



Kenya: A nation fragmented

Kenya is effectively partitioned by criminal and ethnic violence, triggered by the December 27th presidential ballot. The unrest threatens Kenya's cohesion as a nation state, with severe consequences for its landlocked neighbours and the East African region. Evidence of vote-rigging has reinforced claims that the presidency was stolen by incumbent Mwai Kibaki, but the roots of the conflict lie in longstanding disputes over land and other resources. The systemic failure of Kenyan institutions to address these grievances will not be diffused by a negotiated settlement between politicians in Nairobi.

- Kenyans deeply polarised, risk of 'Balkanisation'.
- Fuel shortages and escalating prices across eastern and central Africa.
- Government stymied by Opposition majority in parliament.
- Kibaki firmly entrenched, poll re-count unfeasible.
- Anti-Kikuyu sentiment threatens military and police command.
- Economy hit by damage to tourism, agriculture and investment.

An island of stability?

Kenya's reputation as a peaceful state in a rough neighbourhood ignored past experience of ethnic cleansing, an attempted coup and mass protests. East Africa's dominant economy is a regional base for multinational companies and host to more UN agencies than any other African nation. But confidence in its political stability has been a largely self-serving fiction sustained by the government hierarchy, Kenyan business and foreign creditors. Industrialised nations have increased aid to Africa, while western governments have embraced Kibaki as an ally in the 'War on Terror':

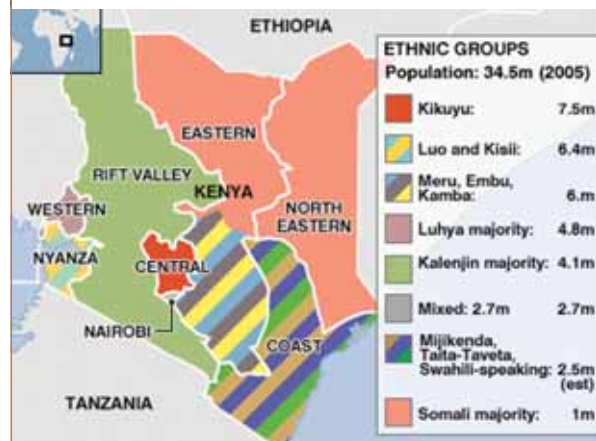
Analysts have reasoned that Kenya's large middle class was too much invested in the status quo to allow the kind of factional violence witnessed in neighbouring Somalia or Rwanda. Support for ODM leader Raila Odinga, of the minority Luo tribe, was initially interpreted as evidence that ethnic loyalties had receded. Instead, the opposition campaign emphasised the unity of disparate communities against Kikuyu domination – captured in the unofficial motto, '47 versus 1':

"This is the saddest day in the history of democracy in this country. It is a coup d'état."
- Koki Muli, Institute of Education in Democracy.

The ongoing violence which erupted in late December 2007 followed a record turnout at peaceful parliamentary and presidential elections. Early unrest was triggered by a televised announcement that Kibaki had been returned as president by a margin of 230,000 votes. The result contradicted both opinion polls and the parliamentary ballot, in which the opposition Orange Democratic

Movement (ODM) secured 99 parliamentary seats against 43 for Kibaki's Party of National Unity.

Kenya, by ethnic groups



Source: UN, UK Foreign Office, BBC

Following the announcement, homes and businesses of members of Kibaki's Kikuyu tribe were attacked in ODM strongholds. Samuel Kivuitu, chairman of the Electoral Commission of Kenya (ECK), subsequently conceded he "did not know whether Kibaki won the election", but did not resign – apparently confirming that Kenya's public institutions are not capable of restoring confidence in the democratic process.¹ A re-count is impossible, given the ECK's failure to secure ballot boxes from contested areas.²



Violence led by vigilante militia groups on both sides has developed a wider, ethnic dimension. While security forces contained protest rallies called by the ODM in urban centres, police and army are unable to quell sustained inter-ethnic clashes outside the capital. Large swathes of territory have become no-go areas for members of the “wrong” tribe. Many hundreds of Kenyans have died, with the actual death toll likely to be far higher than official estimates of at least 900.³

Kibaki's legacy in perspective

Kenya's economic performance rallied under Kibaki, following a prolonged decline under former President Daniel arap Moi. Annual gross domestic product growth reached 7% in 2007, buoyed by strong commodity prices and a surge of inward investment from the Kenyan diaspora. More efficient tax collection funded new roads and an ambitious constituency development programme, while entrepreneurs have benefited from a freer economic climate.

