AN ANALYSIS OF THE 2007 GENERAL ELECTIONS IN KENYA: A POLITICAL LEADERSHIP PERSPECTIVE.

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# TABLE OF CONTENTS

List of Tables ......................................................................................................................... iii
List of Maps ............................................................................................................................ iii
Acknowledgements ................................................................................................................ iv

Abstract .................................................................................................................................. 5

**Chapter I: Introduction** ........................................................................................................ 7
1.1 Problem Statement ............................................................................................................ 7
1.2 Rationale and Motivation ............................................................................................... 7
1.3 Context of the Research ................................................................................................. 8
1.4 Research Objectives ....................................................................................................... 8
1.5 Research Methodology .................................................................................................. 8
1.6 Chapter Presentation .................................................................................................... 10
Conclusion ............................................................................................................................... 11

**Chapter II: Theoretical Overview** .................................................................................. 12
2.1 Transitionology .............................................................................................................. 12
  2.1.1 What is Transitionology? ....................................................................................... 12
  2.1.2 Democratisation Processes .................................................................................... 13
    2.1.2 a) Transition ........................................................................................................ 13
    2.1.2 b) Authoritarian Regime Deterioration .............................................................. 16
    2.1.2 c) Liberalisation ................................................................................................ 18
    2.1.2.d) Democratisation ........................................................................................... 19
    2.1.2 e) Democratic Consolidation ........................................................................... 21
  2.2 Elections ....................................................................................................................... 24
    2.2.1 The Purpose of Elections ................................................................................... 27
  2.3 Ethnic Mobilisation and Conflict .................................................................................. 32
  2.4 Political Leadership ..................................................................................................... 37
  2.5 Political Leadership in Africa ....................................................................................... 40
Conclusion..........................................................................................................42

Chapter III: Historical Overview......................................................................45
3.1 Kenya and the Establishment of British East Africa.................................47
3.2 Colonial Rule and the Struggle.................................................................50
3.3 Colonial Construction of Ethnicity..........................................................53
3.4 Independence and De-colonisation.........................................................56
3.5 The Kenyatta Administration ..................................................................57
3.6 The Nyayo Administration.......................................................................61
3.7 The Kibaki Administration......................................................................66
Conclusion..........................................................................................................72

Chapter IV: The 2007 Elections......................................................................74
4.1 The Campaigning.......................................................................................74
4.2 The Election Crisis....................................................................................74
4.2.1 The Rigging of the Presidential Elections..............................................76
4.3 The Security Crisis....................................................................................80
4.4 Humanitarian Consequences....................................................................82
4.5 Economic Impact.......................................................................................83
Conclusion..........................................................................................................85

Chapter V: Analysis.........................................................................................87
5.1 Evidence of Poor Leadership......................................................................87
5.2 Evidence of Ethnic Mobilisation...............................................................89
Conclusion..........................................................................................................91

Chapter VI: Conclusion....................................................................................92

Bibliography.......................................................................................................96
LIST OF TABLES

Number .................................................. Page
1. Dahl’s Institutions of Polyarchy, Beetham’s Operational Elements 26
4. Presidential Election, share of votes won, 2007 76

LIST OF MAPS

5. Kenya Political Map 46
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ABSTRACT

On 27 December, 2007, Kenyan citizens took to the polls for the fourth time since multiparty democracy was introduced in 1992. The sentiment was that democracy was finally coming of age in this East African country. For many, these elections represented a turn in the country’s democratic process that would bring change in the areas of justice, food, shelter, education and employment to all – as these were the main campaign promises. Instead, at the conclusion of the voting and at the beginning of the tallying process, the electorate erupted violently at the suspicion and eventual reporting of the process being rigged.

One of the main subjects discussed in this study includes the argument that Kenya is ailing from a lack of responsible political leadership. The breed of Kenyan politicians that have been experienced in the country since it gained its independence from British colonialists in 1963, have plundered its resources – material and human – to the brink of war. It is no longer a valid argument that Africa, just because of a history of governments looting and plundering the vast resources that belong to the world’s poorest of the poor, in particular Kenya produces bad leaders.

The second topic of discussion in this study questions the role of ethnic mobilisation during the elections. It is well documented by authors such as Cowen and Kanyinga (in Cowen and Laakso (eds.) 2002: 128-171) that ethnicity in Kenya, under the machinations of irresponsible political leaders, has in the past played a critical part in rallying one political party against another. The 2007 General Election was no different. The contested presidential election results were announced on 30 December, 2007, declaring another term of office for the incumbent president, Mwai Kibaki. Since that announcement, thousands of people were reported dead while hundreds of thousands were considered displaced.

The chaos was followed by a long mediation process kicked off with the AU chairman, John Kufuor, president of Ghana, hosting a number of talks between the two parties. However, this did not bear much fruit as the two conflicting parties could not agree on the main issue of the creation of a position of Prime Minister for Raila Odinga to
fill. This was then followed by a more successful mediation process hosted by the Elders\(^1\) including former United Nations (UN) secretary general, Kofi Annan, Graça Maçhel and Benjamin Mkapa, as indicated by *The Daily Nation* newspapers throughout the month of January 2008. It is with this background that the study will now turn to the discussion about the context of the research, its objectives, rationale, motivation and the research design.

\(^1\) The elders are an independent group of eminent global leaders, brought together by Nelson Mandela, who offer their collective influence and experience to support peace building, help address major causes of human suffering and promote the shared interests of humanity.
Chapter I: INTRODUCTION

In this introductory chapter, the question of how the link between poor political leadership, ethnic mobilisation and elections in Kenya led to the post election violence in 2008 will be answered. This will be done by stating the problem, explaining its context, stating the objectives of the research and discussing the research design.

1.1 PROBLEM STATEMENT

The focus of this study was to provide a framework from which to understand the relationship between political leadership, ethnic mobilisation and elections in Africa, using Kenya’s December 2007 General Elections as the case study. The areas that are lacking in the transitionology paradigm in Kenya were highlighted by this study because transitioning into a consolidated democracy may have been affected by the post election violence. Therefore, the role of politicians before, during and after the election process in exploiting ethnic cleavages was analysed in order to find out the impact of elections on the national democratic process and further contextualise the relationship between political leadership, ethnic mobilisation and elections in Kenya.

1.2 RATIONALE AND MOTIVATION

This research topic was significant in demonstrating the relationship between political leadership, ethnic mobilisation and elections in Kenya specifically. The unfolding of the events following a peaceful poll and a high voter turnout, set a precedent for future elections not only in Kenya – which has been viewed as a beacon of peace in a turbulently violent Eastern Africa – but also in other African countries. Therefore, it was significant for this study to be purshed as, indeed, a fresh source of ideas and input was necessary in order to find ways of dealing with similar situations both in the present and in the future.

The implications of this study were a way of looking at the impact of elections and their connection to the democratic process and what this democracy meant to Kenyans.
This study will enable further generalisation in understanding institutionalised conflict in Africa and the association to political leadership, ethnic mobilisation and elections.

1.3 CONTEXT OF THE RESEARCH

Ethnic mobilisation during elections is not a new theme. However, the context of this research study, as mentioned previously, was the examination of the link that existed between political leadership, ethnic mobilisation and elections in Africa with a specific focus on Kenya. Kenya was chosen as the case study because of the country’s relatively calm political climate which exploded in waves of violence after the December 27, 2007, General Election results were announced.

1.4 RESEARCH OBJECTIVES

The main objectives of this research study were to explore the various connections between political leadership, ethnic mobilisation and elections in Kenya, following the consequences of the country’s last presidential elections. Furthermore, this study sought to find an answer to the impact of the December 2007 election outcome on the country’s national democratic process for the future.

1.5 RESEARCH METHODOLOGY

The primary research method utilised in this study was content analysis. This is a type of unobtrusive research method which Babbie (2007: 319) defines as a method, “of studying social behaviour without affecting it. Such methods can be qualitative or quantitative”. Unobtrusive research can also be referred to as nonreactive research which according to Neuman (2006: 320) is, “a class of measures in which people being studied are unaware that they are part of a study”. Therefore, when the evidence of social behaviour is left behind, an observant researcher infers the information without intruding on those being studied. Content analysis is also nonreactive because the author of the
symbols and words used to communicate a message in a text to a reader does so without being controlled by the researcher conducting the analysis.

Content analysis is defined by Babbie (2007: 320) as, “the study of recorded human communications, such as books, websites, paintings, and laws”. Furthermore, Neuman (2006: 322) contends that content analysis “is a technique for gathering and analysing the content of text”. The content, according to Neuman (2006: 322) refers to, “words, meanings, pictures, symbols, ideas, themes, or any message that can be communicated”. Neuman (2006: 322) further points out that the text is, “anything written, visual or spoken that serves as a medium for communication” and includes magazines, poems, newspapers, songs, speeches, letters, e-mail messages, constitutions, advertisements, official documents, films or video tapes, musical lyrics and photographs among others.

The content analysed in this study was in the form of words and meanings in newspaper, magazine and official document texts. This is because in studying these kinds of communications the primary aim of this research, which is to explain the 2007 post election violence after Kenya’s general elections, was answered. That is, who (The Daily Nation and The Standard Newspapers) said what (about the violence), to whom (primarily Kenyans and secondly, the world), why (to offer information in order to find a solution for the crisis), how (which words were chosen to pass on the intended message) and with what effect? (this being the aim of the study undertaken)

The Kenyan newspapers chosen for the study were The Daily Nation and The Standard. These dailies were selected because, with the exception of The Times newspaper, are the only two newspapers available countrywide, with similar content in all regions on a daily basis, and so communicate their message to their Kenyan audience in one way. The two dailies have been a part of Kenya’s media for almost five decades and thus, have an established niche within Kenyan homes across all socio-economic backgrounds. The information from the newspapers was collected by the researcher, who is Kenyan, while in the country just before and during the elections and also immediately after the violence erupted in early 2008. The Commonwealth Observer Missions’ Report was used as a reliable source of information due to the continued presence in previous elections, including that of December 2007, of the Observers in Kenya, thus enhancing
their expertise on Kenyan politics especially during elections. The Commonwealth Observer Missions’ Report was also used due to the fact that it was published relatively soon after the crisis and, therefore, providing the researcher with the data necessary for the study promptly. In addition to these sources of information, various texts were referenced in order to provide guidance and theoretical backing for the main themes examined in the study. The internet was also used as an up-to-date source of information on developing news stories as a result of the December 27, 2007 General Elections in Kenya.

The use of content analysis as a research method did not require a large staff, as the researcher worked independently, and no special equipment, save for ordinary office stationery, was used. Content analysis also allowed the researcher to analyse the data over about six months after the crisis erupted and as an unobtrusive research measure, the researcher hardly had any influence on the subject matter being studied. This implies that the information gathered was free of the researcher’s influence and presented a point of view without the biases of the researcher. However, the content analysis was limited to the examination of recorded communications and, therefore, any oral or visual data that may have been relevant to the study could not have been collected unless it had been recorded in some way to allow analysis.

1.6 CHAPTER PRESENTATION

In this study, the discussion was divided into six chapters. In chapter one, the introduction presents a brief declaration of the problem statement, rationale and motivation, the context of the research, research objectives and the research methodology. In chapter two, the theoretical overview, offers an insight into the main concepts central to this study which include, transitions, elections and political leadership. These concepts are key to this study because they are firmly rooted in the transitionology paradigm in an African context with specific reference to the 2007 General Elections in Kenya. In this chapter, the link between elections and political leadership to ethnic mobilisation will be a re-current theme as one of the main objectives of the study is to examine this connection and find answers to the unique phenomenon that occurred in Kenya in December 2007-January 2008.
Chapter three gives a historical overview of Kenya’s post-colonial electoral politics and engages in a discussion about the colonial construction of ethnicity. In this chapter, and analysis of the most vibrant political parties, their conduct during elections and the most influential political leaders is analysed. This analysis is important because it provides a linear perspective that will help explain why the country erupted in December 2007 – January 2008. In showcasing the problem, this chapter will extract the re-current themes of ethnic mobilisation and political leadership and their consequent relationship. Chapter four focuses on the process of the 2007 General Elections, and discusses the theme of conflict, – because that was the main physical consequence of the electoral process – campaigning, the crises that developed and the ethnic flavor prevalent during that time.

Chapter five is the analysis chapter in which the theories and themes discussed in the study will be extracted and linked together in order to give an interpretation of the case study. Chapter six is the concluding chapter where an evaluation of political leadership in Africa will be presented alongside the concluding remarks.

CONCLUSION:

In conclusion, this chapter highlighted the process of answering the research question undertaken. Therefore, the main concepts that will be dealt with throughout the paper are: political leadership, the electoral process and the conflict that faced Kenya as a result of ethnic mobilisation after the December 2007 General Elections. This chapter also provided the chapter presentation layout that traces the logic of this research question throughout the entire study. In the following chapter, a theoretical discussion on the main themes relevant to this study is pursued.
Chapter II: THEORETICAL OVERVIEW

“Institutions mould character, and character transforms institutions”.
Bertrand Russell, O. M.
(‘Reflections on My Eightieth Birthday, The Listener, 22nd May 1952)

INTRODUCTION:

In this chapter, transitionology in an African context and political leadership in Kenya, a representative democracy, will be discussed in conjunction with ethnic mobilisation in a post-colonial context. Transitions will be discussed because Kenya, through elections, is in the process of democratisation. The electoral process and its correlation to ethnic mobilisation will also be critically evaluated in relation to the Kenyan experience, in this instance elections as a primary democratic process manipulated through the use of ethnic mobilisation will be the main point of departure for the argument presented. Furthermore, the existence of elections as an institution and as part of a democratic process will be illustrated in addition to some of the purposes of elections. This comprehensive dissection of elections and their simultaneous relationship to ethnic mobilisation and political leadership is necessary in order to substantially comprehend the outcome of the December 2007, General Election in Kenya.

2.1 TRANSITIONOLOGY

2.1.1 WHAT IS TRANSITIONOLOGY?

There are two main theories of democratisation, the process approach and the preconditions (structural or functional) approach. This study will focus on the process approach to democratic transition. The process approach to democratic transition is also known as the ‘genetics’ approach. This approach to the establishment of democracies was suggested by Rustow (1970: 341) and, “focused on the actual process of transition”.

13
The change of a political regime is a complex democratic transition and as such, Huntington (1991: 121) concurs and notes that, “transitions were complex political processes involving a variety of groups struggling for power and for and against democracy and other goals”. Transitions have been defined by Morlino (1987: 305) as a, “political process that brings about a change in the nature of a political regime”, furthermore, it is, “the ambiguous and intermediate period when the previous regime has abandoned some determining characteristics of its non-democratic structures without having acquired all the characteristics of the new regime that eventually will be established”. Under the assumption that a specific form of democracy was the most acceptable system of rule in a given society, one could venture a definition of transitionology as the process through which a regime becomes more or less democratic. Understanding the process of transitionology is important to this study because Kenyan society is in the process of becoming one in which democracy is the ‘only game in town’ through systems that have been put in place to ensure that this happens, and one such system is that of elections. The discussion of elections, in turn, is key to this study as it investigates the postelection violence following the 2007 General Elections.

2.1.2 DEMOCRATISATION PROCESSES

2.1.2 a) Transition

According to Guillermo O’Donnell and Phillipe C. Schmitter there are five democratisation processes. Firstly, O’Donnell & Schmitter (1986: 6) argue that, the transition process,

is the interval between one political regime and another…Transitions are delimited, on the one side, by launching of the process of dissolution of an authoritarian regime and, on the other, by the installation of some form of democracy, the return of some form of authoritarian rule, or the emergence of a revolutionary alternative.
O’Donnell & Schmitter further argue that during a transition where there are rules and procedures, “these tend to be in the hands of authoritarian rulers”. Martin S. Lipset (1995: 424) and Huntington (1991: 121) extend the understanding of transitions by providing three main types:

1. A process of transformation, reform, or transaction to denote an authoritarian regimes’ controlled, gradual democratisation through “reform from above”. Examples of this type of transition are said to include Brazil, Peru and Chile during the 1980’s.

2. A replacement, rupture or breakdown of an authoritarian regime. It occurs when such a regime - usually a personal dictatorship - refuses to liberalise, grows weaker, and is eventually deserted by the military and other support groups. [Examples include:] Iran after the overthrow of Shah in 1979, and perhaps in Nicaragua after the overthrow in General Anastasio Somoza’s dictatorship that same year.

3. Combines elements of the first two [and] has been called a process of transplacement or extrication because it involves joint actions by governing and opposing elites to free a country from authoritarian rule. Examples include the standoffs and negotiated democratic transitions among elites in South Korea, Poland and Uruguay during the 1980’s. Also...the elite-engineered democratisation of South Africa during the 1990’s is an especially dramatic instance of transplacement of extrication.

The process of transformation and gradual democratisation as suggested by Lipset (1995) above, began for Kenya on 1 June 1963 when Jomo Kenyatta was sworn in as Premier (Prime Minister) of a self governing Kenya. This process of regime change in Kenya happened officially, on the 12th December 1963, when the country received its independence from British colonial rule and declared a republic with Kenyatta as the first President. Therefore, Kenya experienced what O’Donnell & Schmitter above referred to as ‘the installation of some form of democracy’, in this stage of transition from authoritarian rule (colonialism) to the self-rule of a new democracy.
In addition to the transition from colonial rule to independent self-rule, Kenya has experienced electoral political violence which Laakso (in Basedau, Erdmann and Mehler (eds.) 2007: 224) argues is the transition process of a political system, “mixing authoritarian and democratic elements”. Furthermore, despite not being a pure democracy, Kenya has not, “experienced a violent breakdown of the constitution…but…[has] witnessed intense and violent electoral competition”. This holds true since the 1992, 1997 and 2007 elections were all accompanied by violence. The surprising exception was the 2002 General Elections that experienced relative peacefulness and saw the opposition win the vote with a landslide majority.

One should however, not assume that transitions of authoritarian regimes to more democratic regimes, through elections must be accompanied by violence. The aim, at least to some extent, of elections, holds Laakso (2007: 225) is to, “be part of the democratic rules to solve political conflicts without force or violence”. This, despite the fact that, elections in Africa have proven to be rife with violence as emerging democracies struggle with the democratisation process of transitioning from one regime to the next, should be the norm. Examples of violence surrounding elections in Africa (Meredith 2006: 410) include Mali’s General Traoré who tried to control protesting masses through repression and arrests by state troops leading to many deaths, and his subsequent overthrow by the army which after a national conference laid the path for elections. In Ethiopia, an army of Eritrean and Tigrayan rebels had to drive out Mengistu in May 1991 in order to bring about the Independence of Eritrea in 1993. Zimbabwe’s 2002 presidential elections were also surrounded by violence and according to Meredith (2006: 639) “months of systematic intimidation” from the ruling ZANU-PF which subsequently won the elections.

One will often find democratic participation inter-linked with political repression and authoritarianism. Kenya is no exception. According to Breytenbach (1997: 60) the process of democratisation in Africa has revealed six types of transitions which are as follows:

1. The Benin model of the National Conference, often associated with “bottom-up” processes (referred to by Linz as ruptura; and by Huntington as “replacement”).
2. A more destabilised variety of the replacement / bottom-up variety, marked by popular uprisings.

3. The liberalisation model where authoritarian governments – often successfully – seek to control reforms. This works in a “top-down” fashion (Linz refers to this as re-forma).

4. The elections model where multi-party elections take place without much preparation.

5. “bottom-up” and “top-down” combine, leading to transplacements (Huntington) and ruptforma (Linz), usually through transactions and pacts.

