

Kenya's Great Rift

By Joel D. Barkan

From *foreignaffairs.org* , January 9, 2008

Joel D. Barkan is Senior Associate at the Center for Strategic and International Studies in Washington and Professor Emeritus of Political Science at the University of Iowa.

The violence that has engulfed Kenya since the disputed December 27 election has deep historical roots and it will take more than a recount or the formation of a national unity government to resolve the crisis. Although December 27 was billed as the crowning event of the country's two-decade struggle for democratic rule, all of the ingredients for violence were present prior to the election. Public opinion polls indicated that the race between incumbent president Mwai Kibaki and his principal challenger, Raila Odinga, was too close to call; outbreaks of violence had occurred in the run-up to previous elections in 1992 and 1997; and many Kenyans, especially civil society leaders, worried that unless the Election Commission of Kenya (ECK) conducted the December elections in a manner that was free, fair, and universally regarded as legitimate, the losers would not accept the verdict. Sadly, their fears were correct. Between 500 and 1,000 people have died in post-election violence while an estimated 250,000 Kenyans, mainly Kikuyu settlers in the western Rift Valley, have been displaced from their homes.

The December 27 election -- the fourth since the reintroduction of multiparty politics in 1992 -- pitted Mwai Kibaki's Party of National Unity (PNU) against his former ally Raila Odinga's Orange Democratic Movement (ODM), and ODM splinter candidate Kalonzo Musyoka. The turnout was the highest on record, with approximately 70 percent of registered voters participating. The election was arguably the freest and fairest since independence until its final stage. In marked contrast to prior elections, both the presidential candidates and those seeking legislative office were unimpeded during the course of their campaigns. The polls opened more or less on time; nearly all voters who wished to cast their ballots had done so by the time polling stations closed; and the counting of ballots at nearly all polling stations supervised by domestic and international observers (myself included) was slow but transparent. Agents of the rival candidates signed off on the count expecting that the rest of the process would follow ECK procedures.

Unfortunately, they were wrong. It quickly became clear that the vote tallies reported by individual polling stations in upwards of 35 parliamentary constituencies were highly flawed, an irregularity confirmed by both international and domestic observers. As a result, Odinga -- who had been leading by more than 370,000 votes with 90 percent of constituencies reporting, according to the Kenyan media -- suddenly discovered that he had lost by roughly 200,000 votes when the ECK announced the results two days later. The European Union, the Commonwealth, and the Kenyan Domestic Observation Forum all called for an international audit of the count. Then the chaos began.

The current violence threatens to roll back an impressive record of democratization and economic growth achieved in the five years since Kibaki succeeded longtime Kenyan President Daniel Arap Moi. Whereas the Moi years were marked by economic stagnation and stubborn resistance to democratic reform, Kibaki's administration turned the country around on both fronts. The Kenyan economy grew by more than 6 percent in 2006, the highest growth rate in more than 30 years; foreign

investors and tourists poured into the country; and civil society, the press, and parliament came together to advance democratization. Kenya, it appeared, had been reborn.

But Kibaki eroded the widespread support he garnered in 2002 by relying on a small group of ministers from his own Kikuyu tribe, as well the culturally related Meru and Embu communities. Known as the "Mount Kenya Mafia" -- because the three groups inhabit the foothills around Mount Kenya -- Kibaki's administration was regarded by most members of Kenya's remaining 41 ethnic groups as a government that favored the Kikuyu at the expense of others. The Kikuyu are the largest (22 percent), most educated, and most prosperous ethnic group in Kenya. They have long been disproportionately represented in the civil service, the professional classes, and the business community, which has prospered greatly as the economy has grown. Resentment of the Kikuyu runs particularly deep in the northern Rift Valley, which was once inhabited by Kenya's white settler community before independence. This region has borne the brunt of post-election violence. Land vacated by the former settlers during the 1960s and early 1970s was purchased by Kikuyus with assistance from the government instead of being returned to the communities from which it had been taken during colonial rule. These Kikuyu settlers have suffered greatly during the past week.

Kibaki campaigned for reelection on the theme that the country had never had it so good, while the opposition mobilized the electorate around an anti-Kikuyu platform, arguing that it would do a better job of equitably distributing the fruits of Kenya's economic and political resurgence. Among other planks in its platform, the ODM called for the establishment of a federal form of government that would protect the interests of underrepresented ethnic groups. The post-election violence has made it clear that Kibaki cannot govern the country even though he has been sworn in for a second term. Moreover, Raila Odinga and the ODM hold a commanding 99-43 majority in the National Assembly. Although the unrest may subside, a negotiated deal between the two protagonists is essential for long-term stability and to overcome the losses to the Kenyan economy, which are approaching \$500 million.

To this end, Kibaki announced on January 7 that he is prepared to form a government of national unity and grant the ODM a large proportion of cabinet posts. But Odinga and his colleagues want more: the Prime Minister's office with real executive power for Odinga and, more importantly, a new constitution for Kenya that will guarantee non-Kikuyu citizens an equitable slice of the pie. This will require some form of federalism -- perhaps the devolution of power to 13 regions, which would replace the eight provinces currently controlled by the president's office through the provincial administration. Kenya's minority ethnic groups have called for federalism, or , for nearly fifty years. Long resisted by Kikuyu leaders, it is an idea whose time has come. It is also an idea that was tacitly endorsed by U.S. Assistant Secretary of State for Africa Jendayi Frazier, who called on January 7 for measures of devolution to achieve a long-term solution.

As India discovered in the 1950s and Nigeria realized in the 1980s, the most promising mechanism for defusing linguistic and ethnic strife is to restructure the basic ground rules of the political game. Given the prominence of ethnicity in African politics, democratization across the continent will require more than expanding the political and economic rights of individuals. In Kenya -- and elsewhere on the continent -- accommodation of group rights must be part of the equation.