

Kenya: Explaining State Fragility through the Absence of an Indigenous Imperial State Culture

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Received: 10 December 2016 Accepted: 4 January 2017 Published: 15 January 2017

Abstract

That the Kenyan state is fragile in political terms is not in doubt. Kenya experiences high levels of political and ethnic rivalry, high possibilities of electoral violence, high levels of fraud, and a general failure to deliver quality services (including security) to the wider society. But, why has Kenya proved to be such a fragile country politically? In other words, what causes Kenya's state fragility? This paper argues that Kenya's fragility is primarily linked to the fact that the dominant group – the Kikuyu (Kenya's economic and political powerhouse) – was historically inward looking, inserted itself as an equal to all other ethnic groups, and was exclusionist in its social culture. It also argues that the state cultures of the other ethnic groups were not any better in terms of aiding state building. This paper on Kenya's political fragility looks at the pre-colonial state cultures of the main ethnic groups, tracing their continuities and discontinuities, and showing how they worked against the building of a coherent and stable state.

Index terms—

1 I. Introduction

Kenya went to the polls on 8 th August 2017 to elect leaders at different levels. When the election results were aired, the opposition coalition (NASA) immediately complained of the consistency and the persistent nature in which the numbers of the Jubilee candidate were climbing up. After all the results were announced, the opposition took the matter to the Supreme Court of Kenya which ruled that the Independent Electoral and Boundaries Commission (IEBC) failed or refused to conduct the elections in accordance with election laws; that there were irregularities and illegalities in the transmission of results; and that the irregularities substantially affected the integrity of the entire presidential vote. The Supreme Court of Kenya also ruled that "we declare that the presidential election held on August 8 is invalid. The third respondent (President Kenyatta) was not duly elected the president of Kenya". While the opposition NASA hails the court decision and questions the integrity of the election body, Jubilee claims that four judges of the Supreme Court have overturned the verdict of 15 million Kenyans. The state for conflict is set, deepening state fragility.

While the evidence that Branch (2011) presents is very convincing, it does not constitute a complete explanation. There is no doubt that from the beginning of the post-colonial Kenyan state, Kenya African National Union (KANU) leaders were pulling in different directions, engaging in endless feuding and exposing Author: University of Botswana. e-mail: zibanimaundeni140@gmail.com their government to misinformation by British intelligence, to infiltration and to destabilisation. According to Branch (2011), Jomo Kenyatta, the first president, and his vice president, Oginga Odinga, pursued contradictory domestic and foreign policies within KANU and within the government. While Kenyatta aligned himself with the British (who continued to dominate the Kenyan security forces in the early years) and called for a minimal role of the state in the economy and society, Odinga aligned himself with the communist bloc and was the leader of radical Kenyans, creating suspicions of

1 I. INTRODUCTION

43 a planned communist takeover (Branch, 2011). The Secretary General of KANU Tom Mboya aligned himself
44 with Kenyatta and with the Americans.

45 When Jomo Kenyatta came to realise that the Vice President Odinga was creating a second power base within
46 the ruling party and government, he responded by establishing eight vice presidents! To accomplish this, he
47 negotiated and merged KANU with the regional-oriented KADU, which brought in minority leaders. Thus,
48 opposition leaders such as Ngala -the president of KADU, Daniel arap Moi, and Mwai Kibaki who championed
49 regional autonomy (majimboism), (which Kenyatta had hitherto opposed so vehemently), were brought in and
50 promoted to become vice presidents. In this way, according to Branch (2011), the Kikuyu-Luo partnership that
51 established KANU was neutralised, and minority leaders came to play vital roles within the ruling party and
52 government.

53 Political assassinations started early in postcolonial Kenya. According to Branch (2011: 46), Pio Gama Pinto,
54 a rich Asian political and media activist who was regarded as the brains behind Odinga's faction of KANU,
55 was assassinated in 1965. "A few days after the assassination, Kaggia (speaker of the upper parliament) told his
56 fellow MPs that Pinto's killing 'is no ordinary murder. It is a political murder' (Branch, 2011: 46). Kaggia
57 lost his position as speaker! Odinga resigned from KANU and formed Kenya Peoples Union (KPU) which was
58 later banned. Once Odinga was pushed out, Tom Mboya became the primary target and was assassinated for
59 asking the Europeans not to abandon their farms. In his 1970 publication, Tom Mboya as Assistant Minister of
60 Agriculture, observed that the Europeans were abandoning their homes and farms in Kenya, and he felt obliged
61 to persuade them to stay for the sake of the economy. His policy of persuading the European farmers to stay
62 angered the Mau Mau veterans and the Nandi remnants that were campaigning for the Europeans to leave, and
63 this collusion triggered moves to assassinate him. Finally, in deadly internal power struggles to replace the ailing
64 Kenyatta who had suffered a serious stroke, Mboya was assassinated, sparking intense ethnic rivalry between the
65 Luo on the one side, and the Kalenjin and the Kikuyu on the other side.