6. This model describes transitions involving the United Nations.

Kenya’s type of transition is arguably the liberalisation model: firstly, in 1992 with the move from being a one-party state to multi-party democracy and secondly, in 2002 with the move from Moi’s authoritarian regime to Kibaki’s seemingly democratic regime. Moreover, one can also argue that Kenya’s experience can be explained by the elections model in 1992 and 1997 in which case the opposition lacked the comprehensive preparation and co-operation to win those elections.

2.1.2 b) Authoritarian Regime Deterioration

Secondly, O’Donnell & Schmitter (1986:18) observe that the main, “reason for launching a transition can be found predominantly in domestic, internal factors” that directly cause authoritarian regime deterioration and include the following:

1. Economic Crisis;
2. Declining Legitimacy;
3. Divisions among incumbents;
4. Mass mobilisation;
5. The high cost of Repression; and
It is fair to note that the abovementioned factors all came into play in order to topple the apartheid regime in South Africa. The factors influenced regime change by coming into action in a combined effort to increase the pressure on the authoritarian regime. In the case of Kenya however, not all the factors influenced the authoritarian regime’s (colonial government) demise in the country. The *Uhuru* (*freedom*) government, inherited a nation plagued by poverty on various levels, prominently a staggering number of landless proletariat who had fought the white man in order to reclaim their stolen land. Ochieng’ (Ogot and Ochieng’ 1995: 83) explains that the legacy of Kenya’s colonial economy “displayed characteristics typical of an underdeveloped economy at the periphery: the preponderance of foreign capital, the dominance of agriculture, the limited development of industry and heavy reliance on export of primary products and imports of capital and manufactured consumer goods”. This, therefore, meant that independent Kenya would have to come up with policies that would not only halt growing urban and rural poverty but also place the economy into the hands of indigenous Kenyans.

Another aspect that would have to be improved upon was Kenya’s export-oriented economy. During the colonial period, goods were exported and the profits used to develop the colonial power, thus maintaining colonial rule and not actually experiencing an economic crises. The mere fact that it was a colonial government ruling Kenyans implied that it was an illegitimate government since it was not put in place by the people of Kenya, neither did it represent them nor meet their needs. It was a purely exploitative arrangement and, therefore, an illegitimate system of rule.

It is a well documented fact that the main vehicle for mass mobilisation in Kenya among the population was the *Mau Mau* organisation. *Mau Mau* was responsible for the violent expression of the grievances expressed by Kenyatta and others, stemming from the oppressive practices of the colonial government. The high cost of repression was just a manifestation of the greed of Britain as a colonial power because the Empire had the most colonies in the world and could not sustain them all. As a result of this, it became increasingly difficult to sustain colonisation as it was a financial strain on the British government. At that time the most international influence came from Britain itself to cease the colonisation project as it was simply not a profitable endeavour to pursue.
Therefore, the process to becoming more or less democratic in the transition from colonial rule to self-rule saw the deterioration of the authoritarian regime as it failed to sustain itself. In the 2007 transition through General Elections, the incumbent regime struggled with legitimacy as it had for example, ignored an MoU (discussed further in chapter 3) signed with other coalition parties earlier in its reign to share power, and thus experienced divisions among its incumbents. Going into the elections with high levels of distrust did little to ebb the post election violence that was perpetuated by the influence of political leaders on ethnic mobilisation (further discussed in chapter 3).

2.1.2 c) Liberalisation

Thirdly, O’Donnell and Schmitter (1986:7) have labeled, “the process of redefining and extending rights…‘Liberalisation’ (emphasis added)’. They continue to argue that, “Liberalisation…mean[s] the process of making effective certain rights that protect both individuals and social groups from arbitrary or illegal acts committed by the state or third parties”. These rights, on an individual level include: *habeas corpus*; sanctity of private home and correspondence; the right to be defended in a fair trial according to pre-established laws; freedom of movement, speech and petition. On the group level, the rights include: freedom from punishment for expressions of collective dissent from government policy, freedom from censorship of the means of communication, and freedom to associate voluntarily with other citizens (O’Donnell & Schmitter 1986: 7).

O’Donnell and Schmitter recognise that these rights can never be completely observed by any one authority of a country; however, they provide a starting point on a journey departing from authoritarian rule and regime. O’Donnell and Schmitter (1986: 7) also comment that, “if…those liberalised practices are not too immediately and obviously threatening to the regime, they tend to accumulate, become institutionalised, and thereby raise the effective and perceived costs of their eventual annulment”. This means that once liberalisation begins, there’s no turning back.

In need of African labour the white settlers of Kenya’s central province highlands pressured their colonial government into enforcing the *kipande* system of identification
documents to be carried by African labourers (Rosberg and Nottingham, 1966). This was a direct infringement on the rights that stipulate freedom of movement as mentioned above. Furthermore, Guy Arnold (1974:34) writes about the state of emergency declared in 1952 by the governor Sir Evelyn Baring in which “Kenyatta was arrested and put on trial for managing Mau Mau…Kenyatta went to prison …He was not to emerge onto Kenya’s political scene again until 1961”. During this Mau Mau emergency Kenyatta and five others were sentenced to seven years’ imprisonment. The trial was not fair and the emergency also prevented freedom of movement. These were some of the characteristics of the authoritarianism of the colonial government and as such the laws infringing the fundamental rights of citizens were revoked upon the country’s independence, thus, liberalisation was underway for the young independent democracy.

In present day Kenya one notices a more liberal society in which human rights are respected far more than they were during colonisation. However, the right to vote in free and fair elections has been tarnished time and again, for instance during one-party rule and the mlolongo voting system of 1988, one can hardly argue that standing in a queue behind one’s preferred candidate was free and fair. In the 2007 General Election, done by secret ballot, the tallying process was marred with rigging accusations (discussed further in chapter 4) that indeed led to the post election violence experienced in the country. The notion of Kenya going through the process of liberalisation and the right to vote in free and fair elections was therefore not upheld.

2.1.2 d) Democratisation

The fourth process is democratisation. O’Donnell and Schmitter (1986: 7) contend that, “democracy’s guiding principle is that of citizenship. This involves both the right to be treated by fellow human beings as equal, with respect to implementing choices, to be equally accountable and accessible to all members of the polity”. Some practical ways of making sure that citizenship and political participation coexist, according to O’Donnell and Schmitter (1986:8),
refers to the processes whereby the rules and procedures of citizenship are either applied to political institutions previously governed by other principles (e.g. coercive control, social tradition, expert judgment or administrative practice) or expanded to include persons not previously enjoying such rights and obligations (e.g. non-taxpayers, illiterates, women, youth ethnic minorities, foreign residents), or extended to cover issues and institutions not previously subject to citizen participation (e.g. state agencies, military establishments, educational institutions etc).

Unlike liberalisation, democratisation is reversible, since having these rules and procedures is a possibility for most countries, adhering to them is a matter of choice. With the view that democratisation according to Przeworski (1988: 63) is, “the decisive step towards democracy [and when] power is devolved from a group of people to a set of rules” and as explained above it is when citizen participation is expanded. The process of democratisation began for Kenya on the eve of independence. As a young self-governing democracy, Kenya’s process of democratisation begun, and the first step was ‘de-colonising’ the country’s economy, political structures and society. This was propelled by Kenyatta’s release from detention in August 1961 and earlier in the same year principal supporters of Kenyatta met in Kiambu and launched the Kenya African National Union (KANU). The country’s first national elections were also held and Arnold (1974:95) contends that, “in the subsequent election KANU took two-thirds of the seats on an election slogan ‘Uhuru na Kenyatta’ – ‘Freedom with Kenyatta’ also ‘Freedom and Kenyatta’”. KANU refused to take office because their leader was still in detention. The colonial government had to, therefore, form a government with the minority party Kenya African Democratic Union (KADU), and not until June 1963 did KANU come to power under Kenyatta’s leadership.

Citizen participation in elections as a path towards becoming more democratic in the 2007 General Elections was a high 65 percent. Because of this peaked interest in voting preferred leaders into power, the outcome of rigging accusations in the tallying process (discussed further in chapter 4), was the post election violence. This is because of
the participation of the citizenry in the democratisation process. This now brings us to the final stage in this process – democratic consolidation.

2.1.2 e) Democratic Consolidation

According to O’Donnell (Mainwaring, O’Donnell and Valenzuela 1992:18) the consolidation of democracy is in other words, “the effective functioning of a democratic regime…[a] political democracy (or polyarchy, according to the definition of Robert Dahl)”. To elaborate this further, Adam Przeworski et al (Dahl et al 2003:113), argue that, democracies become consolidated, “if the conditional probability that a democratic regime will die during a particular year given that it has survived thus far (the “hazard rate”) declines with its age, so that, as Dahl has argued, democracies are more likely to survive if they have lasted for some time”. O’Donnell (Mainwaring, O’Donnell and Valenzuela 1992: 48-49) further provides a list of characteristics that embody the meaning of a consolidated democratic regime. These include:

1. where there is political democracy (or polyarchy, to recall the definition of Robert Dahl) in which democratic actors no longer have as one of their central concerns the avoidance of a (sudden or slow) authoritarian regression, and consequently do not subordinate their decision (and omission) to such a concern;
2. where social and political actors who control significant power resources (even if they may not all be strictly democratic) habitually subject their interrelations to the institutions specific to political democracy by means of practices compatible with the reproduction of these institutions- institutions which, whether they like it or not, these actors calculate will last indefinitely;
3. where the habitual nature of these practices and the strengthening of these institutions (which succeed in establishing themselves as important, though not exclusive loci of national power) sustain the “procedural consensus”…and promote the uncertain nature of outcomes of fair and competitive elections;
4. where this set of political relationships is increasingly consistent with the extension of similarly democratic (or at least non-despotic and non-archaic) relations in other spheres of social life;
5. where rulers and officialdom subject themselves to the distinction between the public and the private and there exists reasonably effective mechanisms to sanction anti-republic actions on their part.

This set of characteristics reveal how narrow the path of democratic consolidation is and give reasons why it is the road less travelled – willingly or unwillingly – by most systems of governance in the world. In short J. Samuel Valenzuela (Mainwaring, O'Donnell and Valenzuela 1992:58) holds that,

the building of a consolidated democracy involves in part an affirmation and strengthening of certain institutions such as the electoral system, revitalised or newly created parties, judicial independence and respect for human rights, which have been created or recreated during the course of the first transition.

This implies that transitionology is linear; however, Valenzuela proceeds to note that building a consolidated democracy often requires,

abandoning or altering arrangements, agreements, and institutions that may have facilitated the just transition (by providing guarantees to authoritarian rulers and that forces backing them) but that are inimical to the second. Such is the case with legislatures that include non-democratically generated representation, with military autonomy from the executive, or with the supreme councils empowered to review the actions of democratic governments.

This, therefore, means that some of the negative aspects of a previous transition phase influence the obstacles that face the consolidation of that democracy.
George Sorensen (1993:45) maintains that, “consolidation is formed and the new democracy has proved itself capable of transferring power to an opposition party”. This definition may however lead to the assertion that no democracy can ever be seen as fully consolidated. Juan Linz (1990:158) follows a more modest definition and suggests that a consolidated democracy:

is one in which none of the major political actors, parties, or organised interests, forces or institutions consider that there is any alternative to democratic process to gain power, and that no political institution or group has a claim to veto the action of democratically elected decision makers. This does not mean that there are no minorities ready to challenge and question the legitimacy of democratic process by non-democratic means. It means, however, that the major actors do not turn to them and they remain politically isolated. To put it simply, democracy must be seen as the ‘only game in town’.

Is democracy the only game in town for Kenya’s democratic regime? Although one cannot answer this question in the affirmative, one can point to the positive growth of political pluralism in the country. In a number of African states, authoritarian rulers moved, reluctantly at times, under a combination of pressures, towards a more democratic system of rule by endorsing multi-partyism and more democratic constitutional amendments, allowing for more open competition for government power. In some instances, movements geared towards democracy became political parties such as the Movement for Multi-party Democracy (MMD) in Zambia, the Alliance for Democracy in Mali (ADEMA), and the Forum for the Restoration of Democracy in Kenya (FORD).

In terms of political consolidation, Kenya has come a long way from being a one party state to a multi-party democracy in which the opposition party is ruling. In earlier years, the big question was whether there would be a regular sharing of power between the opposition and the ruling party in a healthy manner in the years to come. The process of maintaining this balance of power was been set in motion after the 2002 General Elections that saw the opposition come into power for the first time and the hope then,
was that it could be sustained. And then, the 2007 General Elections showed signs of a failing goal towards political consolidation. With these considerations in view, the discussion will now turn to elections as it is necessary to understand their importance in a democracy such as Kenya’s since it was based on how the election process was executed that the country erupted in violence.

2.2 ELECTIONS

The benchmark of any democracy is free and fair elections. Samuel P. Huntington (1991: 7) concluded that political systems are democratic, “in so much as its most powerful collective decision-makers are selected through fair, honest and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote”. Therefore, Huntington argues that democracy, a concept which encapsulates many ideals, is incomplete without elections. According to Willie Breytenbach (1997: 57), there are some scholars whose minimalist view of democracy leads them to suggest that, “elections linked to institutions providing multiparty participation in public life are sufficient developments to constitute the institutional framework for a functioning democracy”. However, Breytenbach (1997: 57) argues from a substantialist point of view that, “elections are necessary but not sufficient”, because, like Fareed Zakaria (1997: 25) who shares a similar sentiment, both contend that a democracy is, “a political system marked not only by free and fair elections, but also by the rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion and property”. Breytenbach continues to suggest that without these requirements, “democratising states may in fact have constitutions without constitutionalism, transitions without consolidation, multiparty systems without free and fair elections and judiciaries without the rule of law and respect for human rights”. It is therefore not enough to meet the procedural requirements for a democracy to be consolidated. This however, in no way negates the importance of elections.

The connection between democracy and elections is intrinsic. One cannot speak of either without mentioning the other. This view is held by Hans Daalder and Ken Newton (1994: 1), who propose that, “except in very small communities, democracy necessarily
means representative democracy in which elected officials make decisions on behalf of the people”. These officials are elected through the electoral system which Daalder and Newton (1994: 1) define as, “the set of methods for translating the citizens’ votes into representatives’ seats”. This system is therefore fundamental in a representative democracy such as Kenya because the voice of the people is rendered through the members of parliament.

In Africa, elections have become a common place institution, and one can argue that this is so because, this process ‘proves’ and ‘legitimises’ the democratic intentions of that country which requires donor aid for development or for humanitarian purposes and any other reason requiring large amounts of international funding. This, despite the fact that the election process is being used as a ruse for aggrandisement instead of as an institution to grow a young democracy into a consolidated democracy. In support of this view, Matthias Basedau, Gero Erdmann and Andreas Mehler (2007: 7) hold that, “multiparty elections have clearly become a regular institution in Africa, even though there are still many doubts about the meaning and the quality of these elections” – or according to S. Lindberg (2004b) the doubts which revolve around the, “power of elections”. Lindberg (2004a: 86) further postulates that, “a series of elections will, more often than not, contribute to democratisation”, provided that the elections are free, fair and non-violent.

Further insights concerning elections in Africa include those of Michael Cowen and Liisa Laakso (2002: 1), who hold that a competitive electoral process is a principle precept of a liberal democracy, and according to this view it involves, “free and fair electoral competition which includes the possibility of criticizing government’s decision making, of offering alternatives, thereby enabling choice to be made between one set of decisions and another and, more generally, holding politicians accountable for their decisions”. In addition to these perceptions of democracy and elections, David Beetham (1994) and Robert Dahl (1989) provide even more compelling insights.

Beetham (1994: 89) argues that, “democracy is a system of government characterised by its continuing responsiveness to the preferences of its citizens, considered as political equals”. The preference of its citizens refers to electing government officials by voting. Dahl’s (1989: 221) definition of polyarchy, which refers mostly to elections as
a democratic process, reveals that it is, “a political order distinguished by the presence of seven institutions, all of which must exist for a government to be classified as a polyarchy”. These seven institutions are: elected officials, free and fair elections, inclusive suffrage, the right to run for office, freedom of expression, alternative information and associational autonomy. Expanding on this idea of polyarchy with a narrow definition of democracy, A. Reeve and A. Ware (1992: 26) postulate that, “three conditions should be met for an elected body to be fully democratic: the electorate shall consist of all those directly affected by the decisions of the body, all members of the body shall be fully accountable, and all voters must have an equal vote”.

In addition to Dahl’s seven institutions of polyarchy, Beetham (1994: 93) suggests fourteen operational elements that focus on specific indicators. Beetham (1994: 92) argues that these, “operational definitions cover the democratic ideal at one end of a democratic / non-democratic continuum”. The focus is therefore mainly on elections as a democratic process, and these elements help in measuring whether a given electoral system is more or less democratic than another system. These extra components of elections as a democratic process give a more detailed insight into what elections are all about and provide a better understanding of this concept.

Table 1: Dahl’s institutions of polyarchy and Beetham’s operational elements.

<table>
<thead>
<tr>
<th>Dahl’s Seven institutions of Polyarchy</th>
<th>The Fourteen operational elements:</th>
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<tbody>
<tr>
<td>1. Elected Officials</td>
<td>All Members of Parliament and the President (if any) must be politically accountable to the voters within time limits fixed in advance.</td>
</tr>
<tr>
<td>2. Free and fair elections</td>
<td>The weight of the votes of various voters should be identical.</td>
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<td></td>
<td>The electoral system – as well as its administration – should not be manipulated to the benefit of any political party or candidate. Electoral fraud and rigging – or malpractice during counting – should be avoided.</td>
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<td></td>
<td>Equal access to public-owned electronic media, newspapers and magazines must be provided for, at least for national political parties.</td>
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<tr>
<td></td>
<td>Election-related violence or coercion must not occur.</td>
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</table>
3. **Inclusive suffrage.**
The electorate should consist of all adults directly affected by the decisions of the body to be elected (Dahl, 1986a; May, 1978; Reeve and Ware, 1992: 26, 52)
Registration procedures should include in the election register all individuals enfranchised (Harrop and Miller, 1987: 44-45)

4. **The right to run for public office.**
All voters have the right to run for public office.

5. **Freedom of expression.**
Freedom of speech must not be impeded.
Freedom of assembly must not be impeded.
All political parties and groupings should be allowed to contest elections, that is, to register.

6. **Existence and availability of alternative information.**
The right to seek alternative information must not be impeded.

7. **Associational autonomy.**
Freedom of organisation must not be impeded.
All kinds of political organisations should be allowed; there should be no discrimination against ethnic, racial, religious or other parties.

Source: Beetham (1994: 93)

### 2.2.1 THE PURPOSE OF ELECTIONS

“The object of our deliberations is to promote the good purposes for which elections have been instituted and to prevent their inconveniences”.

Edmund Burke, *Speech on a Bill for Shortening the Duration of Parliaments*
(Enid Lakeman: 1974:23)

The study will now turn the discussion towards the exploration of the object of elections. The ‘good purposes’ for which elections were instituted have been debated since before slaves, Africans in colonised states and women could vote. Lakeman (1974: 23) claims that, almost a century after Burke made the above comment, John Stuart Mill in his book, *Representative Government*, was discussing, “to what extent forms of
government are a matter of choice”. According to Lakeman (1974: 23), Mill argued that there are two differing notions of the nature of political institutions. On one hand there is a school of thought that believes government to, “be a practical art, in which we first decide what purposes we wish to promote and then inquire what form of government is best fitted to fulfill those purposes”, and on the other hand a school of thought which holds that, “forms of government are not a matter of choice but must be taken as we find them, as a sort of organic growth from the nature and life of a people”. Mill concludes that the sole adoption of either opinion is absurd. This is because political institutions are man made and although man intentionally structures these doctrines, their victory or defeat may depend upon uncontrollable circumstances. The best institutions will therefore fail according to Lakeman (1974: 23), “if the citizens are unwilling or unable to play their part”, and this is done by voting.