Relations with foreign donors were largely repaired, as Nairobi authorities cooperated with western counterparts in anti-terrorism activities. Evidence of corruption among Kibaki's closest aides made little impact on his favourable reputation abroad. Criticism of high-level graft has been largely confined to outspoken individuals – notably John Githongo, a dissident former permanent secretary for ethics and governance, and former British High Commissioner Sir Edward Clay.

from State House – soured into accusations of ethnic favouritism. Key ministerial portfolios were reserved for presidential confidants – known as the “Mount Kenya Mafia”. Kibaki's Central Province has been the largest beneficiary of a recovery in the coffee, milk and maize industries.

The Kibaki government, once seen by the international donors as sleazy but effective, has failed in its role as “a safe pair of hands” in a rough neighbourhood. Its reluctance to compromise has inflamed ethnic resentment and transformed Odinga, an opposition leader with a history of political deal-making, into a champion of the underdog.

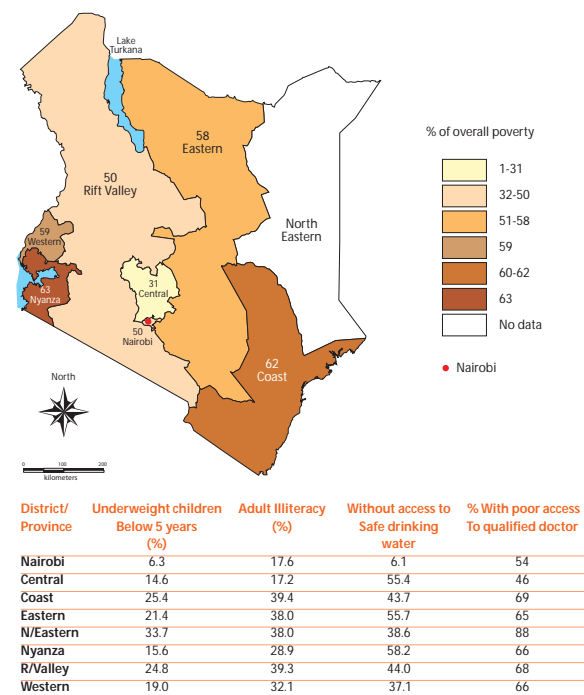
Majimboism, or federalism in Kenya

The promise of constitutional reform, central to Kibaki's consensus-seeking National Rainbow coalition campaign in 2002, was swiftly abandoned in government. Delegates to a national constitutional conference failed to devise a formula to limit the domination of the state structure by an over-powerful presidency, the unifying theme of the pre-election campaign. Kibaki reneged on a promise to create a new constitutional position of prime minister for Odinga, then a key ally and briefly a member of his cabinet.

In the 2007 campaign, ethnicity was deftly exploited by the ODM to mobilise anti-Kikuyu feeling – most dangerously among a generation of jobless youths in Kenya's sprawling slums. In rural areas, Odinga's campaign tapped longstanding resentment of the mainly Kikuyu settlers who occupied the former colonial farms and traditional tribal lands after independence. Ethnic clashes in the Rift Valley reflect grievances among Kalenjin and Masai populations over traditional lands allocated to Kikuyu in the 1970s by founding president Jomo Kenyatta.

Kibaki loyalists and parliamentary candidates also fuelled ethnic hatred, warning constituents in Central Province that an Odinga victory would lead to ethnic cleansing of Kikuyu. Indigenous language radio stations and local newspapers loyal to both parties reinforced this rhetoric, hitherto largely absent from the English language media.

Kenya, poverty and welfare



Source: UNDP

“I told you it would be disastrous... I okayed it because you insisted on democracy. But let me ask you this, is arson democracy?”
 - former President Daniel arap Moi ⁴

Ethnic politicking has coincided with the re-emergence of criminal vigilante groupings, notably the outlawed Mungiki sect and the Taliban. The Mungiki claim to champion the values of pre-colonial Kikuyu society and the Mau Mau liberation movement of the independence era, but are regarded by most Kikuyu as a criminal gang. The Taliban is a Luo grouping, which claims affinity to Islam. But the

At home, the high expectations of voters elated by Moi's retirement – often verging on a demand for near-miracles

targeting of recent violence suggests links between gangs and some political or tribal leaders, often with stakes in organised crime.