66 Further evidence of state fragility, is revealed when President Kenyatta allegedly resorted to oath-taking, employing
67 a traditional Kikuyu instrument of declaring allegiance and swearing into secrecy, as a response to intense ethnic
68 rivalry. According to Branch (2011: 85), "Through 1969 and into early 1970, Kikuyu, Embu, Meru and Kamba
69 were taken in their thousands to Kenyatta's home. One recent estimate suggests that over 300,000 people were
70 transported to Gatundu. According to one account, they swore thus: the government of Kenya is under Kikuyu
71 leadership, and this must be maintained. If any tribe tries to set itself up against the Kikuyu, we must fight
72 them in the same way that we died fighting the British settlers. No uncircumcised leaders [that is Luo] will
73 be allowed to compete with the Kikuyu. You shall not vote for any party not led by the Kikuyu". President
74 Kenyatta is quoted as having said: "some want to tell us that Kenya belongs to all the people. Granted, I know
75 that much. But I have a question to ask: when we were shedding blood, some languished in prison and suffering
76 in the forests, fighting for Uhuru, where were the bloody others? If you want honey, bear the sting of the bee?"
77 (Branch, 2011: 102). With ethnicity deliberately promoted by President Jomo Kenyatta as shown above, the
78 Nandi-Kalenjin outside government responded by organising meetings in what became known as the Nandi Hills
79 Declaration, declaring that: "the entire Nandi district belongs under God to the Nandi people; and that every
80 non-Nandi, whether an individual, a firm or a corporation farming in the district or in the Tinderet area is a
81 temporary tenant of the will of the Nandi; that no land transactions in the district involving non-Nandi shall
82 be recognised as having any validity whatsoever; called on every non-Nandi either to surrender his alternative
83 ethnic allegiance or to remove himself and his effects from the district without any delay, lest he incurs the wrath
84 and undying enmity of the Nandi people"(Branch, 2011: 87). This declaration was a direct attack on Kenyatta's
85 resettlement policies that had flooded the Rift Valley with members of the Gikuyu ethnic group.

86 Change of state leadership did not promote the stability of the Kenyan state. Daniel arap Moi, took over the
87 presidency in 1978, and his version of nationbuilding emphasised continuity with Kenyatta's policies and with
88 selected ancient values. He chose to view the resettlement of the Kikuyu in the Rift Valley as part of positive
89 modernisation which was helping to unite the peoples of Kenya, and was going to sell this to the whole nation
90 which already felt overwhelmed by Kikuyu dominance. But he also "organised Kalenjin landbuying companies
91 to compete with the powerful Kikuyu efforts sanctioned by Kenyatta?" (Branch, 2011: 129). Moi's nyayoism
92 philosophy emphasised love, peace and unity. So, President Moi was now going to teach other Kenyans to love
93 the Kikuyu who had been implanted in other people's ancestral lands, without anything in return! Alternatively,
94 Moi was going to teach the politically and economically dominant Kikuyu to love and care for people whose
95 ancestral lands they acquired! Kenya's fragility continued even when multiparty democracy was introduced.
96 Responding to the Forum for the Restoration of Democracy (FORD)'s campaigns for multi-party-ism, Moi's
97 supporters (including cabinet ministers from the Rift Valley) started mobilising ethnicity and regional autonomy,
98 calling all Kikuyu, Luo and Luhya communities who had settled in the Rift Valley to leave, and actually mobilising
99 Kalenjin youths to expel them through violence. Branch (2011) quotes Patrick Chabal and Jean-Pascal Daloz
100 who termed it "disorder as political instrument; the deliberate instigation of violence by states for political ends".
101 In addition, "victims were treated a little better by the courts, which commonly released perpetrators on bail and
102 handed out minor sentences to the more than one thousand individuals charged with involvement in the violence.
103 Journalists attempting to investigate the clashes were harassed, and emergency legislation was used to restrict
104 access to sites affected by the violence, and human rights activists were prevented from operating unimpeded

105 in those locations. The regime was fighting for its life” (Branch, 2011: 202). In a sense, statelessness was very
106 visible in Kenya during the period when multiparty democracy was introduced.