Breytenbach (1997: 57-58) asserts that the symbolism of elections is powerful despite their inability to sufficiently guarantee democratisation and as such they serve as the institutional foundations to, “legitimize new, post-authoritarian dispensations”. Furthermore, “they are indispensable in measuring public support; and it is through electoral verdicts that power is given and revoked”. And finally, elections are necessary and important because they have always been, “the most effective way of peacefully removing unpopular rulers and ruling parties from power”.

Lakeman (1974: 25), purports that the purpose of electing rulers originated from a theory in which, “the rulers whom the people are expected to obey should not only rule in their interests but also rule according to their wishes, and that the rulers should be accepted by the ruled – this acceptance being no more acquiescence but conscious choice”. Consent of the people therefore, becomes an important aspect of the purpose of elections. Even then, in 1974 Lakeman (1974: 25) postulated that it had, “become increasingly accepted that the governed should elect their rulers and that they should have the power to renew at intervals the authority they give to them”. From this, one can therefore clearly conclude that it is the responsibility of elected officials to obey the will of the people and step down from their elected positions once they can no longer fulfill their duties with the confidence of majority electorate support.
Lakeman further argues that there is generally a wide agreement that the elected officials should represent fairly the desires of the electorate whose business it supervises, however there are divergent viewpoints on the scale of that relationship. Lakeman (1974: 25) argues that some “may be reluctant to accept the wishes of the people as the only factor which should determine the choice of rulers. They may distrust the…elector’s ability to choose wisely, and wish to protect him from the results of an unwise choice”. Others still, “may be chiefly anxious to ensure that a strong and stable administration shall emerge”. The common desire is for a strong government, to some extent even though the strong government is a dictatorship. Lakeman (1974: 26) continues to argue that, “it would be foolish for any believer in democracy to advocate a system of election if its ultimate result would be to destroy the right of holding free elections at all”. This would indeed be just a façade for appearing to be democratic, and completely negate the ‘good purposes’ for which elections were intended. In this vain, the right of Kenyans to hold free elections in which the true winner is elected without cries of foul play has been since multi partyism (with the exception of the 2002 presidential elections) lost to the electorate. This notion will be discussed further in the coming chapters.

Moreover, Lakeman (1974: 26) contends that the purpose of elections in a, “disciplined party government gives…stability more than ever in a troubled world”. This stability however, may be deceptive, “if the penalty of the party system is the erection of artificial class [or tribal] differences, or a division on political doctrine between opposing parties which cannot afford to admit the existence of common ground”. These cons of a party system ring true in the Kenyan experience whereby tribal differences and opposing doctrines in parties accentuated the divisions within the country as opposed to unifying the electorate into electing a strong and stable government.

Another concept often used while referring to elections as an institution of democracy, is that of ‘the people’. Whereas worldwide it is axiomatic to claim that the majority ought to rule, this argument borrows Lakeman’s (1974: 26) question, “have the elections supporting the government the exclusive right to speak in the name of the whole people?”. ‘The people’ have been described by some political scholars, according to Lakeman (1974: 26), “as if it were a single person with one mind and one interest instead of a complex mass of individuals with different purposes and conflicting interests”.

30
Therefore, whatever decisions are made by the organ representing ‘the people’, even by a simple majority is the people’s voice. The majority vote is so readily accepted that it is forgotten that the notion of the majority principle argues Lakeman (1974: 27), “is not necessarily the only right and safe way of resolving a difficulty”. In Kenya’s case, these difficulties include poverty, land disputes such as the ones between the Kalenjin and the Kikuyu’s, which some might argue were the root cause of the ensuing conflict after the elections in December 2007 – January 2008.

It is important to remember that although free and fair elections are crucial in electing our leaders, Lakeman (1974: 27) asserts, “the extent to which the method of voting will condition the result”, also merits consideration. With this idea in mind, take into account that Kenya’s majority electoral system referred to as the plurality system or simple majority vote with only one ballot or first-past-the-post system was inherited from the British as a result of colonisation. Lakeman (1974: 27) suggests that, with the adoption of this system in the nineteenth century, some of the concerns that faced the political thinkers engaged in this new philosophy of democratic governance and its institutions revolved around the notion that, “such crude and simplified methods of consulting the opinions of larger and more heterogeneous electorates failed to do justice to important sections of opinion and impoverished the elected legislature”. Thus, the recurrent re-election of an elected official by his/her consecutive constituency renders it impossible to obtain another opinion for that constituency. This limitation therefore does not heed the various opinions and indeed voices of ‘the people’. In essence, this is a phenomenon that has plagued Kenyan politics since independence. The same, now old, faces ‘representing’ the electorate for far too long, in most cases, longer than two electoral terms, that is ten years, and therefore being unable to execute any developmental change. Despite the fact that the voice of ‘the people’ is largely being heard through the ballot box, the result has hampered change and growth by maintaining the status quo of the old guard. For instance, President Kibaki has been playing the political game since independence; he has served as Finance Minister and as the country’s vice-president.

The ‘good purposes’ for which elections were instituted can be summed up in the following points as provided by Lakeman (1974: 28). It is necessary to note that this list
provides purposes that may not be compatible with each other as they differ in importance.

- A parliament reflecting the main trends of opinion within the electorate.
- Government according to the wishes of the majority of the electorate.
- The election of representatives whose personal qualities best fit them for the function of government.
- Strong and stable government.

The ideal is that there exists an electoral system that successfully promotes all these ends. Failing this however, a compromise would have to be made by choosing amongst them.

The concept of free and fair elections has so far been summoned repeatedly in this chapter. It therefore, warrants a brief explanation of what the concept entails. The freeness and fairness of elections is an integral part of ensuring that this democratic institution is upheld. Intimidation, which Breytenbach (1997: 58) argues, “is part of a culture of intolerance”, does not distinguish between democracies around the world, and any country is susceptible to intimidation. Breytenbach (1997: 58) further points out that these two factors, intimidation and intolerance, may result in “uncivil contests for power, causing instability and violence”. This is a recipe for un-free and unfair elections. The issues that render the fairness of elections according to Breytenbach include: firstly, whether the voting mechanisms were fairly designed, giving equal opportunities to all voters irrespective of whether they were rural or urban and literate or illiterate, secondly, whether election campaigns were fairly run in terms of access to funding, the media, transformation and vote counting, and thirdly, the type of transition, that is, whether the state dominates the transition process in a top-down manner or not. In governments where power is unregulated and there exists little or no accountability, state power may be used to influence the media and state funding in favour of the ruling party.

Another aspect of elections revolves around the recent phenomenon of involving international monitoring of elections in order to validate the elections to the rest of the world and to ensure their freeness and their fairness. International supervision and
monitoring of elections was introduced through the idea of peacekeeping. It started off as a common occurrence in countries conducting elections in relatively violent conditions, either having just come from a war or in danger of sparking a new wave of violence during or after the elections. However, over time, electoral observer missions from various countries and regional organisations have become a consistent part of elections in all kinds of democratic states, whether consolidated or not. The main objective of this international supervision is to ensure free and fair elections.

2.3 ETHNIC MOBILISATION AND CONFLICT

This study cannot be undertaken without the mention of the conflict that engulfed the nation after the election results were announced. This study argues that the ensuing conflict of the December 2007 General Elections was the result of political leadership utilising ethnic mobilisation to pursue self-aggrandisement and a win at the polls. The concepts of ethnic mobilisation and conflict will be discussed to reveal the stance from which this idea is approached.

As a social cleavage, Alex Thomson (2004: 59) argues that ethnic mobilisation is a fault line that forms, “along these differing identities, creating opposing interests. These differences of interest, in turn, offer themselves to potential political or occasionally violent conflict”. Ethnic influence affects every state. For example it was ethnicity and nationalism that sparked World War II with the genocide against Jews by Germans who saw themselves as a superior race. In the 1990’s the war in the former Yugoslavia saw Muslim Serbs against Bosnians ensuring yet another genocide in the Balkans. And in Africa, the Rwandan genocide which saw the murder of over 800,000 Tutsis by Hutus in about three months. However, this is not to say that political associations with ethnicity always lead to violence.

An ethnic group, according to Thomson (2004: 60) can be defined as, “a community of people who have the conviction that they have a common identity and common fate based on issues of origin, kinship, ties, traditions, cultural uniqueness, a shared history and possibly a shared language”. Whereas this implies more of a geographical community, ethnicity refers more to beliefs of origin and descent. The
relationship between ethnicity and politics becomes pronounced when ethnicity is, “used to distinguish one social group from another within a specific territory”. And this brings ethnic mobilisation into the political arena.

The most obvious social divide in Africa is ethnicity and as such, Thomson (2004: 64) argues that, “tribalism in Africa has become the most efficient way for individuals to mobilise politically in order to serve their interests within the modern state structure”. Ethnic groups can thus be regarded as interest groups lobbying for particular interests. Despite this, ethnicity in Africa has been viewed as a negative mechanism threatening democracy and economic development in post-colonial Africa. This view ignores the unique role of ethnicity in providing a level of plurality and representation in unjust authoritarian one-party states. Issues such as nationalism, class, religion and ideology produce points of contestation that result in reasons for mobilisation. The rallying of groups of people around the cleavage of ethnicity enables the bringing forward of political grievances to the government.

In many post-colonial African countries, ethnicity has made a positive impact. In cabinets and executives the combination often reflects a representation of most ethnic groups, perhaps for fear of aggressive challenges from powerful communities. In the allocation of state funds, resources and appointments, ethnicity is considered. In his tenure, as discussed in chapter three, this is a feat that Jomo Kenyatta managed to excel in. The concept of conflict in the following discussion will be explained in relation to how communities mobilised in Kenya during the December 2007, General Elections.

A recurrent theme throughout the study of conflict is the idea expressed by Mark Anstey (2004: 3) that, “all conflict is about change”. This is the constant conveyed in almost all of the definitions provided by proponents in this field. True enough, this has been the case in Kenya, whereby riotous mobs and such have often taken to the streets to demand change and in this case, political change. Even for those who argue that the change was ethnically motivated the encompassing root cause is the desire for change. As discussed in the previous section, this call for change forms part of the purpose of elections in any democracy, the underlying aspiration being to vote out inadequate political leaders and change the existing regime into one that is acceptable to the people.
The vocabulary that is associated with conflict according to the English Oxford Dictionary includes words such as struggle, fight, disagreement, argument, controversy, opposition, difference and/or clash between the achievement of one aim and that of another. Despite being a term replete with negative connotations, scholars such as Joseph Frankel (1973: 46) allude to a positive angle by referring to conflict as a, “useful social device for containing within one system interests which are not fully compatible”. In this case, conflict is a beneficial strategy in any given societal setting in which there are various clashing interests.

A more comprehensive definition of conflict is that of Lewis Coser (1956: 8) which articulates conflict as, “a struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralise, injure or eliminate their rivals”. This view of conflict illustrates the aspect of competition for resources that are scarce and also portrays the parties' intentions to fight for what they believe belongs to them. Another scholar, J. Himes (1980: 14) contends that social conflict “refers to purposeful struggles between collective actors who use social power to defeat or remove opponents and to gain status, power resources and other scarce values”. This can be related to ethnic mobilisation strategies whose collective actors include the various ethnic groups coming together to violently oppose their rivals in a bid to obtain their desired outcome. This definition embraces a number of new aspects in terms of conflict. These, according to Anstey (2004: 5) include:

- Purposeful behaviour involving planning as to how to attain scarce values and overcome resistance;
- Taking place in a social structure which qualifies the situation in various ways;
- Involving the use of power to neutralise or remove obstructing groups or resistance;
- Collective action of a strategic nature designed to reduce resistance by an opponent who is led to understand that relief from pressure can be achieved only by concessions or capitulation;
- The acquisition of scarce resources and values.
These characteristics were evident in the Kenyan scene with one group demanding that the right to the presidency belonged to the candidate of their choice, while the government that ‘won’ the election put bans on the press and freedom of association for the political party that wanted to hold rallies.

In addition, Kriesberg (1982: 17) postulates that, “a social conflict exists when two or more parties believe they have incompatible objectives”. This definition implies that conflict exists where there is a relationship between two or more people whose subjective beliefs oppose facts and realities that are objective. Kriesberg (1982: 17) further argues that, “conflict is related to competition, but the two are not identical”. Competition is usually towards a similar goal, whereas conflict involves needs, desires and goals that are specific to the parties involved. This is what elections generally entail in the sense that, in the Kenyan experience the ODM demanded the presidency as did the PNU but far from that, each party wanted to form a government that rewarded those that had been loyal to them throughout the internal dissent that wrecked the former NARC party. This, therefore, demonstrated the involvement of needs, desires and goals specific to each party. Pruitt and Rubin’s (1986: 14) perspective on conflict parallels that of Kriesberg. It claims that, “conflict means perceived divergence of interest or a belief that the parties’ current aspirations cannot be achieved simultaneously”. The common ground lies in the fact that the parties involved have strong beliefs in whatever they are fighting about. In Kenya’s case, ethnic mobilisation was used to rally the ethnic groups supporting the ODM against the ethnic groups supporting the PNU, despite the fact that the main bone of contention was the election outcome, each group demonstrated a lack of tolerance for fear that their aspirations would not be achieved simultaneously. This only prolonged the conflict which eventually ended with a power sharing government. This argument will be taken up further in the following chapters as this is primarily a theoretical overview of the themes prevalent in this study.

In an inclusive definition, Anstey (2004: 6) develops the following definition:

conflict exists in a relationship when parties believe that their aspirations cannot be achieved simultaneously, or perceive a divergence in their values, needs or interests (latent conflict) and purposefully employ their
power in an effort to eliminate, defeat, neutralise, or change each other to protect or further their interests in the interaction (manifest conflict).

Building on Kriesberg’s assertion that conflict and competition are not identical, Donald L. Horowitz (1985: 95) suggests that, “most definitions embody an element of struggle, strife or collision, and in this way distinguish conflict from competition”. To sum up the discussion on the nature of conflict, James Schellenberg (1996: 8) views conflict as, “the opposition between individuals and groups on the basis of competing interests, different identities, and/or differing attitudes”.

With this brief understanding of the basic tenets of conflict David Bloomfield (Bloomfield et. al. 2003: 10) suggests that, “the best form of post-conflict government is a democratic one”. This suggestion however leaves no room for the possibility of democratic elections further enhancing conflict as was the case in Kenya. Bloomfield argues that in accordance to Churchill’s (1947) remark that, “democracy is the worst form of government except all other forms that have been tried from time to time”, it is the best option at hand in an imperfect world. Bloomfield further articulates that, “as universal human rights become increasingly accepted as the core principles of governance, democracy becomes more and more…the most effective way of implementing… - equality, representation, participation, accountability”. With conviction, Bloomfield maintains that, “democracy is a system for managing difference without recourse to violence”. One can add to this assertion that although this is the goal of elections, it has proven evasive in a post-colonial context.

This statement arises from the notion that conflict stems from all societies since it is natural for differences of opinion, religion, culture, ideology and so forth, to exist. The role of democracy in such societies thus becomes to bring out these differences, accept them and integrate into the system without posing a threat to it. The conflict is, therefore, managed and therein lies the strategy. However, in a post-colonial context democracy and its need to thrive on elections as a conflict management strategy, failed in Kenya in December 2007. The elections were used as an opportunity to defile democracy with the use of ethnic mobilisation by the country’s leaders as its strategy to win the most votes.
2.4 POLITICAL LEADERSHIP

“I wonder how far Moses would have gone if he’d taken a poll in Egypt? What would Jesus Christ have preached if he’d taken a poll in Israel? …it isn’t polls or public opinion of the moment that count. It is right and wrong leadership…that makes epochs in the history of the world”.

Harry S. Truman (taken from Willner 1984: v)

The study of political leadership has been embarked upon by various scholars throughout history. John Geer (1996: 16) argues that Plato may have been, “the first to give serious, systematic thought to the importance of leadership in politics”. Machiavelli’s The Prince, suggests Geer (1996: 16), can also “be viewed as a princes’ handbook on effective leadership”. Scholars such as John Stuart Mill, James Madison and Woodrow Wilson have also contributed to the study of leadership. According to Geer (1996: 18), Madison stressed the importance of representative governments to take seriously their role as elected officials so that their, “wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations”. In addition to this, Mills’ (in Geer 1996: 18) insistence on, “the ‘very best minds’ inspiring those with less talent and information” is pointed out. In Wilson’s perspective, leaders must lend sight where, “forces of the public thought”, go blind. Leadership is therefore about giving direction, showing the path to take and illuminating it for others to follow.

As there are very many definitions of leadership, this study cannot consider all and will therefore only regard the few that are deemed relevant to this discussion. With reference to more recent scholars such as Robert Tucker (1981: 11) leadership is, “a process of human interaction in which some individuals exert, or attempt to exert, a determining influence upon others”. Jean Blondel (1987: 15) argues that “leadership is a behavioural concept and the definition of leadership must therefore be behavioural”. A behavioural leader, according to Blondel (1987: 15), “is a person who is able to modify the course of events”, and it is well known that this is a difficult achievement to obtain. Leadership, for Blondel (1987: 2-3) is therefore, “manifestly and essentially a
phenomenon of power: it is power because it consists of the ability of the one or few who are at the top to make others do a number of things (positively or negatively) that they would not or at least might not have done”.

These two definitions associate leadership with a large group of people being coerced or influenced by an individual or a smaller group into an action they may not necessarily have carried out. This is a similar view to Geer (1996: 20) who notes that, “leadership involves a relationship between an individual (or set of individuals) and a larger group, where the former possesses some influence over the latter”. This brings into contestation the qualities of leaders, who the followers are and what their relationship to each other is.

In an attempt to define the qualities of leaders David Gonzalez (Othman (ed.) 2000: 132) maintains that, “a leader must have the necessary will, sentiments and intuition to control a group for a common cause represented by that leader”. This therefore implies that a leader should be able to exert authority over his/her followers despite the limitations faced. In addition to these qualities, Kenneth Ruscio (2004: 5) argues that the image of a leader should be that of a, “positive change-agent who elevates other individuals to higher moral planes of collective goodness” as opposed to, “the image of leaders as congenitally manipulative power-seekers, who by their very willingness to assume positions of leadership betray an ambition that renders them even more prone to deviousness than the people they lead”. In this case, a leader therefore needs to have a high sense of moral integrity to which the followers can aspire and trust. In support of this statement James Madison (1987: 343) postulates that rulers (leaders) ought to be men, “who possess most wisdom to discern, and most virtue to pursue, the common good of society”. One can therefore argue that the emerging theme amongst these qualities is that of servitude. This is because the notion is that a leader aims for the ‘collective goodness’ and the ‘common good of society’, thus putting aside his/her own desires and serving his/her followers with the virtues pertinent to service which are those of sympathy, impartiality and tolerance.

According to Ruscio (2004: xv) sympathy is a disposition toward service, “because it enables an individual to understand the needs of others and, to some degree, enables leaders to place themselves in the position of others”. Impartiality is necessary because, “the ability to separate an individual’s claim from the person making the claim is
of vital importance in democracies that place a priority on fairness and equality before the law”. Tolerance is important because, “leaders must respect views different from theirs even when they do not agree with or endorse the views”. Political leadership is therefore, “a duty and responsibility to serve others through the pursuit of the public interest”.