Anger was compounded during Kibaki's first term by a tendency among ministers to ignore the recommendations of a series of public inquiries into land disputes and government corruption. Odinga's campaign promise of *Majimboism* (Federalism) was widely understood at the grassroots to mean the expropriation and sending "home" of mainly Kikuyu beneficiaries of past land-grabs – a favoured means of presidential patronage. Thwarted politically, violent elements among ODM supporters have enacted *Majimboism* on their own doorsteps.

End of the boom

The damage to Kenya's economy will be far greater than authorities concede. Tourism has ground to a virtual halt, while the national infrastructure is paralysed. Blockading of upcountry roads by rag-tag militias prevent core agricultural products – tea, coffee, milk, maize and flowers – from reaching markets. A sharp drop in economic output is probable.

If the situation were stabilised, domestic growth rates for fiscal 2007-08 would fall by at least half. The financial sector, already overheating in 2007, will be hit by farmers' non-performing loans. Private investment, in which the Kenyan diaspora plays a dominant role, will falter as expatriate remittances are reduced or re-directed to cover the needs of immediate family.

The government also faces unquantifiable costs as a result of the relocation of about 200,000 displaced people from the Rift Valley. Besides the immediate burden of containing the crisis, disruption to the wider economy will shrink the tax base – reversing recent gains in reducing dependence on aid to less than 10% of the government budget.

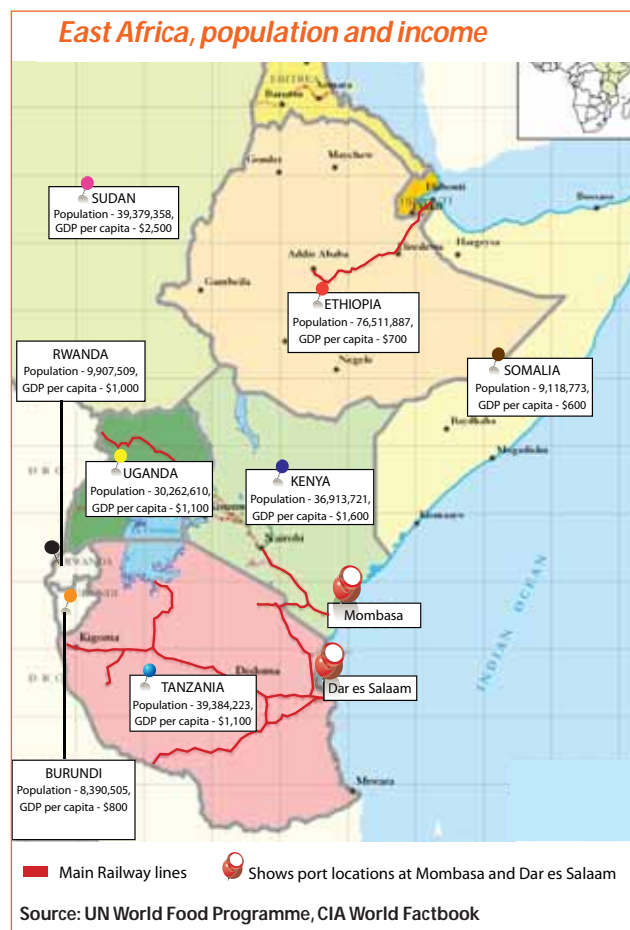
A gateway for East Africa

The burgeoning regional economies of Uganda, Rwanda, Burundi, eastern Democratic Republic of Congo and southern Sudan are in jeopardy. Kenya's crisis has again exposed the structural weaknesses of neighbouring economies, long dependent on Kenya and currently hostage to the East African Community's largest and now dysfunctional economy.

A quarter of Uganda and Rwanda's gross domestic product and a third of Burundi's normally transits through Kenya. Road and rail arteries on which these landlocked economies depend for fuel, aid and other imports are blockaded. A section of the Uganda Railway, a cargo link between Mombasa and Kampala, was torn up by slum dwellers.

In recent years, the Tanzanian harbour capital of Dar es

Salaam has emerged as a rival to Mombasa for regional shipments. But Dar's rapidly expanding port, already working at close to full capacity, is inadequate to compensate for the scale of disruption in Kenya. The inflationary effects of these obstructions are apparent in soaring fuel prices in the Ugandan capital of Kampala, and Juba in South Sudan.



Hardliners in Nairobi

New appointments to Kibaki's cabinet favour a close circle of Kikuyu allies, who cast themselves as a bulwark against genocide of the Kikuyu people. Many in this group opposed early mediation attempts in January 2008 by South African cleric Desmond Tutu, and Ghanaian president John Kufuor in his role as chairman of the African Union.

