributed by the failure of the state to conduct free and fair elections with elite manipulations from different functions trying to ensure political dominance³⁹. For example, in Rwanda between 1990 to 1994 the Hutu elite obviously had the opportunity to organize ethnic violence at any time, as long as they held government power. The use of that power to organize the genocide is beyond dispute. Extremist party leaders established the militias that carried out the genocide; extremist economic elites established the “hate radio” station that prepared the ground for it; and extremist military leaders deployed key army units to aid in the killing. Though the author consents with the critical role played by the political elite this study will establish whether his views are relevant to the case of Nakuru town.

As Agonda⁴⁰ argues, disposition towards ethnic intolerance can be strengthened by new [or old] political leadership if the leaders do not have the necessary political sense of responsibility and do not resist the temptation to avert attention from the acute socio-economic problems by

³⁷David, A. Lake and Donald Rothschild.(1996).Ethnic Fears and Global Engagement: The International Spread and Management of Ethnic Conflict,1,pp.10-15.

³⁸ibid

³⁹Machira, A. (2010).Armed Conflict and the Law. Nakuru: Centre for Conflict Resolution.

⁴⁰Agonda,S.Ochola.(2007).Leadership and Economic Crisis in Africa .Nairobi: Kenya Literature Bureau.

creating divisive concepts. This becomes the big chance for the forces of the old regimes that have either lost, or are afraid of losing, their power. For instance, throughout Daniel Arap Moi's rule in Kenya (1978-2002), or Mobutu Sese Seko's rule in Zaire in 1965-97, ethnic groups were deliberately played out against each other to prevent the emergence of a broad, unified opposition movement likely to challenge the executive power.

This situation increases the possibility of ethnic conflict because the perceived threats acted as symbols upon which communal mobilizations were based both in cultural and insecurity terms. When cultural communities collectively perceive serious threats to communal status in the political environment their group solidarity increases⁴¹. Accordingly, it will be of interest to investigate how the sentiment of the author informs this research and if yes, how the successive regimes have reinforced the recurrent of electoral violence in Kenya and, more specifically, in the conflicts of Nakuru town.

Bojana Blagojevic⁴² points out that those politicians who use ethnicity to their advantage can successfully operate only within those institutional arrangements that support/allow such practice or are unable to prevent it. The success of political entrepreneurs in mobilizing ethnic groups into violent conflict depends on the strength of the existing state institutions. The Moi regime inherited and maintained a governance system from Kenyatta and used this system to regulate political activities in the field to his own advantage⁴³. The infrastructure of authoritarianism inherited at independence (Public Order Act, Chief's Authority Act etc.) and other additional repressive legislation enacted under Kenyatta were all retained. The authors point to the fact that the recurrence of inter-ethnic clashes in Nakuru town is connected to the strength and weaknesses of the existing states institutions such as the judiciary, electoral management bodies and the police. However, the question of interest to the study is, why successive political alliances have continued to shape inter-ethnic relations among the communities in Nakuru town.

⁴¹ibid

⁴²Blagojevic, Bojana. Ethnic Conflict and Post-Conflict Development: Peacebuilding in Ethnically Divided Societies, op. cit., p.31.

⁴³Murungi, K. (1995). Ethnicity and Multi-Partism in Kenya, op. cit., p. 23

According to Kaufman⁴⁴, elites intentionally cause mass hostility and a security dilemma, rather than reacting to them. Thus, in mass-led conflicts uncertainty and mistrust lead both sides to misperceive the other as a threat. By contrast, in elite-led conflicts the goal of the groups' leaders is to harm the other: (... extremist elites begin or provoke violence in order to activate an ethnic security dilemma which in turn generates even more violence. In this way, Kaufman seeks to set up a clear distinction between the role of the people and the role of their leaders. Accordingly, masses simply react to threats and are therefore characterized as harboring benign intentions. On the other hand elites create such threats and are thus regarded as bad: 'Leaders spread the key myth that the ethnic group is somehow threatened, by offering false or misleading factual claims as "proof", and by appealing to emotive symbolic issues as somehow representing that threat'⁴⁵

Further, in his broad section of work, Kaufman drawing upon the previous work of Smith and Edelman⁴⁶, on the significance of symbolic resources for elite control of the masses, argues that ethnic wars are caused by the ability of such symbols to whip up ethnic hatreds out of proportion to the tangible stakes that are actually at issue. Stuart Kaufman's, analysis combines strong aspects of elite manipulation, the emotions of ethnic hatreds, the creation of a security dilemma and myths justifying hostility. His views are critical this study, because land has been an emotive symbolic issues representing upon which the elite spread the myth that their communities are under a great threat. In Nakuru County, the land question and the political dominance by other communities have led to resource symbols upon which elite are able to whip up ethnic support.

From a structuralist perspective, Brown argues that there are four main forms of factors that can lead to violence. They include weak state's composition, security concerns, and ethnic geography; inter group politics and social economic factors⁴⁷. Brown further identifies and distinguishes between background causes and proximate causes. However, his argument fails to

⁴⁴ Kaufman, J.(2001).Modern Hatred: The Symbolic Politics of Ethnic War, op. cit.,p. 32.

⁴⁵Kaufman,J.(2006).Symbolic Politics or Rational Choice? Testing Theory of Extreme Ethnic Violence. International Security,30(4),pp.45-86.

⁴⁶Smith,A.(1986).The Ethnic Origin of Nations. New York: Blackwell.

⁴⁷Brown,M.(2001).The Causes of Internal Conflicts: Nationalism and Ethnic Conflict.Mass, London: MIT Press.

explain why similar societies that share the same structural features most commonly associated with conflict seem to produce radically different conflict histories.

Also according to Jackson, despite the longevity and persistence of certain structural conditions in most conflict-ridden states, structuralism still cannot account for the timing of the outbreak of violence⁴⁸. Furthermore according to McKay⁴⁹, on rational choice theory, he argues that the main assumption of the theory is that internal conflicts are a result of an actor's rational activity of widespread interest such as prosperity, power and security hence politicians use ethnicity instrumentally to further their own interests. This is because status and wealth are directly correlated to the power structure and the ruling classes apply various types of method to ensure they stay in power to exercise political control.

In fact, ethnic mobilization by the elite has been a source of conflict in Sub Sahara Africa (SSA) and it's through ethnic identification that competition for influence in the state and allocation of resources takes place. In the Kenyan context, ethnic mobilization by elite has always been used as a tool for ensuring that they stay in power. According to Mutua, the struggle for land has created a conducive environment upon which the political elites have instigated violence as a tool for winning the elections⁵⁰. In support, Throup underscores this statement by arguing that politically instigated violence in Kenya greatly contributed to the detribalization of politics and the erosion of civic nationalhood⁵¹.

Extant literature on elite manipulation agrees to the importance of the political dimension in intra state conflict and that people mobilize politically, as leaders win their hearts and minds, as well as loyalty and commitment, and as they are persuaded and exhorted into violence. Inter-ethnic violence in Nakuru town cannot fully be analyzed in terms of its escalation and decline without looking into the foreground political factors.

⁴⁸Jackson,R.(2002).Violent Internal Conflict and the African State.Journal of Contemporary African Studies,20(1),pp. 29-52.

⁴⁹Brown , M.(2001).The Causes of Internal Conflicts: Nationalism and Ethnic Conflict, op. cit.,p.13.

⁵⁰Mutua,M.(1998).Kenya's quest for democracy: Taming the Leviathan. London: Lynne Rienner Publishers.

⁵¹Throup, D. and C. Hornsby. (1998).Multi- Party Politics in Kenya: The Kenyatta & Moi States & the triumph of the system in the 1992 election. Oxford: James Currey.

1.6.3 Literature on Ethnic Tensions and Conflict

The first writer to utilize the idea of security dilemma as an explanation for ethnic tension was Barry Posen⁵². Posen's central, and incidentally much criticized, work in this respect is his article 'The Security Dilemma and Ethnic Conflict'. He argues, that security dilemmas within states can occur when conditions are similar to those between states in the international system. In this way, he claims that the collapse of multi-ethnic states '... can profitably be viewed as a problem of "emerging anarchy"'. The absence of an effective central government means that various groups within the state (ethnic, national, religious) are forced to provide their own security. Thus, it becomes a self-help situation much like that in the international system. The argument is relevant to the study because it explains how the communities reacted to inter-ethnic clashes when the state was reluctant to intervene. For example the past states sponsored violence of 1992 and 1997 led to a self-help situation for some communities that decided to provide for their own security in Nakuru.

In both Posen's and Kaufman's⁵³ writings, the security dilemma is utilized to explain the outbreak of ethnic conflict in the former Yugoslavia. In doing so, both writers emphasize the role of structure. According to Posen a group suddenly compelled to provide its own protection must ask the following questions about any neighboring group: is it a threat? How much of a threat? Will the threat grow or diminish over time?. Posen argues that when groups make judgments as to each other's' intentions '[t]he main mechanism they will use is history: how the other group behaved last time. He claims, however, that the views adapted by an ethnic group will often turn out to be inaccurate and misleading due to a number of reasons.

First, is the role of any regimes in a multi-ethnic state to suppress or manipulate the historical record to consolidate their own positions in power. In Kenya for example, by the end of the first decade of independence, the infrastructure of authoritarianism in the state system had been put in place. The state as the supervisor of Africanization of the bureaucracy and of the economy had emerged as an important factor in determining both the structure of access to power as well as its

⁵²Agonda, O. Leadership and Economic Crisis in Africa, op. cit., p.116.

⁵³Stuart, J. Kaufman, Symbolic Politics or Rational Choice?, op. cit.,p18.

substance. Historically, it is claimed that successive regimes in Kenya have continuously manipulated state infrastructures to deny opposition leaders opportunity for ethnic mobilization. This was demonstrated between 1968-1969, when Kenya People Union (KPU) was denied the right to hold any political rallies even in its own stronghold of Central Nyanza. However, the use of authoritarian laws and state institutions has only succeeded in suppressing, not eliminating, ethnic identities.

Posen⁵⁴ claims that, within groups themselves old rivalries will have been preserved more in stories, poems, and myths than in 'proper' written history, which will have been 'undoubtedly magnified in... [their] telling. He points out, that as the central authority begins to collapse and local politicians begin to struggle for power they reference past history in political speeches for domestic political mobilization. According to the author, anarchy in itself is not the cause of worst-case assumptions; rather it provides the necessary conditions in which this can take place. Therefore, the authors' sentiments are relevant to this study because they explain how political elite have exacerbated inter-ethnic attacks in Nakuru town through ethnic manipulation.

Kaufman's⁵⁵ approach to the security dilemma and ethnic conflict is set out in two 1996 articles written: 'An "International" Theory of Inter-Ethnic War' and 'Spiraling to Ethnic War: Elites, Masses, and Moscow in Moldova's Civil War'. Kaufman divides ethnic conflict into two types namely cases of mass-led conflict and cases of elite-led conflict. In understanding this approach, determining the existence of either benign or malign intent becomes important. With mass-led cases hostilities emerge spontaneously. Fear and mistrust trigger spontaneous outbreaks of violence, activating a security dilemma that in turn exacerbates hostility and fear. Kaufman's view is relevant because he disputes the notion of security dilemma for not explaining why most conflict incidents are systemic in nature like in the case of Nakuru town. This study will establish the extent the conflicts in the recurrent inter-ethnic conflicts of Nakuru county are systemic in nature.

⁵⁴Petersen, R. Dale. (2002). Understanding Ethnic Violence: Fear, Hatred, and Resentment in Twentieth-Century Eastern Europe. Cambridge: Cambridge University Press.

⁵⁵Stuart, J. Kaufman.(1996).Spiraling to Ethnic War: Elite, Masses, and Moscow in Moldova's Civil War. International Security,21(2),pp.108-139.

Lake and Rothchild⁵⁶ develop the analysis of the security dilemma put forward by Fearon to emphasize that ethnic war arises mainly because information failures and troubles of commitment prevent competing groups from getting a negotiated agreement that all would prefer. Firstly, there is the observation that elites may use ethnicity instrumentally to further their own interests. Secondly, there is an attempt to understand how ethnicity can become manifested in violence through the security dilemma hypothesis. This argument is relevant to the study it helps explain how clashes in the Rift Valley formed part of a vicious circle of attack and retaliation. This was because information about attacks spread mainly by word of mouth and via electronic platforms. For instance, information brought by displaced people was often exaggerated and strongly shaped by their political allegiances. This heightened tensions and deepened mistrust between the different ethnic communities to the point where any slight spark could easily ignite new bouts of violence.

Petersen⁵⁷ contests that four emotions—fear, hatred, resentment, and rage— can help explain not only why the intensity of conflict varies sharply over time, but also how it can arise spontaneously and yet remain purposeful. He argues that

..... it's easy for individuals and groups to essentialize the communal enmity by simplifying relations which in reality are often highly complex into the perception that "I am a member of X, he is a member of Y, and members of Y should be targeted for violence"⁵⁸.

His view are important in this study because the targeted population is characterized by fear, hatred, resentment and rage and these attributes can greatly explain not only why the intensity of conflict varies sharply over time in Nakuru town, but also how violence has risen spontaneously or systematically and yet remains purposeful. However, he fails to explain how emotions can be harnessed to mobilize certain ethnic groups to engage in conflict with other groups. This study will help explain how elites, as leaders or politicians, can employ complex myth, symbols and emotions to seduce ethnic groups into conflict.

⁵⁶Lake, D and Rothchild.(1998).International Spread of Ethnic Conflict: Fear ,Diffusion and Escalation. Princeton:Princeton University Press.

⁵⁷Petersen, Roger Dale,Understanding Ethnic Violence, op. cit.,pp. 24-21.

⁵⁸ibid

1.6.4 Conclusion

The literature on the recurrence of inter-ethnic clashes suggest that there exist numerous factors that dictate the onset, duration and intensity of conflicts in the Nakuru County. It is evidence that the issues of Nakuru tends to have a combined aspects of the various theories such as elite manipulation, the emotions of ethnic hatreds, the creation of a security dilemma and myths justifying hostility. On the question of ancient ethnic hatred in explain the nature of inter-communal clashes it emerged that there exists a form of “hatred”. This animosity is to some extent primordial, sharply distinct, and resilient across all institutions and activities and has presents a high risk for repeated destructive conflict. In the presence of such hatred and animosity urban ethnic groups, have resists assimilation and erosion despite education, secularization and modernization. In the presence of trigger factors, long simmering hatred between communities can easily flare up into violence. However the notion of ethnic hatred cannot alone account for the timing of the outbreak of violence nor can it account for phases of inter-ethnic group co-operation or peace in Nakuru town.

In this light, the above gap points to the importance of political dimension in intra state conflict and that people mobilize politically. Accordingly, symbolic politics or elite manipulation have to a large extent determined the outbreak inter communal conflict in Nakuru County. It is evident that, the onset of violence has been presided by pivotal decisions by particular elites, as leaders to win the hearts and minds of their communities. In support, ethnicity is a product of recent development because conflicts are a result of an actor’s rational activity with the politicians having widespread interest of prosperity, power and security, and thus justifying why ethnicity is an important instrumentally to further their own interests⁵⁹. Inter-ethnic violence in Nakuru town cannot fully be analyzed in terms of its escalation and decline without looking into the foreground political factors.

⁵⁹Research Interview with, the Head of Conflict Early Warning Early Response Centre, S.K Maina, Nairobi on April 2015.

In Nakuru County, status and wealth are directly correlated to the power structure where the ruling class applies various types of method to ensure that they stay in power to exercise political control. The above reality warrants the need to pay considerable attention to not only the role of elite intent in the outbreak of violence, but also the role of other important structural factors. This explains how the prolonged inter-ethnic conflict of Nakuru town are connected to various intertwined factors but most importantly the role of elite manipulation of whom conflicts are dictated.

1.7 Theoretical Framework

The study is based on the theory of political symbolism derived from the social psychological theory, which attempts to explain the occurrence of intra state ethnic violence and is associated with Stuart Kaufman. He argues that the critical causes of extreme ethnic violence are group myths that justify hostility, fears of group extinction, and a symbolic politics of chauvinist mobilization⁶⁰. Political symbolism theory is an alternative to other rational choice theories, which are considered insufficient for the present study. The former emphasis is on rational choice calculations rather than emotions in motivating people to act ⁶¹. According to Kaufman the best way to study extreme ethnic violence is to look at divisive ethnic myths, symbols, stereotype and fears that are embedded in peoples culture, socialization, and the institutions of a divided society.

The strength of Kaufman's analysis is that it provides a plausible way to explain not only the causes of ethnic wars, but also potentially a way to account for the patterns of atrocious violence, which transpire in their duration. In addition, Kaufman's symbolist approach recognizes ethnic identity being more than a social category manipulated by elites. Anthony Smith acknowledges symbolist theory by arguing that each ethnic group is defined by a "myth-symbol complex" that

⁶⁰Stuart, J. Kaufman, "Symbolic Politics or Rational Choice", op. cit.,p23.

⁶¹Fearon, and Laitin. D.(1995).Rationalist Explanation for War. International Organization, 49(2),pp.379-414.

identifies which elements of shared culture and what interpretation of history bind the group together and distinguishes it from others⁶².

Symbols are powerful because they simultaneously refer to an interest and to an emotionally laden myth, often framing a conflict of interest as a struggle against hostile, evil, or subhuman forces. Ethnic or national symbols are immensely powerful in this context, enabling a politician to reinterpret a conflict of interest as a struggle for security, status, and the future of the group⁶³.

Furthermore, the political symbolism theory holds that politicization of ethnic relations reinforced by group mythologies can determine extreme ethnic violence and that ethnic hatred; ethnic elite manipulation and ethnic tensions will influence the recurrence of ethnic violence in urban settings.

To supplement the political symbolism theory the study also adopted the structural theory to help describe and identify the broad social, political, and economic factors ignite the inter communal clashes of Nakuru county. Structural approach provides a more straightforward framework for identifying the causes of internal wars, distinguishing between background causes and proximate causes and at least identifies four forms of factors that can lead to violence⁶⁴. This was critical in identifying the social, economic and political structural conditions that might have contributed to recurrence of electoral related communal clashes in Nakuru County.

1.8 Research Hypotheses

1. There is a relationship between modern “hatred” and ethnic violence in Nakuru town
2. There is a relationship between elite manipulation and ethnic violence in Nakuru town.
3. Ethnic fears and insecurity dilemma have led to violence in the Nakuru town.

1.9 Research Methodology

To achieve the study objective, a qualitative method was adopted where both primary and secondary data was used. Data was collected over a four months period that started from January

⁶²Smith, A. Ethnic Origin of Nations. New York: Blackwell.

⁶³ Kaufman, J. Modern Hatred, op. cit., pp.16-18.

⁶⁴Brown, M. (2001). The causes of Internal Conflicts :An Overview in Brown, M.E. (ed) Nationalism and Ethnic Conflict. Mass, London: MIT Press.

to May 2015, during which a saturation point was achieved and established when respondents in the study areas were generating no new information. The information gathered looked into historical and social political interaction of urban communities found in Nakuru County. The researcher, due to the heterogenic feature these urban areas adopted a stratified sampling technique that divided the sample population into homogenous strata. Stratified sampling was used to select the areas and the categories of respondent to be included in the sample with respect to clearly identifiable characteristics in the study population (ethnic tribe). To compliment this technique the researcher opted to adopt stratified random sampling, purposive sampling and snowball sampling to select the sample. These strata were further represented in the sample thus raising the external validity of the study.

A total of six sites were selected on the basis of their conflict potential, past conflict incidents and their heterogenic nature. The earmarked hotspots zones include Bahati, Rhoda, Kaplembwa, Rongai and Kambi ya Moto where all the sites had been earmarked as conflict hotspots and had a history of inter. The sample size consisted of 120 respondents selected from a target population in the main urban centers of Nakuru County. The entire sample was distributed equally, with 20 respondents from each sub group among the six selected urban and periphery areas of study area. As a result, the selection of an estimated sample size of 120 respondents raised the accuracy of the estimate of the true population mean. The researcher was mainly concerned with views, opinions, perception, feeling and attitudes. Such information was collected by use of questionnaires and direct observation technique. These tools ensured anonymity of the respondents due to the sensitive nature of some the issues under investigation.

Oral interviews with key informants were conducted through direct contacts and telephone interviews. The key informants in this case comprised of elders, local peace committee's members, area chief, county administrators, youth leaders and civil society organization officials. As much as possible the study attempted to have each of the sides represented. In addition, retired members of civil service who had participated in peace negotiations(Nakuru Declaration) and meetings between the Kikuyu, Luo and the Kalenjin were also interviewed. As mentioned earlier, Despite the cosmopolitan nature of Nakuru county, there exist homogeneous border areas that have always acted as fault line for inter-ethnic clashes. These areas include

Nakuru North (bordering Baringo), Nakuru East (bordering Bomet and Kericho) and Nakuru South (bordering Narok County).

A Qualitative and data analysis technique was used to analyze collected data. The collected data was subjected the process of content analysis, that entailed identifying the main themes, or description given by respondents answer to questions. The verbatim response of the main themes were examined and integrated within the text of the project to either support or contradict the main argument. This was followed by the coding of information in relation to established themes that was later subjected to a count in order to ascertain the frequently of the situation.