This now brings the study to regard an outline of the relationship between leaders and followers. In a definition that encompasses the ideas already presented thus far, Ann Ruth Willner (1984: 5) suggests that leadership, “denotes a relatively sustained and asymmetric exercise of influence by one individual, the leader, over others, the followers. It is a patterned relationship of influence between one member of a group and its other members”. There are four dimensions that characterise this relationship continues Willner, which are: the leader-image dimension, the idea-acceptance dimension, the compliance dimension and the emotional dimension.

The leader-image dimension, suggests Willner (1984: 5), “refers to beliefs that followers hold about the person of their leader”. This originates from the notion that the leader has the appropriate skills and qualifications and can successfully meet the goals of the followers. These qualities are viewed as outstanding by the followers and their culture. The idea-acceptance dimension, Willner (1984: 6) writes, “refers to the basis on which and the extent to which followers believe and internalise a leader’s definitions and ideas”. Followers may accept a leader’s statements because, “it sounds reasonable…it conforms with knowledge obtained from other sources…it accords with their own experience, because of the leader’s status or prestige”. Belief in the leader is important if the people are expected to accept his/her world view.

Willner (1984: 6) maintains that the compliance dimension “refers to follower obedience to a leader’s directives”. Followers may comply because it is lawful, advantageous, it is reasonable, for fear of penalties or loss, as a result of coercion and much more. When the leader is characteristic the followers may comply simply because it is their duty to do so, whereas in a non charismatic relationship there is space to reason and evaluate any directives given. For Willner (1984: 7) the emotional dimension, “relates to the type and intensity of the emotional commitment of followers to a leader”. At times the emotional response of followers to their leader is quite strong, and this is as a result of their attachment to that leader, who is in most cases very popular because he/she, for
example, might have been a very prominent liberation fighter or even political activist. The emotions elicited might be, “affection, admiration, trust and even love”. One can argue that the scale of an emotional response to a leader may depend upon how the leader has served the followers and their attachment to that leader as a show of their regard for him/her.

In concluding the discussion on the nature of leadership, Ruscio (2004: 9) provides two kinds of leadership. Firstly, transactional which, “refers to leadership based on transactions between leaders and followers, agreements or bargains that promise mutually beneficial results”. This implies a sort of ‘you scratch my back (if you vote for me) and I’ll scratch yours (I’ll satisfy your interests). Secondly, transformational leadership which is in contrast to the former offers a new world view in which, “leaders provide not bargains but ideas, hopes, and inspirations”. A balance of these two kinds of leadership is essential if the leader is about positive change for the followers with an attitude of servitude in order to meet the desirable goals for the common good.

2.5 POLITICAL LEADERSHIP IN AFRICA

African political leadership, according to Jo-Ansie van Wyk (2007: 3) is often associated with terms such as, “corruptocracies”, “chaosocracies” or “terrorocracies”. Moreover, political leadership in Africa is seen as the, “criminalization” of the state to “…dispensing patrimony” and the “recycling” of elites, in which case the same people rotate the reigns of power amongst themselves. This is a point of view shared by Clapham & Wiseman (Wiseman 1995: 226) who state that, “new’ leadership groups have not really been new at all but have simply consisted in the re-emergence of individuals and political tendencies which have survived from earlier periods of political competition, and which have used the changed political climate as a means to promote dormant ambitions”. A Kenyan example is the presidential candidacy of Jaramogi Oginga Odinga, who was the country’s first vice-president from 1964-1966 and a member of KANU, and later co-founded FORD (Forum for the Restoration of Democracy) in 1991, and ran for the presidency under a FORD-Kenya ticket in 1992 and came in fourth with only 17.5% of the votes.
Van Wyk (2007: 4) holds that Africa is, “in crisis due to its loss of the spirit of its traditional leadership and post-colonial “questionable leadership””. This leadership is exercised throughout Africa’s absolute monarchies (Swaziland), transitional governments (Somalia), governments of national unity (Swaziland, Zimbabwe), one / no-party states (Uganda 1986-2006) and multi-party democracies (Botswana). Van Wyk (2007: 5) thus describes political leaders as, “the primary holders, controllers and distributors of power and resources in a particular institution (i.e. institutional power) and / or territory (i.e. geographical power)”. This definition applies to leaders who have been elected by the poll as well as those that have come to power by the barrel of a gun. This definition also parallels earlier definitions presented in this study in terms of wielding power over a people and their dwelling place.

As a result of partaking in the liberation struggle, van Wyk (2007: 6) notes that, “struggle credentials (or lack of them) determine access to power and resources”. The struggle leaders who emerge as presidents often refuse to step down and the former liberation movement turned political party remains the dominating one in that country. This has happened in Zimbabwe, where ZANU-PF (Zimbabwe African National Union – Patriotic Front) has been in power with its incumbent leader, Robert Mugabe, since independence in 1981. In Kenya, KANU (Kenya African National Union) with its leader, Daniel Toroitich arap Moi, remained in power from 1963-2002. This staying in power results in personality based or charismatic leadership in which ethnic, sectional or clan ties are used to rally supporters to ensure that that political party with that personality remain in power. This is one way in which ethnic mobilisation is utilised by political leaders to ensure their extended tenure in office.

African political leadership is patriarchal. According to Van Wyk (2007: 10) this means that, “a political father figure emerges as the symbol of the venerated elder and patriarch”. Old leaders such as Hifikepunye Pohamba of Namibia is 72 years old, Sam Nujoma was 75 years old, Paul Biya of Cameroon at 76 years old, Hosni Mubarak of Egypt at 81 years old and Kenya’s Mwai Kibaki at 78 years old. This further illustrates the desire to remain in power that has come to define African political leadership.

According to Van Wyk (2007: 15), there are four leadership styles that have emerged in Africa in response to the leadership crisis on the continent. A leadership style
is, “a general concept that includes a leader’s beliefs, decision making methods and typical ways of dealing with others”. Firstly, “the need for power includes the desire to influence, control and dominate other people, groups or the agenda”. This style refers to former liberation fighters who are reluctant to relinquish power after ascending to the presidency. Whereas the BDP (Botswana Democratic Party) has been in power for 13 years since 1996, KANU had been in power for 39 years from 1963-2002. secondly, nationalism, which Van Wyk (2007: 16) maintains, “refers to a world view in which one’s own nation or group is superior or exceptional”. This involves emotional ties, issues of patriotism and national identity. A good example of this style was the introduction of *ujamaa* by Tanzania’s Mwalimu Julius Nyerere in an attempt to, “re-define the exceptionality” of Tanzanians. The project failed miserably plunging the country into dire economic straits.

The third style is the distrust of others. Van Wyk (2007: 16) holds that, “some leaders believe that others’ actions and motives are not sincere, [are] suspicious and should be doubted”. As a result, some African leaders resorted to becoming philosophical sages such as, “Kwame Nkrumah, Leopold Senghor, Augustine Neto and Julius Nyerere who became philosopher kings, authors, philosophers and poets”. The final leadership style presented by Van Wyk (2007: 16) is, “a task oriented approach in order to accomplish a particular objective”. Examples of this are NEPAD (New Partnership for Africa’s Development), the AU (African Union) and the APRM (African Peer Review Mechanism). These are initiatives driven by the proponent of the African renaissance and pan-Africanism in order to accomplish a variety of economic, developmental and democratic aspirations. Having discussed the theoretical backbone of this study, the discussion will now turn to the historical background of Kenya’s politics, her political leaders and their relationship to ethnicity as a colonial construct used for political mobilisation.

CONCLUSION:

This chapter discussed transitionology and its five democratisation processes. The chapter found that Kenya has had transitions towards becoming more or less democratic
on various levels. Firstly, the transition from colonial rule to independent self-rule that begun in 1963, secondly, the transition from being a one-party state to a multi-party state that emerged in 1992, and thirdly, the transition from Moi’s authoritarian regime to Kibaki’s seemingly more democratic regime that at first (in the 2002 General Elections) was not accompanied by violence, but failed to transition as peacefully in the 2007 General Election that were accompanied by violence. Therefore, Kenya’s experience of political electoral violence in 2007 is an example of Laakso’s (in Basedau, Erdmann and Mehler (eds.) 2007: 224) argument of a transition process in a political system, “mixing authoritarian and democratic elements”.

With the deterioration of the regime, the study found that the high levels of distrust and divisions amongst the incumbent regime perpetuated the post election violence through ethnic mobilisation tactics used by political leadership. The process of liberalisation in terms of the 2007 post election violence was found to have propelled the violence because the right to vote in free and fair elections was marred by accusations of rigging which also enhanced the underlying ethnic tensions that were utilised by political leadership into ethnic mobilisation schemes to pursue individual agendas. The study also discussed that the democratisation process may have enhanced the post election violence because of a high participation of the citizenry in the elections and thus the potential for a negative reaction (violence) to the late announcement of election results and accusations of rigging during the tallying process. The discussion on democratic consolidation concluded that it is a failing goal in Kenyan politics because of the move from a one-party regime to a relatively authoritarian multi-party regime in which some of the major political actors, parties, or organised interests, lobby for regime change through ethnic mobilisation to carry out violent acts.

This chapter also discussed elections and concluded that they are important because that is how the voice of the people is heard and furthermore, Dahl’s seven institutions of polyarchy are all associated with elections as shown in Table 1. These notions of elected officials, free and fair elections, inclusive suffrage, the right to run for office, freedom of expression, alternative information and associational autonomy form part of the democratisation processes in that it is through the right execution of these processes that a country moves towards being more democratic than it previously was.
The themes of ethnic mobilisation and conflict showed how differing identities were used to create opposing interests by politicians exploiting the social divides existing in the country. A comprehensive discussion on conflict theory helped contextualise the magnitude of the post election violence and showed that instead of elections managing conflict, ethnic mobilisation through violence was used to win votes.

This chapter also discussed the meaning of political leadership and the benchmark from which a good political leader can be distinguished. And it was found that a good leader had the wisdom to best discern the true interest of their country, and whose patriotism and love of justice would be least likely to sacrifice it to temporary or partial considerations. A good leader would also have the necessary will, sentiments and intuition to control a group for the common cause represented by that leader. A good leader would be a positive change-agent who elevates other individuals to higher moral planes of collective goodness and possess most wisdom to discern, and most virtue to pursue, the common good of society.

The common attribute of these characteristics is one of servitude because of the notion that a leader aims for the ‘collective goodness’ and the ‘common good of society’, thus putting aside his/her own desires and serving his/her followers with the virtues pertinent to service which are those of sympathy – to understand the needs of others, impartiality – to separate the issue from the individual and tolerance – to respect differing views from one’s own. Against these qualities African political leadership was discussed and in contrast to servitude it was found that most African leadership is associated with greed for power and a patriarchal system bent on lasting as long as possible in that position of power. With this view of political leadership in mind one can argue that amidst accusations of rigging, neither Kibaki nor Odinga were willing step away from the elections and serve the country by putting it first but rather decided to stand their ground and fight for whatever power they could get, and this led to an escalation of the post election violence.

With this theoretical background, a historical overview follows in the next chapter in which a history of Kenya’s politics is provided.
Chapter III: Historical Overview

“History is messy and political changes do not sort themselves out in neat historical boxes”.

Samuel Huntington (1991:15)

INTRODUCTION:

Although this chapter explores Kenya’s political scene since independence, a brief discussion of the rise and origins of the country’s first political parties, pre-independence and their leaders will be embarked upon. This is because the historical reference will shed light on the colonial construction of ethnicity and the changing dimensions of party politics in the country. These changing dimensions include the manipulation of ethnic mobilisation by various political leaders to influence the outcome of elections.

In terms of elections as a democratic institution in Kenya, a short outline will be provided in order to give perspective to the issue at hand. Jomo Kenyatta was Kenya’s first president until his death in August 1978. Kenyatta was also the president of KANU (Kenya African National Union), a political party formed prior to independence. The only opposition party at the time of independence was KADU (Kenya African Democratic Union) which was not a very formidable opponent.

At Kenyatta’s death, Daniel Toroitich arap Moi was the country’s Vice president and had been since 1969. He took over office as acting president for 90 days in accordance with the constitution during which time national elections were held and he became Kenya’s second president. Thus began the famous Nyayo (footsteps) era that lasted 23 years. During his reign, in June 1982, Kenya’s constitution was amended in favor of and to create a one-party state. This saw an attempted coup later in the year led by the air force. Opposition to the Moi presidency was further fuelled by the adoption of the mlolongo, ‘queue voting’ system in 1986. There was also internal criticism concerning human rights violations in Kenya, but all these factors did not produce a prominent opposition and Moi was re-elected for a third term in 1988. In July the constitution was amended to give the president power to fire judges at will which is unhealthy in a
democracy as it undoes the checks and balances in the system of rule. Currently, Kenya’s electoral system is based on First Past the Post (simple majority) in which the President is elected by direct popular vote for a 5-year term.

As Jennifer Widner (in Martin Lipset 1995: 700) maintains, “Kenyan political history is an odyssey from multiparty politics to a single-party system and back again”. To begin with, an outline of Kenya will be portrayed to enhance the readers’ knowledge of the country’s location and its people.

Map 5: Kenya Political map
3.1 KENYA AND THE ESTABLISHMENT OF BRITISH EAST AFRICA

Kenya is in East Africa and is approximately 600,000 sq. kms. It is bisected from west to east by the equator and the Great Rift Valley passes from north to south from Jordan to Mozambique. Lake Victoria lies on its western boarder sharing the lakes’ water with both Uganda in the west and Tanzania to the south. Kenya’s northern boarder is shared with Ethiopia and the north western boarder with Sudan. To the east lies Somalia. Nairobi is the capital city with a population of more than two million people.

Jean Hartley (2005:19) writes on the people of Kenya and records that,

Kenya’s people are somewhat of a mixture resulting from a series of migrations from other parts of the continent of various peoples, mainly Cushitic, Nilotic and Bantu…The largest Bantu group today consists of the Kikuyu…and the Kamba…the Kikuyu are the largest tribe in Kenya …best known of Kenya’s people are the Maasai.

However, there are over forty different ethno-cultural communities in Kenya all with different cultures and value systems. A unifying factor in this densely heterogeneous society comes in the form of language. Despite speaking their respective mother tongues, all Kenyans speak Kiswahili which is the official language as well as English, Kikuyu and Luo which are widely understood.

Hartley (2005:21) writes that,

The history of modern Kenya has been documented for nearly 2000 years. Diogenes visited Mombasa in AD110 and Ptolemy’s map dated AD150 is remarkably accurate. Shirazi Arabs from the Persian Gulf began to settle on the coast from about the twelfth century and interaction between the African and Islamic cultures resulted in a new culture and people – [the] Swahili.
Furthermore, the influence of Portuguese exploration arrived at the coast in the fifteenth century and resulted in trade with India and Goa. In 1489, Vasco da Gama arrived in Mombasa and the terrible reign of the Portuguese ensued for over one hundred years, during this time the famous siege of Fort Jesus occurred.

With the second half of the nineteenth century, European explorers found their way into Kenya with the likes of German missionaries Johan Krapf and Johann Rebmann of the Church Missionary Society (CMS) mission at Rabai. The two had been in the fight against slavery and aspired to convert Africa to Christianity, a mean feat considering the hundreds, if not thousands of belief systems amongst the diverse people of Africa. Following the scramble for Africa, Britain took over Kenya in 1886 and the British East Africa Company set up its headquarters in Mombasa. Soon after, Lugard, Mackinnon and Ainsworth pioneered the construction of a road to Uganda. The railway stretching from the coast of Kenya to Lake Victoria followed the road that had been carved.

Kenya was declared a British protectorate in 1895 and was known as British East Africa, and in August 1896, the first rail was laid in Mombasa. On its arrival at a swamp called Ewaso Nyrobi or ‘place of cold water’, a camp was established and became what is now the bustling city of Nairobi. The final rail was laid in 1901 after the deaths and displacement of many Kenyans. Hartley (2005:22) rightly points out that, “the advent of railway had opened up the country, and a steady stream of settlers started to arrive from Britain”. Alan Rake (Europa Regional Surveys of the World 2007:598) states that “subsequent white settlement met with significant African armed resistance by 1914, and by the early 1920’s some African political activity had begun to be organised”. The struggle for independence had begun to brew as the white settles strolled into Kenya and stole the land that had belonged to the tribes of the country since time immemorial.

It is important to provide a broad and greatly generalised ethnic mapping allocation in order to give some perspective to the general location of the tribes during the crisis and to understand some of the latent conflict that erupted into manifest conflict in the country. Majority of the extremist followers of the PNU coalition came from the Kikuyu, Embu and Meru tribes who are originally from the Eastern and Central provinces of Kenya. However, due to migration, these groups have a high representation in Nairobi, the Rift Valley province and Coast Province. ODM had a strong ethnic support base
amongst the Luo, Luhya and Kalenjin whose origins lie in Nyanza province, Western province and the Rift Valley province. In reality, most urban centres such as Nairobi, Mombasa, Kisumu, Eldoret and others, are an amazing metropolitan mix of cultures that have migrated and inter-married countless times. In the densely populated slum dwellings of these cities violence erupted as Luos, Luhyas and Kalenjins turned on their Kikuyu, Embu and Meru counterparts despite having been neighbors for a long time.

In the north Rift Valley region, despite the violence being sparked by the flawed elections – which can be referred to as the manifest conflict – had its roots in old anti-Kikuyu sentiments shared amongst some segments of the Kalenjin community, in particular, the Nandi and Kipsigis communities. This sentiment was a result of the settling of Kikuyu farmers in the Kelenjin heartland after independence, as an attempt by the government of the day to give back to the Kikuyu land that had been grabbed from them by the British colonisers. In this area the Kikuyu were thus viewed according to Crisis Group Africa Report (2008: 11), as, “greedy land-grabbers”. The latent conflict in this case was the dispute over land allocation.

Violence in other parts of the Rift Valley may also have been triggered by not just elections but disputes over access land and jobs as well. Fighting was reported in the tea growing districts of Borabu, Sotik, Kericho and Bomet. Kisii settlers were targeted by the Kalenjin who viewed them as land grabbers just as they viewed the Kikuyu. When the police got involved, their reckless and brutal behaviour led to the loss of many more innocent lives. The latent conflict in the Rift Valley was therefore, essentially over land. The elections were just an outlet to express their grief which was aptly done by utilising ethnic mobilisation tactics to incite and instigate divisive tribal sentiments.
3.2 COLONIAL RULE AND THE STRUGGLE

“We fought like lions!
(We grabbed our true independence)

This was Jomo Kenyatta’s oft-cited battle-cry.

According to George Bennett (1963:7), colonial rule in Kenya started with a group of imperialists meeting at a hotel built in Nairobi in 1900 by T.A. Wood. There, “in January 1902, twenty-two Europeans met to elect a committee to encourage white settlement. Future settler themes in Kenya [included]: land, labour and opposition to the Indians [brought from their homeland to build the railway]”. Thus begun, according to Carl G. Rosberg Jr. and John Nottingham (1966: XV) the, “seventy-five years of British colonial rule” in Kenya.

Like in most colonised African states, missionary influence was rife in Kenya as an introduction to colonialism. Various missionary societies such as the Church of Scotland (CSM), the Holy Ghost Fathers, the Church Missionary Society (CMS), the Church of God, the Seventh Day Adventists, the Nilotic Independent Mission and the Apostolic Faith Mission of Iowa had all found their way into Kenya by 1911. Aside from religion the missions brought with them a chance to educate the Kenyan Africans in reading, writing and arithmetic. This education was, however, very basic and limited in order to prolong the suppression of Kenyans by the British. Rosberg and Nottingham (1966:18) record that,

in the years just before the First World War, the limited form of elementary education...had already reached a small group of young men, encouraging in them a common wish to “progress” and enter fully into the new social order. Among them was Jomo Kenyatta, born [Johnstone] Kamau Njengi, who was baptised August 1914 at the church of Scotland
Mission, Kikuyu, where he also received his first five years of education.