Despite protestations of goodwill and the occasional handshake between presidential rivals, previous negotiations have been rebuffed or undermined by Kibaki. The incumbent is supported by a political-business elite who believe they can sit out the crisis, and retain power. "This is not Somalia," said a government spokesman.⁵

ODM relies for leverage in negotiations on a combination of its parliamentary majority and public support. But parliament does not manage its own calendar, often spending months



in recess, and scope for parliamentary obstruction is limited to the next budget vote in June 2008. The biggest threat to government is sustained violence, a tactic which has developed momentum beyond Odinga's control.

'Balkanisation'

Kenya's coherence as a nation state is in doubt. The new hyper-sensitivities of tribal and ethnic identity will have long term economic ramifications – spanning labour mobility, access to schooling and civil service appointments. Segregation along tribal lines is apparent in the slums of Nairobi. In western Kenya, Kikuyu students and teachers have requested transfers to "safe" areas in Nairobi and Central Province.⁶

The army has become embroiled in the crisis, despite initial resistance to intervention among its upper echelons, raising fears of a military coup – a prospect endorsed by Rwandan president Paul Kagame.⁷ Sustained deployment of soldiers in Naivasha and Nakuru increases the likelihood of a rift between Kikuyu officers and Kalenjin and Kamba troops within army ranks. Similar fissures have surfaced in the police force, where command structures have been undermined by ethnic allegiances.

"It is not fashionable and right for the armies to get involved in such a political situation. But in situations where institutions have lost control...I tend to believe that the Kenyan army is professional and has been stable."

– President Paul Kagame of Rwanda.

In the wider East African region, Kibaki has been recognised as president only by Uganda. At home, he risks being viewed as president of only one province. Without reconciliation, any future poll – including the next presidential election in 2012 – will become a plebiscite on Kikuyu hegemony, adding to fears of retribution and deepening ethnic divisions.

The case for international action

Kibaki has agreed in principle to international mediation led by former UN secretary-general Kofi Annan. But a sustained upsurge in violence appears inevitable among those who feel legitimate avenues of protest have now been blocked. Constitutional and democratic processes are no longer viable, in the wake of the disputed presidential poll.

Out of touch with the public, but intertwined with the wealthy Kikuyu elite, authorities in Nairobi see no incentive to yield to popular demands for compromise. Kibaki's regime is probably only susceptible to economic pressure, with effective influence confined to a small circle of trusted politico-business magnates. Their influence vies with larger – if more remote – commercial interests,

including multinational companies, in favour of negotiated settlement.

A political deal in Nairobi is a necessary first step to meaningful reform, but no guarantee of stability. Neither Kibaki nor Odinga has a track record of engaging responsibly with the fundamental and incendiary issues of ethnically defined grievance. International support is therefore vital to encourage a reconciliation process which enables far-reaching institutional reform.

Donor funding remains a mechanism for external influence. The sharp fall in tax revenues will increase the government's dependence on aid, reversing the trend of Kibaki's first term. Donors heavily invested in health and education remain wary of cuts in aid which would hurt "the poorest of the poor", but foreign powers must indicate their readiness to withdraw external funding for all but humanitarian aid.

Ongoing international financial assistance to Kenya must be conditional on reform in Nairobi. Kibaki and Odinga must jointly revisit key pledges made by the National Rainbow Coalition in 2002, but subsequently watered down; specifically,

- Cross-party commitment to meaningful constitutional reform.
- A muscular, independent inquiry into historic land disputes.

The international community must apply the full gamut of sanctions – travel bans on politicians, "targeted" sanctions against hardliners, and cuts in development spending – until a political settlement is reached. Further external support should then be made available for:

- Restructuring of the ECK, with new appointees.
- United Nations supervision for a re-run of the presidential election.
- Funding for reconstruction of Kisumu city, and land resettlement in Rift Valley.
- Reparation for the victims of violence and their families.

FURTHER INFORMATION

Africa Research Institute is a non-partisan think tank based in London and founded in February 2007. Our mission is to draw attention to ideas which have worked in Africa, and to identify areas where new ideas are needed.

Please contact Africa Research Institute
on **020 7222 4006** or **info@africaresearchinstitute.org**

1. *East African Standard*, January 2, 2008.
2. Investigation by Kwamchetsi Makokha, January 2008.
3. *Africa Confidential*.
4. *Nairobi Star*, interview with Daniel arap Moi, January 19, 2008.

5. Michela Wrong.
6. Investigation by Michela Wrong.
7. President Paul Kagame. *Reuters*, January 30, 2008.