CHAPTER TWO: THE NATURE OF INTER ETHNIC CONFLICTS IN NAKURU COUNTY

2.0 Introduction.

The Post-Cold War era has witnessed the change of violent conflicts from inter states to the rise of intrastate conflicts that are inextricably bound up with concepts of identity⁶⁵. They tend to be context specific in nature with the challenge to accommodate the interests of majorities and minorities. In Kenya, urban related conflict situations have been part of electoral processes since the restoration of multi-party politics in 1991. The violence of 2007/08 was perceived as the most deadly as compared to those of 1991 and 1997. The election period of 2002 and 2013 were largely “peaceful”. The sticking feature is that violence episodes have had an immense impact on the country’s social, political and economic structures. This chapter discusses the systemic nature and the role of political elites in the electoral related conflicts that have played out in Nakuru County since 1992.

2.1 The Conflict of 1992 Election Period

The ethnic conflicts in the Rift Valley took place against a background of an impending general election. This was to be the first time since independence when a truly multi-party election was held in post-independent Kenya. The ruling party was seriously threatened with the probability of being removed from power by the combined political opposition, which had in the first place mobilized public opinion that ultimately forced the government to change the constitution to allow the operation of multi-partyism. Playing a major role in the emergent opposition movement were the Kikuyu and the Luo communities. Accordingly, Walter Oyugi⁶⁶, argues that “*the 1992 elections manifested how the elites can mobilize ethnic passions to defend and or promote what is otherwise their narrow sectional interests*”.

More so, the 1992 multiparty General Elections were riddled with irregularities with some opposition candidates even being physically prevented from presenting their nomination papers.

⁶⁵Kaldoh, M. (1999). *New and Old Wars: Organised Violence in a Global Era*. Cambridge, UK: Polity Press.

⁶⁶Oyugi, W. “Ethnic Politics in Kenya”, op. cit., pp. 15-17

The incumbent, then President Daniel Arap Moi, campaigned freely all over the country while other party leaders could not due to restriction by the state. President Moi traversed the country using government resources. Moreover, he enjoyed a monopoly of media coverage from the official broadcaster, the Kenya Broadcasting Corporation (KBC). In addition, the Electoral Commission was made up of presidential appointees whose loyalty to the incumbent was never in doubt.

The ethnic clashes first broke out on October 29, 1991, at Meteitei farm in Tinderet, Nandi District on the border of Rift Valley, Nyanza, and Western Provinces⁶⁷. Despite the government portraying the fighting as a simple land dispute, the violence continued to escalate and polarize along ethnic line. In Nakuru district, the onset of the ethnic clashes was first reported on February of 1992 in Molo and Olenguruone division, which left 5,000 people dead, and another 75,000 displaced. The ethnic clashes invariably pitted the Kalenjin and Maasai against virtually all other ethnic groups residing in Rift Valley Province⁶⁸. The target or victims at whom the clashes were directed were the ethnic groups of the Kikuyu, Luo, Abagusi and Teso who were not only suspected and presumed to be supporters of multi-party crusade, but to whom also the main proponents multi-partyism belonged.

Further, within days, the conflict had escalated and spilled over to area of Nakuru District where approximately 500 Kalenjins wearing black shorts and white shirts attacked the Kikuyus, Luhyas, and Kisii⁶⁹. The attackers legitimized their actions by arguing that the attack was preempting against an anticipated attack by the Kikuyu community. This resulted into retaliatory attacks between the main conflicting parties who re-grouped and mobilized in many parts of Nakuru District. In an official statement to Parliament in March 1992, six months after the clashes broke out, Vice President Prof. George Saitoti announced that the Government would provide food and other relief supplies amounting to shs.10 million (US\$ 125,000) to the

⁶⁷National Council of Churches of Kenya(NCCK).(1992).The Cursed Arrow: Contemporary Report on the Politicized Land Clashes in the Rift Valley, Nyanza and Western Provinces.Nairobi:NCCK.

⁶⁸Kenya National Archives(KNA).Parliamentary Committee Report on 1992 Ethnic Clashes,Weekly Review, September 25th1992 : pp.12-16

⁶⁹Researcher Interview with District Peace Committee Chairman Dr. Wanguru in Nakuru town on 15th Feb 2015.

displaced clashes victims⁷⁰. This amount of money was inadequate to resettle and compensate the thousands of victims who had been rendered homeless and without property.

On May 26 1993, in Olenguruone, the Kisii communities were threatened through anonymous leaflets that urged them to vacate from the area⁷¹. This area was one of the most affected as thousands of families fled when the clashes began in 1992 before spilling over to other parts of the Rift Valley. According to the Catholic Justice and Peace Commission⁷², over 40,000 people most of whom were Kikuyus had been displaced in most parts of Nakuru District. This was followed by a four-day violence protest on June 1993 in Nakuru town that was then the Provincial capital of Rift Valley Province. The incident was triggered by the police action of demolishing, without notice, 600 kiosks that housed predominantly Kikuyu local street hawkers. This was seen by many as an extension of the ethnic clashes by the government to intimidate and disempower the Kikuyu population in Rift Valley Province⁷³.

In August 1993, approximately 300 warriors alleged to be from the Kalenjin attacked Kikuyu community in Molo sparking off another month of violence where they continued to burn houses belonging to Kikuyus community and forced hundreds of them to flee. The escalation of these attacks in most part was said to have been exacerbated by the failure of the police to intervene⁷⁴. Most of the attacks were well organized and lasted for at least four weeks without any form of intervention. This scenario was in contrast with governments' affirmation that the security situation was under control in many parts of the county. In addition, the failures by the government to deter and sanction the inflammatory statements made by Kalenjin politicians exacerbated the conflict in the affected regions (hot spots). Throughout 1993, hundreds of Kalenjin warriors attacked and occupied farms belonging to Kikuyus, Luhyas, or Luos without being arrested or charged for their actions. The following is a summary of information available

⁷⁰Kenya National Archives, Weekly Review, September 25th, op. cit., pp.13-15.

⁷¹ibid

⁷²Catholic Justice and Peace Commission, CJPC. (1993). 1992 Clashes Report in the Rift Valley. Nairobi CJPC.

⁷³Kagwanja, P., Killing the Vote, op. cit., pp. 13-24.

⁷⁴ibid

from the provincial administration and witnesses of persons killed, injured, arrested, charged, finalized and displaced

District	Deaths	Injured	Arrested	Charged	Finalized	Displaced
Tran-Nzoia	200	39	296	178	171	12,000
Bungoma	113	70	244	17	1	14,000
Kakamenga	19	23	36	20	20	*
Uasin-Gishu	159	138	53	50	6	4000
Nandi	25	*	79	24	*	7000
Kericho	*	*	*	*	*	*
Bomet	50	262	110	21	6	10000
Kisumu	17	*	92	93	33	*
Kisii	25	*	6	6	4	*
Nyamira	8	*	5	5	*	*
Narok	48	22	20	18	2	2000
Nakuru	114	100	290	*	*	13000

Source :Kenya National Archives. Clashes report, Weekly Review, September 25, 1992.

The above table depicts the role of states security apparatus during the 1992/93 ethnic clashes in Nakuru and other parts of the Rift valley. Accordingly, the security agencies were reluctant to initiate definitive measures to quell and contain the clashes, as some officers were either inactive or facilitated in creating an atmosphere pliable to the sparking off of the clashes⁷⁵. All the ten-witness account to the parliamentary committee confirmed that both the police and the provincial administration did not act as expected. For example, in Oleguruone the then district officer Mr Cheruiyot in collaboration with the area and the local chief were partisan in the ethnic clashes against the non-Kalenjins. On most occasions, the warriors apprehended by the wananchi and handed over to security personnel were always set free, only to return to the clash front⁷⁶. It was also alleged that the Warriors were provided with sanctuary, weapons and ammunitions and transported from and to the clash front.

In response to the deteriorating security situation in the Rift Valley, the government declared the three clashes hit areas a security zone under the preservation of the Public Security Act in

⁷⁵Kenya National Archives, Parliamentary Committee Report on Ethnic Clashes, op. cit.,pp.12-14.

⁷⁶Republic of Kenya. (1992). Reports of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of Kenya (Kiliku Report). Nairobi: Government Printer.

September 1993. This order banned outsiders from visiting the area and carrying of offensive weapons by residents. The statement was very brief and decisive:

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

The “Iron Curtain Policy” drew angry condemnation from some quarters with the government critics charging that it was meant to facilitate more massacres against certain ethnic communities. Through a presidential decree, the government on 3rd of March 1995 lifted the security zone order in an effort towards promoting peaceful co-existence among the communities in the region.

The political dimension of the conflict can largely be connected to the role of the political elite in mobilizing and calling their communities for action. For example, in March 1992, Kalenjin Assistant Minister Kipkalia Kones, declared that Kericho District was a KANU zone and added that anyone who supported the political opposition would "live to regret it"⁷⁷. In support, the parliamentary select committee established that the ethnic clashes of 1992 were largely systemic in nature. This report also implicated high-ranking government official for the training, arming “Kalenjin warriors,”⁷⁸ and frustrating efforts aimed at addressing the issue.

On 4 August 1995, 1,200 delegates comprising of the political elite from GEMA and Kalenjin communities organized a dialogue consultative forum in Molo at Highlands’s hotel. Co-chaired by Njenga Karume (businessman) and Mr. Nicholas Biwot (MP. Kerio South), the meeting was able to bring together 52 members of parliament from the two main warring communities. The composition of the meeting was truly remarkable in that it targeted mainly the political elites to agree on a peace accord. As a result, the meeting culminated into the appointment of a 20-member committee to oversee the process of resettling victims of ethnic clashes and drafting of

⁷⁷National Election Monitoring Unit, NEMU.(1993).A Report on the Ethnic Clashes in Kenya.Nairobi:NEMU.

⁷⁸Kenya National Archives, Parliamentary Committee Report on Ethnic Clashes, op. cit., pp. 16.-17.

the Molo resolutions. Among the six main agenda of the resolutions of the Molo Meeting were arresting and charging of perpetrators of ethnic clashes, resettlement of the IDPs, trust building between all the parties, commending president Moi for his peace efforts, issuance of identity cards to the youth and local level village elders to address community difference⁷⁹.

2.2 The Conflict of 1997 Election Period

In December 1997, Kenyans went to the polls to elect members of parliament and the country's president. Although KANU and President Moi emerged victorious from the elections, KANU's majority had shrunk from 82 seats in the 1992 elections to just 4. In total, KANU won 113 seats, followed by the Democratic Party (DP) with 41 seats. The DP won 17 of Central Province's 29 seats and 7 of Rift Valley Province's 48. In Rift Valley Province, the DP won Laikipia East, Laikipia West, Nakuru Town, Molo, Subukia, Kajiado South and Naivasha. By comparison, KANU won no seats in Central Province but 38 in Rift Valley Province. The effect of these results was to make Central Province a DP stronghold and Rift Valley Province predominantly KANU territory.

In the presidential race, President Moi's margin of victory over his nearest rival, Mwai Kibaki of the DP, was less than 10 per cent, with the latter having obtained the majority of votes in two provinces. In Central Province, Mwai Kibaki obtained almost 90% of the 49% votes cast compared to Daniel Arap Moi's 5.6 %, while in Nairobi he obtained slightly over 43 per cent of the votes compared to Daniel Arap Moi's 20 %. After the announcement of the results, Mwai Kibaki lodged a petition at the High Court challenging the election results because there had been Post-Election Political Violence irregularities in the electoral process. At the same time, KANU formed parliamentary alliances with most of the other opposition parties, including FORD Kenya, the National Development Party (NDP) and the Kenya Social Congress.

The 1997 elections passed off with less violence than in the 1992 election period. However, on the night of 11 January 1998, some members alleged to be from the Pokot and Samburu ethnic

⁷⁹Kenya National Archives(KNA).The Molo Peace Pact at Highlands Hotel of 4th August 1995, Weekly Review, 9th August 1995, pp.4-6.

groups raided the home of a Kikuyu widow at a place called Mirgwit in the Laikipia District of Rift Valley Province⁸⁰. This resulted into a futile livestock recovery mission by the members of the Kikuyus who attacked a Samburu village and mutilated livestock. In retaliation, on the night of 13 January 1998, Pokot and Samburu men attacked Kikuyu communities in the Magande, Survey, Motala, Milimani and Mirgwit areas of Ol Moran in Laikipia⁸¹. It was confirmed that the attackers were well coordinated and armed with guns. It was estimated that over 50 Kikuyus were killed and over 1000 others fled the area to seek refuge at the Roman Catholic Church at Kinamba, from where they were later relocated to temporary shelters at Sipili and Ol Moran⁸².

Nonetheless, on 21 January 1998, about 70 unidentified people invaded three farms in Njoro including one belonging to the area DP Member of Parliament for Molo Constituency, Kihika Kimani⁸³. In retaliation, on 25th January, a group of well-organized Kikuyus executed an attack against the Kalenjins residents of Naishi/Lare in Njoro. The two incidents resulted into death of 34 Kikuyus and 48 Kalenjins with over 200 houses destroyed and many people fleeing to temporary ‘camps’ at Kigonor, Sururu, Larmudiac mission and in Mauche⁸⁴. Sporadic fighting continued from February to 11th of March 1998 and by the time the conflict ended at least, 127 people had been killed. Among the varying explanation given for these attacks, include the blame by the Kalenjin against the local Kikuyu traders’ refusal to supply goods and services to them as a response to the events in Laikipia⁸⁵.

It was clear that this violence was following a pattern similar to that encountered during previous outbreaks of conflict in Kenya between 1991 and 1994 – prior to and after the country's first multi-party elections in 1992⁸⁶. The predominantly Kalenjin supporters of KANU attacked members of ostensibly ‘pro-opposition’ ethnic groups. However, the important difference

⁸⁰Researcher interview with a Kalenjin Elder in Nakuru town, 15th January 2015.

⁸¹ibid.

⁸²Republic of Kenya.(1999).Report of the Judicial Commission Appointed to Inquire into the 1997 tribal clashes in Kenya “Akiwumi”. Nairobi:Government Press.

⁸³Researcher Interview with an Elder at Njoro Nakuru County, 17th March 2015.

⁸⁴Akiwumi Report, op. cit.,pp. 46-47.

⁸⁵ibid

⁸⁶Researcher’s Interview with a Kikuyu Council of Elder in Naivasha Town, on 20th April 2015.

between then and now was that for the first time, members of a ‘pro-opposition’ ethnic group, the Kikuyu, was organizing and was actively fighting back⁸⁷. The ethnic clashes of 1997/98 were highly connected and had a high spillover tendency that resulted into flaring up of the conflict into Nakuru District. Identity factors and political manipulations indeed are argued to be among the factors that made the conflict not to remain localized⁸⁸. This was due to indivisibility nature of inter-ethnic conflict in the region and the high mobilization aspects by the political elites who systematically provoked ethnic violence.

Both the media and the government presented the violence as ‘ethnic clashes’ between local Kikuyu and Kalenjin communities, but it was evident that politics had greatly played a role in a number of ways. Firstly, the cost of sustaining the violence was too high for the warring local communities during the duration of the conflict without external elite support. Secondly, it was in opposition areas where KANU and the DP were the dominant parties that had a high conflict potential of displacement due to political factors⁸⁹. This was affirmed by the fact that violence had occurred exclusively in Laikipia, Molo and Nakuru town that were opposition zone.

The scenario suggested that this was a politically calculated move by the ruling regime to influence election outcome in those areas. For instance, DP won parliamentary elections in areas populated mainly by Kikuyus regardless of them constituting the minority tribe in the Rift Valley province. From this vantage point, it is easy to understand why the power struggle between KANU and DP was commonly conceptualized as one between Kalenjin and Kikuyu interests⁹⁰.

In addition, the political dimension of the conflict was further heightened by the apparent unwillingness of the police to quell the violence with the same zeal with which they had dealt with other ‘public disorder’ incidents — particularly those related to activities by anti-government protesters. The unwillingness of the police to act against the perpetrators of the violence in the Rift Valley was because they did not have the requisite orders to do so from their

⁸⁷ibid

⁸⁸Researcher Interview with the Chairman, Skov Group Ranch at Rongai on March 16th 2015.

⁸⁹Researcher Interview with a Former Sect Youth Leader in Nakuru Town, on March 21st 2015.

⁹⁰Researcher Interview with a Former Municipal Council Member for Bahati, on 20th May 2015.

superiors⁹¹. On one occasion, the police did not even act against raiders who were looting and burning within sight of a police detachment.

Lastly, the failure by the government to prosecute the perpetrators was perceived as the unwillingness of the state to protect and provide security to the affected ethnic group⁹². The only rational explanation for this was that the political elites were involved in orchestrating the conflict. For instance, although Kalenjins had killed many Kikuyus, particularly during the fighting that had happened in Njoro on 25 and 26 January 1998, the majority of those who were tried for murder belonged to the Kikuyus as compared to those from the Kalenjin tribe.

2.3 The Conflict of 2002 Election Period

The polling took place on 27th December 2002 with a lower voter turn out of less than 7% as compared to the previous election. Although voter turnout was lower, the overall turnout was up in every province except in the Rift Valley and Nyanza. The combined opposition turnout was up in every province while KANU turnout was down in every province except Rift Valley and Northeastern. The ethnic presidential bloc voting of 1992 and 1997 did not take place except in Kisii Nyanza as both the two main contenders; Uhuru Kenyatta and Mwai Kibaki were both from the same ethnic group. Mwai Kibaki of NARC won the presidential elections to become Kenya's third president. He garnered 62 % of the national vote; Uhuru Kenyatta of KANU came second with 30 % while Simon Nyachae of FORD-P came third with only 7 %.

The past electoral violence experience had created expectations among locals and international observers of the likely recurrence of ethnic clashes. This scenario was linked to the emergence and proliferation of organized vigilante groups, known to cause mayhem in urban areas or threaten violence on supporters of political opposition. The gangs were supported or sponsored by influential individuals or political parties. However, unlike the previous campaign periods the 2002 situation witnessed only a few isolated cases of election violence. The decline of incidents was attributed to the role of political elite from various ethno-regional groups who had

⁹¹ Researcher Interview with a Faith Based Organization Leader in Nakuru Town , 28th March 2015.

⁹²Griton ,F. and Mazrui, A.(1998).Observing and Analyzing the 1997 General Election: An Introduction. African Studies Centre ,6(2),pp.12-15.

committed to sharing power within a NARC government⁹³. This arrangement resulted into eliminating the winner- takes-all scenario that encourages a no-holds-barred battle for power during the previous elections.

Further, the cost of previous conflicts was too high and this acted as a deterrent to the electorate and politicians due to painful memories⁹⁴. Therefore, aspirants were unable to influence people to engage in violence, in spite of existing differences that could easily have been manipulated⁹⁵. The youth and other idle persons who had been used to perpetrate violence in 1992 are said to have ‘refused to be used’ because the promises made to them then (especially of employment) had not been honored. On the same, the political culture of voting for candidates who gave tokens was countered by the desire for change, which seemed to be sweeping across Kenya after the formation of the umbrella opposition party, NARC. Realizing that a Kibaki presidency would not be much of a threat to KANU politicians’ interests, KANU officials’ efforts to rig the poll and intimidate voters were only “spasmodic and halfhearted”⁹⁶.

The Kibaki regime was elected on a platform of fighting corruption, forming a coalition government that would share power amongst the various tribes, changing the constitution within 100 days and to limit the executive power that had ballooned over the previous four decades. These promises had made the 2002 political transitions raise public’s expectation for the realization of the long held expected for constitutional reform and change. Noteworthy, the regime inherited an economy clouded by insecurity, ethnicity, proliferation of organized gangs and high rate of poverty due to bad governance (authoritarian rule and corruption) and a declining economic outlook⁹⁷. These factors created a climate of fear and insecurity among Kenyans. To reverse this trend and to make good the NARC’s promise to the electorate, the Kibaki government embarked on a series of reforms and realistic policies to revamp the Kenyan economy.

⁹³Researcher Interview with an IEBC official/anonymous in Nakuru on 20th April 2015.

⁹⁴Researcher Interview with an IDP at Kampi Ya Moto in Naivasha, 14th January 2015.

⁹⁵Researcher Interview with chairman Peace Committee for Naivasha town on 14th January 2015.

⁹⁶Maupeu, H., M. Katumanga and W. Mitullah. (2005). The Moi Succession: The 2002 elections in Kenya. Nairobi: IFRA-Transafrica Press.

⁹⁷Researcher Interview with Field Officer, Life and Peace institute on 30th February in Nairobi.

The failure by the Kibaki regime to deal with the most fundamental and structural problem underlying Kenya's violence and disunity (injustice, grievances over land ownership and inequalities) entrenched the country further into a situation of unstable peace. Although his administration initiated various Commissions such the Ndung'u inquiry to investigate patterns of corruption and unfair allocation of land the final report was deemed too controversial and was never implemented⁹⁸. For many Kenyans it was business as usual with struggle for constitutional reform facing many setbacks from the government after the subtle withdrawal from pursuing reforms shortly after the failure of the referendum to approve the proposed constitution.

Further, the Kibaki administration and the ECK declined an offer from the International Foundation for Election Systems (IFES) to install a computer program that would have enabled election officials in the constituencies to submit results electronically to Nairobi. This was aimed at promoting transparency and forestalls any manipulation of election results and by turning down the offer the ECK created more suspicion.