The aftermath of World War I brought with it a high level of racial politics and the beginning of the colonial construction of ethnicity – in the broad sense of a barrier existing between Kenyan Africans and white British – and the British East Africa colony was renamed Kenya. In need of African labour the white settlers of Kenya’s central province highlands pressured their colonial government into enforcing the *kipande* system of identification documents to be carried by African laborers. This system was akin to South Africa’s *pass book* system during the apartheid era. In the 1920s the first Kenyan political organisations were formed: the East African Association, the Kikuyu Association and the Young Kikuyu Association. In 1922, Harry Thuku one of the first African nationalist heroes was exiled by the government and in 1924 the Kikuyu Central Association (KCA) was formed. In 1928, Kenyatta became the General Secretary of the KCA and started the monthly journal, *Muiguithania* ("He who brings together"). In 1929, Kenyatta was sent to London to present the grievances of the Kenyans to the Secretary of State in England. The grievances included increased taxes and the *kipande* means of identification. However, he only managed to meet the Under-secretary. While in London, Kenyatta published his thesis in the form of a book, *Facing Mount Kenya* in 1938. After World War II and a long sojourn in Europe, Jomo Kenyatta returned in 1946, a more experienced leader. In October 1944 Eliud Mathu and thirty-three other Africans of various tribes formed the Kenya African Union (KAU). The Office-bearers were a mixture of the different tribes in Kenya and included a Luo, a Gusii, a mKikuyu, a mTaita, a mKamba, a mMaasai and a mLuhya. Kenyatta became KAU’s president in 1946.

The *Mau Mau* rebellion was first reported in 1948 and by 1952 the European settlers wanted action against *Mau Mau*, the nationalists and Kenyatta whom they believed was responsible for *Mau Mau*. Guy Arnold (1974:34) writes about the state of emergency declared in 1952 by the governor Sir Evelyn Baring in which “Kenyatta was arrested and put on trial for managing *Mau Mau*...Kenyatta went to prison ...He was not to emerge onto Kenya’s political scene again until 1961”. During this *Mau Mau* emergency, Kenyatta and five others: Fred Kubai, Richard Ochieng, Bildad Kaggia, Paul Ngei and Kungu Karumba, were sentenced to seven years’ imprisonment.
Kenyatta was released from detention in August 1961 and earlier in the same year principal supporters of Kenyatta met in Kiambu and launched the Kenya African National Union (KANU). Arnold (1974:95) contends that, “in the subsequent election KANU took two-thirds of the seats on an election slogan ‘Uhuru na Kenyatta’ – ‘Freedom with Kenyatta’ also ‘Freedom and Kenyatta’. KANU refused to take office because their leader was still in detention. The colonial government had to, therefore, form a government with the minority party Kenya African Democratic Union (KADU), and not until June 1963 did KANU come to power under Kenyatta’s leadership.

*Mau Mau* was Kenya’s ‘spear of the nation’ and had conducted numerous violent attacks on white settlers and Kikuyu loyalists such as senior chief Waruhiu who was murdered in 1952. *Mau Mau* was also responsible for the infamous Lari massacre of March 1953. This was just the violent expression of the grievances expressed by Kenyatta and others, stemming from the oppressive practices of the colonial government.

During the colonial period, unofficials were elected to the Legislative Councils (Legco) under limited franchises such as race and other forms of prohibitions. Elections were also held for Local Native Councils (LNC). In Kenya, the first unofficial representatives to Legco were elected in 1920; a long while after the Legislative Council had been formed, which was in 1907. In 1923, the first LNC elections were held within the African ‘reserves’. Despite being restricted to local jurisdictions, Cowen and Laakso (2002: 3) assert that the LNCs were an incentive for early nationalist resentment and that, “elected representatives were trusted with decisions over local resources, especially for education”. The councils therefore became platforms for political debates. And as a result, forty years after the introduction of universal suffrage in Kenya, Cowen and Laakso (2002: 3) hold that, “a generation and more of African politicos had been well versed in the art and craft of electoral politics”. One can therefore note that during colonisation, the electoral process with its restrictive franchises, according to Cowen and Laakso (2002: 3), “was the main constitutional means by which the African majority was excluded from legislative and executive power. It was also the source of the nationalist demand for majority rule, ‘one man, one vote’”, this was obviously before the feminist movement began the fight for gender equality and gender conscious political rhetoric. In addition to this, the nationalist fight for Kenyan African rule enhanced the growth of ethnic
mobilisation since most of the physical rebellion by the *Mau Mau* seemed to be carried out by members of the Kikuyu tribe.

### 3.3 COLONIAL CONSTRUCTION OF ETHNICITY

Ethnicity or ‘tribalism’ has often been used to explain away conflict in Africa. Thomson (2004: 61) points out that the primordialist view is of African ‘tribes’ as the leftovers of colonialism. The argument stipulates that, “historical loyalties, often demonstrated in a primitively savage fashion, have been brought into present-day politics. This will continue to be the case until the forces of modernisation make tribal associations redundant”, until this happens conflict will continue. This interpretation of African politics is simplistic, racist and worthless. Thomson (2004: 61) maintains that, “ethnicity may often be the agent of political mobilisation in Africa but it is rarely the primary cause of conflict”. One can therefore argue that the Rwandan genocide was just as ‘tribal’ as the Jewish genocide by Nazi’s or Native Americans by the American army.

Prior to colonialism in Africa, Thomson (2004: 62) suggests that communities were not often defined as ‘tribes’, “ethnic associations were much more fluid than their modern regimented equivalents” and gave room for multiple, over-lapping identities. Kinship and membership of groups was not absolute because of migration, marriage, enslavement, even military conquest. It is therefore more accurate and non-racial to use the term ethnic group and not ‘tribe’ since the latter denotes the absence of a consolidated group of people, with multiple, over-lapping identities and suggests the lumping together of a group of people regardless of their origins for the administrative ease of colonial governments.

Thomson (2004: 62-63) further argues that ‘tribalisation’ did not coincidentally emerge with the advent of colonisation in Africa. Africans gathered into ‘tribes’ because of, “the administrative imperatives of imperial rule…and … [also because] Africans themselves found these new ethnic identities to be advantageous within the new colonial political environment”. This means that on one hand, imperialists failed to recognise the importance of kinship within the African societies they colonised and communities were therefore amassed into ‘tribes’ to simplify administrative duties, and on the other hand,
some Africans took it upon themselves to embrace these new ‘tribal’ identities to promote their political agendas. Such communities as the Kikuyu in Kenya rallied together and formed the majority membership of the Mau Mau that acted as the guerilla wing during the struggle for independence in the 1950’s.

Ethnicity as a means of political mobilisation has played a prominent role in Kenyan elections since pre-independence and even before multi-partyism was introduced in the country in 1992. Ethnic identity in Kenyan politics has been a contributing factor in what Cowen and Kanyinga (Cowen and Laakso 2002: 130) refer to as communal politics in Kenya. The first way in which communality has become part of Kenyan politics is through, “ethnic or ‘tribal’ identity, which arises out of territorial association between the space of an area of land and people of a given language grouping and/or culture”. In Kenya, therefore, administrative borders imposed by the colonial government, as described by Thompson (2004), were based on the assumption of dividing territories according to the ‘tribal’ identity of the people living in that area. These administrative borders formed the present parliamentary constituencies and provinces which are an institutional arrangement for elections. Thus, each constituency was deemed ethnically homogeneous, and where more than one community dwelled, they co-existed peacefully.

The second way in which communal politics has entered Kenyan politics, according to Cowen and Kanyinga (Cowen and Laakso 2002: 131) is when, “ethnic identity arises from the ‘tribal’ conception of the territorial when and where the territory of land, or water in the case of fishing, provides the main source of economic subsistence, acquisition and accumulation”. This second way – implying the association of land with a means of production – together with the first – the association of an ethnic group with land – contribute greatly to the political game in Kenya. It should be noted, however, that territoriality and ethnicity are not the only factors that have affected Kenyan politics and influenced ethnic identities. It is rather the desire to wield more power or maintain it by using politically motivated violence to control contested territories that has also shaped identities in these regions.

Cowen and Kanyinga (Cowen and Laakso: 2002: 132) further propose that there are two historical factors that greatly determined, “the course of political conflict, including patterns of voting, during the post-colonial era”. The first factor was the
claiming of, “the non-tribal territory of the Rift Valley” by former agricultural wage workers who before the Mau Mau uprisings of the 1950’s were dominantly Kikuyu. After the “de-racialisation” of the white highlands, this Kikuyu labor force claimed the Rift Valley province while at the same time Kikuyu workers and migrants from the rural areas of Central province and Rift Valley moved to occupy Nairobi. The second factor was the acquisition of, “the first indigenous African layer of capital…as a singular economic and political force, dominating the first post-colonial regime of the Kenyatta period”. This capital was a result of the advanced development of small-scale commercial agriculture and trade in the Central province.

Table 2: Parliamentary elections, number and share of seats won, 1997 and 1963.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
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<td>51</td>
<td>66</td>
<td>58.9</td>
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<td>39</td>
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<tr>
<td>NDP</td>
<td>21</td>
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<tr>
<td>FORD – K</td>
<td>17</td>
<td>8</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>FORD – A</td>
<td>1</td>
<td>0.5</td>
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<td>-</td>
</tr>
<tr>
<td>SDP</td>
<td>15</td>
<td>7</td>
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<td>-</td>
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<tr>
<td>Safina</td>
<td>4</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Others</td>
<td>5</td>
<td>2.5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Independents</td>
<td>-</td>
<td>-</td>
<td>4</td>
<td>3.6</td>
</tr>
<tr>
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<td>-</td>
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<td>41.9</td>
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<tr>
<td>APP</td>
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<td>-</td>
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<td>7.1</td>
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<td><strong>TOTAL</strong></td>
<td>210</td>
<td></td>
<td>112</td>
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</tbody>
</table>


Thus, the results of the first two pre-independence elections of 1961 and 1963 reflected an ethnic census, “based on ethno-regional electoral blocs” in the words of
Cowen and Kanyinga (Cowen and Laakso: 2002: 132). This pattern of voting was also similar in the first two multi-party elections of 1992 and 1997. As shown in the data provided in table 2, KANU won just over half of the seats in the House of Representatives in 1963, with KADU winning about one third. In the 1997 elections, KANU also won just half of the seats while the main opposition parties DP and NDP won one third between them.

As a result of these historical parallels, Cowen and Kanyinga (Cowen and Laakso 2002: 133) propose the argument that, “the obvious continuities in ethno-regional blocs of voting make communal politics the determinant of electoral outcomes in Kenya”. This point of view lays the groundwork for the argument in this study that Kenyan political leaders who have been in the ‘game’ since independence have learnt to use ethnic mobilisation to determine the outcome of elections by drawing on tensions such as the occupation of territories like the Rift Valley by Kikuyu’s who had accumulated vast amounts of capital and their success in regions such as Central province. This, coupled with powerful ethno-regional voting potential has urged political leaders to mobilise these groups in order to influence election outcomes.

3.4 INDEPENDENCE AND DECOLONISATION

On 1 June 1963 Kenyatta was sworn in as Premier (Prime Minister) of a self Governing Kenya and Independence followed on 12 December. One year later, the country was declared a Republic with Kenyatta as the first President. B.A Ogot and W.R. Ochieng (1995:21) have argued that, “decolonisation is a phenomenon of multiple dimensions”, and further continue to argue that these dimensions, “impl[y] an achievement of economic, social and political freedom from former colonial masters…it is supposed to signal an emancipation from alien control [and] the desire to be free includes cultural renewal and reassertion”.

As a young self-governing democracy, Kenya’s process of democratisation begun, and the first step was ‘de-colonising’ the country’s economy, political structures and society. Kenya’s system of government a year after independence was the Westminster parliamentary system, which was fashioned on Britain’s structure with executive powers
conferred upon, according to Widner (in Lipset 1995: 700), “a group of legislators who command a majority in the lower house of the bicameral legislature”. In a similar model to other recently independent African states that had inherited the Westminster parliamentary system, Kenya hurriedly created a republican government in which central power was increased.

When Kenyatta became president, Kenya embraced *de facto* (*pays légal*) single-party statehood with KANU in authority. When Moi became president in 1982, only then did the country become a *de jure* (*pays réel*) single-party state, for almost ten years. As illustrated previously, the Moi administration legalised opposition parties and saw the advent of multiparty politics in Kenya had, therefore, began the process of broadening its political participation, however tentatively.

This study will now suggest that Kenya as an independent (free from political colonialism), sovereign country, and 46 years old, has experienced three presidential administrative governments that have plundered the country with theft in the form of corruption and bordered, if not plunged into authoritarian rule.

### 3.5 THE KENYATTA ADMINISTRATION

![Jomo Kenyatta](image)

Kenya’s independence was in part the result of the decision by the British to decolonise most of its colonies around the world. Another contributing factor to the decolonisation was the increased pressure from the *Mau Mau* rebellion in the 1950s. Initially, Kenya’s political system was negotiated at Lancaster House in London by
representative of the new political parties. A multiparty parliamentary system was widely agreed upon as the most appropriate for the country. The most contentious issue was the adoption of either a unitary government or a federal system. On one hand, KADU favored the latter since it represented a number of smaller ethnic groups that feared sudden attacks or invasion by Kikuyu settlers. KANU on the other hand backed the unitary system of government and ended up winning the debate. In the independence elections, KANU won a majority in the legislature with Kenyatta as the head of the government.

Widner (in Lipset 1995: 701) argues that in the beginning, “Kenyatta sought to use KANU as a forum for compromise, steering it away from a strong mobilisational role and tolerating diverse points of view within the ranks”. Had he seen this strategy through to the very end without wavering in his final years as president, Kenyatta might have succeeded in weaving a national fabric tightly bound in its ethnic diversity and perhaps molding an electorate that would vote for political leaders based on the issues and ideas the various candidates expressed as opposed to rallying ethnic mobilisation to influence electoral outcomes.

At independence, Kenyans faced many divisions. Economically, the country – unlike other African states – had an emerging class of elites who were active commercial agricultural entrepreneurs who cultivated tea, coffee and other cash crops. Widner (in Lipset 1995: 701) suggests that, “these emerging economic elites had been the earlier carriers of nationalist ideas”. These elites were the wage earners that Cowen and Kanyinga (Cowen and Laakso 2002), refer to as the initial owners of African indigenous capital and came mostly from central province and the Kikuyu ethnic group. Parallel to these elites, were landless Kenyans, and both groups were depicted among Kenyatta’s ethnic community, the Kikuyu. Kenyans were also divided culturally. Although the Kikuyu, were the largest ethnic community in the country by 17 per cent of the population; the Masaai, Kalenjin, Luhya, Kamba and Luo had great numbers as did the smaller communities of the Giriama, Gusii, Rendile and Samburu, and Kenyatta had to face the task of ensuring that all these ethno-linguistic groups, plus dozens more not mentioned here, were adequately represented in the government and had a voice in parliament. To make matters more difficult, the Kikuyu were the wealthiest entrepreneurs due to the vast amounts of indigenous African capital that they had access to. The cross-
cutting cleavages of economic wealth and ethnicity would prove to become an underlying disaster in political life through ethnic mobilisation to leverage political outcomes. In addition to this, the country had no wide-ranging nationalist rebellion or movement to assist the Kenyatta administration in establishing a comprehensible political base.

Initially, as a strategy to deal with all these differences, Kenyatta allowed KANU to be loosely organised and play a subtle role in social control. This was intended to manage political debate. KANU neither had structures in place to restore internal conflict amongst its member, nor did it have a space to form collective party objectives. This flaw subjected the party to differing ideals and beliefs that had no place to merge and to find a mutually beneficial compromise.

Modelled on Ghana’s Convention People’s Party (CPP), Kenyatta rejected the use of KANU as a conduit for social and political control. Attention was thus deflected from national politicians to local-level politicians. The system of harambee (Kiswahili for self-help) was therefore encouraged amongst communities in order to develop and construct their own social amenities and infrastructure instead of relying on the government. Kenyatta spurred on the politicians representing those communities to join in the harambee’s and urged the people to vote only for those who participated in these developmental programmes and not those who chose to enjoy the comforts of the city and forgot about their constituencies.

Repression under Kenyatta’s regime as a way of maintaining order was used far less than under Moi’s rule. In Kenyatta’s time, Widner (in Lipset 1995: 702) argues that backbenchers and senior ministers, “periodically overstepped the bounds Kenyatta had tried to establish. Kenyatta had difficulty controlling some of these activities, even on the part of those close to him”. In order to get rid of any opposition that could rise up during the elections, politicians such as J.M. Kariuki were murdered. Others were framed with criminal activity while other tactics included instituting rules and laws that prohibited their activities and those of their political parties. Some junior ministers in the cabinet and the Backbenchers Group, who were not related to the “Family” (Kenyatta’s) by marriage or blood, opposed these terror tactics. This ensured that in the main political party of the time, Kenyatta’s KANU, dissent was not tolerated.
The 1963 pre-independence elections featured the two main political parties KANU and KADU. KANU’s campaign was conducted in alliance with the African People’s Party (APP). According to the National Elections Data Book by the Institute for Education in Democracy (1997, in Systex Solutions 2007: 1) the 1962 constitution stipulated a two-chamber national legislature consisting of an upper chamber (Senate) and lower chamber (House of Representatives). KANU won the elections with 66 seats out of 112 in the House of Representative and 19 seats out of 38 in the Senate, while KADU won 47 seats in the House of Representatives and 16 in the Senate. The other 15 seats in the House of Representatives were occupied by the three smaller parties, the Independents with 4 seats, the Northern Province United Association (NPUA) with 3 seats and the APP with 8. The APP won a further 2 seats on the Senate and the NPUA won 1 seat.

The 1966 elections according to the National Elections Data Book by the Institute for Education in Democracy (1997, in Systex Solutions 2007: 2) were held to neutralise the powers of the vice-president, Oginga Odinga and cabinet minister, Tom Mboya. Constitutional amendments were made to achieve this. The first amendment was made in 1964 changing Kenya into a Republic headed by a President with Head of State and Head of Government powers. KADU then merged with KANU and Oginga Odinga left KANU and formed the KPU (Kenya People’s Union) in 1966. In the House of Representatives, KANU won a majority of 21 seats while the KPU won 7 seats. In the Senate, KANU won 8 seats while KPU won only 2.

The first post-independence elections were held in 1969. These were meant to be held in 1968 but a constitutional amendment abolishing the Senate increased parliament’s tenure by one year. More power was consolidated into KANU and the Presidency by new constitutional laws. Tom Mboya was assassinated in July 1969 and KPU was banned on October 30, 1969, and there was therefore, no opposition to stand in the elections against Jomo Kenyatta. Kenya had thus become a de facto one-party state.