Lastly, among the major political dynamics that negatively affected the NARC alliance was the collapse of the memorandum of understanding (MOU) that had forged the tribal factions into an alliance⁹⁹. This was because the agreement in the MOU to share power within the cabinet deal was not honored especially on the four key positions that were to be created including that of a Prime Minister¹⁰⁰. The failure by the Kibaki administration to meet and fulfill the NARC party expectations to create a shared government and a new constitution resulted into its disintegration. To a smaller extent, this led to value based political grievances and frustrations that fueled the post election violence of 2007/08.

⁹⁸Branch, D.(2011).Between Hope and Despair, Kenya 2003-2011.New Haven, CT: Yale University Press.

⁹⁹Kenya National Dialogue and Reconciliation, KNDR. (2009). Report by South Consulting, available at www.dialoguekenya.org.Accessed 10th May 2015.

¹⁰⁰ibid

2.4 The Conflict of 2007 Election Period

A presidential election was held as part of the Kenyan general election on December 27, 2007 while parliamentary elections were held on the same date. Raila Odinga held a strong lead in vote counting on December 28, and the ODM declared victory for Odinga on December 29. However, as more results were announced on the same day, the gap between the two candidates narrowed. Early on December 30, Odinga accused the government of fraud, urged Kibaki to concede defeat, and called for a recount. The Election Commission declared Kibaki the winner at about 5.30 pm on December 30, with 4,579,034 placing him ahead of Odinga with 4,352,860 (a difference of 225,174 votes). The Chairman of the Electoral Commission, Samuel Kivuitu, said that while irregularities did occur, they were a matter for the courts, not the Electoral Commission. Following the Commission's declaration of his victory, Kibaki was sworn in for his second term later on the same evening at State House.

In response, ODM leaders on December 30th 2007 mobilized their supporters countrywide who comprised of tribal alliance of Kalenjin, Luhyas and Luos communities. The initial escalation of the tensions started building few days after the elections in most parts of the country especially in the opposition strongholds and major urban centers in the country. The peak of the conflict was on January 3, 2008 when ODM and PNU heated engagements evolved into tribal violence¹⁰¹. These attacks were well organized mainly in the Rift Valley and tribal gangs from the opposition attacking PNU supporter mainly the Kikuyu in both rural and urban centers.

The PNU supporters mobilized in response to the attacks and activated the Mungiki sect, which is a Kikuyu politico-religious militia. A gang that had earlier in 2002 been banned by the Kenyan government but had continued to enjoy some level of political impunity¹⁰². The organized gang facilitated retaliatory attacks against perceived ODM supporters in and around Nakuru and Naivasha towns. Unlike in the previous electoral related clashes, the 2007 /08 violence was also witnessed in large scale in the urban centers. In Nakuru district, tension started rising in Nakuru

¹⁰¹Kenya National Commission on Human Rights,(2008).On the Brink of Precipice: A Human Rights Account of Kenya's Post 2007 Election Violence. Nairobi: KNCHR.

¹⁰²Daily Nation, 13thMarch 2002.“Kenya: The Force Behind Terror Gangs.” (Africa News/NEXIS)

town on 28 December 2007, when ODM supporters stormed the Nakuru Town Council tallying station demanding for the release of the presidential results. On 29 December 2007, violence erupted in the residential estates of Ponda Mali when alleged ODM supporters took to the streets. The protests were aimed at forcing the ECK to release the delayed electoral results.

On January 24, 2008, a fresh wave of violence was triggered by the stories of brutality told by Gikuyu and Kisii IDPs who were flocking the town in multitudes after fleeing from the escalating violence in the countryside¹⁰³. This prompted the move by the local leaders and influential business people in the town to hold fund raising meetings for revenge attacks against the Luo, Luhya and Kalenjin communities. Consequently, organized groups armed with weapons were mobilized and deployed in the areas inhabited by the communities perceived to be advisories mainly in Kaptembwa, Kwa Rhoda, Mwariki, Free Area and Kiti to flush out ‘enemy’ communities¹⁰⁴. For instance, the Kalenjin community living around Nakuru, who had already been mobilized and reportedly paid to fight the Gikuyu, retaliated immediately by attacking the Gikuyu dominated areas of Kaptembwa, Mwariki and Githima¹⁰⁵.

The estates of Kaptembwa, Free Area, Kiti and Githima were the hardest hit by this violence that lasted from the 24th to 27th January 2008. By the time the violence came to a halt, more than 160 people had been killed and thousands displaced from their homes. According to the Human Rights Watch, the Rift Valley Provincial Hospital morgue reported 56 deaths, while the municipal morgue recorded 105 deaths since the beginning of the revenge attacks on 25 January 2008, an official total of 161 for Nakuru district alone¹⁰⁶.

The central relational issue in post-election conflict of 2007/08 was tribal in nature because political affiliation fell along tribal allegiances. Accordingly, the majority of the Kikuyus were anti ODM party that was supported by Luo-Kalenjin-Luhya alliance.¹⁰⁷

¹⁰³Researcher Interview with IDP Chairman in Nakuru Town, 26 March 2015.

¹⁰⁴Researcher Interview with District Peace Chairman for Nakuru, March 14th 2015.

¹⁰⁵ Researcher Interview with Peace Coordinator for Nakuru on January 20th 2015.

¹⁰⁶Republic of Kenya.(2008).Report of the Commission of Inquiry into Post-Election Violence in Kenya-(CIPEV) “Waki Report” .Nairobi: Government Printer.

¹⁰⁷Researcher Interview with Youth Leader in Kaptembwa, on April 20th 2015.

The escalation and the cessation of hostility between the main adversaries of the PEV 2007 was on the February 28, 2009 after the signing of a power sharing deal that was brokered by Kofi Annan. The National Accord ushered in power sharing between Kibaki (PNU) and Odinga (ODM) that brought into place the coalition government model. The new political arrangement was largely based on the conviction that political arrangements had the potential to promote and compromise conciliation between adversarial factions. Worth noting, on the August of 2009, Kofi Annan handed over a list of alleged perpetrators to the International Criminal Court, after the Kenyan government ignored his demands to set up independent tribunals to try those behind the post-election violence in 2007.

2.5 The Conflict of Pre and Post 2013 Election Period

This section will discuss the nature of the post National-Accord environment leading to the constitution referendum of 2010 and pre and post-election period of 2013. The discussion is critical in understanding the implementation environment of the National Accord in establishing inter play of factors at national, county and local levels.

2.5.1 The Post National Accord Environment: Coalition Government 2007-2013

The 2007/08 PEV ended after intense mediation under African Union (AU) envoy and former UN Secretary-General Kofi Annan that led to a power-sharing deal. The peace pact, referred to as the Kenya National Dialogue and Reconciliation Agreements (National Accords) was signed between the two main parties, President Mwai Kibaki and Prime Minister Raila Odinga¹⁰⁸. This was based on the fact that, political arrangements had the potential to promote or compromise conciliation between adversarial factions¹⁰⁹. Based on this hypothesis the coalition government had an expanded mandate of bringing about consensus among the communities in addition to

¹⁰⁸Government of Kenya.(2008).Kenya National Accord and Reconciliation Agreement. Nairobi. Government Printer.

¹⁰⁹Hansen, O. (2009). Political violence in Kenya: A Study of Causes, Responses, and a Framework for Discussing Preventive Action. Institute for Security Studies (ISS) Report. Nairobi: ISS.

addressing the long-term structural causes of conflict in Kenya¹¹⁰. In line with, both the proximate and structural conditions of the 2007/08, conflicts were to be addressed through far-reaching political, economic, administrative and social reforms.

As a result, two commissions were established to determine why violence occurred and prevent a similar tragedy. Among them was, the Independent Review Commission (IREC) that was to investigate all aspects of the 2007 elections and in its final report (the Kriegler Report¹¹¹) made a broad set of recommendations to improve elections and reduce the likelihood of political violence. Secondly, the Commission of Inquiry into Post-Election Violence (CIPEV), better known as the Waki commission was mandated to investigate the fighting that followed the disputed vote of 2007/8. The two were largely building on Agenda IV of the National Accord and their final reports laid the groundwork for subsequent reforms¹¹¹.

In retrospect, the Annan-led mediation team had emphasized the need for a new constitution to implement reforms that would help address the relapse of future political violence. A peaceful referendum was held on August 2010 that passed a new constitution that provided a platform for the restructuring of the state power design. The, adoption of the 2010 constitution marked a significant achievement in the processes of the country's history of political and constitutional making. However, the principal test linked in its implementation as it was underscored by the fact that the new constitution was not an end in itself but a means to realizing sustainable peace, stability and justice in Kenya¹¹².

Furthermore, a report by the South Consulting¹¹³, a Kenya-based research and consulting firm mandated by the Panel of Eminent African Personalities to independently monitor and evaluate implementation of KNDR agreements, argued that the implementation environment was continuously changing in all aspects that posed certain challenges. Firstly, the political culture was yet to change and that the culture of bad governance and failure to embed accountability and

¹¹⁰South Consulting. (2010). Report of the Kenya National Dialogue and Reconciliation Monitoring Project. Nairobi: South Consulting, pp. 16-18.

¹¹¹Kenya National Dialogue and Reconciliation (KNDR). (2008). *“Statement of Principles on Long-Term Issues and Solutions.”* Nairobi: Government Printer.

¹¹²Bekoe, D. (2008). Kenya: Setting the Stage for Durable Peace?. United States Institute for Peace, 10(3), pp. 24-13.

¹¹³South Consulting, Monitoring Report of the KNDR, op. cit., pp. 17-19.

the rule of law in the society was highly structured. Secondly, there existed the forces against change by those who perceived the implementation of the Constitution as a lose-lose situation. Also, there existed a constant opposition of the constitution that emanated from the self-centered interest rather than for ideological reasons during the referendum¹¹⁴.

Moreover, divisions among politicians were reported to be the main challenge facing the implementation process. This was supported by the findings on the challenges related to political campaign and lack of resources¹¹⁵. The findings suggested that there existed competing views over unclear provisions and sectarian interests that were compounded by the delay in the passing of the critical Bills before the stipulated deadline of August 2011. Despite the Parliament passing a number of critical Bills by the end deadline, there was a need to reflect on the process of passing these laws¹¹⁶. For instance, out of the 24 mandatory Bills that required to be passed within the first one year after the coming into force of the new constitution, 15 Bills were passed by parliament within a week. This rushing and quick approval of these Bills raised concern about their quality.

Nonetheless, the question of public participation in the development of some of the Bills was of great concern due to lack of coordination and public participation in the drafting of these Bills. This was attributed to the vested interest; lethargy and lack of will between and among the actors to deliberately delay the process of drafting and involving public participation. In addition, the Kenya National Dialogue and Reconciliation highlighted a number of challenges to be a likely hindrance of the outlined four-point agendas items. Among the noted key implementation and institutional challenges, for durable peace was electoral preparedness the police reform and the IDP question¹¹⁷.

Respectively, the Coalition Government had managed to establish the Interim Independent Electoral Commission (IIEC) to manage by-elections and the referendum, as well as electoral related reforms. By the time the IIEC's mandate came to an end, it enjoyed a wide public

¹¹⁴Bekoe, D., *Kenya: Setting the Stage for Durable Peace?*, op. cit., pp.7-10.

¹¹⁵ International Crisis Group (ICG). (2013). *Kenya After the Elections. Africa Briefing*. No.94., pp. 6-7.

¹¹⁶ibid

¹¹⁷South Consulting, KNDR Monitoring Report, op. cit., pp. 12-13.

confidence due to its ability of managing the electoral exercises¹¹⁸. The legitimacy was carried on to the establishment of a new electoral body, the Independent Electoral and Boundaries Commission (IEBC) after the promulgation of the new constitution. The credibility of the IEBC was anchored on the process of its established and appointment of commissioners that would enhance public trust on the institution. This would create a conducive context (or not) for a successful and democratic electoral process in future.

By the 26 of August 2011 all the pertinent legislation on electoral reforms had been passed with the government disbursing funds for the IEBC to carry out the preparatory work, in 2012. To some extent, this inspired public confidence in its independence capacity to manage elections competently and with integrity, including the ability to settle electoral disputes efficiently and effectively¹¹⁹. However, some of the laws passed to support the electoral process revealed that short-term interests informed the decisions taken. For instance, the introduction of the Political Parties Bill that was aimed at streamlining the operations of political parties and to enforce discipline. Among its key objectives was to guide on party loyalty and arrest the issues of ‘party hopping’ during election periods. The existence of enabling electoral legislation was perceived to be inadequate in addressing a relapse of political crisis.

Accordingly, laws on their own without the power to enforce and impose sanctions on those who breach them was pointless, especially in a country where electoral violence has been exacerbated by the culture of impunity¹²⁰. Thus it was imperative for the new electoral management body to have adequate powers to punish those who breach the electoral laws. In addition, the absence of an appropriate and a clear election theme around which the campaigns would revolve was critical¹²¹. These themes were important in helping citizens identify the qualities of the leaders to champion reforms. Their implementation would largely be influenced by the type of leadership in constructing and using such positive themes during the pre and post-election period. The

¹¹⁸International Crisis Group (ICG),op. cit.,pp. 13-16.

¹¹⁹The Kenya National Dialogue and Reconciliation (KNDR) Monitoring Project. (2013). Preparedness Report for Kenya’s 2013 General Election. Nairobi: South Consulting.

¹²⁰Researcher Interview with officials from the Kituo cha Sheria in Nairobi on 26th March 2015.

¹²¹ South Consulting, KNDR Monitoring Project, op. cit.,pp.14-15.

emergency issue of poor political leadership with competing themes posed a high risk of overshadowing value based theme and reform agenda over self-centered issues was very real.

The Kriengler Report¹²² had among other factors elucidated the failure and the role of the police institution in exacerbating the 2007 post-election violence. In support, the Waki Commission found that a heavy-handed police response to the protests caused hundreds of deaths. Accordingly, the commission had strongly recommended that security reforms would ensure credible and independent leadership that would ensure a peaceful election¹²³. It was noted that despite the president and the prime minister appointing the inspector general of police, necessary police reform would not take place before the election. For instance, the police were still operating in difficult circumstances of Low wages, lack of adequate resources and deficient equipment. This environment was largely responsible for the poor efficiency of the police.

The question of addressing the humanitarian crisis especially the problem of internal displacement was of great concern for peace. In relation to Agenda II of the KNDR Agreement the government had undertaken numerous initiatives towards the implementation of this Agenda. However, many IDPs had not returned to their homes or resettled in other parts of the country four years since they were displaced.

The continued existence of IDPs a few months before the March 2013 elections was the most visible indicator of lack of reconciliation among the communities in conflict -affected areas and the entrenchment of structural issues¹²⁴. In Nakuru town for example, a significant number of IDPs were still living in camps or and few had been integrated into the general population in urban and rural areas.

¹²²Kriegler, J. and Waki, P.(2009).Summarized Report (Revised Edition) of Inquiry into Post-Election Violence in Kenya(CIPEV) .Nairobi: Primark Venture.

¹²³Government of Kenya, “Waki Report”, op. cit.,pp.41-46.

¹²⁴ ibid

2.5.2 Pre-Election Period

The 2013 General Elections were held on Monday, 4th March 2013, electing the President, 47 Senators, 47 County Governors, Members of Parliament for 290 constituencies, 47 County Women Representatives in the National Assembly and 1,450 County Ward Representatives. These were first elections held under the new constitution, which was passed during the 2010 Referendum. There were also the first election run by the Independent Electoral and Boundries Commission (IEBC), which replaced the Interim Independent Electoral Commission (IIEC). The IIEC had been set up in 2008 to replace the defunct Electoral Commission of Kenya (ECK), which was dissolved after the disastrous 2007 General Elections.

Further, voter registration was carried out using Biometric Voter Registration (BVR) Kits, which would reduce certain incidents of fraud. The registration ran from 19 November 2012 for 30 days. A number of problems were reported during the first few days of the registration exercise included the none availability of electricity, military operations in some areas and logistical challenges caused by rains¹²⁵. Another subsequent challenge was the inability to register prospective voters who were still awaiting issuance of their formal identity documents by the government. After the 18 December deadline, the IEBC released the provisional voter numbers showing a registered base of 14.3 million voters. The IEBC indicated that they had missed their target of 18 million voters citing voter apathy as one of reasons for this¹²⁶.

On 13 January 2013 IEBC opened its voter register for inspection. Voters were to verify their details before 26 January to enable the commission clean the register ahead of the poll. The options included visiting respective registration centers, the IEBC website or the use of mobile phone numbers via an SMS service (using National Identity Card or Passport numbers used during registration). The IEBC announced on 23 February 2013 that it had has removed 20,000 voters who had registered more than once from the voter roll¹²⁷. The names were identified

¹²⁵National Cohesion and Integration Commission (NCIC). (2013). "Kenya Kwanza" Towards a Peaceful, Safe and Credible Elections in Kenya. Nairobi:NCIC.

¹²⁶Menocal, A. R. (2013). Kenya's peaceful election doesn't make it a healthy democracy". *Foreign Policy Review*, 2(5), pp. 20-21.

¹²⁷Kenya Human Rights Commission (KHCR). (2013) .Countdown to the March 2013 General Elections:

during continuing activities to clean up the register. The final voter registration number was given as 14,353,533 including 2,637 in the Diaspora.

In retrospect, On 28 December 2012, the Independent Electoral and Boundaries Commission had announced the Notice of General Elections schedule highlighting the date for the General election (4th March) and party nomination and submission deadline for nominees. In addition, the IEBC also indicated that disputes relating to or arising from nominations would be determined within seven days of the lodging of the dispute with the Commission. On 13 January, the Judiciary indicated it would hear and determine within two weeks disputes on Presidential Election results. The Judiciary Working Committee on Election Preparations (JWCEP) announced that election petitions would be certified urgent. These rules were developed in pursuance of Article 163(8) of the constitution, which mandates the Supreme Court to make rules for the exercise of its exclusive jurisdiction of hearing presidential election petition¹²⁸.

The release of the election calendar resulted in several parties opting to hold their nominations on 17 January 2013. The IEBC proposed public schools shut down on 17 January 2013, as the schools would be the venue for a significant number of nomination activities across the country. On 19 January, the IEBC indicated that political aspirants who lost during respective party primaries are not allowed to defect and seek tickets on other parties after Midnight on 18 January 2013. By law, political parties were expected to nominate their candidates for an election at least 45 days before. While other parties and coalitions held their nominations early, the Jubilee, Amani and CORD coalitions chose to hold country wide their nominations 2 days before the deadline. These were marked with disorganization and chaos with protests arising in Nairobi, Nyanza and Central provinces¹²⁹.

Interim Elections Monitoring Report. Nairobi: KHCR.

¹²⁸ibid

¹²⁹Researcher interview with an officer from the Registrar of Political Parties/anonymous on 26th March 2015.

The law required all Kenyan political parties to register any coalition agreements with the Registrar of Political Parties by 4 December 2012. This resulted in several publicized discussions among key political players and their respective parties who aimed to form pre-election coalitions prior to the deadline. Another likely effect of the agreements was a reduction in the number of prospective candidates. Four coalitions formed by the deadline were the Coalition for Reforms and Democracy (CORD), Jubilee Alliance, Eagle Alliance, Amani Coalition and Pambazuka Coalition that collapsed on 29 December 2012.

The analysis of the pre-election period suggests that numerous efforts had been put in place by the electoral management body. Unlike in the previous elections, the newly established IEBC had outlined modalities and mechanism for electoral related dispute. However, the tribal arithmetic and formation of coalition block emerged to be a critical political tool for winning the election. The regional voting blocks were defined in line with the hitherto ethnic fault lines¹³⁰. This situation led to high speculation of the likely occurrence of ethnic clashes in Nakuru County. In addition, the pre-election period of 2013 witnessed the emergence of conflict potential such as the proliferation of organised gangs in many urban centers', use of social media as new tool to mobilization, existence of IDPs and the prevalence of low police civilian ration.

2.5.3 Election and Post-Election Day

The 4th March 2013 General Election was conducted in a relatively peaceful atmosphere as compared to the 2007 elections¹³¹. Due to the terms of the new constitution, the presidential candidates can face a second round run-off between the first and the second if no- one achieves an absolute majority of more than half the valid votes cast in the first round as well as 25% of the votes in at least 24 counties. Although the voting went on peacefully in most parts of the country, the ICT systems deployed by the IEBC to tally the Presidential elections failed and the IEBC had

¹³⁰Kenya Human Rights Commission (KHCR) . (2011).Brief on Recurrent Ethnic Violence and Claims of Communities Arming Ahead of the 2013 General Elections. Nairobi: KHCR .

¹³¹United Nations Development Programme, Uwiano Platform: A multi stakeholder reflection strategy after the 2013 General elections. Nairobi:UNDP-Kenya.

to revert to manual tallying, hence delaying release of the results¹³².

On March 9th Uhuru Kenyatta was declared the president-elect of Kenya by the Independent Electoral and Boundaries Commission after five days of counting. Raila Odinga challenged this in the Supreme Court of Kenya. His petition challenging the results was dismissed on March 30, 2013. Uhuru Kenyatta (TNA) was declared winner with 6,173,433 (50.07%) of the 12,330,028 valid votes, after achieving more than 50 % plus one threshold to avoid a run-off. Voter turnout was 86%, the highest in Kenya's history.

However, though the 2013 election was not characterized by violence episodes there were complaints from various camps on election irregularities¹³³. Among them, the failure of Biometric Voter Registration (BVR) kit raised many concerns over their credibility to ensure free and fair elections. Non- governmental organizations (NGOs), civil society organizations, the media, public, and lawyers presented their petition as regards to the presidential results.

Another key conflict issue was the voter register that was used during the March 2013 General Election. For instance, the provisional register as at December 18, 2012 contained 14,337,399 voters, while the principal register as of February 18, 2013 had 14,352,545 voters. Further, the political parties register on March 2013 had 14,336,842 voters, while the results register on March 9, 2013 had 14,352,536 voters¹³⁴. Moreover, the special register had 36,236 voters and the Green Book allegedly compiled during voter registration contained unknown number of voters. These scenarios created a lot of mistrust especially for the IEBC and the judiciary for holding the elections.

2.5.4 Devolution and County Political Dynamics

The Kenya's 2010 Constitution marked the genesis for the establishment of the devolved system of government with the establishment of 47 county governments. This was meant to reduce

¹³²Researcher Interview with an officer from the IEBC/anonymous in Nairobi on January 26th 2015.

¹³³Election Observation Group (ELOG).(2014).Report of the 2013 General Election in Kenya. Nairobi: ELOG.

¹³⁴Researcher Interview with an official from the Center for Democracy and Good Governance in Nairobi on May 26,2015.

competition for the country's top seat and help address Kenya's chronic ethnic conflicts. According to Thomas et al,

The new Constitution establishes national values and principles of governance that seek to diffuse, if not eliminate altogether, the ethnic tensions fuelled by perceptions of marginalisation and exclusion¹³⁵.

The new governance structure with the transition from centralized system of government drastically changed the political culture in Kenya a lesson learned during its implementation. However, the implementation of devolution has shown that the Governor and the Member of County Assembly (MCA) are the most powerful in the devolved structure. The office of the Governor controls vast amounts of devolved public resources and decision-making authority on matters affecting the county. Whereas, the MCA's have leveraged on their oversight role to blackmail the governors through impeachment, and thus compelling them to enter into resource arrangement with the members of the County Assemblies¹³⁶.

For these reasons, devolution has a high potential for conflicts by creating inter communal tensions both at national and local-level tensions. At the local level, devolution has exacerbated inter-communal tensions in some areas by providing a new layer of jobs and resources that people struggle to access¹³⁷. This has created an important group of political actors who – due to the resources that they control have the capacity to mobilize for communal interest. In addition, to localizing corruption and exacerbated ethnic tensions, it has also provided strong incentive for county-level politicians to accumulate resources through large salaries and allowances.

Lastly, the devolved system ushered in the notion of negotiated democracy at the county level. In 2013, the political elite from the major communities in Nakuru County came together to form a political coalition. This alliance between the rival groups -Kikuyu (Governor) and the Kalenjin (Deputy Governor)-bridged long-standing polarities in the multi ethnic part of the county. This was critical in addressing and diffusing inter-ethnic tensions along which past violence had been

¹³⁵Thomas,O. and Juma K. Rotich .(2014).Devolution and Governance Conflict in Kenya :Kenyan Scenario. Public Policy and Administration Research,4(6),pp. 16-17.

¹³⁶ibid

¹³⁷Researcher Interview with the Urban Cluster Officer at the National Early Warning Early Response Centre in Nairobi, on February 26th 2015.

politically mobilized. However, devolution has reproduced, rather than transformed, a political culture whereby politicians are evaluated (at least in large part) by their ability to provide assistance by channeling resources to constituents and defending local interests¹³⁸.

2.6 Conclusion

The introduction of multiparty system in Kenya can largely be connected to the emergence of politically instigated violence in many parts of Country. Most of the major urban areas such as Nakuru town have been the epicenters of the electoral related conflicts with a high spillover effect tendency. This scenario has been underscored by the high relationship between the political activities and the onset of violence during the election period. Accordingly, the key determinant in the entire conflict situations is the elite, ethnic and regime factors as the major force the likelihood of electoral violence occurrence. Aspects of power relations involving the choice of power holders and consequently the determination of the structure of access to state patronage provided the conditions for mobilization. In all the election periods understudy, political elites have been directly active towards mobilizing ethnic passion to defend and promote what is otherwise their narrow sectional interest.

In addition, ethnic alliances and bond are largely determined by shared capital in which the distribution of resources is based. This scenario has transformed elections into an important means through which the control and transfer of resources is guaranteed among ethnic groups. Consequently, this reality informs the motive behind ethnic determination with to control the spoils of office after winning the elections. For example, the elections of 1992, 1997, 2002, 2007 and 2013 had been informed by “ethnic census” as a guarantee for capturing state power assets and ensure their political survival. On the same, role of the state in instigating the ethnic clashes of 1992 and 1997 emerged as a strategic move aimed at maintaining the regime in power by making sure that they win elections through violence.

This has witnessed the role of political elites in dictating the onset, duration, intensity and conflict outcome of inter communal clashes at national and local levels leading to massive killing and displacements. More so, the study of the period between post 2007 and 2013 general election

¹³⁸Kenya Television Network(KTN), Morning Express,Interview with Political Analyst on Devolution and Ethnic Question,20thAugust, 2015.

revealed that implementation environmental for the National Peace Accord was uncertain and challenging. This was linked to the failure by some of the political elites to fast track the implementation of critical bills that would transcend and transform the current political situation for durable peace. For instance, in Nakuru County, the desire to maintain the status quo alluded to the fact that some political actors were indeed enjoying and had been favored by the current political situation in line with their derived costs and benefits.

CHAPTER THREE: THE CONFLICT DYNAMICS OF NAKURU COUNTY 1992-2015

3.1 Introduction

This chapter attempts to provide a brief overview of what is known and understood about the causes of conflict in Nakuru County. The theoretical basis of that knowledge is limited in that it does not offer much by way of general explanation of the phenomenon. This is, perhaps, hardly surprising, given its complexity and diversity. However, the overview is important because it provides valuable guidance as to where to look when analyzing conflicts for signs of potential escalation and when seeking opportunities for preventing violent escalation. The analysis has taken into account not only the multiplicity of potential causes but also the different type of causes. To achieve this, the study derived Dressler's analytical framework that consists of a four part typology in order to organize various factors that has for long dictated the conflict occurrence in Nakuru County¹³⁹. It links the Structural causes, Mobilization strategy, Proximate and Catalyst factors in trying to understand the nature of politicized ethnic clashes in Nakuru county.

3.2 Background and Structural Causes

The electoral related conflict in Nakuru County is connected to structural long-term issues that have created a potential climate for violence without, however, making its eruption inevitable. These issues involve the chronic failure of undertaking constitutional, legal and institutional reforms by the successive regimes. Picking from the same thread, historical injustices over land question, poverty and inequality, insecurity as well as combating under development have also resulted to conflict in Nakuru County. Tackling unemployment, particularly among the youth and consolidating national cohesion and unity among various tribes and addressing transparency, accountability and impunity has been a challenge. These interrelated factors have resulted in a

¹³⁹Dessier, David.(1994). How to Sort Causes in the Study of Environmental Change and Violent Conflict .In Alex, A. & Fischer Norbert(Eds), Transforming Ethno-Political Conflicts. New York, NY: Penguin Book.

high degree of conflict potentials and vulnerability not only in Nakuru County but also in most parts of the country.

In the post-colonial Kenya, land grabbing and the allocation of public land has for long been used as a tool for political patronage with gross corruption playing a key role in it, These has led to the perception of political power as vital in obtaining access to public goods where individuals benefitting or been marginalized from such access was viewed in ethnic terms. The Ndung'u Report¹⁴⁰, for example, noted how 'Moi rewarded his supporters, particularly the Kalenjin, through appointments to political offices and with jobs in the public service and the military. In support, when Moi's regime was faced with declining patronage resource, he turned to illegal allocation of public land around the time of competitive election¹⁴¹. Land was a critical patronage resource and an instrument to maintain control.

More so, the political elites have always had personal interest in obtaining power, as the only means of accessing sparse resources through marginalisation and exclusion. This zero sum political game has further been exacerbated by the institutionalization of large-scale corruption and impunity. Lastly, structural causes of the conflict have been connected to the consistent failure to embrace institutional reforms – constitutional, judicial, police and civil service reform. This has diminished the ability of the Kenyan State to tackle the root causes of violence¹⁴². The inter-ethnic clashes of Nakuru have largely been contributed by the role of political leaders facilitating and provided in support to their ethnic groups to violence¹⁴³. This has resulted into the actual and perceived discrimination in the distribution of wealth, economic and political power amongst various communities.

The existence of structural factors have developed a “just cause and course” for violent conflicts among the communities who are convinced that taking up arms is the only legitimate way secure their necessity of life. In other words, violence is legitimized a community feels that they are in

¹⁴⁰ Republic of Kenya.(2004).Report on the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land.Nairobi: Government Printers.

¹⁴¹ Kloop, J. (2002). Can Moral Ethnic Trump Political Tribalism?The Struggle for Land in Kenya. African Studies, 61(2), pp.26-28.

¹⁴² ibid

¹⁴³ Researcher Interview with a former local government officer in Naivasha on April 2015.

an unjust situation and must therefore decide to rectify it. This scenario has played out in all the inter-ethnic clashes of Nakuru county where the main motive has been to address a structural issues or grievance. For example, 1992 the perceived threat by the Kalenjin community if Moi lost power coupled with existing grievances over land and the lack of credibility among the key institutions in addressing disputes has led to a situation of unstable peace in Nakuru County. As a necessary condition for inter-ethnic clashes in Nakuru County, the existence of structural factors has created the sufficient condition and fertile ground for elite manipulation¹⁴⁴.

3.3 Mobilization Strategy.

The notion of mobilization as an explanation for inter communal clashes of Nakuru county has been critical in explaining the intertwine nature between structural factors and political actors in the onset and duration of conflicts. In all the major incidents of ethnic clashes, political mobilization did not occur in a vacuum, and was largely dependent on the prevalence of condition perceived by the community to be injustice. For example, poor economic condition, marginalization, unequal distribution of resources and lack of security. In Nakuru County, the basic material for political mobilization is directly linked to the underlying division of power and prosperity among the major communities thus creating an “exploitable sense of injustice”¹⁴⁵.

In this context, the manipulation of mass ethnic feelings is often the surest instrument of electoral success where democratic participation (in elections) serves to fan ethnic conflict¹⁴⁶. This has been the case with the politically instigated ethnic conflict of 1992, 1997 and 2007 elections in Nakuru County. Ethnicity emerged to be a major force influencing the behavior of politicians and voters alike as the political elites were aimed at maintaining power through ethnic mobilization. Larry Diamond observes that:

¹⁴⁴Murshed,S.(2002).Conflict,Civil War and Underdevelopment: An Introduction. Journal of Peace Research,39(4),pp.38-43.

¹⁴⁵Researcher Interview with IGAD Desk Officer in Nairobi on April 26th 2016.

¹⁴⁶Nnoli,O.(1989).Ethnic Politics in Africa. Ibadan: Vintage Publishers.

..in ethnically divided societies elections become not only the vehicle for protecting the general process of capitalist accumulation but also for promoting accumulation by one cultural section of the dominant class in competition with other ¹⁴⁷.

In retrospect, the idea by the Moi's Kalenjin community that the capture of the state by the opposition would at once mean the loss of economic privilege led to rise of inter-ethnic tensions¹⁴⁸. Similarly, major ethnic communities believed that their party's victory would end their relative deprivation. This has always been the case when community leaders take over state power; they organize themselves and the society in such a way as to perpetuate its control of power and use it to pursue its group's interest. The political contestations have for long been characterized by the mobilization of ethnic support to protect a symbolic communal interest. The formation of KAMATUSA coalition in 1992 was to protect KANU's political interest by evicting the ethnic communities that were anti regime in the Rift Valley.

This was to be achieved through forceful eviction of other tribes from Kalenjin- Masai land. Consequently, the Rift Valley politicians held a series of meetings during the election period 1991, 1997 and 2007 with an aim of mobilizing the Kalenjin and their political allies against other communities living in the Rift Valley. The logic behind formation of alliances and ethnic mobilization is largely based on the cost and benefit analysis through perceived political benefits in case their alliance won the election. In Nakuru, county, ethnic sentiments and identity were manipulated for political ends through violence during election period. These perceptions were functionally conflictual and resulted into competition for material goods through state control that has led to the ethnicization of society in the urban areas.

The above reality has been confirmed by the degree of ethnic discrimination in determining the probability of employment opportunities in public offices through nepotism. The Gikuyu and Kalenjin make up more than 40 per cent of the entire civil service and had benefited most in

¹⁴⁷Diamond, L.(1997).*Class, Ethnicity and Democracy in Nigeria* .Syracuse:Syracuse university Press.

¹⁴⁸Oyugi, W.(1994).*Uneasy Alliance :Party States Relations in Kenya* .Nairobi :East Africa Education publishers.pp.13-16

appointments to public offices¹⁴⁹. Their dominance in the civil service was linked to the tenure of previous Presidents Jomo Kenyatta (a Gikuyu) and Daniel Arap Moi (a Kalenjin). The similar trend was also observed in the Office of the Prime Minister that drew a majority of civil servants from the Luo community¹⁵⁰. This scenario acted as a mobilization strategy since it underscored the lingering belief among ethnic groups in Nakuru that only “one of your own” can best serve the communal interest if placed in position of power.

3.4 Proximate Factors.

Proximate factors tend to affect the timing of the onset of any conflict. They are events or actions undertaken by significant actors, which narrow the choices of the players by making peaceful approaches less, and violent options more or attractive¹⁵¹. This is critical in explaining not why a conflict started at all, but why it started then. In Nakuru County various proximate factors were identified to have contributed to the recurrence of inter-ethnic conflict since 1990s. Some of these factors include.

3.4.1 The Multiparty Politics and the Institutionalization of Violence in Kenya

Like in many African states, elections in Kenya have significantly been characterized with the increase of electoral related conflicts that manifest in various forms¹⁵². In the struggle for power and access to resources, competitive politics have for long conditioned the regime and other state actors to institutionalize violence. This strategy has been effective towards consolidating and maintaining power that has taken an ethnic dimension and thus exacerbating inter communal competition.

¹⁴⁹Kenya Transitional Justice Network.(2013).Truth, Justice and Reconciliation Commission Report (summary).Nairobi: KTJN.

¹⁵⁰ibid

¹⁵¹Dan, Smith.(2004).Trends and Causes of Armed Conflict.In Alex, A. & Fischer Norbert (Eds), Transforming Ethno-Political Conflicts. New York, NY: Penguin Book.

¹⁵²Collier, P. and Sambanis N.(2005).Understanding Civil War: Evidence and Analysis (Vol. 1: Africa). World Bank: Washington, D.C.,pp. 14-17.

In Kenya, the role of state and non-state actors in facilitating and containing violence has create a political culture of violence that has persisted since the re-introduction of multi-party politics¹⁵³. The onset of the ‘politically instigated ethnic clashes’ in the Central Rift Valley, has led to the institutionalization of violence whose monopoly has evolved over time. The monopoly of violence no longer lies with the states but also other actor who perceived a change in the status quo as a threat to their political and economic interest. In that case, political elite aiming to suppress opposition political parties also recruited and sponsored ‘tribal militias’ and gangs for them to terrorize and instigate ethnic violence¹⁵⁴. Much of this violence was sponsored in the Rift Valley and in urban areas, especially in Nakuru where the opposition held sway since 1992¹⁵⁵. The result of this violence has been the re-tribalization of politics and the erosion of civic nationhood¹⁵⁶. This has led to the personalization of political power and tendencies towards the use of violence have occasioned repressive practices by both successive regimes and other players. By appealing to ethnic identities and loyalties, political leaders have urged people to keep allegiance to those who safeguard ethnic interests. This has been compounded by the entrenched culture of impunity whereby conflict instigators are never persecuted and the victims who are maimed and killed for political ends never see justice¹⁵⁷. This has changed Kenya’s political landscape with regard to elections as the political elites continued to organize violence for political ends by hiring gangs of youth who were sometimes promised economic benefits. In short, violence became a means of securing political power and winning elections. In Nakuru town, proliferation of gangs, proliferation of small arms and light weapons and the existence of tribal zones servers as a clear indicator for institutionalization of violence.

¹⁵³Wairimu A.(2014).The Nakuru County Peace Accord of 2010-2012 to Lasting Peace Report . Nairobi: Center for Humanitarian Dialogue, pp 26-29.

¹⁵⁴Thomas ,O. Hansen.(2009).Political Violence in Kenya:A study of Causes ,Responses and a Framework for Discussing Preventive Action. Institute for Security Security Studies,Vol.205,pp.16-17.

¹⁵⁵Throup, D. and Hornsby, C. “Multi-Party Politics in Kenya”, op. cit.pp.14-15.

¹⁵⁶Holmquist, F. & Githinji, M. (2009).The Default Politics of Ethnicity in Kenya. Brown Journal of World Affair,16(1),pp.1-18.

¹⁵⁷Researcher Interview with an IDP /Anonymous in Naivasha on 6th April 2015.

3.4.2 Formation of Tribal Political Parties and Alliances

Tribal political alliances and ethnic solidarity has been a major factor influencing both presidential and parliamentary elections. Consequently, ethnic groups both in the opposition and in the ruling party have largely continued to be loyal to their ethnic leaders. This scenario of “ethnic arithmetic’s” has continued to play out since the introduction of multi-party politics and as a determinant of election outcomes¹⁵⁸. Firstly, among the perceptions that greatly entrenched and reinforced this political culture was the existence of weak democratic institutions associated with checks and balances during the old constitution. As a result, the executive arm of government had become very powerful and influential with no clear separation of power.

Secondly, is the high expectation held by the members of an ethnic group that acquiring presidential and other political power will secure for them benefits. This has led to a defensive strategy by an ethnic group to keep others from power and taking jobs and land entitlements. This has contributed greatly to the culture of political and electoral struggles that has been perceived by the elite and the public as a zero sum game, in which losing is seen as hugely costly and is not accepted.

The political elites/actors have always engaged in violence to obtain or retain political power for fear of being dominated by other ethnic groups and being subjected to the associated consequences of that. This has created a climate of fear and suspicions that politicians easily exploit and use to mobilize for violence. For example, the alliances of Kenyatta and Ruto that formed the Jubilee party against other political alliances resulted into deepened ethnic divides. Further President Moi’s actions were designed to destroy the economic base of his opponents and to bolster his own position and that of his supporters, who were mainly drawn from his KAMATUSA allies from the marginal areas¹⁵⁹.

¹⁵⁸ Angelique, Haugerd.(1995).The Culture of Politics in Modern Kenya.New York: Cambridge University Press, p 40.

¹⁵⁹Orvis, Stephen. (2001). Moral Ethnicity and Political Tribalism in Kenya’s ’Virtual Democracy. African Issues, 29(1/2), pp. 8-13.

3.4.3 Impact of Structural Adjustment Programme

The introduction of Structural Adjustment Programme in the early 1980s had a profound proximate impact on the electoral related conflicts, which started during the 1990s multi-party politics¹⁶⁰. In light of the failure of the State-run economy to spur economic growth in Kenya, the World Bank, International Monetary Fund and Western donors advocated for Structural Adjustment Programmes (SAPs), which emphasized macroeconomic stabilization, privatization and free market development. Although the control of the economy by the government registered a considerable degree of inefficiency, the move toward a liberal market economy led to immense deprivation, entrenchment of poverty and a general decline in the living standards of the majority¹⁶¹.

These harsh conditions created by the programme manifested in various forms especially among the vulnerable groups in the society. For example, death from starvation, disease and non-attendance or discontinuation from primary education was identified. The emergence of female-headed households, rural small-scale farmers, and landless rural workers became the order of the day as it culminated into high unemployment in the majority of the Kenyan population.

The farmers largely felt the impact of SAP on the Kenya Economy after the agricultural market economy deteriorated and thus affecting them.¹⁶² This among other factors exacerbated the rural urban migration that created a huge youth bulge in towns such as Nakuru. By the time the first multi-party election were held, the country was already in a state of negative peace and the politicians found it easy to manipulate their ethnic tribe for a common course¹⁶³. In the Rift Valley, poor living conditions among the youth in urban centers made it possible for politicians to exploit them through mobilization for political gains. The SAPs created an environment upon which political mobilization on the basis of relative deprivation, ethicized perceptions for elite manipulation. This created a necessary condition in which the sufficient political factors were able to play out and influence the occurrence of inter-ethnic violence in Nakuru.

¹⁶⁰Ochola, A.(2007).Leadership and Economic Crisis in Africa. Nairobi : Kenya Literature Bureau.

¹⁶¹Leys, C.(1975).Underdevelopment in Kenya :The Political Economy of Neo-Colonialism. London: Heinemann.

¹⁶²Ochola ,A., Leadership and Economic Crisis...,op. cit. p 45.

¹⁶³Researcher Interview with Mr. Mwai a Farmer and elder in Kuresoi on March 17th 2015.