KANU was the only party available for the second post-independence elections in 1974. The campaign was based on the absurd rule that to be eligible to run for a seat one had to be a life member of KANU. At these elections, the secret ballot was introduced for the first time. Prior to this, a presiding officer was present at the time of casting the vote. In addition to this the age of voting was reduced from 21 years to 18 years.
As previously discussed, during the Kenyatta period, there was large scale accumulation of indigenous African capital. This was achieved through the massive ownership of various enterprises in agriculture, commerce, tourism, transport, finance, insurance and real estate. This indigenous capitalism controlled by the state apparatus was deemed entitled to the Kikuyu ethnic group. This was because the KANU government was seen as ‘Kikuyu’, belonging to Kenyatta and his kin. With the banning of opposition political parties in this period, it was feared that Kikuyu farmers and traders would infiltrate territories that even historically were occupied by others such as Arabs, Indians and Europeans and claim them for themselves. Kikuyu domination was thus seen as the reason for the banning of all other opposition parties. This however only set the stage for present-day opposition parties to utilise ethnic mobilisation fuelled by the fear of another era of perceived Kikuyu domination to influence the election results.

3.6 THE NYAYO ADMINISTRATION

Daniel T. arap Moi

Daniel Toroitich arap Moi succeeded Kenyatta as president after the first president’s death in 1978 and that is why the third post-independence elections were held in 1979. The “Family” bloc within KANU – who were predominantly Kikuyu – opposed Moi for a number of reasons. They were in doubt about his backing for the unitary system because he came from the Tugen community, a part of the Kalenjin ethnic group, in the Rift Valley. Moi had also previously been a member of KADU, the party which supported the federal system during the independence negotiations. Mwai Kibaki and Charles
Njonjo supported Moi and went to great lengths to ascertain his victory in the party elections, and despite these opposing attitudes, Moi ascended to the presidency without much ado.

Moi’s slogan “fuata nyayo” which means ‘follow in the footsteps’, was supposed to imply the continuation of Kenyatta’s legacy but Moi’s tactics to maintain political order only became increasingly authoritarian. For example, Moi used the institution of harambee to promote candidates who would oppose the senior politicians he was afraid of. Harambee licensing provisions were also used by Moi to reward those who supported him and to punish those who criticised him. The harambee system which was intended to keep politics local was thus compromised.

Moi continued to undermine the efficiency of the government by replacing a number of officials with loyal supporters who did not necessarily have the qualifications to carry out the jobs. Key ministerial posts went to members of the Kalenjin ethnic community. Ethnic mobilisation tactics had thus infiltrated the machinery of Kenyan politics. In addition, the rate of corruption increased magnificently. Widner (in Lipset 1995: 702) postulates that political corruption reached, “an estimated $300 to $500 million in 1992 alone”. As a result of this rampant corruption, Widner (in Lipset 1995: 702) further states that financial aid was suspended by several donor countries in 1991. Moreover, a close ally to the president, Nicolas Biwott was incriminated in the murder of Robert Ouko, the foreign minister in 1991. Political life was threatened by a clamp down on contestation and participation. The combined freedoms of speech and association were increasingly restricted during the Moi era.

Political opposition was banned in 1982 and in 1983, the fourth post-independence elections were held. The constitution was also amended making Kenya a de jure single-party state for the first time. This further consolidated the power of KANU in government. The registered voter turn-out to the National Elections Data Book by the Institute for Education in Democracy (1997, in Systex Solutions 2007: 6) was measured at only 48 per cent which was the lowest since independence, which had been 85 per cent. Despite the brewing unrest among the people and an attempted coup in 1982, Moi’s government only became more authoritarian. In 1986 and 1988, Widner (in Lipset 1995: 702) holds that, “Moi won passage of constitutional amendments that eliminated security of tenure in
office for the attorney general, the controller, the auditor, and the judges of the High Court and Court of Appeal”. The few remaining checks and balances on the powers of the president were, therefore, removed. 1988 saw the introduction of the first *mlolongo* or queue voting system at the country’s fifth post-independence elections which saw Moi’s government re-elected unopposed.

In the mid to late 1980s, domestic opposition to KANU grew. Organisations such as *Mwakenya*, a neo-marxist movement was popular for its criticism of the government. Many of its intellectuals were detained by the government as a bid to quieten the group. Business and religious leaders were also actively involved in voicing their opposition to the government. Charles Rubia and Kenneth Matiba were the main elite opposition leaders. Rubia had backed the church in opposition to the queue voting system as a replacement of the secret ballot and he was the lone opposer to parliament’s bill eliminating the independence of the judiciary. Former minister, Kenneth Matiba entered politics in 1979 and resigned from the cabinet in 1988 after Moi’s supporters rigged the elections in his district in a bid to oust him from power. The two publically condemned government corruption and repression. Moi’s government detained these two men in 1991. Following this, lawyer, Paul Muite and Gitobu Imanyara spearheaded the opposition. Despite domestic pressure from civil society and interest groups, for political openness, only international pressure yielded some much needed change. Donors suspended their financial assistance due to the blatant waste of their resources by the government and almost immediately, Moi legalised opposition parties.

Domestic pressure in the early 1990s and the international suspension of aid finally made Moi submit to reform, and in 1992 introduced a multi-party system. Despite the registration of many political parties the opposition was too divided to topple Moi’s regime which obtained a fourth term in office in 1992. In 1997, Moi yet again won the presidential elections with 40.6 per cent of the votes to the 1997 General Election Report by the Institute for Education in Democracy; Catholic Justice and Peace; National Council of Churches of Kenya (1998, in Systex Solutions 2007: 11 ). This was in part also due to the fact that KANU was the only major political party that drew support from all ethnic groups. At the end of 1991, the opposition formed the Forum for the Restoration of Democracy (FORD). This coalition fragmented shortly thereafter due to differences of
opinion. By the time the first multiparty elections were called on 29 December 1992, the
opposition had crumbled into nine registered parties. The main opposition to KANU
included Kenneth Matiba’s FORD – Asili, which is the Kiswahili word for ‘original’;
independence era Luo politician and father to Raila Odinga, Oginga Odinga’s FORD –
Kenya; and Mwai Kibaki’s Democratic Party (DP). Moi managed to win the elections by
36.3 per cent of the vote due to the fragmented opposition. Even at these historic
elections, the opposition raised valid concerns over the legitimacy of the conduct and
result of the elections.

International observers concluded that the elections were flawed but reasoned that
the opposition was too dissected and too divided along ethnic lines to form a formidable
or feasible government. They thus recommended the opposition to accept the results and
use the opportunity to form a cohesive opposition movement. However, a year later no
progress had been made despite Oginga’s death and professor Wangari Mathai’s ‘Middle
Ground Group’ attempts to forge an alliance. Moi’s successful win in the 1997
Kibaki formed the National Rainbow Coalition (NARC) and in the December presidential
elections NARC won, with Kibaki taking 62.3 per cent of the votes.

Moi’s reign according to Cowen and Kanyinga (Cowen and Laakso 2002: 135),
capitalised upon anti-Kikuyu majoritarian sentiment within the country as
a whole…President Moi set about diminishing the place of ‘the Kikuyu’
within the state structure on the same grounds that the first historical layer
of indigenous capital had been established.

This layer of indigenous capital refers to the enrichment by resources, assets,
capital and wealth of a ‘tribally’-defined class through ‘tribal’ privileges in government.
Therefore, the tools used to de-construct Kikuyu dominance in government and the
economy, were now to be used to enhance the privileges of Kalenjins in the state
structure. The Kalenjin, as described earlier represent an ethnic community that comprises
of smaller ethnic groups including the Kipsigis, Nandi and Tugen (to which Moi belongs).
To confront the political confederation of people representing the Kikuyu, Embu and
Meru – *Gema* – which as mentioned above had accumulated large amounts of wealth and capital, Moi and the Kalenjin community created *Kamatusa*, which included the Kalenjin, Maasai, Turkana and Samburu communities. This alliance of ethnic groups in government and economic ventures incorporated other communities such as the Mijikenda, Taita and Pokomo of the Coast province and the Somali, Borana, Rendile, Gabra and others from the Eastern and North Eastern provinces. These Nilotic and Cushitic communities of differing linguistic and cultural backgrounds came together under *Kamatusa* to do what Cowen and Kanyinga (Cowen and Laakso 2002: 135) refer to as enlarging, “the fields of accumulation [and find] …an economic place in the sun”.

As stated previously, the Kenyatta regime and the Moi regime used the state apparatus to favor the Kikuyus (*Gema*) and the Kalenjins (*Kamatusa*) respectively, for the primary accumulation of capital and to retain political support. This agenda of Moi and his cronies to maintain power and wealth by mobilising a number of ethnic communities resulted in resentment amongst opposition parties which eventually led to the legal introduction of multi-partyism in the early 1990s. The expansion of *Kamatusa* to involve many ethnic communities made the group more economically heterogeneous with access to potentially high yielding agricultural land. However, following the 1997 elections in April and May 1998, intra-Kalenjin and intra-*Kamatusa* conflicts resulted in clashes over the claims to land in Trans-Nzoia, a former white highland territory in the Rift Valley. This attempt to settle homeless Nandi in that area experienced a series of cattle rustling and land occupation by Pokomo pastoralists that still recurs intermittently until the time of recording this study. This is a conflict over land that has often been exploited during election times to stir up ethnic mobilisation by political leaders campaigning and promising to give back the land once they win their election.

Despite these intra-party conflicts, Moi won both the 1992 and 1997 presidential elections and KANU the parliamentary elections as shown in table 3, with the majority share of percentage votes of 36.3 percent in 1992 and 40.4 per cent in 1997. The ethnic flavor prevalent in this era was the rallying together of the *Kamatusa* communities that ensured Moi and KANU won the largest share of the votes. Furthermore, the division of administrative territories by the colonial government into more-or-less homogeneous territories enhanced the unification of politically-conscious confederation of people’s such
as the *Gema* communities and the *Kamatusa* communities. These communities banded together in order to accumulate wealth and maintain political power.


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<th>Political Party</th>
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<td>40.4</td>
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<td>Kibaki (DP)</td>
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<td>30.9</td>
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<td>Odinga2 (FORD-K/NDP)</td>
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<td>10.8</td>
</tr>
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<td>Wamalwa (FORD-K)</td>
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<tr>
<td>Ngilu (SDP)</td>
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<td>7.9</td>
</tr>
<tr>
<td>Others (undecided)</td>
<td>0.7</td>
<td>1.8</td>
</tr>
</tbody>
</table>


3.7 THE KIBAKI ADMINISTRATION

A change of leadership in Kenyan politics was ushered in by Daniel *arap* Moi’s departure in 2002. A long decade away from the 1992 scramble to patch together an opposition coalition, and they finally got it right, if only for a short time. The main goal, as it had always been, was to oust KANU and Moi from power. Moi had been barred by the constitution from pursuing another presidential term in office and, therefore, decided

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2 Oginga Odinga (FORD-K) for 1992; Raila Odinga (NDP) for 1997.
to back Uhuru Kenyatta as KANU’s presidential candidate. This strategy to remain in power latently and to rule vicariously through the son of the first president, Jomo Kenyatta, did not pay off as Kenyans wanted a change of the old guard.

For the first time, KANU was facing a united opposition in the 2002 General Elections. The campaign period was relatively peaceful with flocks of people attending NARC campaign rallies. The 2002 elections saw a drop in voter turn-out from 67 per cent in 1997, to only 57 per cent in 2002. Because the two main contenders for the presidency were from the same ethnic community (Kikuyu), the ethnic presidential voting pattern of 1992 and 1997 could not take place, since all the members of the ethnic communities in the country had no choice but to vote for either of these two main contenders. However, ethnicity as the key mobiliser for political support influenced voting patterns in terms of the fact that despite originating from the same ethnic group, Kibaki had the backing of a coalition whose membership featured diverse communities such as Raila Odinga from the Luo community and Charity Ngilu from the Kamba community among others, while Uhuru Kenyatta’s party KANU, only seemed to represent the Kikuyu and the Kalenjin communities. It is important to note that there were many other ethnic groups associated with either of the parties and only the dominant associations have been provided. Mwai Kibaki won the presidency with about 62 per cent of the votes while Uhuru Kenyatta only managed to gain about 30 per cent. In the parliamentary elections NARC won 125 seats and KANU only won 64 seats out of a possible 210 seats.

Under the Kibaki administration, the Institute for Global Dialogue – IGD – (2007: 7) contended that the Kenyan government “began an ambitious economic reform programme and resumed its co-operation with the World Bank and the IMF”. The Anti-corruption and Economic Crimes Act and the Public Officers Ethics Act were enacted by the NARC government in May 2003. These acts were directed at the fight against corruption in government offices. The judiciary and public procurement were also reformed. These changes encouraged donors to resume funding which increased the hope for economic growth and development. In November 2003, the IMF according to the IGD (2007: 7), “approved a three year US$250 million poverty-reduction and growth facility and donors such as the United States and the European Union committed US$4.2 billion
in support over four years”. Investor confidence was given a much needed boost after this involvement by donors.

Kibaki’s government also provided free primary school education that was compulsory. By the end of 2003, 1.7 million more pupils had enrolled in primary school. During Kibaki’s first term in office, the country’s economy grew at a very fast rate. Industries were revived and industrial and infrastructural projects that had failed in Moi’s regime were rebooted.

A serious case of ‘kleptocratic governance’ (IGD 2007) soon rocked the administration as reports of corruption scandals were exposed in the public arena. The IGD (2007: 7) report argued that, “although political corruption in post-colonial Kenya [had] a longer historical genesis, corruption under Kibaki’s NARC government appear[ed] to have reached levels unseen in Kenya’s most recent political history”. It was calculated that in Kibaki’s government, for the first 18 months more funds were misappropriated than during Moi’s entire government. These obscene levels of corruption tainted the positive image of Kibaki’s government that it had received after winning the elections.

These high levels of corruption saw Kibaki’s government under intense domestic and external pressures to come clean. As a result of this pressure, Kibaki appointed John Githongo, an ex-journalist and Transparency International director to be the permanent secretary for governance and ethics in January 2003, in order to probe into bribery and fraud. In February 2005 however, Githongo resigned while working in the United Kingdom, alluding to the government’s lack of commitment in dealing with rampant corruption. Afterwards, Githongo released information linking president Kibaki and vice-president Moody Awori to the Anglo-Leasing scandal, a scam worth US$600 million. The government subsequently denied these allegations and promised an investigation via a commission of inquiry. This bore no reasonable fruit, as scandal after scandal was revealed. The coming to power of NARC, therefore, brought with it problems of legitimacy because of the concern of high corruption levels within the government. As the 2007 elections approached the coalition parties had already crumbled, with some unhappy members reverting back to their old opposition parties.

For its first term as an opposition party, KANU had kept a considerable amount of pressure on NARC, exposing the cracks in its organisational structure that led to the
abovementioned reverting back to former parties. Kenya has come a long way from being a one party state to a multi-party democracy in which the opposition party is ruling. The big question now is whether the new power sharing deal that has been brokered will be a regular and sustainable component of the opposition and the ruling party in a healthy manner in the coming years. The process of maintaining this balance of power has been set in motion and the hope is that now it can be sustained.

Prior to November 2005, Kenya’s constitution had been amended numerous times. In June 1982, the constitution was amended to create a one-party state. In July 1988 amendments allowed the president to dismiss judges at will (therefore ending the independence of the judicial system – which is critical for any democracy), and also the detention periods for suspects of capital offences was increased from 24 hours to 14 days. And in September 1997 amendments were passed by the National Assembly ending detention without trial, giving more freedom to hold rallies, appointing members of the opposition to join the electoral commission team and policies on the requirements to register political parties were made easier. These amendments were all made to suit president Moi’s ambitions and serve his purpose which seemed to be a desire to remain in power.

The issue of constitutional reform surfaced in a big way during NARC’s campaign rallies in 2002. The party promised to review the constitution and amend certain aspects if they were voted into power. In April 2003, the review process commenced. Within the NARC government supporters were divided concerning the position of a possible Prime Minister. While President Kibaki and supporters argued for a weak Prime Minister answerable to the strong presidency, Raila Odinga (then, member of NARC and now member of the ODM) and his supporters argued for a strong prime minister. Other issues included the suggestion of an upper age limit for presidential candidates. This left President Kibaki feeling attacked as it would prevent him from seeking another term.

The draft constitution process was postponed a number of times due to the bickering within the party over the issues stated above, among others. Eventually, however, the draft was presented to the Attorney-General and considered by the National Assembly. The High Court then ruled that a national referendum on the constitution would have to be conducted before the draft could be adopted. The referendum on the
constitution was held on 21 November 2005. The draft constitution included measures to reform land ownership and distribution, women’s rights were to be increased and the process of the devolution of power was to be reformed. The most contentious issue was that of a Prime Minister who was weak and answerable to the President. The ‘Yes’ campaign led by Kibaki was represented by a banana and the ‘No’ led by Odinga had the symbol of an orange.

It was now time for the people to speak. By saying ‘Yes’ the people would not only have had a new constitution with questionable provisions, but would have also demonstrated their support of the NARC government. However, the people rejected the draft by 57 per cent. Interestingly enough, the ‘No’ campaign was supported and financed by the main opposition party KANU. By ‘winning’ this battle KANU proved that it still had a wide support base. During the campaign, they undertook to educate the public on the pros and cons of the contentious provisions and were there for the people. This failed referendum on the constitution for the Kibaki administration proved that Kenyan society was awake and aware of their rights as citizens in a democracy. That is what democracy is about, an electorate that can voice their desires through the ballot box and political leaders willing to heed to that decision.

In a stark resemblance to Moi’s authoritarian regime, Kibaki’s government had no legitimate standing on political governance. In a bid to get the situation under control, the government began to slide towards authoritarianism. Some of the heavy handed methods used to try and quell domestic dissent included the dissolution of the cabinet on 23 November, 2005 after the embarrassing defeat on the constitutional referendum, as previously discussed. This move was akin to a child’s temper tantrum. When the cabinet was dissolved Kibaki’s government was under severe scrutiny as a series of corruption scandals shrouded the regime. Parliament was then suspended indefinitely. The problems facing Kibaki with an amended constitution included the reduction of the president’s powers and the creation of a position for Prime Minister to share those responsibilities. The amended constitution also proposed installing greater checks and balances on the government by separating the powers of the judiciary, executive and legislature.

In March 2006, Kibaki’s government yet again demonstrated its similarity to an authoritarian regime by raiding major newspaper offices and a television station. The
Standard was raided by masked gunmen who destroyed the 2 March 2006 edition of the newspaper and damaged the printing presses. At the Kenya Television Network (KTN), the main power supply was shut down by the same masked gunmen, putting the station off air for several hours. The IGD (2007:8) contends that, “since the departure of Moi, things have become worse in Kenya”. This harsh and negative statement alludes to Kenya facing negative sanctions as donors expressed concern over the political and economic governance that started off with such great promise.

Since multi-partyism was introduced in Kenya at the end of 1991 in time for the 1992 elections, the opposition had lacked winning coalition combinations, until 2002. In 2002, the opposition formed NARC with Mwai Kibaki as the party’s presidential election candidate. Raila Odinga, among other key supporters was one of Kibaki’s biggest champions. The success of NARC post-2002 elections rested on Kibaki’s promise to honor a Memorandum of Understanding (MoU) signed by himself and other members of the coalition. The MoU stipulated a power sharing deal and constitutional reform agenda to be pursued after their victory. After winning the elections, Kibaki did not honor the agreement and this failure within the party became the impetus for the formation of the new parties at the 2007 presidential elections.

In addition to this Kibaki refused to perform the necessary constitutional amendments that would see the creation of a position for a prime minister and also refused to distribute positions of power equally amongst the coalition members party to the MoU. This did well to encourage the animosity between the leaders because NARC had been formed with the agreement that the constitution would be amended to create a position for a Prime Minister, which would be occupied by Odinga. Kibaki’s refusal, therefore, to see this agreement through created a level of distrust between the two leaders that was reminiscent of Kenyatta’s era of Kikuyu domination by utilising state apparatus to retain power. Thus, the struggles of Kikuyu domination through Gema during Kenyatta’s regime and Kalenjin domination through Kamatusa expressed themselves through the rivalry that had developed between Kibaki and Odinga.