3.4.4 The 2002 NARC Memorandum of Understanding

The collapse of the Memorandum of Understanding among the National Rainbow Coalition (NARC) parties had a great impact on the country's political realignment¹⁶⁴. During Moi's regime the presidential power had been highly centralized and this informed the attempt by the opposition to reduce the powers. As a result, the opposition agreed to introduce a post of the Prime Minister that culminated into an informal Memorandum of Understanding (MoU) before the 2002 election among the NARC coalition party. The coalition agreed to introduce the post of Prime Minister once elected into power but President Kibaki reneged on the MoU deal.

This move portrayed president Kibaki's administrations unwillingness to abide by its pre-election agreement with its partners and as retreating into an ethnic enclave¹⁶⁵. In addition, the regime went ahead and removed from government the group of Ministers associated with the opposition. This increased political polarization along ethnic lines and was seen as an attempt by the GEMA to maintain the status quo.

As a proximate cause, it led to the disintegration of the ruling party and the formation of other parties along the tribal lines. This political development had a direct impact on the 2007 election where the failure of the Kibaki regime to fulfill its promises and address the long term grievances entrenched and exacerbated ethnic tensions among the communities. In Nakuru County, for example the PEV was between the PNU and ODM supporters. This was a similar situation to previous elections of 2002, 1997 and 1992 that were a mere contestation between ethnic groups.

3.4.5 The Constitutional Referendum of 2005

The 2005 constitutional referendum that was held on November 21st was the culmination of a difficult fifteen-year search for a new constitution to replace the independence constitution. As a historic moment, it helped nurture and at the same time consolidate Kenya's evolution as a democracy. The NARC was elected by Kenyans in 2002 to, among other things, facilitate

¹⁶⁴Researcher Interview with a Political Officer at the African Results Institute in Nairobi on April 27th 2015.

¹⁶⁵ibid

enactment of a new constitution within 100 days as it had promised. However, after failing to fulfill its promise and under extreme domestic pressure the NARC administration restarted the process in a manner that was highly contentious. The NARC administration revived the constitutional conference that had earlier been reconstituted in 2002. It had become a platform for the power politics that emerged after 2003 within the different factions of the coalition. This power struggle was centered on the failure by the Kibaki regime to honour the MoU struck between the National Alliance and Rainbow Coalition of creating the position of an executive prime minister.

As a result, a draft constitution the so named “Bomas Draft constitution” was developed by the convention in the absence of pro-government side, had recommended a powerful position of a prime minister, and weakened presidency. To mention but a few, the Bomas document had a number of weaknesses such as the removal of the recall clause for errant Members of Parliament, the exercise of full executive powers by an unelected Prime Minister, an unwieldy four-tiered structure of governance and the removal of the requirement for Ministers to be Members of Parliament.

In this regard, the process of constitutional consultations was transformed into political “zero sum game” with the government either opting to amend the “Bomas” draft or instead pushing for an alternative draft through parliament. Consequently, with the assistance of the then Attorney General Amos Wako and through the parliament (supported by pro-government members), the government decided to generate a draft constitution, “Wako Draft”. This draft removed and watered down clauses that sought to rein in executive authority and retained sweeping Presidential powers while weakening legislative powers and devolution provisions. The failure to reduce executive authority was perceived to be nothing more than a power play by the Government. However, the decision to take a partisan stance by the two main camps for and against the Wako draft led to the referendum becoming a proxy for issues other than the actual content of the proposed constitution¹⁶⁶.

The Cabinet, which constitutionally aids the President in governing the country, was split, with seven members rejecting the so-called “Wako Draft” and joining the opposition in a partisan

¹⁶⁶Researcher Interview with a Member of the Conflict Analysis Group center in Nairobi ,on 27th March 2015.

campaign to have the proposed constitution rejected. Despite the level of inflammatory rhetoric by politicians on both sides, those for ratification and those for rejection, the run-up to the vote was a highly charged affair whereas the actual voting day was peaceful.

Moreover, though the referendum was peaceful the ethnic political parameters and fault lines were nevertheless drawn and the need to win the referendum by the two camps seen as paramount¹⁶⁷. This shifted the political interest and loyalties among the coalition parties with the members maintaining more loyalty to their parties than in the Coalition party. Further, the voting patterns were evidence of how the referendum campaign had split the nation along ethnic lines. In an effort to consolidate their faction's grasp of power, during the referendum campaigns, the two camps adopted divisive politics that revolved primarily around ethnic allegiances. This form of political mobilization degenerated into the use of hate speech and incitements along ethnic lines in most urban town in the country.

Lastly, the 2005 referendum was a proximate factor because the political activities from the Yes and No camp engage in hate speech and divisive politics to order to increase their political capital among "their people". This political practice was exacerbated by impunity and the failure to punish the perpetrators and inciters of violence. The politics of ethnic division became entrenched and continued to play a key role in promoting negative ethnicity among communities. As a result, in the presence of numerous trigger and catalyst factors, the country was highly polarized along ethnic line. This scenario created the necessary and sufficient conditions for the 2007/08 PEV.

3.5 Catalyst Factors to the Conflict

This section will highlight the catalysts factors that have played out and have informed the recurrence electoral conflicts in the urban centers of Nakuru. These factors have largely exacerbated the intensity and duration of the inter communal violence because they are both

¹⁶⁷ *ibid*

internal and external in nature and are connected to operational, procedural and structural conditions. Among the catalyst factors include.

3.5.1 Organized Groups and Militia Gangs

Mutahi Ngunyi and musambanyi katumanga¹⁶⁸ define organised militia as formations that convene around a charismatic leader or a group of leaders and their organization is “supply-driven” in nature. In contrast, they further conceptualize organic militia as those, which are not created by a civic demand but the need to “supply” violence for political, or market related reasons. They argue that these militias have the capacity to influence and instrumentalise ethnicity for their groups gain. In addition, the Rift Valley militia grouping has strong political roots as witnessed by the first militia that was linked to KANU stalwarts in opposing the multi party system.

The re-introduction of multi-partyism in 1991 brought with it the dissolution of the state monopoly of violence by heralding the emergence of ethnic militias¹⁶⁹. Initially the main motive behind the formation and mobilization of these groups was to actively engage in extra-state violence. According to the Waki Report¹⁷⁰ the organised gangs later metamorphosed into a Mafioso style gang that grew and eventually became a shadow government in the slums areas. They grew and multiplied within the context of a political culture that both used and tolerate extra state violence.

The presence of organised gangs in Nakuru district greatly determined the duration and intensity of politicized interethnic conflict. In most conflict scenarios, the militia and organized gangs in the district had capitalized on the political and economic condition to justify state failure through legitimization of violence. Activities of these groups have largely coincided with the electoral season of 1992, 1997, 2002 and 2007¹⁷¹. Accordingly, the 1992, 1997 and 2007 witnessed violence episodes through organized ethnic militias such as the KAMATUSA and Mungiki. This

¹⁶⁸Mutahi, N. and Musambayi K.(2014).From Monopoly to Oligopoly of Violence: Exploration of a Four-Point Hypothesis Regarding Organised and Organic Militia in Kenya. Nairobi, Kenya: UNDP.

¹⁶⁹ibid

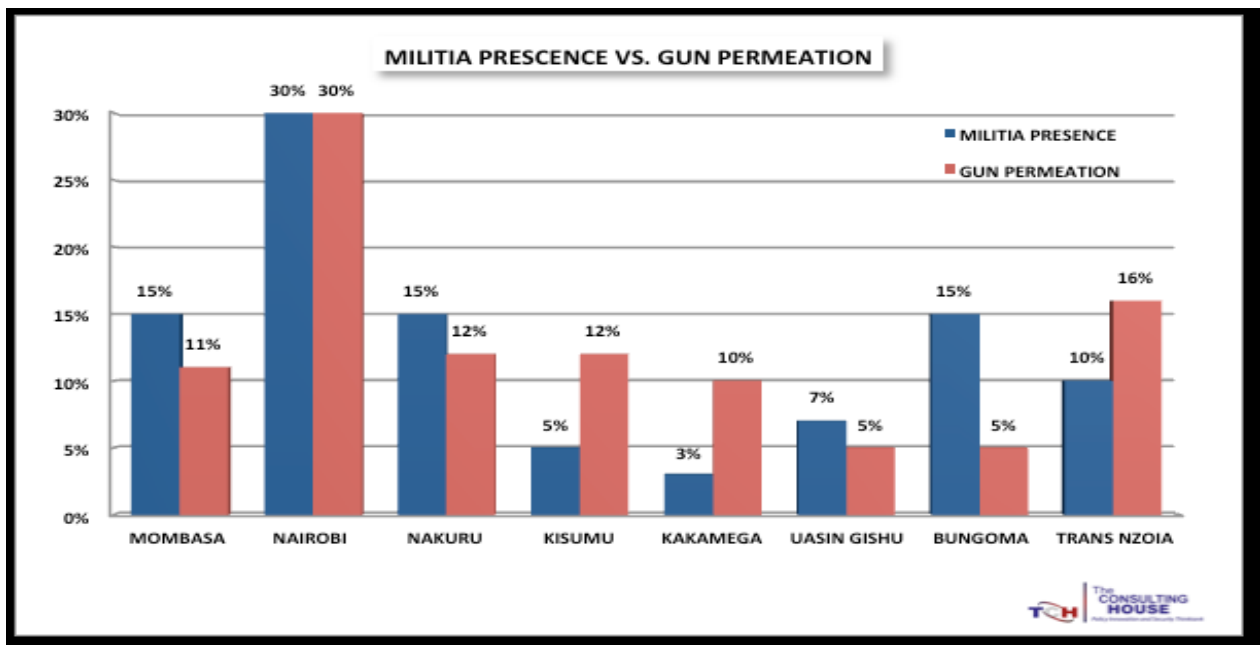
¹⁷⁰Waki Report,op. cit. p. 20.

¹⁷¹Republic of Kenya, Akiwumi Report ,op. cit.,pp. 16-17

was attributed to the fact that the regime and its political elite had utilized and manipulated them for common political gains.

During the 2007/08 Post Election Violence, the role of Mungiki sect came to the fore play in Nakuru County. The persistence of violence has been attributed to the steady growth of ethnic militia and the state failure to decisively disarm and transform youth militia. In line, the increase in the numbers of unemployed young people has meant that political and business leaders have had ready access to organised gangs of people, easily available for reactivation in every election year¹⁷². The use of Mungiki was seen as a form of encouragement to retaliatory attacks or, in the alternative, a response to the call to arms by the politicians to defend the Kikuyu community against aggression by non-Kikuyus¹⁷³. The figure 1 below shows *militia presence* and levels of *gun permeation* per county. Note in Nakuru County the Militia Presence is at 15% .

Figure 1: Militia presence and Gun proliferation. Note bar for Nakuru County



Source: South Consulting¹⁷⁴

¹⁷²Kagwanja ,P. (2003).Facing mount Kenya or Facing Mecca? The Mungiki, ethnic Violence and the Politics of Moi succession in Kenya,1987-2002.African Affairs, Journal of the Royal African Society ,102(406),pp. 30-32.

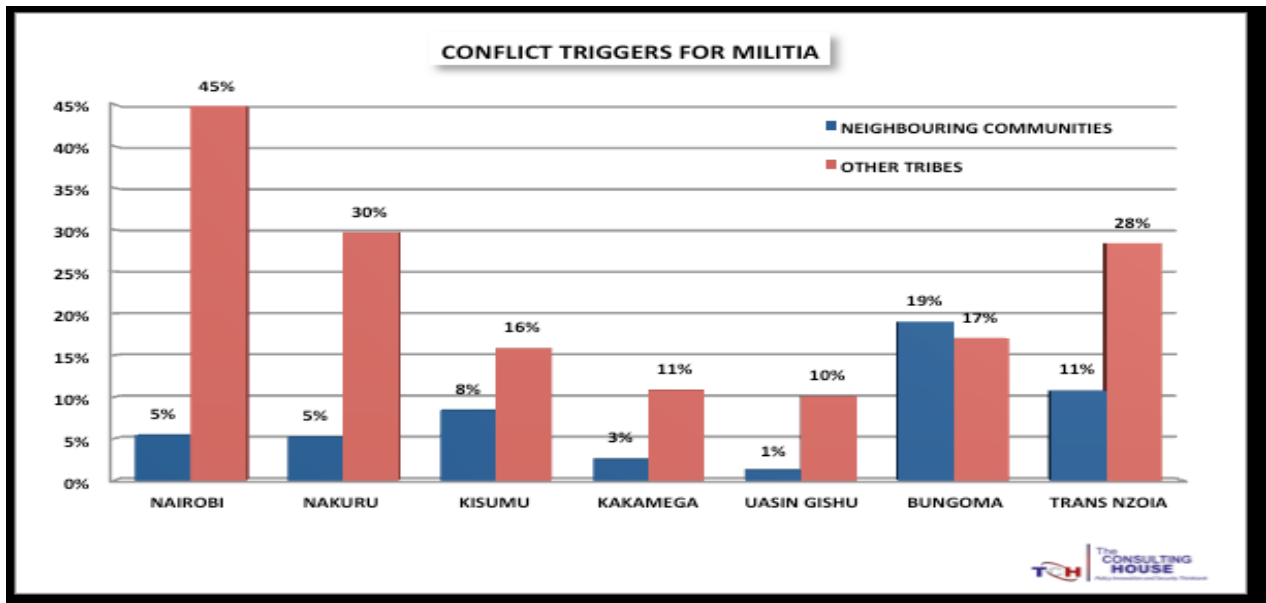
¹⁷³ibid

¹⁷⁴Mutahi Nguyi and Musambayi, Form Monopoly to Oligopoly of Violence, op. cit. p 55.

The bar chart point to the fact that, wherever there is a militia group numbering around 100 members, there is 30% gun permeation. This implies that out of every 100 militia members, there is a chance that 30 militia are armed with guns. This figure shows that there are more militia members than number of guns available in Nakuru.

Further, the proliferation of resurgence groups has been consistence with their politicization and as a means through which ethnic differences, hatred and animosity are driven. Consequently, acts of violence are indeed explained as retributive specifically targeting members of other ethnic and political affiliates. This has created an escalating cycle of violence that has resulted into hatred and suspicion between communities that had long coexisted. Mutahi and Musambayi¹⁷⁵, argue that militia groups are at their peak during election violence with the members of other tribes. See the figure 2 below.

Figure 2: Militia Peak time (The duration in which they are highly engaged)



Source: The Consulting House ¹⁷⁶

¹⁷⁵ibid

¹⁷⁶ibid

The chart suggests that militia activity is highest when there are in conflict with other tribes. Nakuru County has a 30 % likelihood of militia engagement during tribal conflicts, thus justifying their highly ethnicized nature.

More so, the size and proliferation of the militia gang in Nakuru does not only dictate and rise the likelihood of conflict occurrence but also determines the relationship between the political elites and the gangs. Accordingly, the nature of the interaction between the organised gangs and the politicians is purely based on power relations. The capacity to manipulate and control a particular gang is a cost and benefit scenario with their sustainability depending on material gains¹⁷⁷. The role of militia gang in shaping political outcomes in Nakuru through violence and protecting communal interest has been very efficient during the election period. In legitimizing their role, they have provided security in places where the government security apparatus have failed. But their services are voluntary in nature and thus the question of grievances in gang mobilization does not offer a sufficient explanation of their existence.

The survival of organised gangs in Nakuru has been largely dependent on the nature of political culture at the national and local levels. For example, culture of violence during election period with an objective to achieve political end and the numerous resources used by the political elite to win elections at all cost. This has created the demand for organised gang as a tool and means for achieving political ends, especially in the case where perpetrators of violence enjoy impunity. However, the relationship between militia groups and politicians is largely symbiotic where the existence of one depends on the survival of the other. This relationship suggests that politicians are involved in mobilizing militia groups during tribal conflicts or contested elections¹⁷⁸.

¹⁷⁷Coullier, P. (2009). *Wars ,Guns and Votes: Democracy in Dangerous Places*. New York: Harper.

¹⁷⁸Researcher Interview with Member of Nyumba Kumi in Naivasha on 20th March 2015.

3.5.2 Political Incitement and Hate Speech

Incitement refers to the instructing or urging (or, more subtly, threatening or predicting) violence against or destruction of a target group (or an individual characterized as representative of the target group)¹⁷⁹. It entails and uses hate language as justification that can be cast in the form of threats, or threats phrased as predictions and prophecies.

The direct or indirect calls to violent action are mostly grounded in hatred toward a person or a group. According to Alexander Tsesis¹⁸⁰ prolonged and intense verbal hostility always precedes a riot. He further argues that Linguistic practices draw on socio-historical content tends to establish an acceptable interpersonal behavior. Accordingly,

*Speech acts will always rely on culturally recognized images of subordination are not merely the sentiments of a single person but symbolic efficacy of group slogans to express acceptable conduct toward a named class of individuals*¹⁸¹.

Hate speech, propaganda and incitement have greatly informed the tactics and strategies leaders employed to increase intergroup tensions despite the lack of consensus on what they constitute. Additionally, the context and the position of the person or persons in which speech occurs help in determining its impact or ability to trigger violence¹⁸². However, hate speech alone does not indicate impending violence but only through analyzing contextual clues that the potential threat of any given speech can be evaluated. For example, the controversy surrounding the December 2007 presidential election in Kenya was widely considered to have been manipulated by hate message. The role of the media, particularly local-language radio stations, spread hate speech before and while the violence occurred¹⁸³. Text-messaging and blogs also played a large role in

¹⁷⁹National Cohesion and Integration Commission.(2012). Towards Cohesion and Unity in Kenya, Vol. 1.Nairobi: NCIC, pp.4-5.

¹⁸⁰Tsesis, T.(2002).Destructive Messages: How Hate Paved the Way for way for Harmful Social Movements. New York: New York University Press.

¹⁸¹Mamdani, Mahmood. (2001). When Victims Become Killers: Colonialism, Nativism and Genocide in Rwanda. Princeton, N.J.: Princeton University Press.

¹⁸²Researcher Interview with an Officer from the Media Council of Kenya on 27th April 2015.

¹⁸³Researcher Interview Data Analyst Officer from Peace Net Kenya, on 20th May 2015.

the dissemination of information in both positive and negative ways. The anger over the election results erupted into political violence with ethnic overtones because of the ethnic political divide

In Nakuru County the prevalence and recurrence of violence is linked to political incitement at county and national levels. Elites have utilized stereotypes and ethnocentric ideology that rely on readily recognizable prejudices. This dehumanized members of the targeted groups by depicting them as brutes and exploiters with no rights common to all members of a democracy. This has greatly served as a catalyst towards the exacerbation of intergroup animosity and social unrest among residents¹⁸⁴.

3.5.3 Proliferation of Small Arms and Light Weapons in the County

Accordingly, the term small arms and light weapon refers to portable weapons designed for use by several persons serving as a crew including heavy machine guns, automatic cannons, howitzers, mortars of less than 100 mm calibre, grenade launchers, anti-tank weapons and launchers, recoilless guns, shoulder-fired rockets, anti-aircraft weapons and launchers, and air defense weapons; and shall include other related materials¹⁸⁵

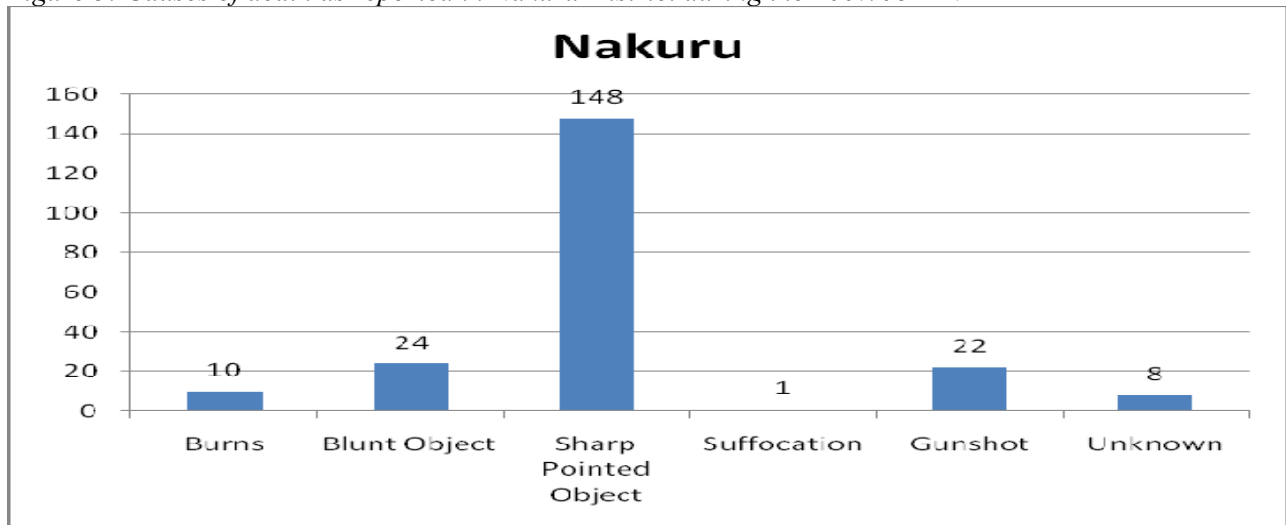
The proliferation of small arms has exponentially increased the intensity of identity-related conflicts in Nakuru County. This demand for weapons has been linked to the fear of violence among the communities where armament was perceived as a means to increase their security (See figure 1) . For instance, during the post-election violence of 2007/08 Kikuyu militias supported by members of the outlawed Mungiki sect armed with crude weapons such as pangas , knives and petrol bombs were assembled and deployed to various estates- Kaptembwa, Kwaroda, Mwariki, Free Area and Kiti to flush out ‘enemy’ communities. A record from health institutions and the Nakuru mortuary indicated that between 31 December 2007 and 3rd March 2008, total of 214 persons had died as a result of election violence. This was attributed to the use of Small Arms and Light Weapons as it was confirmed by the post-mortems done on the bodies. Statistically, 148 of the 214 died of injuries resulting from sharp/pointed objects; 45 died of

¹⁸⁴Researcher Interview with Catholic Peace and Justice Officer in Nakuru town, 20th March 2015.

¹⁸⁵Kenya National Focal Point on Small Arms and Light Weapons (KNFP).(2014).Draft National Policy on Small Arms and Light Weapons, pp. 7-12.

injuries resulting from blunt objects; 23 died of gunshot wounds; 10 died of burns; and 1 died of suffocation¹⁸⁶. See the 3 figure below

Figure 3: Causes of death as reported in Nakuru District during the 2007/08 PEV



Source: Waki Report.¹⁸⁷

The availability and use of small arms and light weapon by the security apparatus and the conflicting communities in Nakuru led to the high number of casualties reported during the 2007/08 election violence.

3.5.4 The Role of the Police

One of the greatest but rarely appreciated challenges of independence in Kenya and Africa was the need to transform the inherited colonial police force from an anti-people to a legitimate national police¹⁸⁸. Historically, the institution was not created as a people’s police, but as a reactionary instrument of conquest and repression with the aim of achieving the imperial objectives of resource extraction and political domination.

¹⁸⁶Government of Kenya, Waki Report, op. cit. pp. 20-22.

¹⁸⁷ibid

¹⁸⁸Hills, Alice.(2006).Trojan Horse? USAID, Counter-Terrorism and Africa’s Police. Third World Quarterly,27(4),pp. 62-64.

This pro-imperialist coercion and anti-locals disposition is what preponderantly shaped the institutional character and operations of most African police forces, including the Kenya Police Force. According to Alice Hill, the institution of the police force in many African countries notably Kenya refers to

*...the formal conduit through which regime power or authority is normally channeled. The rationale of the police remains maintaining the order that the regime sustaining them defines as appropriate*¹⁸⁹.

The need by post-independence Kenyan's regimes to transform the police force has been mostly elusive. Firstly, the prolonged undemocratic rule by President Moi resulted into a highly politicized police institution where the recruitment and promotion of officers were for the most part based on cronyism and clannism¹⁹⁰. Secondly, hegemonic ethnic groups who were largely unprofessional, poorly facilitated with widespread corruption allegation, seemingly dominated the police. As a result, the image and reputation of the police was badly tarnished for its lack of capacity and trust in promoting the rule of law.

Kenya Police Force, which is now a service, has continued to face several deficiencies that in varied ways hinder their effectiveness in implementing their broad mandate of maintaining law and order. Specifically the complex challenges come from the multifaceted working environment that is related to the PESTLIED-Political, Economic, Social, Technical, Legal, Institutional, Environmental and Demographic aspects¹⁹¹. In the context of the study, the highly organized ethnic clashes that started in the 1990s raised concerns over the capacity of the police agency in surmounting them. This heightened the speculation about the involvement of the state security agencies and some top politicians in the clashes.

More so, in carrying out their duties, the Kenyan police have been subject to political interference as the old constitution granted wide range of powers to the executive arm of government. In addition, the existence of individuals, groups and institutions that spoil police reforms within the

¹⁸⁹ ibid

¹⁹⁰ Common Wealth Human Rights Initiatives (CHRI) and Kenya National Human Rights Commission (KHRC). (2006). *The Police, The People, The Politics: Police Accountability in Kenya*. Nairobi: CHRI.

¹⁹¹ Debra, W. (2015). *Institutionalizing Police Reforms in Kenya: Lesson From 2012-2015* (SaferWorld Report). Nairobi: SaferWorld, pp.3-4.

National Police Service at the national, county and station level have posed a greater challenge. This has incapacitated the police institution in dealing with and tackling the cycle of politically related ethnic violence in Nakuru County.

For example, the Kenya National Human Rights accused the police of complacency and at times complicity in the violence¹⁹². The report further alleged that during the 2007 PEV some police officers were not only seen in the company of the Kalenjin raiders but that some officers derided Kisii and Kikuyu victims for voting for the PNU party. The lack of adequate resources including fuel and equipment, both vehicle and personnel, have always been a challenge for the police to respond to inter-ethnic clashes in Nakuru town.

The, National Security Intelligence Service Report in their Election Security Situation paper confirmed this situation¹⁹³. The paper noted that the ratio of the police officers to the population, which was already inadequate nationally and would pose potential problems since the police would be over-stretched by election related duties. The NSIS was of the view that if there were to be an outbreak of violence such as had been witnessed in 1992 and 1997; the police would be unable to cope in responding to such emergencies. The failures of the police to respond to the isolated criminal incidences before and after the elections in Nakuru town catalyzed and contributed to the increasing inter-ethnic tension and escalation of violence within the district¹⁹⁴.

According to the Waki Report, there were very few police officers in the troubled areas of Kamarari, Kaptembwa, Milima and Kiti, and that those who sought help from police stations were told to resort to self-help¹⁹⁵.

3.5.5 The Media and Local Radio Stations

The media through national and local radio outlets alike can be a very important agent of change for the growth and development of the community and country. However, they can also

¹⁹²Kenya National Commission for Human Rights.(2008). On the Brink of the Precipice: A Human Rights Account of the Post-Election Violence. Nairobi: KNCHR, pp.79-80.

¹⁹³ibid

¹⁹⁴ Researcher Interview with Peace Coordinator for Nakuru County, on March 30th 2015

¹⁹⁵ ibid

serve as double-edged sword when used for negative purposes. This can lead to the undermining of social cohesion and encourage violence by propagating messages of intolerance by the manipulating of public to resort to violence¹⁹⁶. In a volatile and multiethnic environment like Kenya, various studies have highlighted the potential danger that local radio stations poses when not properly regulated despite the existence of deep-rooted issue¹⁹⁷.

Media liberalization and its transition period in Kenya started in 1992 following the restoration of multi-party pluralism. For long, President Moi had adopted an iron fist towards the liberalization of airwaves that broadcasted in their vernacular local radio stations. This was a calculated move to counter the spread of ethnic tension, division, and violence against the regime¹⁹⁸. In 2002, President Moi finally permitted the first private Kikuyu radio station after mounting pressure for democracy and liberalization. Consequently, this led to an increase in the number of vernacular local radio stations in the country with a high ethnic affiliation.

The coming into power of the National Rainbow Coalition (NARC) government in the same year facilitated the rapid growth and broadcast of vernacular local radio station. Their prevalence and availability created an opportunity that was utilized and seized during the 2007 Post Election Violence. Accordingly, some local radio stations were used to propagate hate *messages* and incite political *violence* across the country among the ethnic groups.¹⁹⁹ This entailed the use of coded and idiomatic expressions that could mainly be understood only by members of the same ethnic and linguistic group.

Furthermore, during the 2007-election period in Kenya, community radio stations were mainly used to propagate 'negative *ethnicity*'. For instance, the Kikuyu radios allowed politicians and callers to name opposition leader, *Raila Odinga a 'Kahii' (an uncircumcised person)* and

¹⁹⁶Howard, S.(2009).Community Radio and Ethnic Violence in Africa: The Case of Kenya(Masters thesis, University of East Anglia, London, United Kingdom).Unpublished.

¹⁹⁷Researcher Interview with a member from the Conflict Analysis Group in Nairobi Kenya, on March 2nd2015.

¹⁹⁸Howard, S., Community Radio and Ethnic Violence, op. cit.,p. 23.

¹⁹⁹Kenya Human Rights Commission.(2008).Violating the Vote: A Report of the 2007 General Election. Nairobi: KHRC.

reiterated that such an individual cannot lead Kenya²⁰⁰. On the other hand the Luo and Kalenjin callers and guest politicians were also telling their audience that “*the election was rigged by the Party of National Unity*” and they needed to act.

Like the political division that was witnessed in the country, the local media stations and their audiences were also divided along the two main political parties. Radio messages reflect deeper *political divisions* among ethnic groups mainly in the slums of Nairobi and Nakuru suburbs that harbor some of the poorest and illiterate people in Kenya. These slums are mostly the hotspots of violence because politicians largely depend on dwellers in these areas to support them on the basis of tribal connections. This was anchored on the fact that politicians in Kenya thrive on *ethnicity and perceived injustices* to get power or to enhance their grip on power²⁰¹. This revelation indicates the impact community radios had on the 2007 election and its violent aftermaths.

3.6 THE IMPACTS OF ELECTORAL CONFLICT IN NAKURU COUNTY

The prevalence and the protracted nature of electoral related urban conflict in Nakuru County has had a devastating impact. These effects have been experienced across a wide range of areas where they have inflicted both long and short-term impacts. However, conflicts in the county have had a clear detrimental effect on livelihood activities and assets as discussed below.

3.6.1 Conflict Impact on Human Asset

The recurrent of inter-ethnic clashes has made life a constant process of adapting to basic insecurity and permanent crises. Dan Smith²⁰², argues that human impacts are not conflict by-products but rather intentional strategies aimed at destroying the support base of the opponent. His view is supported by the fact that communities in the conflict prone areas are directly and indirectly affected by conflict. The electoral related inter-ethnic conflicts in Nakuru county has

²⁰⁰ Researcher Interview with an officer from PeaceNet Kenya in Nairobi on 20th May 2015.

²⁰¹ Haugerud, A., *The Culture of Politics in Modern Kenya*, op. cit. p. 23.

²⁰² Dan Smith. (2004). *Trends and Causes of Intrastate Conflicts*. In Alex, A. & Fischer Norbert (Eds), *Transforming Ethno-Political Conflicts*. New York, NY: Penguin Book.

led to losses of life, displacement of persons, loss of livelihood means and long-term traumatic experiences²⁰³.

Further, the increase in the number of internally displaced people has strongly coincided with the major conflict incidences. The IDPs lack the means through which they can support themselves due to loss of and destruction of property and other livelihood assets. In addition, they constantly live in fear and in deplorable condition. As a result, majority of women have opted for alternative coping mechanism such as engaging in prostitution and crime in urban town of Nakuru²⁰⁴. This was attributed to their lack of capacity to empower themselves through self-employment venture that were greatly affected.

Both Kiliku²⁰⁵ and Akiwumi²⁰⁶ led commissions estimated that between 54,000 and 350,000 persons were displaced as a result the 1992 and 2007 politically instigated clashes. This suggests that internal displacement, as a form of violence has been a permanent feature of political conflicts in Nakuru.

3.6.2 Conflict Impact on Social Assets

The study enlightened the impact of conflict on the society's social fabric and coping mechanisms. It emerged that deliberate attacks on social capital and infrastructure had raised the vulnerability levels of many communities in the affected areas of the county. Conflict recurrence in the county had disrupted the support provided by wider family and kinship systems, exacerbated divisions between groups, increases intra-group insecurity and hostility and has disrupted inter-group economic relations. The destruction of social institutions has continued to hinder their livelihood recovery process. For instance, in many parts of the county inter-ethnic clashes have destroyed the society's social fabric and coping mechanisms of the locals.

²⁰³Researcher Interview with CJPC Officer in Naivasha on 12th April 2015.

²⁰⁴Researcher Interview with a member of the Kenya Red Cross in Nakuru Town on 2nd May 2015.

²⁰⁵Republic of Kenya, "Reports of the Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of Kenya" (Kiliku Report), op. cit. pp.42-56.

²⁰⁶Republic of Kenya., Akiwumi Report, op. cit.pp.25-36.

In addition, forceful evictions as well as evacuations due to insecurity fears have destabilised many family, kinship and communal bonds and way of life. For example, after the PEV conflict subsided deaths continued as the internally displaced fell victim to disease due to lack of access to basic amenities. Among the lingering effects were the prevalence of water borne diseases such as typhoid in the IDP camps, sexually transmitted diseases and infections and the prevalence of post-traumatic disorder among the surviving victims. This scenario was largely attributed to the breakdown of family and communal moral support structures.

3.6.3 Conflict Impact on Political Assets

The impact of conflict on political assets in the county has always manifested in what has been perceived to be political inequalities and marginalisation. This was more apparent where lack of access to political systems affected a community and individual's ability to exercise their human rights²⁰⁷. This included taking part in democratic processes, freedom of movement and voting or democratic participation and access to government administrative services²⁰⁸.

In the county the impacts of conflict on political assets has manifested in the form of killings, ethnic tensions, communal tensions and division between communities, destroying or altering traditional political institutions, and changing power relations between the local communities and the county political institutions. The elongated conflicts in the county have also had a profound effect on the county's political systems especially administrative units and boundaries.

First in this context, conflict had directly affected the distribution of power or assets, a situation characterized as who is 'harmed' or 'spared' during violent incidences. In addition, the distribution of political assets is often along ethnic lines a fact that was underscored by the perceptions of marginalisation among minority ethnic communities²⁰⁹.

²⁰⁷ Researcher Interview with Former KANU Chairman for Nakuru Town, on 25th March 2015.

²⁰⁸ Researcher Interview with Squatters in Kuresoi Nakuru, on 26th April 2015.

²⁰⁹ *ibid*

3.6.4 Conflict Impact on Physical Assets

The study findings established that the inter-ethnic clashes of Nakuru county had affected the resource base on which populations depend such as housing, shelter, water supply systems, sanitation facilities, and transport infrastructure in some parts of the county. Inter communal clashes have had both profound short-and long-term consequences on economic resources and institutions. As such, asset depletion and transfer have been especially debilitating to the communities living in the slum area. In some parts of the county, organised gangs looted houses, vandalized property and business premises leading to the loss of physical and social infrastructure. Lastly, conflicts have also led to the reorientation of resources from socio-economic development to maintaining security by the national government in the area affected by conflict²¹⁰. From the analysis, it was discovered that conflict has directly and indirectly affected both the county and national economies through destruction of capital assets, deterred investment and low or lack of productive economic activity in most parts of the county especially during conflict episodes.

3.6.5 Conflict Impact on Financial and Economic Assets

The main economic and financial assets of the county were largely determined by the nature in which the communities derive their sources of livelihood. Inter communal clashes have continuously affected the county's main financial and economic activities upon which livelihoods activities are based. Consequently, conflicts have greatly affected and destabilized the economic and financial asset especially for the women by resulting into the "feminization of poverty"²¹¹. This is because women are more vulnerable than men and make up the majority of those who do not have easy access to credit and resources as men. Moreover, women have had to assume men's responsibilities in addition to their own. In line with, it was noted that majority of respondents lacked the capacity for accessing the financial services due to conflict.

²¹⁰Researcher Interview with Youth Development officer in Nakuru Town, on 4th of May 2015.

²¹¹Research Interview with Gender and Peace Officer For UN-Women in Nairobi, on 20th March 2015.

3.7 Conclusion

The analysis in this chapter allude to the fact that the recurrence of inter-ethnic violence of Nakuru county has been as a result of multiplicity of causes. To achieve this, an analytical framework was adopted that consist of a four part typology in order to organize various factors that has for long dictated the conflict occurrence. This includes, Structural causes, Mobilization strategy, Proximate and Catalyst factors upon which the analysis and treads of inter-ethnic clashes of Nakuru have been based. Accordingly, this analysis strongly suggested that the politicized ethnic clashes in Nakuru County are highly protracted in nature. Despite the fact that the conflicts are largely localized and relatively at low-level as in some parts of the county, it's evident that they have had a high spillover effect. This is due to the strong connection between the structural, mobilizations, proximate and catalyst factors that are critical in providing sufficient and necessary condition for violence.

Among the factors attributed to this scenario was the role of the foreground political factors in dictating the onset, duration and the intensity of the inter-ethnic clashes in the county. Political factors are emerged to be the major conflict-amplifying factor as compared to other background factors. Among the noted political means upon which manipulation for inter communal clashes has occurred entailed the use of hate speech, incitement and ethnic mobilization. Nonetheless, the recurrent nature of the conflicts in the county has negatively impact on local's livelihoods assets either directly or indirectly.

CHAPTER FOUR: CONFLICT TRANSFORMATION ARCHITECTURES AND ELUSIVE PEACE IN NAKURU COUNTY, 2002-2015

4.1 Introduction

The period between 2002 and 2015 is said to be the turning point for peace efforts through conflict prevention and transformation in Kenya. This was attributed to the lessons learned from the country's previous conflict history coupled with an alarming trajectory portrayed by the conflict situations at the time²¹². As a result, this dynamic nature of the situations created the need by the state, non-governmental organization's and the local communities to set up formal and informal mechanism for conflict transformation. Most of these initiatives were aimed at de-escalating and diffusing ethnicized and politicized inter communal conflicts through conflict prevention strategies. This chapter provides an analytical overview of the role and nature of conflict transformation initiatives that have been geared toward the realization of sustainable and durable peace in Nakuru County between 2002 –2015. To achieve this, the chapter highlights the key conflict environmental dynamics upon which conflict transformation initiatives were implemented in the County.

4.2 The Unstable Peace and Conflict Transformation in Nakuru County

The study established that the situation of unstable peace in Nakuru town tends to be cross cutting in nature and similar to that of many urban centers within the county. This has been linked to the sustained and protracted nature of unstable peace leading to the relapse of ethnic clashes. In line with, the nature of interaction between the urban communities continue to be characterized by negative inter communal relations as witness during the 1992,1997,2002,2007 and in the 2013 election periods. To a larger extent, the prevalence of this situation has defined and dictated the effectiveness of implementing conflict transformation initiatives.

²¹² Researcher Interview Head of Early Warning Early Response Centre in Nairobi, on 20th April 2015.

These initiatives are preventive efforts aimed at achieving sustainable and durable peace especially among the communities residing in emerging and hitherto conflict hot spots zones²¹³.

Accordingly, the context of contemporary conflict environment in Nakuru County remains complex and highly unstable. This scenario is highly correlated to the determinants that dictate the onset, duration and intensities of ethnic clashes by providing the rationale choice for the causes and reaction for conflict transformation. In this study, the ideas and practice of conflict management is indeed fundamental in addressing and conceptualizing the scope of conflict prevention and transformation.

In this regard, the above notion presents a number of critical questions concerning conflict prevention and transformation that seeks to address the recurrent nature of ethnic clashes in Nakuru County. Firstly, should conflict prevention and transformation be limited to the early and non-escalatory stage of conflict, or also encompass the escalation and post-conflict stage of the conflict²¹⁴. In a nutshell, should such initiatives entail addressing only the immediate causes of inter communal incompatibilities or also its underlying roots, or both?. These questions are partly tied to the very nature of the of any conflict system that operate like an ecosystem where interplay of factors tends to inform the causation in a single outcome²¹⁵. In line with this logic, this study established that the causation of inter-ethnic conflict in Nakuru County can be conceptualized and viewed in terms of operational (direct or proximate) and structural prevention, whereby deep or structural preventions are linked to eliminating the underlying causes of conflict²¹⁶.

The operations aspects of conflict transformation in Nakuru County are explicitly directed towards such imminent crises and include measures such as inter communal negotiation, mediation, the creation for channels for dialogues and confidence building measures. On the

²¹³ Researcher Interview with a Community Policing Member in Nakuru Town, on 16th April 2015.

²¹⁴ Researcher Observations while working as a Conflict and Peace Analyst for Nairobi County 2013-2015

²¹⁵ *ibid.*

²¹⁶ Researcher Interview with the Former Peace and Conflict Analyst for Nakuru on 14th March 2015.

other hand, structural aspects of conflict transformation was noted to be more long term in nature and incorporated measures that facilitate governance, adherence to human rights, and economic, political and social stability, as well as civil society building²¹⁷. In Nakuru, the two-conflict transformation aspect remains intricate since it is not always necessarily one of time sequencing, but also one by which operational prevention have run parallel to structural prevention strategies. What has been clear is the fact that operational and structural measures have affected different inter communal relations in different lengths of time²¹⁸.

This study established that the effectiveness of conflict transformation initiative is largely dependent on the nature of the conflict environment in which they are implemented at both County and National levels. Empirically, despite the existence of numerous conflict transformation architectures in Nakuru County, its conflict potential is always high during the election period. In support, the recurrent nature of inter-ethnic clashes indicates that conflicts transformation initiatives have to a larger extent not been effective promoting durable peace. This was connected to the counties' conflict carrying capacity in dictating the uncertainties emanating from the conflict environment leading to implementation challenges facing operational and structural preventive measures²¹⁹.

4.2.1 Conflict Early Warning and Early Response in Nakuru County

In Nakuru County, the integral component of conflict transformation and prevention towards effective action planning coincides with the establishment of the National Early Warning Early Response Unit. This was informed by the fact that there existed some sort of early warning information prior to the occurrence of past major inter-ethnic clashes in the County. It was confirmed that, there has been ample early warning before the flaring up of conflict incidents to severe violent attacks. For example, political incitement, hate speech, full-scale mobilization and community armaments characterized the pre conflict situations during 1992, 1997 and 2007.

²¹⁷ *ibid*

²¹⁸ Researcher Interview with UNDP- Peacebuilding Programme Officer in Nairobi on 12th April 2015.