As a result of this fall-out, NARC broke up into Raila Odinga’s Liberal Democratic Party (LDP) and Kibaki’s National Alliance of Kenya (NAK). This division brought about the creation of the ODM which represented the “no” vote at the
constitutional referendum held in 2005. The government backed constitution was amended by NAK for approval at the referendum but fell short of the electorates expectations and lost the vote 58.3 per cent to 41.7 per cent. This boosted the ODM’s confidence as it proved that the people had no confidence in Kibaki’s government any longer. This success made the ODM party sure of a presidential victory in the then upcoming 2007 presidential elections. More division occurred within the ODM when Kalonzo Musyoka broke away from the party and formed ODM-Kenya. Uhuru Kenyatta, also left the ODM and joined the PNU, which was now a coalition that included Uhuru Kenyatta’s KANU and Kibaki’s NAK.

CONCLUSION:

This chapter discussed the history of Kenya and its people as a British colony and as an independent state. A history of the three political administrations since independence was also discussed. The colonial construction of ethnicity revealed its importance in this study because of the misuse of ethnicity to explain away conflict. Some parallels were drawn in this theme and it was found that, ethnicity was used as a divide and rule tactic by the colonialists and now through ethnic mobilisation was being used by political leaders to satisfy power hungry agendas. Ethnicity was also exploited by colonialists to empower one group over another and a similar ploy was used with Gema and Kamatusa lobbying for the economic prosperity of their own ethnic groups at the expense of the state apparatus.

A hero of the liberation struggle, Kenyatta perpetuated Gema after failing to weave a tight national fabric. Gema comprised of the wealthiest entrepreneurs due to their vast amounts of indigenous African capital that had been passed on by the colonisers, thus establishing Kikuyu economic and political domination throughout Kenyatta’s rule. Nyayo rewarded his supporters with government positions despite their incompetence. And the tools that were meant to de-construct Kikuyu dominance were now being used to enrich Kamatusa. Kibaki’s emergence as the president was a welcome relief from the tyranny of Moi and initially presented a united coalition that would change the country for the better. Despite a few positive differences, kleptocracy soon overwhelmed the Kibaki
administration with one corruption scandal after the other. This chapter also analysed the
election outcomes since independence leading up to the 2007 General Elections which
follow in the next chapter.
INTRODUCTION:

Njeri Kabeberi-Kanene of The Standard (2008: 13) stated that, “the power of the ballot is the most peaceful and powerful expression of a people in a democracy and over time it strengthens a country’s democratic pillars”. Following the disruption of lives that occurred after the elections and the inability of leaders to ease the tensions in the country, according to Alphanyo Otieno in the Daily Nation (2008: 10), it became clear that, “from the polls, we now know that democracy is not a panacea”. Despite this view, the change to multi-party politics, the successful toppling of the KANU regime to the brokering of a power sharing deal, are all changes that were conducted via the poll.

4.1 THE CAMPAIGNING

Campaigning for the elections officially began on 16 November 2007, and was to conclude twelve hours before polling day however, all the presidential candidates concluded their campaigns on 24 December, 2007. The campaigns were dominated by ODM, ODM-K and PNU. The campaigns were mostly successful with large crowds turning up to support their candidates at lively rallies around the country. President Kibaki’s campaign message was based on re-election for continued economic growth and stability with the slogan, ‘Kazi iendelee’, which is Kiswahili for ‘let the work continue’, while Raila’s message focused on, ‘a time for change’.

4.2. THE ELECTION CRISIS

The Electoral Commission of Kenya’s (ECK) announcement on 30 December, 2007 of President Kibaki’s second presidential win, saw the country plunge into an abyss of violence. This included riots, lootings, tribal killings and human rights abuses by unruly youths and security forces that resulted in thousands of innocent lives and hundreds of thousands of IDPs. The economy suffered a great deal with the Crisis Group Africa
Report (2008: 1) stating that, “the loss for the economy was over Ksh 100 billion (close to $ 1.5 billion) by early February 2008”. This amount continued to grow in the following weeks. In addition to this, Kenya’s neighboring countries in the East African region sustained considerable economic slumps and fuel shortages because the Mombasa highway, a major supply route had been immobilised. The countries that suffered the consequences of Kenya’s break down included the Democratic Republic of Congo, Sudan, Uganda, Burundi and Rwanda.

The international community became rapidly involved as it tried to ease the tensions within the country by pressuring its leaders to restore order and resolve the conflict. The USA had the Assistant Secretary of State for Africa affairs, Jendayi Frazer stationed within the country to help broker a negotiated settlement. The British Prime Minister, Gordon Brown also urged Kenya’s leaders to cooperate with John Kufuor, the then president of Ghana (2001-2009) and president of the AU (2007-2008), to find a mutually beneficial solution to the crisis. The UN also played a role by sending the secretary general, Ban Ki Moon on a visit to the capital city, Nairobi, who upon his arrival condemned the violence.

Kenya’s standing as the most peaceful and stable East African country was tarnished by the events of the conflict following the announcement of the presidential election results. The violence emphasised just how fragile the country’s national fabric was and exposed the reality of the great disparities between the haves and the have-nots. This is because - as discussed in chapter three - of the ethnic divisions that had existed among the people since independence and had been exploited by the political leaders of the time such as Kenyatta consolidating the domination of Kikuyu wealth and success by the use of the state apparatus, and by Moi doing the same for his fellow ethnic communities. These ethnic divisions had done little to consolidate a truly Kenyan national fabric and only established a group of wealthy elites in powerful government positions versus poorer Kenyans. The foundation of the country’s democracy had therefore failed to unite the people, and was now becoming obvious at the contestation of the December 2007 General Election through the conflict that emerged.
4.2.1. THE RIGGING OF THE PRESIDENTIAL ELECTIONS

Complaints and suspicions of rigging by the PNU from the opposition (the ODM) began circulating the day before the results were finally announced. Soon thereafter, there was confirmation of irregularities in the tallying process from the ECK themselves and a host of international observers. The ODM and the PNU on more than one occasion had brought forth commissioners and returning officers who had testified to the accusations of rigging, the inflating of tally totals and the inappropriate completion and tampering of forms 16 and 16A\(^3\). These forms were legally binding pieces of documentation that were supposed to be an authentic representation of the votes counted at the particular voting station. It was therefore clear that the election results had been tampered with and hence invalidating the entire election process that was supposed to bring a positive change to the country.

Table 4: Presidential election, share of votes won, 2007.

<table>
<thead>
<tr>
<th>Party</th>
<th>Candidate</th>
<th>Votes</th>
<th>Percentage votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>PNU</td>
<td>Mwai Kibaki</td>
<td>4,578,034</td>
<td>47</td>
</tr>
<tr>
<td>ODM</td>
<td>Raila Odinga</td>
<td>4,325,860</td>
<td>44</td>
</tr>
<tr>
<td>ODM-K</td>
<td>Kalonzo Musyoka</td>
<td>879,899</td>
<td>9</td>
</tr>
<tr>
<td>KPTP</td>
<td>Joseph Karani</td>
<td>21,168</td>
<td>0.2</td>
</tr>
<tr>
<td>KPP</td>
<td>Pius Muiru</td>
<td>9,665</td>
<td>0.09</td>
</tr>
<tr>
<td>WCPK</td>
<td>Nazlin Omar</td>
<td>8,624</td>
<td>0.087</td>
</tr>
<tr>
<td>SSA</td>
<td>Kenneth Matiba</td>
<td>8,049</td>
<td>0.081</td>
</tr>
<tr>
<td>CCUP</td>
<td>David Ng’ethe</td>
<td>5,976</td>
<td>0.06</td>
</tr>
<tr>
<td>RPK</td>
<td>Nixon Kukubo</td>
<td>5,926</td>
<td>0.06</td>
</tr>
</tbody>
</table>


According to the Crisis Group Africa Report (2008: 2), some results were modified. Apparently, “Kibaki’s tally was inflated in the computer room at the Kenyatta

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\(^3\) These forms are official documents requiring the signatures of party agents, polling clerks, presiding officers and returning officers that show the handing over/taking over of ballot boxes and validated results.
International Conference Centre [KICC]...to give him a narrow lead over...Raila Odinga”. The official results released as shown in table 4, were 4,578,034 votes for Kibaki, 4,325,860 votes for Odinga and 879,899 votes for Kalonzo Musyoka. The results show that Kibaki won the elections with 47 percent of the votes, while Odinga managed to clinch 44 percent. This proves just how close the election was to have been won and therefore illustrates how seriously the voters considered these elections. This is further demonstrated by the 65 percent voter turn-out that clearly showed the importance of these polls to the people.

The international observers present for the elections included: the Kenya Elections Domestic Observation Forum (KEDOF), the European Union (EU), the Commonwealth Secretariat, the East African Community (EAC) and the International Republican Institute (IRI). Their general report was that although voting and ballot counting at the polling stations was uneventful and satisfactory with very few exceptions, tallying and compiling of results at the ECK headquarters was manipulated, because of the reported irregularities with the filling in of forms 16 and 16A as well as the late announcement of the actual results. Traditionally the election results were announced as soon as the tallying was completed but in this case they were announced three days later after the ECK chairman at the time, Samuel Kivuitu, continually told the public that the tallying was not complete. When the announcement was finally made, he had to be escorted to a private room away from the public auditorium, because of constant interruptions by the political parties present. This, therefore, subverted the credibility of the final results announced by Samuel Kivuitu. The Crisis Group Africa Report (2008: 6) reported that according to Kenyans for Peace with Truth and Justice (2008),

the best and most detailed illustration of the rigging was provided in the detailed testimony of four national observers who participated during the night of 29 to 30 December, with ODM, ODM-K and PNU party agents and five ECK commissioners, in a review of the contested results at the KICC tallying headquarters in Nairobi.
The first signs of trouble came with the delay in announcing the results. Traditionally, the results of the presidential elections are announced before the parliamentary results; however the parliamentary tally was announced well in advance of the former. This raised suspicions because it suggested that the ballots were being tampered with to advance the votes of the candidates vying for the presidency in the elections. Furthermore, ECK Chair, Kivuitu, declared the loss of communication with some returning officers out in the field, stating that he was unable to explain the delays. According to the Crisis Group Africa Report (2008: 7) as though this was not enough, he stated on live TV that he hoped, “the books were not being cooked”. Kivuitu authorised an audit of the results that had already been brought in after responding to pressure from the ODM who complained that some results being announced at the KICC were not similar to those being announced at the polling stations.

After the audit, the irregularities sighted in the results of 44 constituencies were linked to the lack of proper legal documentation in form of the original statutory forms, 16 and 16A. These forms were supposed to be signed by returning officers and also by party agents and were sometimes missing in some cases. Yet further inconsistencies included occasions of more votes being counted than registered voters available. The following testimony was reported to the national observers by KPTJ (2008),

One ECK senior staff member called observer Koki Muli outside the hall and asked her if she aware that something terrible was happening. The senior staff pointed out that it is important for observers to scrutinise all ROs’ [returning officers’] returns especially of Mombasa, Central, Eastern, North Eastern, Rift Valley and Nyanza. The senior staff also cautioned that the discrepancies were planned systematically and were not accidental, and they involved most Commissioners who clearly organised how the tallying was to be carried out. There was also the concern that Commissioners were in charge of their regions and most of the Commissioners engaged Returning Officers who owed them some loyalty and in some cases replaced Returning Officers who had experience, having worked with ECK in the past.
The notion that rigging had occurred during the tallying process was therefore quite obvious because of all the discrepancies, such as the above statement, that had been made public. Despite these irregularities, ECK Chair, Kivuitu, announced the results on 30 December 2007, as required by the law. He, therefore, accepted results that clearly appeared to have been manipulated and not accompanied by the correct legal documentation. Rigging, therefore, occurred at constituency level – where the forms 16 and 16A were inadequate – and also at central ECK level – where manipulation of results and the consequent announcement of these false results was allowed to happen. The Crisis Group Africa Report (2008: 8) elaborated that the fraud at constituency level, “was throughout the country, with the assignment by ECK commissioners of returning officers to their provincial strongholds, where some of the chosen returning officers tampered with the vote count and sent to Nairobi inflated returns for their preferred candidate”. Moreover, the fraud in Nairobi occurred at ECKs headquarters where Kibaki was given the victory. The report (2008: 8) continues to record that,

from 29 December [2007] onwards, senior ECK officials heading tallying teams and running the computer room changed results coming from the constituency tallying centres or endorsed results which had already been changed, and instructed staff to accept and compile them without supporting documentation.

The results that were, therefore, announced by commissioners and ECK Chair were dubious since they reversed Odinga’s lead in order to give the victory to Kibaki. Kibaki was then hastily sworn in at state house and taken to a secure military location at the Coast. The Minister for Internal Security Affairs then banned all live media broadcasting as the ODM repudiated the results. Violence erupted almost immediately after theses developments, in most major cities, particularly Nairobi, Mombasa, Kisumu and Eldoret.
4.3 THE SECURITY CRISIS

The day before ECK Chair announced the final results, violent protests had already begun to rock the western parts of the country as an angry electorate demanded an end to the delay in making the announcement. The delayed announcement of the presidential election results declaring Kibaki the winner were followed by riots that broke out in various parts of the country. Perceived Kibaki supporters of the Kikuyu tribe were the main targets of disgruntled ODM supporters mostly from the Luo tribe. Hardly 48 hours into the announcement Kenya seemed to be on the edge of a civil war.

At first the violence started off as a result of outraged ODM supporters who watched as their candidate’s victory was taken away from him. Underlying ethnic rivalries that had existed since independence and perpetuated by the Kenyatta government as well as the Moi regime in using state apparatus to enrich members of their ethnic communities, as described in chapter three, soon became evident, most especially in the slum dwellings. For instance, according to the Crisis Group Africa Report (2008: 9), the Kibera slum in Nairobi which was largely an ODM stronghold was the most violent area in the city as gangs turned on the members of their neighborhood who were of a different ethnic origin, with all manner of crude weapons. Kiosks, shops and houses were torched. According to estimates by the Kenya Red Cross (KRA) and other aid agencies about 50 people died that night and a number of women and girls were raped.

Kisumu, Odinga’s hometown was one of the worst affected areas by the violence. The main victims were Kikuyu’s whose homes and businesses were in that city. Shops and cars were burnt down in the Central Business District and soon the rioters resorted to looting in order to take advantage of the chaotic situation. A large number of the casualties were blamed on the police in Kisumu because of the dominance of members of the Luo ethnic community dwelling in that district and their perceived allegiance to the ODM. The minority ethnic communities residing in Kisumu therefore, despite their political loyalties, especially if they were Kikuyu fell victim to the old anti-Kikuyu sentiment that had developed since Kenyatta’s reign that had seen the vast accumulation of wealth amongst the Gema communities. Furthermore, Crisis Group Africa Report (2008: 9) pointed out that, “there [had] been numerous reports of indiscriminate killings
by police of people not linked to the protests”. At the arena playground a standard five pupil, Salim Ahmed was shot to death by a police officer. This clearly illustrated the indiscretion of police officers during a time when they were meant to be preserving order and ensuring security to innocent civilians.

In Mombasa, the residents, according to the poll results, overwhelmingly voted for the ODM. Despite this fact, violence also erupted in the city, mostly in the form of riots. The violence was under control as the Muslim majority in the area managed to dissuade their followers from taking to the streets. In Western province, many Kikuyu homes and businesses were set on fire in Bungoma, Webuye, Busia and Kakamega. In these towns Kikuyu, Embu and Meru ethnic groups form the minority and thus were targets of the conflict that had its roots in early post-colonial Kenya of ‘tribal’ aggrandisement by the Kenyatta administration. Violence from Eldoret, in the Rift Valley province spilt over into Cherengani and Kachibora. Police crackdowns in these areas were reported to have been unnecessarily brutal and excessive. for example, according to Crisis Group Africa Report (2008: 10), “one bedridden student was shot in the stomach at Rosterman Estate in Kakamega. In Maraba, a policeman dragged two brothers from a house and shot them in the head”.

The Rift Valley province was also another region hit hard by the violence in the country. Eldoret, Timboroa, Matharu, Burnt Forest, Tarakwi, Makutano and Cheptiret were some of the more severely affected towns. As a result of all this, IDP camps were set up almost everywhere where security seemed guaranteed such as in church compounds, police stations, army garrisons and other government facilities.

The violence that erupted in these areas after the announcement seemed to be organised and therefore implied ethnic mobilisation encouraged by certain leaders. According to Human Rights Watch in the Crisis Group Africa Report (2008: 11),

Barely minutes after the announcement that Kibaki had won, Kalenjin youths more armed with machetes, arrows and jerry cans of kerosene and petrol attacked Kikuyu settlements. In less than two hours, large areas with a heavy concentration of Kikuyu families near Eldoret were ablaze.
According to this account of the conflict, dozens of Kalenjin youths arrived at the scene of the attacks with lorries, and in one of the most gruesome incidents reminiscent of the 1994 Rwandan genocide, a church in Eldoret was set aflame by Kalenjin youths, in which Kikuyu families had taken refuge. As many as 30 people are reported to have perished in that arson attack. These reports were the face of the result of the rigged presidential election which only led to even more humanitarian consequences.

4.4 HUMANITARIAN CONSEQUENCES

The Kenya Red Cross Society (KRCS) was the main coordinator of the humanitarian assistance required in response to the conflict. The rapid reaction of the international community to the crisis was in part due to the large presence of UN and international relief NGO regional headquarters in Nairobi. Kenya is also considered an important player in the political and economic success of the East African region and therefore, there were many international players concerned with the outcome of the crisis.

According to OCHA – Kenya (2008), a considerable number of IDPs presented a huge challenge for the aid agencies since, “as of 5 February, 310,643 IDPs had been registered by the Kenya Red Cross and its affiliates in 296 camps countrywide”. The primary violence against the Kikuyu’s in the Rift Valley forced the victims to seek refuge in major cities where IDP camps sprung up almost instantaneously. The second wave of violence also urged more IDPs into the safety of major cities as this wave occurred in different parts of the country to the first. The IDPs were very mobile. This was evidenced by the Crisis Group Africa Report (2008: 17) when, “in early January, most organisations that sent assessment teams often found only a few dozen IDPs at a site where hundreds had been reported the day before”

According to OCHA - Kenya (2008), “an unknown number of IDP sites in remote areas [had] not been accessed for assistance, sometimes because of difficult roads and the challenge of numerous small groups of IDPs. This [was] particularly problematic in Molo, Trans-Nzoia and Uasin Gishu districts”. Those in isolated areas were thus the most affected by impassable roads and recurrent violence. To improve their situation, IDPs with

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Crisis Group interview of a member of an NGO assessment team conducted in Nairobi, January 2008.
some resources were reported to have been moving from one camp to another by private transport, while others sought shelter and food from friends and relatives.

According to the Crisis Group Africa Report (2008: 17), the Food and Agriculture Organisation (FAO) reported that, “75% of the displaced in the Rift Valley [were] destitute”. Some people had to rely on charitable organisations for help while others had no homes to go to once they returned to their ancestral homes and therefore filled up the camps. Added to this, was the government’s lack of leadership and direction in establishing which camps were mid-term and which were long-term in order to assist the destitute families according to their specific needs. Despite all these problems at the camps, IDPs ultimately desired to return to their homes and to re-build their lives. In some cases men remained behind to protect their property as the women and children sought safety at the camps.