²¹⁹ Researcher Interview with District Committee Member Njoro, on 26th March 2015.

These scenarios informed the need for the establishment of Nakuru Early Warning hub in 2002 that directly impacted on the nature of peace architecture in the county and at national levels.

Firstly, at the national level the early warning center was mandated to co-ordinate peace related activities at the county levels and by proving both structural and institutional capacity to local peace actors. This was aimed at constituting and operationalizing the District Peace Committees Early Warning Hub to serve as a critical unit for the National Early Warning and Early Response center. However, the study established that the effectiveness of the Nakuru Peace Committee Early Warning hub as a conflict prevention center is faced with a number of challenges. Though the district early warning structure is highly context specific in nature, it had a poor strategic coordination and that it didn't utilize multiple prevention measures. In addition, was the failure to base their preventive action plan on existing case studies and generalizing from the lesson learned by asking what methods of conflict transformation worked best in various contexts. This was underscored by the fact that the conflict environment was constantly evolving thus the need for periodic review of preventive measure aimed at addressing inters communal clashes²²⁰.

On the same, the major conflict incidents in Nakuru District witnessed the involvement of different parties with varying positions and interests. For instance, the 1992 and 1997 ethnic clashes were clearly defined along ethnic line with the government enjoying the monopoly of violence. The protagonist during the two conflict periods had clear positions and interests. However, this situation had dramatically changed over the years due to the dynamic nature of conflict driver in Nakuru. The dynamic nature was highly correlated to the shifting of the spoiler's behavior since the conflict periods of 1992, 1997, 2002, 2007 and 2013 election period. To be specific, the 2007 Post Election Violence witness the involvement of multiple parties to the conflict largely due to widened mobilization platforms such as the role of social and local media platforms, proliferation of organized gangs as well as availability of resources²²¹.

²²⁰Researcher Interview with Urban Cluster Officer at the National Early Warning Centre in Nairobi on 20th March 2019.

²²¹Cheeseman, Nic.(2008).The Kenyan Election of 2007:An Introduction. Journal of Eastern African Studies, 2(2), pp. 166-168

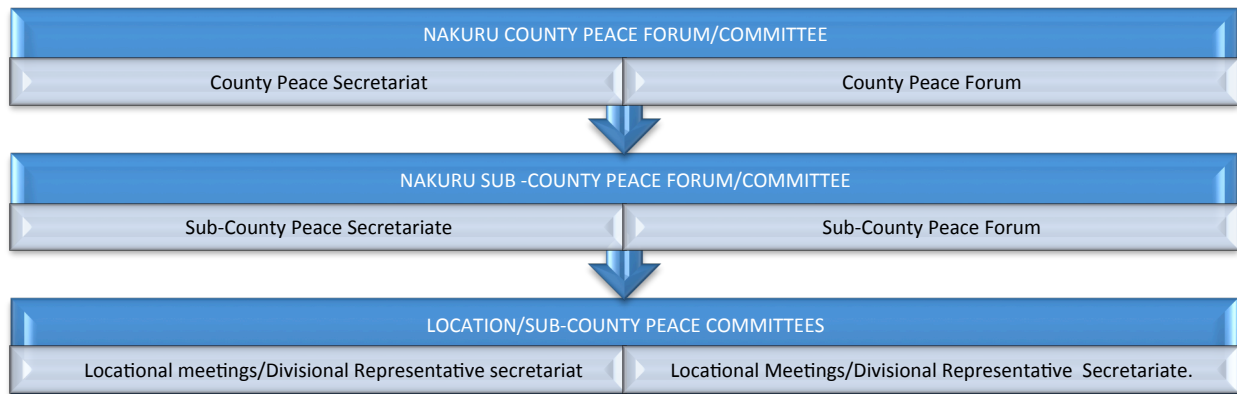
The ability of multiple conflict actors to instigate violence due to varying opportunities meant that the sustainability of conflict had transformed into a cost benefit question. As a result, the use of violence to protect communal interest through politics has emerged as an important instrument for maintaining political dominance at the local levels. In support, most the earmarked hot spots zones in Nakuru town are largely non-heterogenic providing a significant support base for the political elites with dominant ethnic groups. These ethnic “safe zones” have acted as proxy indicator for the extent to which the county remains volatile and prone to ethnic clashes during the election period²²². A case in example, is the high influx and fleeing of different community members in informal settlement to areas they feel safe reflects the unstable nature of inter-ethnic relations during the election period.

The other form of operational challenge faced by the Nakuru early warning structure was the notion of “warning-response dilemma”. This involves a situation whereby opportunities for prevention are missed as a result of lack of response, and was noted to be a major obstacle to responding preventively²²³. The obstacles to early warning remains multiple and focused on the questions as to who does the warning, who is to be warned and what kind of warning is most useful. This has for long been coupled with the ad hoc nature in which the committee member operate on voluntary basis and thus making them vulnerable to elite manipulation and other form of uncertainties. In addition, the failure to adopt a context specific preventive measure tailored to the conditions and dynamics in a particular conflict period rather than the “one size fit all approach”. This has provided the probable cause of the ineffective nature of early warning structure leading to the recurrent nature of ethnic clashes in Nakuru County.

Figure 4. The Nakuru County Peace Committee Model

²²²Researcher Interview with County Peace Coordinator, op. cit., on 29th April 2019.

²²³Researcher Interview with Early Warning Expert at PeaceNet in Nairobi on 29th January 2019.



Source: *National Steering Committee on Peace Building and Conflict Management.*

The above diagram depicts the Nakuru county peace structure that has various levels of engagements. At the lowest level is the Sub Location Peace Committees that are links to Location Peace Committees and bonds to Divisional Peace Committees. The second level is the Sub –County Peace Committees and it provide an important connection between the grassroots groups and the County levels. The highest level is the Nakuru Peace Forum that is run by secretariat administrations that is in charge of coordinating the lower structures.²²⁴ However, the dynamic and evolving nature of conflict environment in time and space has shaped the need for having context specific conflict prevention measures.

4.2.2. Transforming Conflicts in Nakuru County-2002 to 2015

The existence of high likelihood of intractable disputes attributed to extreme politicization during election period in many part of the country conditioned the need to enhance conflict transformation. In the period under review, the first effort towards developing the National Peace Policy began in early 2004 until it was adopted by the parliament in 2014 as a sessional paper on Peace buiding and Conflict Management. This run concurrently with the enactment of the National Cohesion and Integration Act of 2008, that led to the establishment of the National Cohesion and Integration Commission (NCIC) in 2009. Their main objective was to promote peaceful co-existence by addressing issues of ethnic, racial, economic and political marginalization.

²²⁴National Steering Committee (NSC).(2002).Kenya’s Infrastructure for Peace Ten Years On: A decade Mixed Experience] .Nairobi: NSC unpublished ,pp.42-43.

Accordingly, the development and the enactment of the two legal instruments provided an ideal environment for both the NSC and the NCIC to operate especially in Nakuru County²²⁵. Though NSC and NCIC had a shared mandate to promote peaceful co-existence among the communities they both continued to initiate mutually reinforcing conflict transformation interventions. For instance, in 2010, the NCIC together with NSC and other stakeholders initiated the Nakuru Peace Process, whereas they both facilitated the operationalization of UWIANO platform in Nakuru County.

4.2.1.1 Conflict Prevention in Nakuru County: The Case of UWIANO Platform

In Nakuru County, the *Uwiano* (“cohesion”) platform was launched ahead of the 2010 referendum. It established a system to collect up-to-date information on tensions, hate speech, incitement, threats, and violence throughout the county. The aim was to relay that information to security institutions and local peace committees best positioned to undertake the appropriate actions, including mediation. Peace advocates were trained to facilitate an immediate response to conflict.²²⁶ The UWIANO strategy formed a critical architecture aimed at engaging the entire stakeholder of peace in Nakuru County in ensuring a peaceful political transition.

These processes have been characterized by enhanced coordination and facilitation of intervention through resource allocation. As a result, these efforts have significantly contributed to the implementation of peacebuilding activities as well as building the national and local capacities in conflict transformation. However, the long term impact of *Uwiano* approach in Nakuru county was noted to be faced with a number of challenges that are inherent to the failure to develop and extensive list of structural and direct prevention tools. The intervention strategy is only activated during the election period and lacks strategic coordination where multiple prevention measures are not utilized.

²²⁵Ibid .,NSC,

²²⁶United Nations development Programme-Kenya(UNDP-K)(2015).The Evaluation Report of Impacts of UWIANO on 2013 General Elections. Nairobi: UNDP.

4.2.1.2 Peace Making in Nakuru County: The Case of 2010 Nakuru Peace Accord

The Nakuru peace process was initiated by the NCIC in 2010 as an attempt to help and transform the culture of violence in the county. This was informed by the need for a holistic healing and inclusive process that would help nurture peace and address structural issues that had for many years simmered beneath the surface²²⁷. According to this study, a number of factors were largely attributed and informed the need for the Nakuru Peace Accord. Foremost, the high probability and the active nature of the political elite factor in instigating inter communal clashes during the election period. This was underscored by the fact that the hitherto drivers and conditions that had allowed for deliberate political elites mobilization along ethnic lines was very much present in Nakuru County.

More so, the new constitution of Kenya 2010 brought with it a new political dynamic, that was likely to exacerbate and reignite the inter communal tensions in the County. It was perceived to threaten the political dominance of the Kalenjin community in the newly formed Nakuru County²²⁸. The new county enjoyed a Gikuyu majority, who would capitalize on their large numbers to likely vote in ‘their own’ for most of the key county positions. The threat to Kalenjin political dominance was perceived as a likely trigger of violence during the 2013 elections.

In addition, the motive towards the Nakuru Peace Accord was conditioned by the situation of mutually halting stalemate “ripe moment” between members of the Kikuyu and the Kalenjins communities. This logic was informed by the fact that they were the main protagonists who incurred the greatest cost in most part of Nakuru County during the 2007/08 PEV. The social political and economic impacts of the 2007/08 PEV made them opt for a peace settlement. This was because the benefits of maintaining and promoting peace surpassed the cost of sustaining any conflict. The negative impacts of 2007/2008 PEV conditioned the need to mitigate and ensure a peaceful election and to discuss some of the underlying issues that had given rise to violence or trigger it again²²⁹.

²²⁷Wairimu A., *The Nakuru County Peace Accord of 2010-2012*, op. cit.,p 12.

²²⁸NSC ,Kenya’s Infrastructure for Peace Ten Years On,op. cit.,pp. 26

²²⁹Researcher Interview with Nakuru Peace coordinator ,op. cit. ,on 28th March 2015.

Lastly, other external factors that are attributed towards catalyzing the need for Nakuru Peace Accord were the role of the Kenya National Dialogue Reconciliation task force under the Kofi Annan that brokered peace agreement, and the International Criminal Court (ICC) indictment of six individuals including two key Gikuyu and Kalenjin leaders. ‘*Seeing their leaders facing the same charges provoked a common bond with far-reaching implications for Kenyan politics*’²³⁰The Nakuru County Peace Accord was finally agreed on Sunday 19 August 2012. The agreement required a series of immediate actions including a series of meetings without the NCIC, NSC and to demonstrate the Elders’ commitment to the peace agreement. It also called for the need to continuously convene both meetings with both political leaders and young people, individually and collectively, to order them not to incite anyone to violence.

4.3 Challenges to Peace in Nakuru County

In Nakuru County, it has emerged that most conflicts feature complex interactions of different forces. During the period under review, new types of conflict drivers have come to the fore with a high likelihood of dictating the nature of inter-ethnic clashes of Nakuru County. These factors have been dramatic and are connected to the devolved system of governance. Socio-economic factors such as widespread poverty, unequal distribution of resources, high unemployment rates and land disputes have often been pointed to as ‘root causes’ of inter-ethnic clashes in the County. However, other factors such as political influence, Negative ethnicity, Proliferation of organized gangs, land issues and marginalization have also contributed to conflicts.

4.3.1 Political influence

The analysis on political conflicts suggested that the difference in social economic and demographic conditions in various parts of the county has influenced how the political factor plays out. Political actors are the major players towards the addressing the structural and background issues. In addition, the post devolved system governance era carries significant risks as a potential conflict driver on the opportunities and risks of devolution and

²³⁰Ibid

decentralization²³¹. The tragedy is that, with devolution the hitherto political conflicts are also devolved in relation to existing structural, proximate and triggers factors at the county levels. Further, the institutionalization of political violence may have had the impact of normalizing violent behavior in larger cosmopolitan urban town such as Nakuru. This has been connected to the local and national political elites who enjoy the capacity and the means for political violence through ethnic mobilization for political gains. In line with, devolution has more likely led to an empowerment of a political authority for which the “rules of the game” are not yet established among local communities²³². Consequently, the devolution process may establish patterns that will either reduce or exacerbate conflict over county politics in years to come.

4.3.2 Negative Ethnicity and Marginalization

The communities living in Nakuru County has long struggled with issues of negative ethnic relations. The study attributed this to two powerful elements or factors. First, is *identity*, where the mobilization of people is based on communal identity groups and secondly, is *distribution*, the means of sharing the economic, social and political resources within the county²³³. Further, the perceived imbalance in distribution coincides with identity differences where, for example, some ethnic groups in Nakuru County hold a strong perception of relative deprivation deprived of certain resources available to others. This has created the conditions and probability for potential ethnic conflict in the county. Also reported within the realms of negative ethnicity was the issue of marginalization. This has entailed relegation and side lining of the perceived minority ethnic groups in Nakuru County where the so-called minority constitute the small tribes who don't have the numbers. This has not deterred the inter and intra-ethnic marginalization which has manifested in form of unequal representation, denial of market space, deliberate attacks, stereotype and poor inter group relations. Those mostly affected are people working in the informal sector due to the high rate of competition for the available opportunities coupled with high risk and vulnerability to elite manipulation.

²³¹Dan, Smith.(2004).Decentralization and Power Relations in Africa. Syracuse: Syracuse University Press.

²³² NSC.(2014).Nakuru Peace and Conflict Profile Report. Nairobi: NSC.

²³³ International Institute for Democracy and Electoral Assistance(IDEA).(1998).Democracy and Deep-Rooted Conflicts: Options for Negotiators. Sweden: Stockholm, pp. 21.

4.3.3 Proliferation of Organised Groups

The activities of militia and organized gangs remain a major challenge to peace in many parts of Nakuru County. The study established and estimated the existence of about eight illegal organized gangs in the county whose persistence and prevalence threatens the realization of durable peace²³⁴. In the presence of other factors such as poverty, frustration, high unemployment and other socio-economic deprivations, high proportions of youth had become a factor in social tensions and were vulnerable to political manipulation.

These gangs have created an environment upon which conflicts can easily flare up into economic or political violence that inevitably tends to take an ethnic dimension. In the previous worst-case scenarios the organized gangs in the Nakuru County have capitalized on the poor economic condition to justify state failure through legitimization of violence. The relationship between militia groups and politicians is largely symbiotic where the existence of one depends on the survival of the other²³⁵. In Line with, the relationship suggests that politicians are involved in mobilizing militia groups during tribal conflicts or contested elections.

4.3.4 Proliferation of Small Arms and Light Weapons

The proliferation of small arms and light weapons in some part of Nakuru County has been projected to be a key conflict driver. This proliferation of small arms has also exponentially increased the intensity of identity-related conflicts. The dilemma behind small arms proliferation was it facilitates a culture of violence in which the use of guns or other small arms was legitimized socially. The county borders the volatile county of Baringo to the north that acts as transit points, for arms due to its proximity to two regional conflict zones- Horn of Africa and the eastern region, including northern Uganda (see map on page ii and iii). For long gun traffickers found ready customers in the city, urban towns and rural areas even in Nakuru²³⁶.

²³⁴Researcher Interview with former gang leader anonymous on April 20th 2015.

²³⁵Ibid.

²³⁶Researcher Interview with Deputy Director KNFP on Small Arms on April 20th 2015.

This demand for weapons was attributed to fear of violence in which weapons are perceived as a means to increase personal security. Some people choose guns or other weapons to reassert their personal worth and ensure their safety, but others then also take up arms for their own protection especially in the hot spots areas. Poor socioeconomic conditions have also contributed to a high demand for arms²³⁷. For instance high unemployment, few opportunities and little education, in many counties underscored the raise of criminal activities.

4.3.5 The Internally Displaced Persons

The internal displacement as a form of violence has been a permanent feature of Kenyan history from pre and postcolonial times. In Nakuru County, IDPs have been a constant feature of the counties' political landscape that has created high conflict and security potentials²³⁸. The existence of the IDPs in the county prior to 2013 general elections suggested that their right of return to their home is not guaranteed. This was due to the fact that the situation that forced them to flee is still the same²³⁹. Accordingly, forceful evictions as well as evacuations due to insecurity fears have destabilised many family, kinship and communal bonds and way of life. Majority of the IDPs in Nakuru lack the means through which they could support themselves due to the negative impact of conflict on the society's social fabric and coping mechanisms. 20 %of the households in the county are considered landless and they include the victims of Post-Election Victims who are settled in camps across the county²⁴⁰.

4.3.7 Land and Boundaries Dispute

Conflicts related to land remains a key challenge to the realization of peace in Nakuru County. Various actors largely attribute this plight to the competition and struggle for land at the county levels²⁴¹. Like in most counties, land issues in Nakuru town are linked to institutional and technical change associated to greater access to land including land title registrations,

²³⁷ Regional Centre for Small Arms.(2011). Arms Survey Report .Nairobi: Recsa.

²³⁸Researcher Interview with Programme Officer Alliance for Change on 23th March 2015.

²³⁹ibid

²⁴⁰Kenya Land Alliance .(2012).The unfinished Business :Rights Claims for the PEV IDPs. Nakuru, Kenya: KLA

²⁴¹Researcher Interview with the National Land Commission Chair on March 25th 2015.

consolidation of fragmented holdings and isolated cases of land purchase on the open market by way of public lending and on the use of national and county funds. Nonetheless, land issues shared some level of similarities irrespective of the fact that various sub counties differ in terms of social, economic and demographic aspects. Apart from having a high prevalence rate as compared to other conflict issues in the county land conflict are still at the latent level. They are highly intertwined with issues of peace and security at the county and national levels. The views suggest that there is a systematic linkage between land and other economic, political, social and environmental factors.

4.4 Conclusion

Since 2002 there has been an increase of both governmental and non-governmental commitments towards conflict transformation. This was followed by the implementation and establishment of conflict transformation architectures or platforms that aimed at addressing the recurrence nature of ethnic clashes. These initiatives had a direct impact on the nature of conflict transformation architecture at both county and national setup. At the national level, the government and other stakeholders of peace started to enhance the establishment of early warning early response structures. This was aimed at institutionalization conflict transformation and prevention strategies by adopting context specific approach that coincides with local dynamic for conflict environment. Of concern, conflict situation continued to be highly unstable despite the numerous efforts aimed at institutionalizing conflict transformation architectures such as the Nakuru early warning and response structures.

The protracted and sustained nature of unstable peace as characterized by the high likelihood for the recurrence of inter-ethnic clashes during the election period suggests inefficiency in conflict transformation measures. Though the early warning structures are context specific, they face a number of challenges in implementing strategies for preventive actions. This is tied to the critical question of ethnic clashes causation of whether to address only the immediate causes of conflict or also its underlying roots, or both. A number of factors were noted to hinder the implementation of conflict transformation and prevention where operational and structural failures have played out. The failure by the peace structures to utilize multiple prevention measures and base their preventive action plan on existing case studies and generalizing from the

lesson learned, by asking what methods of conflict transformation worked best in various contexts.

In addition, the warning-response dilemma was noted to be a major obstacle to responding preventively to early warning information. This was compounded by the critical questions as to who does the warning, who is to be warned and what kind of warning is most useful in nature. The peace committees were operating on voluntary basis and lacked the means to promptly respond to crisis situations. The politics of peacebuilding and peace in the county had been politicized, where some institutions have been perceived not to be neutral abettors. This was compounded by the lack of inter-governmental coordination between the two levels of government towards matters of peace and security. The information sharing between the two levels of government on matters of peace and security has been held as “intelligence affairs” and thus affecting coordination.

More so, the establishment of District Peace Committees in all sub county levels to a large extent enhanced and promoted peaceful co-existence and cohesion among communities. Immense support has gone into equipping national, county and local level actors and stakeholders to prevent violence and resolve conflicts. As a result, the Nakuru peace architecture has provided a platform through which traditional institutions can be utilized, such as elders to de-escalate tensions that could lead to violent confrontations. These involve renegotiate relations between groups and establish local ADR mechanisms. These structures produced an incremental improvement in inter communal relation through the signing of Nakuru Peace Accord.

Lastly, the conflict environment in Nakuru County feature complex interactions of different forces with the recent years witnessing the new types. Among the emerging drivers are directly linked to the devolution system of governance with the entry of more potential conflict parties unlike the pre devolution period. Political devolution had indeed provided county political players with a platform and an environment upon which community interest can easily be harnessed for mobilization. The challenges to peace in Nakuru County has been linked to Socio-economic factors such as widespread poverty, unequal distribution of resources, high unemployment rates and land disputes. These have often been pointed out as ‘root causes’ of

inter-ethnic clashes. Accordingly, other factors such as political influence, negative ethnicity, proliferation of organized gangs, land issues and marginalization has also contributed to the elusive nature of peace in Nakuru County.

CHAPTER FIVE: SUMMARY AND CONCLUSION

5.0 Introduction

The motivation for this study was to determine how foreground political factors or elite manipulation dictate the recurrence of inters communal violence in Nakuru town. This study was carried out in the urban centers of Nakuru County that are highly heterogeneous with a good representation of all the communities. Besides, the study applied triangulation technique by combining questionnaires, oral interview and observation as instruments of data collection. An elaborate desk review on the existing literature was conducted and formed a good foundation of this project report.

5.1 Summary of Study Findings

The analysis on the trends and dynamics of inter communal conflicts in Nakuru town strongly suggested that they are protracted and systemic in nature. This offers an explains why, inter-ethnic clashes in most parts of the county has for long been connected and determined by factors that are both with and without. Contemporary and historical factors were at the root of the vicious reaction to election results in Kenya and Nakuru town in particular. At the national levels, political development and the role of elites have largely exacerbated the nature of the relationship between communities. This scenario has been attributed to the existence of necessary and sufficient condition for ethnic mobilization that has led to ethnic sentiments and group interest for political end. In 1992, 1997 and 2007 general election large-scale violence incidents were reported in many parts of Nakuru County. The recurrence and escalation of the conflicts was informed by the act of politicians in instigating the violence as a tool for winning the elections.

Further, though the introduction to multi-party politics coincided with the onset of inter-ethnic clashes in many part of country including Nakuru, it's evident that Kenyan politics revolves around ethnicity. The study suggests that, political mobilization along ethnic and political affiliation has been the surest instrument of electoral success where democratic participation (in elections) serves to fan ethnic conflict. Formations of political and tribal coalitions are calculated moves aimed at protecting the community's and regime interest. This has resulted from high

expectation held by the members of an ethnic group that acquiring presidential and other political power will secure for them benefits. The scenario had contributed to the flare-ups of inter-ethnic clashes in Nakuru due to the success of political entrepreneurs in mobilizing groups into violent conflict.

More so, the finding on the nature of inter communal conflicts in Nakuru county suggest that political opposition to an incumbent regime was based on diverse ethno-regional and political interests. This was underscored by the fact that political parties are not communities of political ideology or philosophy but rather they are vehicles of ethnic nativism. Political competition and division tend to assume vertical rather than horizontal dimensions leading to the apparent high rate of inter communal political conflicts. Through deliberate politicization of ethnic identities to sensationalize existing differences along ethnic lines, pitted communities in Nakuru against each other. Identity politics represent as instigated by political elites remain a key feature of recurrent electoral violence. This implies that political competition acts as a means through which access to and disposal of resources and patronage by ethnic elites can cement or increase their capture of power.

Nonetheless, the role of ethnic and tribal factors in the formation of alliances was prevalent and was the ideal arithmetic for winning the election. For example, despite Nakuru county experiencing a peaceful election period of 2002 and 2013, the formation of ethnic alliances between the two major warring communities resulted into reduced cases of violence incident. The situation has created a condition of negative peace where despite the absence of violence there still exist inter communal fears, group's perceived threats that have always generated myths that justify hostility.

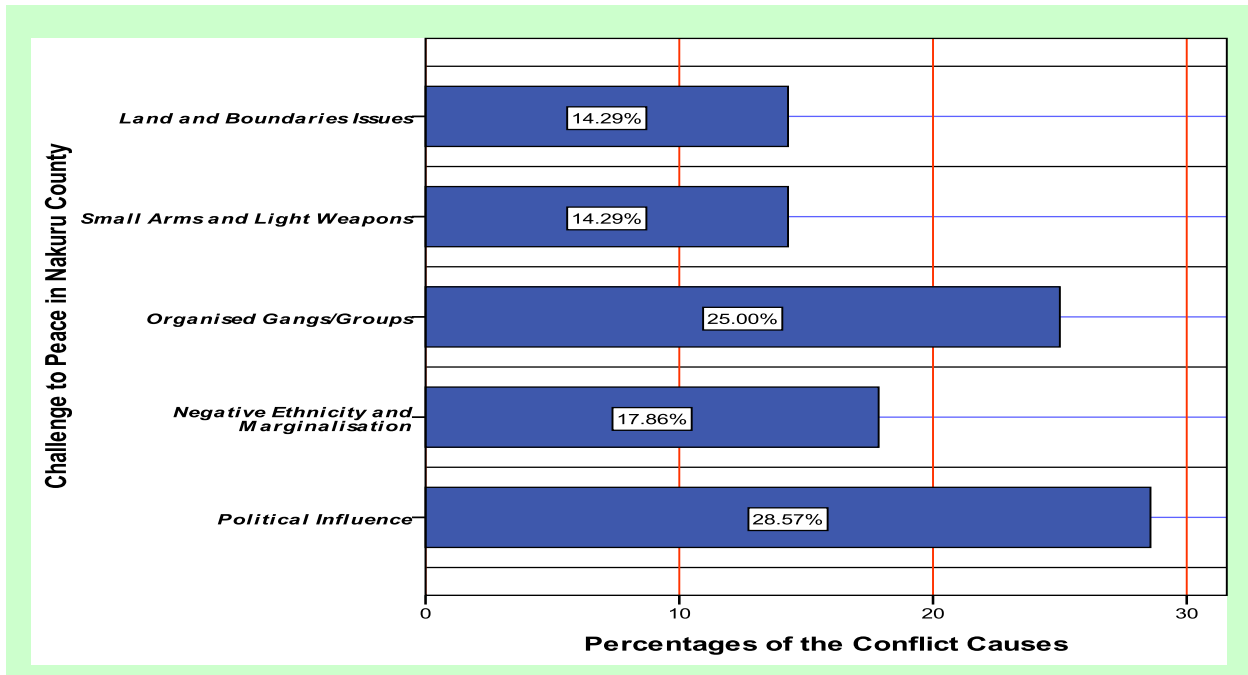
In addition, absence of violence during 2002 and 2013 general election in many parts of Nakuru County reflected not the absence of structural conditions, but rather the impact of ethnic alliance in "freezing" or "containing" tensions. Of concern, the hitherto structural factors that have always culminated into electoral turmoil's were still very much present. The political alliance had largely contributed to peaceful election during this period despite the existence of necessary conditions for violence such as high unemployment, incomplete resettling of IDPs, land

grievances, corruption, impunity and ethnic tensions were very much present. Though the national political dynamics have for long dictated and influenced the nature of inter communal relations in Nakuru, the devolved system has also been characterized with ethnic factors and identity related political affiliations.

The conflict of pre 2013 election period suggested that the implementation of KNDR/National Accord was faced by many challenges at the initial stage. This was anchored on the fact that the greater the difficulty of the environment, the greater the likelihood that the implementation of KNDR process would fail. As a result, the success and failures of the process were largely determined by the role of and significant influence of the political elites and interest. This has been critical in explaining why successive political alliances have continued to shape, inter-communal relations in Nakuru. In addition, the 2010 constitution with its devolved system of governance has led to the emergence of new political dynamics at the county level with new actors who have the capacity to dictate or mitigate conflicts.

Nonetheless, a number of various causes and typologies of conflicts catalyst were identified to have exacerbated the intensity and duration of the inter communal violence in Nakuru county. Among them, include the proliferation of organised gangs and light weapons, the role of the police, incitement by local radio stations, political incitement and political development in the country. Most of the conflicts feature complex interactions of different forces in varying magnitude in scope and time. In recent years, new types of conflict drivers have come to the fore with a high likelihood of dictating the nature of inter-ethnic clashes of Nakuru County. The study noted that the following key conflict drivers to be the most prevalent in Nakuru County.

Figure 6: Key causes of conflict in Nakuru County.



Source: Key Informant Interview

The Bar graph above corroborated the observations and reports by the key informant. Accordingly, 25% of the respondent argued that political influence was the main challenge to peace in Nakuru town. This analysis confirmed the existence of potential drivers of conflicts having a high likelihood to create tension among the communities that has flared up during the election period. The nature of electoral related inter communal conflicts of Nakuru town are highly inter-connected to both the contemporary and hitherto conflict issues. Consequently, the hitherto conflict issues are still active and are linked to the numerous competing factors that provide the necessary and sufficient condition for political mobilization.

The above scenario helps explain why, the inter-ethnic clashes in Nakuru cannot be localized, and this is due to the high tendency of the conflict to evolve and spill over to the other areas. For example, incompatibility related to land namely perceptions of historical injustices; land-tenure and land-use system and landlessness as manifested in the squatter and IDP problem has been compounded by the politicization of land. The political question is linked and largely dependent on the existing conditions of poor governance and leadership, systemic corruption and

marginalization creating inequitable development and inequalities in most of the rural cluster counties. The situation of unstable peace in Nakuru town has always manifested itself during the election period when the communities move in mass exodus to areas they feel safe. In addition, informal settlement areas have segregated themselves according to their ethnic orientation especially during election period with each community having its own militias/vigilantes.

From this vantage point, there existed a high correlation between the onsets, duration, intensity and the impacts of the politically motivated inter communal clashes. Most communities residing in the county have witnessed ethnic clashes and have been affected in one way or another. Thus, inter-ethnic clashes has had an immense impact on livelihood assets in the affected area namely on human assets, physical assets, financial assets, social assets and political assets.

Furthermore, the placement of an NSC secretariat in 2002 led to the institutionalization of peace infrastructure at local and national levels. There has been a significant fusion of informal and formal peacebuilding and conflict management mechanisms. With the build-up of conflict and the appreciation of the cycle within which conflict occurs, stakeholders at community level have developed semi-formal structures to manage conflict. The Peace Committee model, for example, has increasingly become visible and relevant in most conflict contexts in Nakuru County towards complimenting the traditional conflict resolution mechanisms such as those led by Council of Elders, among others.

The emergence of various peace initiatives countrywide necessitates the coordination of peace building and conflict management initiatives up to the grassroots level in Nakuru County. Consequently, this move led to the strengthening of local peace committees that immensely contributed to reduction of violence. However, the study affirms that conflicts differ so markedly in history and context, issue and character, intensity and outcome, the processes to address them must be responsive to each circumstance.

5.2 Linking the Study to Political Symbolism Theory

The study adopted the theory of political symbolism to explain the politicization of inter-ethnic clashes in Nakuru town. Kaufman's analysis has provided a plausible way to explain not only the

causes of ethnic conflict, but potentially a way to account for the patterns of atrocious violence which transpire in their duration. In addition, Kaufman's symbolist approach recognizes ethnic identity being more than a social category manipulated by elites. The theory supports the study finding that the causes and dynamics of inter communal clashes in the county of Nakuru embraced the foreground or elite manipulation as well as background factors.

In the context of this study, the recurrence of inter-communal clashes in Nakuru has been analyzed through the role of elite manipulation. Those who exercise power –who make the decisions and rule the society. Although the institutions through which they act or the issues that challenge and constrain them are important, the elites of politics operate the political system. Elites are known through their origins, their behavior, and their relations to the rest of the society, and their way of entrance and exit. The notion of elite adopted for this study refers to those few individual who occupy the top political positions-ministers and top military and party leaders-plus any other individuals with equivalent role in decision-making. In explaining, the outcome of ethnic politics in Nakuru, the elite factor provides a comprehensive portrait of those in power since they constitute a dynamic of their own that impel society in explicable direction.

The study has demonstrated that the role and influence of elite in manipulating inter-ethnic clashes is largely dependant on other factors “do not work in a vacuum”. That together create sufficient and necessary for violence. They include, the masses or the non-elite especially those who wield a disproportionately small amount of power or none at all. The political elites are linked to the population both directly and through various kinds of intermediates with their political career largely depending on their respective community. In the presence of favorable conditions, the study suggests that elites makes their career on the back of their communities whose feelings do not become movement or demands in the absence of elites.

Further, predatory elites in both the opposition and the ruling regimes have provoked inter-ethnic clashes in Nakuru County as a way of maintaining power and misleading their supporters into thinking the other side is to blame for the violence. For example the 1992, 1997 ethnic clashes resulted into a blame game between the government and the opposition on who was the instigator of the clashes and subsequent call for mass action. In trying to establish the onset,

duration and termination of inter-ethnic clashes of Nakuru, it emerged that the termination of conflict episodes was largely suspending rather than ending the conflicts. This explains why the peace pacts that were signed at the end of every conflict episode did not sustain and resulted into the recurrence of violence in the hot spot areas.

This situation was attributed to inter communal security dilemma emanating from information failure and commitment problems preventing competing groups from reaching a win-win negotiated settlement. The constitutional review process leading to 2005 referendum highlighted the uncertainty that resulted from information failure and commitment problem leading to heightened inter communal tensions in Nakuru and other parts of the country. In that case, the political symbolism theory provides an analytical perspective of understanding the nature of inter-ethnic clashes of Nakuru town. To achieve this, the novelty of the theory in explaining and analyzing the conflict in Nakuru is based on not learning something new but looking at the same things in a different and deeper ways.

Accordingly, political symbolism theory identifies and defines the critical elements that creates sufficient conditions for inter-ethnic conflicts to occur in Nakuru County. These elements include, group myths that justify hostility, fears of group extinction, and a symbolic politics of chauvinist mobilization. Ethnic groups are defined by a “myth-symbol complex” that identifies which elements of shared culture and what interpretation of history bind the group together and distinguish it from others. The inter communal clashes of Nakuru were characterized by myths justifying hostility that explicitly identified the other group as an enemy, as inferior, or both (Madoa doa).

In explaining the past inter communal clashes of Nakuru, the political symbolism theory, help establish how the presence of strong group fears and myths justifying hostility are critical in eliciting powerful hostile mass attitudes. This created a conducive environment for elites to capitalize on predatory policy for community mobilization. For example, the use of hostile narrative by the KANU elites provided a symbolic vocabulary of losing power is threat to the community as a tool to mobilize support.

5.3 Conclusion

The study was able to establish that ethnic hatred among the communities in the Nakuru County was largely as a result of long standing negative sentiments. In the presence of triggers created by political elite factors the simmering hatred between communities have easily flared up into violence. To a small extent the notion of ethnic hatred in the study proved how element of emotional intensity that can be readily aroused when the group's interests are thought to be at stake. In support, electoral politics and competition among ethnic groups over resource ownership coupled with the democratic transition of 1991 inflamed latent tribal hatred. However, question of "Ethnic hatred" in trying to explain the recurrent nature of ethnic clashes has a deficiency of being too mono-causal. In Nakuru County the study established that there exist complexities of intertwined social-economic factors that inform conflict occurrences. Accordingly, the study established that there is a need to search for more systematic explanations in understanding of the causes of ethnic political mobilization. To achieve this the analysis of the ethnic clashes of in Nakuru County must move beyond simplistic discussions of 'ancient hatreds'.

Further, the study was able to establish that the role of elite manipulation in dictating the onset of ethnic clashes was dependent on internal and external systemic factors. The external factors were linked to the tendency of weak political institutions in promoting the politicization of ethnic differences. The past conflict episodes in Nakuru alludes to the fact that politicians have taken advantage of the existing structural condition in the society to manipulate ethnic divisions. In addition, the success of political manipulation tend to capitalize and exploited ethnic differences by drawing upon historical memories of grievances to "whip up" hatred in order to gain or strengthen their power. The perceived threats have acted as symbols upon which communal mobilizations were based both in cultural and insecurity term leading to clashes in Nakuru County.

The politicization of inter-ethnic clashes of Nakuru town has for long been influenced by factors that lie within the decision-making power of political actors. This study suggests that identity related electoral conflicts in Nakuru town couldn't be localized and is largely dependent

or influenced by national and peripheral political dynamics. The re-introduction of multi-party politics has proven to be a complex process towards encouraging or even aggravating civil strife in Kenya. In this context, political mobilization for electoral or other purpose has been achieved by narrow identity appeals that have exacerbated a sharp edge to identity question. Ethnic diversity in Nakuru town is not the cause of inter communal clashes, but rather the politicization of ethnicity by the political elites that is the true cause of the conflict. The cosmopolitan nature of Nakuru has provided a high level of religious fictionalization that have reduces the risk of violent conflict, by encourages divergent groups to learn the skills of living together.

However, the study established that there have existed a period of peaceful co-existence among the communities living in Nakuru despite ethnic diversity exacerbating conflicts. This has not been the case especially during the election period as ethnic diversity offers fertile material for political mobilization. In the presence of favorable, necessary and sufficient conditions, ethnic differences in Nakuru town have led to political manipulation by ethnic entrepreneurs, who seek to mobilize and capitalize on ethnic differences for their personal and political gain. The success of the past political mobilization in Nakuru has been attributed to existence of a number of circumstances.

These specific circumstances include, the communities' perceived reasons to fear the policies or activities of other communities, or experiences economic and social position as clearly inferior to that of other groups with little prospect of amelioration. In addition, this situation has been compounded by insider and outsider politics where communities abiding experiences is characterized by disempowerment and vulnerability. Such circumstances have been critical in understanding and operationalizing myths justifying hostility as those that explicitly identify the other group as an enemy, as inferior, or both in the county.

Nonetheless, the conflict environment for Nakuru has for long been defined by the existences of structural long-term issues. These factors have created a potential climate for violence as characterized by political marginalization by leaders who have rewarded and provided support to their ethnic groups. This has occurred within the context of perceived value based grievances among the communities who in presence of proximate, trigger and catalyst factors inter

communal clashes have become inevitable. For example, historical injustices over land question, poverty and inequality, insecurity as well as combating under development in many parts of the county. In addition, the devolved system of governance has the capacity to exacerbate inter communal tension due to the heightened political contestation at the county level. The struggle for resources has been devolved to the county level with some communities fearing that they will never be represented. This has led to negotiated democracies in the counties that are purely alliances between ethnic groups to capture power at the county levels.

The systemic nature of the past inter-communal clashes of Nakuru town portrayed a high-level organization that also explains the difficulty faced in managing the conflict. This has largely contributed to the failure of numerous interventions aimed at building sustainable peace by both the state and non-state actors in the county. From the study, it emerged that the state was to a large extent orchestrated and sponsored and was even a major source of violence thus making the internal processes for conflict regulation difficult. This was because the state organs had been delegitimized by their own involvement in the conflict. A case in example was the political struggle of 1992, 1998 and 2007/08 where the opposition parties resulted into violence as the only viable means to achieve change. This scenario has created a cyclical nature of inter-communal clashes to recur during election period especially in the opposition strong holds.

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APPENDIX 1: QUESTIONNAIRE

The questionnaire is designed to enable the researcher establish the nature of inter-ethnic clashes in Nakuru town. Your answer will help us determine how various factors have played out towards the escalation and recurrence of violence conflict. Again, there is no obligation to answer a question if you do not want to. However, answers to these questions are extremely important to us. We assure you of the anonymity of the information you provide.

Part 1: Bio Data

1. Gender: 1.Male 2. Female
2. Age.....
3. Occupation.....
4. Level of education.....
5. Did you study in Nakuru.....
6. Marital status.....
7. Tribe.....
8. How long have you stayed in Nakuru.....
9. Do you have any property in Nakuru.....
10. Is your family in Nakuru.....

Part 2: Group Relations.

11. How do you perceive members from other tribes and especially during election and non-election period

why.....
.....
.....
.....
.....
.....

12. Do you have friends from other tribes

.....
.....
.....

13. Who are the majority of your friends.....

.....
.....

14. For how long have you been friends.....

.....
.....

15. Have you ever been mistreated for tribal affiliation and why.....

.....
.....
.....

15. Have you ever mistreated anyone for tribal or any other affiliation

.....
.....

16. Do you prefer living in an area dominated by members form your own ethnic tribe ?

Please explain

.....
.....
.....
.....
.....
.....
.....

17. what are your perceptions about receiving services from members of other tribes in the County either in Hospital, Hotel, Watchman or any other.....

.....
.....
.....
.....

Part Three: Ethnic Manipulation.

18. What determines your voting behavior.....

.....
.....

19. Can you vote for a leader who is not a member of your tribe.....

.....

.....
20. Can you act upon your leaders call

.....
.....
21. Have you ever taken part in a violence incident.....

.....
22. If yes who were the parties.....

.....
23. What were the grievances.....

.....
24. How did the leaders influence the violence.....

.....
25. How did the women get affected by the violence

.....
26. Have you ever been promised any reward in order to take part in violence.....

27. What would motivate you to attack members from other tribe.....
.....
.....
.....

Part Four: Ethnic Tensions.

28. Is there anything that makes you not trust members of other tribe.....
.....
.....
.....

30. Can you partner with member of other tribes to achieve a common interest.....
.....
.....

31. Do you belong to any ethnic organization.....
.....
.....

32. What are benefits of such organizations to you.....
.....
.....

34. Can you marry a member of another tribe.....
.....
.....
.....

35. Do you think your community is being threatened by other groups.....

.....
.....

36. Can you employ or work with members from other tribe.....

.....
.....

36. Do you feel safe living in an area dominated by other ethnic groups and why.....

.....
.....

37. At what time do you think ethnic tensions are high.....

.....
.....

38. Whom can you blame for the raise of ethnic tensions in the area.....

.....
.....

39. What are the major causes of ethnic tension in the town.....

.....
.....

40. What do you think can be the lasting solution for addressing ethnic tension.....

.....
.....

Thank you for your time and responses.