4.5 ECONOMIC IMPACT

A brief description of the economic impact of the ensuing conflict is important in order to give perspective to the magnitude of the consequences of the election crisis in the country. According to Reuters (2008) the finance minister, Amos Kimunya, announced that he estimated Kenya would lose Ksh 60 billion ($ 885 million) and daily tax revenues of up to Ksh 2 billion ($ 29 million) due to the post-election violence. These figures kept on rising as the conflict escalated. Furthermore, youths in Nakuru, Narok, Kisii, Kakamega and Naivasha continued to erect barricades on major highways paralysing the transportation of goods and of people. Cars, lorries and buses were also attacked and set on fire. The railway line in Kibera slum was vandalised and effectively taken apart by angry slum dwellers. Perhaps the worst hit economic sector was the tourism industry. The violence came at the country’s peak season for tourism, a major foreign exchange earner.

Minister Kimunya tried to restore investor confidence by painting a mild picture of the impact of the post-election violence. According to the Crisis Group Africa Report (2008:19), “an independent economist…said [that] a 2 -3 percentage point reduction in economic growth from 2007’s 6 per cent [was] likely”. The rising price of oil in 2008 and rising food prices around the world also contributed to Kenya’s economic crisis.
In Western province – one of the harder hit regions by the violence – the region was already considered relatively poor and the violence discouraged commercial transporters from ferrying goods to and from the area. The fishing industry, popular in the province due to its location along the eastern shoreline of Lake Victoria, also suffered a great deal as lorries were reluctant to travel there from Nairobi to collect catches. Added to this, the prices of maize and flour rose up to three times in the area. Furthermore, restaurants and cafés failed to open for fear of looting.

Kisumu lost damages to property to the value of almost Ksh 3 billion ($ 44 million) in December 2007. The CBD was severely looted after the announcement with supermarkets, two petrol stations and a number of restaurants and jua-kali (artisanal) stalls destroyed. An estimated 1,000 formal jobs were lost in the city. It was estimated by the Kisumu City Business District’s Association that the city would need another twenty years to recover from this crisis.

Kenya is an agricultural country. The projected harvest of maize for the 2007 / 2008 marketing year was 3 million tons of maize. However, due to failing rains and the political unrest, this figure was reduced to a mere 15%. A bad harvest of cereal crops across the board and the displacement of the majority of people who would have done the harvesting only worsened the country’s economic crisis.

The Crisis Group Africa Report (2008: 20) rightly stated that, as a result of, “severely reduced tax revenues due to disruptions in manufacturing transport, tourism, banking and horticulture,…[the government would] have to resort to increased domestic and foreign borrowing”. Further economic burdens included the insecurity on the roads and vandalised transport infrastructure. The weakening shilling at the time and the rising cost of fuel put inflation on the rise. At the port of Mombasa, unshipped cargo containers accumulated. It was reported by Crisis Group Africa Report (2008:20) that, “as of 29 January 2008, Mombasa port was said to be holding 18,000 containers, 1,000 short of its capacity”. This was happening while goods transportation trucks were stuck at major stops from Uganda to the coast.

The flower industry was estimated to suffer losses of up to Ksh 1 billion ($ 14.5 million). The post-election crisis also put into question internationally, Kenya’s ability to supply flowers at a consistent rate in the future. According to a 98.4 Capital FM news
bulletin (2008), the Naivasha area, where 74% of the rose exports came from, was a hub of violence that dealt a very nasty blow to the flower industry. The tea sector faced a similar predicament. Rising transportation costs also affected the milk industry, which suffered tremendous losses as product went bad due to spoilage as a result of blocked roads. Potatoes, tomatoes and passion fruits could also not be delivered in a timely fashion to buyers and markets.

The tourism industry was the hardest hit. Beach resorts and game reserves lay deserted at their peak season. Cancellations were made well into the middle of 2008 and over 250,000 jobs in the sector were lost, especially casual workers who thrived on the peak seasons to bring in most of their income.

The Nairobi Stock Exchange (NSE) suspended trading on 29 January 2008, indicating a decline in investor confidence. Crisis Group Africa report (2008: 21) stated that, “the suspension happened at 11:52am, when a lack of buyers and midday selling pushed the market near the fail-safe point of 5 per cent loss and involved a previously unused rule to halt trading”. That day Ksh 40 billion ($ 590 million) was lost by the exchange. The biggest losers included, according to Makau (2008): East African Breweries, Barclays, Kenya Commercial bank, KenGen, Equity Bank, DTB, CFC and Mumias Sugar.

CONCLUSION:

The main aim of this chapter was to discuss the 2007 General Election and its outcome. The campaign period and polling day were characterised by relative calm. The crisis began with the announcement of the election results on 30th December, 2007, followed by complaints and accusations of rigging. Various kinds of evidence, as discussed in this chapter, were put forward to support the rigging claims and it was established that rigging occurred during the tallying process, and it was thus impossible to claim that these had been free and fair elections.

With the announcement of Kibaki as the winning candidate certain groups of the citizenry resorted to violent rampages that left hundreds of Kenyans homeless and still others dead. Chapter three discussed the use of ethnic mobilisation tactics by political
leaders to enhance the conflict for their own selfish reasons and thus the result was the appalling number of Kenyans displaced within their country, fleeing for their lives and mourning their dead. With this knowledge of the election crisis, the following chapter will discuss the evidence of poor political leadership and of ethnic mobilisation throughout the election process from the campaign season to the post election violence.
Chapter V: Analysis

Introduction:

This chapter will analyse the evidence of poor political leadership in Kenya during the 2007 General Elections as well as the evidence of ethnic mobilization prevalent during the same time. The theory used in chapter two to explain these two themes will be utilised in this analysis.

5.1 Evidence of Poor Leadership

In an article by *Time Magazine* (2008: 22-28), Nelson Mandela provides eight lessons of leadership. Hailed as, “the closest thing the world has to a secular saint”, Mandela bases his success on the rare ability of a leader to know precisely, “when and how to transition between his roles as warrior, martyr, diplomat and statesman”. This appropriately encapsulates the role of any political leader today, and that is, the cunning ability to weave seamlessly through the four roles expressed by Mandela. This, in addition to the attributes of servitude (sympathy, impartiality and tolerance) and wisdom as discussed in chapter two can be considered the benchmarks for distinguishing a good political leader.

Allan Bukusi (2008: 13), author of *Thinking Leadership in Africa*, rightly reported in the *Daily Nation* that;

The fact that Kenya has relied heavily on the political process for the leadership of the country has given politicians license to direct national affairs. Sweeping powers accorded to politicians makes them untouchable, unaccountable, insensitive and able to act with impunity with regard to the electorate and public property. But leadership is not politics, and politics is not leadership.
This statement implies that political leaders in Kenya seem to blur the fine line that separates good leadership and politics. This is an unfortunate circumstance since as Bukusi (2008: 13) continues to point out, “the role of politicians in the country’s leadership process needs to be managed for it to remain beneficial to the nation”. Had this been the case in the Kenyan experience, this study argues that the conflict would not have escalated to the level that it did. One of the most important qualities of a leader that was discussed in chapter two is that of servitude. It was argued by Ruscio (2004) that a high sense of moral integrity is an important characteristic of a leader and requires an affinity for service through sympathy, impartiality and tolerance in order to responsibly serve others. This study therefore, argues that Mwai Kibaki and Raila Odinga who were the main reason that their respective supporters resorted to violence in an attempt to ‘fight’ for the right of their candidate to win the elections, were not sympathetic, impartial or tolerant of each other and the nation. For instance, Kibaki was not seen by the public on either television or the newspapers, neither was his voice heard on the radio compelling and end to the conflict. He was seen at the hurriedly put together inauguration ceremony taking the oath of office while the country was still in conflict. Had these leaders exhibited the characteristics of a serving leader, the conflict might have been averted even sooner than it was.

This idea of politicians being able to quell the unnecessary violence and human displacement is shared by Joel Ng’ug’i (2008: 10), an assistant professor of law at the University of Washington, Seattle, who wrote in the Daily Nation that, “Kenyan politicians and leaders seem dangerously unwilling or unable to show genuine and effective leadership in ending the ethnic strife”. This is a clear indication that the participation of political leaders in the conflict in order to end the senseless killings and displacement of innocent Kenyans is a feasible point of view. This also implies the underlying motive of political leaders to use ethnic mobilisation to carry on the conflict by not stepping in to put a stop to it. The lack of involvement by political leaders to end the ethnic strife can be viewed as a tool to encourage the mobilisation perhaps to achieve personal agendas. Again, with reference to Madison (1987: 343) who viewed a leader as a wise person with the virtue to pursue the common good of the society, the Kenyan political leadership at the time of the election violence displayed a lack of the desire to
pursue the common good of the society by allowing the rigged elections to escalate latent ethnic tensions that had existed since independence.

Abdulahi Ahmednasir (2008: 23) a lawyer and former Law Society of Kenya Chairman, argued in *The Standard* that, “the intransigence shown by PNU [Party of National Unity] and ODM [Orange Democratic Movement] is a reflection of the absence of enlightened leadership”. The refusal of the leaders to be co-operative with each other at an earlier stage in the crisis ultimately catalysed the violence that ensued. The leaders should have found a way of mobilising the public into acting for change in a positive way in order to meet the desirable goals of peace and fair elections for the good of the society, instead, evidence of ethnic mobilisation to prolong the conflict can be found.

5.2 EVIDENCE OF ETHNIC MOBILISATION

During their campaign, the ODM made promises in the Rift valley and Coast provinces that if they won, they would introduce self-governing, semi-autonomous states in these two regions. The Kalenjin and other ethnic groups in the area who shared an anti-Kikuyu sentiment were pleased to hear this. However, the ODM did not give the details of just how this process would be carried out. This therefore illustrates the playing-on of old ethnic tensions by political leaders to mobilise the masses in order to gain more votes. The ODM leadership used Kenyatta regime and Moi regime tensions, created by Gema and Kamatusa communities, to try and convince the electorate that they deserved to take back any ‘tribal’ privileges that had been denied to them by either of the preceding administrations.

Ethnic mobilisation was also carried out by incitement which played a role in the escalation of the violence. In the Rift Valley, politicians and traditional elders had been stirring up the old anti-Kikuyu sentiments, from the Kenyatta regime, far a while before the elections. Their discriminatory messages blamed the Kikuyu tribe for the problems in the region. This kind of indoctrination was played out in vernacular radio stations such as Kass FM, a Kalenjin station that was reported to have aired inflammatory remarks. Most of the stereotyping was aired during call-in shows by distraught listeners. Kikuyu FM stations were also guilty of waging a subtle ethnic propaganda campaign against the ODM.
and the Kalenjin in response to the Kalenjin propaganda. History was repeating itself as
the country was again divided along ethnic lines with the same political associations of
Gema and Kamatusa.

The notorious Kikuyu crime sect, mungiki, according to the Crisis Group Africa
Report (2008: 13-15) was also responsible for some of the violence. Mungiki was well
established in the slums of Nairobi and in the Central province. Kikuyu men swear oaths
to gain membership. In mid – 2007, the sect underwent a massive crackdown by security
forces but regrouped around election time. Using the plight of the Kikuyu as a façade the
group waged an open war against the Luo and the Kalenjin in the Rift Valley despite
being a banned organisation. Mungiki also engaged in the intimidation of journalists and
civil society leaders who were perceived as threats to the Kikuyu cause, by criticising the
PNU. In the residential area of Eastlands, mungiki was reported to have demanded money
from landlords after evicting Luo and Kalenjin tenants who refused to pay their rent as a
way to capitalise on the crisis. In this instance ethnic mobilisation by the mungiki sect was
used to retaliate against previous aggressive actions by Kalenjin youths who had
embarked on a number of atrocities such as the burning of an Eldoret church in which
Kikuyu families were trapped.

It is important to note that it was not only mungiki, the Luo and the Kalenjin who
perpetuated the violence in the country. Ethnic animosity managed to creep in and
contaminate all sectors of the society. Some reports even suggested that mungiki was not
popular at all amongst some middle-class Kikuyu and some Kikuyu parliamentarians
within the PNU establishment who would ordinarily have been thought to support the
sect. A conflict that seems to have had its roots in independence-era ethnic rivalry, was
used by politicians such as the ODM leadership during their campaign for the 2007
presidential elections. The ODM promised to turn agriculturally rich districts such as the
Rift Valley into semi-autonomous states implying that the dominant ethnic group would
have control of the resources and enrich themselves like Gema and Kamatusa previously
had done. Therefore, this complex conflict had changed into mungiki criminals taking
advantage of the situation in which political power struggles had existed since
independence.
CONCLUSION:

As discussed previously, a good leader has the wisdom to best discern the true interest of their country and would have the required will, sentiments and intuition to control a group of people for a common good and also aspire towards the higher moral goal of collective goodness for the society being led. It was established in this chapter that neither Kibaki, nor Raila displayed these qualities that would have prevented the violence from exceeding to such lengths. Furthermore, the use of ethnic mobilisation, pitting one ethnic community against another in order to correct the past wrongs of previous regimes – that is, Kamatusa versus Gema – also lacked the moral integrity that distinguished a good leader from a poor leader.

To conclude this chapter, one can argue that, relying on the data provided in this study, it was not the democratic elections themselves that enhanced the conflict. It was rather the successful attempt by poor political leaders to steal the presidency from its rightful winner and the subsequent emergence of underlying ethnic tensions that had been created by both the Kenyatta regime and the Moi regime, as previously discussed, that enhanced the conflict.
Chapter VI: CONCLUSION

When one thinks of our contemporary political leaders, the names that might come to mind are: Barack Obama from the USA, Jacob Zuma of South Africa, Hu Jintao of the People’s Republic of China, Michelle Bachelet of Chile, Sonia Ghandi of India, Evo Morales of Bolivia, Kevin Rudd of Australia, Ellen Johnson Sirleaf of Liberia and even Vladimir Putin from Russia. It is to these personalities that history will look back on to measure the qualities of our times’ political leaders and the legacy they will leave behind. And then, there are those whose mark on history will never fade: Dr. Martin Luther King Jr., Mahatma Ghandi, Nelson Mandela, and the Dalai Lama who according to Pico Iyer (Time Magazine 2008: 31) “is by now the most seasoned ruler on the planet, having led his people for 68 years – longer than Queen Elizabeth II, King Bhumibol Adulyadej of Thailand or even Fidel Castro”. In our world there have also been pariahs such as Adolf Hitler, Napoleon and even Robert Mugabe who brought war to the world and killed millions.

What do each of these men and women represent? And what is leadership to them? In brief, republican Governor of California, Arnold Schwarzenegger told Time Magazine (2008: 53) that, “leadership means action”. This makes sense in a time when poverty, hunger, disease and climate change should be on the agenda of every political leader in the world. Providing a more comprehensive definition of what it means to be a leader, Mandela gave Richard Stengel (Time Magazine 2008: 22-28) eight lessons he learnt about the secrets of leadership. These ideas are presented in this study as they illustrate the experience of a successful African leader who is a relevant example because he is hailed as a great iconic leader who continues to make a positive impact in the world with his life.

The first ‘rule’ of leadership according to Mandela is that, “courage is not the absence of fear – it’s inspiring others to move beyond it”. As a freedom fighter Mandela had lots to fear from the apartheid government that imprisoned him in Robben Island for 27 years. Even during the Rivonia trial, Mandela told Stengel that he was afraid, “but as a leader, “you must put up a front”” in order to inspire others to overcome their fears. Secondly, a leader must “lead from the front – but [not] leave [their] base behind”.

93
Mandela pointed out that when, as a prisoner, he started negotiations with the apartheid government in 1985 his ANC (African National Congress) comrades were not of one mind with him. It was his patient method of convincing the members of his support base to go along with the plan that resulted in the negotiations that brought equality to South Africa. The third ‘rule’, which is somewhat contradictory to the second is, “lead from the back – and let others believe they are in front”. The wisdom in this statement lies in the philosophy that a leader must listen to and consider the points of view of his advisors before offering his/her own thoughts and steering their action in the preferred direction. This ‘rule’ seems somewhat coercive, however, if both the integrity and experience of the leader are of a high standard then this tactic only seeks to serve those that elected that leader and it is therefore a good ‘rule’. Fourthly, “know your enemy – and learn about his favorite sport”. Although the later part of this ‘rule’ is specific to the South African experience, the message here is that in order to fight or negotiate with the enemy, a leader ought to understand their world views, paradigms, their history and their culture in order to be successful in reaching the desired outcome.

The fifth ‘rule’ is a well known adage, “keep your friends close – and your rivals even closer”. In Mandela’s view, the opportunity to create amicable relationships with one’s political rivals was a chance to control them by ensuring that they remained, “within his circle of influence”, and therefore easing the negotiation process as the outcome could be influenced. The sixth ‘rule’, “appearances matter – and remember to smile”, was for Mandela a practical way of conveying to black South Africans that triumph was inevitable and a symbol to the white South Africans that no bitterness from the past would be carried on into the future, this, despite the resentments he had. He realised that as a leader symbols and appearances were just as important as the principals that one stood by. “Nothing is black or white” is the seventh secret of leadership. For Mandela, political leaders need to be comfortable with contradiction. While he completely opposed apartheid, Mandela recognised that the causes were complex and therefore necessitated a certain fluidity as a leader to keep the goal in mind and find the best possible way to achieve it. Lastly, “quitting is leading too”. This, in my opinion is the most valuable ‘rule’ and the greatest lesson for African leaders today because it teaches them that they need to know when to step down from office and let others lead the nation. In stepping down from
the presidency after only one term, Mandela set the precedent for the rest of Africa, in the true reflection of his character his final act in office was a service to Africa.

Political leadership in Kenya and the lust for power and wealth throughout the country’s entire post-colonial history as shown in this study has led the country’s leaders to plunder the country through the various corruption scandals illustrated previously in the study and lead it to the brink of civil war demonstrated by the 2007 General Elections. Ethnicity was used by the British imperialist to ‘divide and rule’ the population and this formed the basis for Kenya’s three political regimes to use ethnic mobilisation as a way to influence election outcomes. This flawed perception of political leadership as anything other than the duty to responsibly serve the people has cost Kenya the lives of many who did not deserve it. And furthermore, no form of democracy can flourish in such a hostile environment.

The theory in this study found that ethnic mobilisation and conflict showed how differing identities were used to create opposing interests by politicians exploiting the social divides existing in the country and that ethnic mobilisation through violence was used to win votes. The meaning of political leadership and the benchmark from which a good political leader can be distinguished was also discussed. And it was found that a good leader is wise, patriotic, able to lead a group of people towards a common cause and has the moral integrity to pursue the common good of society through servitude. African political leadership was contrasted to this benchmark it was found that most African leadership is associated with greed for power and a patriarchal system bent on lasting as long as possible in that position of power. With this view of political leadership it was pointed out that amidst accusations of rigging, neither Kibaki nor Odinga were willing step away from the elections and serve the country by putting it first but rather decided to stand their ground and fight for whatever power they could get, and this led to the unnecessary escalation of the post election violence.

It is therefore the conclusion of this study that unless and until Kenya’s leaders display Mr. Mandela’s brand of political leadership and cease to use ethnic mobilisation to influence election outcomes but rather to positively impact Kenyan lives, democracy will not consolidate within the country. If two regimes could acquire and accumulate vast amounts of capital, wealth and resources to benefit themselves and their communities
within the span of 39 years, then this too can be accomplished for the whole nation by the right combination of leadership in the country.
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