107 Another wave of violence was instituted after the 1992 election and the intention was to effect ethnic cleansing.
108 The Kalenjin youths were organised to target the Kikuyu communities in the Rift Valley. “William Ruto had
109 emerged as a significant figure within Rift Valley politics in the previous decade. He first came to public attention
110 as a leader of the YK’92 group of KANU activists ahead of the first multiparty election. [?] this group was
111 [allegedly] responsible for the harassment of opposition candidates and their supporters, and for the perpetration
112 of ethnic violence.” ??Branch, 2011: 246-7). Ruto became a senior minister of Home Affairs, controlling the
113 very ‘corrupt’ force that ignored the ethnic violence in the Rift Valley. According to Katumanga (2010), when
114 Ruto was violently attacked in Kisii in 2007 and the government police refused to protect him, Kalenjin youths
115 responded by seeking to drive the Kisii people out of the Rift Valley.

116 In contrast, the Kikuyu’s response to the election related violence worsened the state’s fragility. According
117 to Branch (2011: 236), the Kikuyu youth responded by forming the Mungiki (multitudes in Gikuyu language),
118 a rural commune for the poor with an initial focus on indigenous religious beliefs, and on unity among the
119 Kikuyu. Mungiki regarded itself as the true successors of the Mau Mau anti-colonialists. It was a militia
120 that practised oathing, enforced female circumcision and engaged in criminal extortion. According to Branch,
121 “Mungiki presented itself as an expression of Kikuyu unity in the face of threats from Kalenjin in the Rift Valley.
122 Local pockets of Mungiki activists were involved in the formation of vigilante groups to protect Kikuyu families
123 during the clashes of the 1990s. Its ranks were then swelled by displaced Kikuyu, forced by the violence to take up
124 residence in the eastern Rift Valley, Central Province and Nairobi” (Branch, 2011: 237). Kikuyu elite (including
125 MPs) supported the group. In contrast, the Bagdad Boys, according to Katumanga (2010) and Branch (2011),
126 provided security for Luo political leaders in Kisumu throughout the multiparty era.

127 With the 2007 election approaching, Uhuru Kenyatta and his KANU broke off from the Orange Democratic
128 Movement (ODM) and partnered with Kibaki’s PNU. Meanwhile Odinga’s ODM partnered with regional leaders
129 across Kenya and was poised to win the elections. With Mudavadi of the Luhya and Ruto of the Kalenjin as vice
130 presidents, ODM stood principally for regional autonomy and Odinga promised that 60 per cent of expenditures
131 would be at regional level. In contrast, President Moi had never supported such politics, even criminalising it and
132 jailing those who championed it. The Kikuyu too did not support ODM primarily because it made the dreaded
133 regional autonomy one of its campaign issues. “The return of majimboism (regional autonomy) to public debate
134 alarmed many Kikuyu, as it reminded them of the bloody experience of the 1990s and the threats of violence
135 from the 1960s. Kikuyu church leaders, for instance, denounced the ODM’s policy. ‘We are the ones who bear
136 the brunt when land clashes break out’. ? ‘They described devolution as a monster that the devil would use
137 to cause bloodshed in the nation’. ??Branch, 2011: 268). Unknowingly, bloodshed came immediately after the
138 2007 election and in support of majimboism. Kibaki’s new regime turned to criminality for survival (Branch,
139 2011). His government (in which Uhuru Kenyatta was vice president) employed the services of a militia-gang
140 to carryout counter-violence activities against the Kalenjin youth militias. Kibaki’s inner circle and Kikuyu
141 businessmen allegedly hired the Mungiki to carryout violent activities against their perceived enemies.

142 In contrast, Chacha (2010) reports that Kenyan religions had become extremely politicised at the time of the
143 2007 election. Pentecostal leaders were entering politics, main line churches had taken political sides, Islamic
144 organisations were equally divided and involved, and contradictory prophesies were issued (some saying the
145 leadership would come from the lake, in reference to the Luo of Lake Victoria. Other prophesies likened Rutoto
146 the military founder of the Nandi people. In short, religious extremism was building up as the country marched
147 towards the 2007 election. ??hacha (2010: 124) adds that in some cases, prominent politicians spoke in churches,
148 synagogues and mosques, and allegedly visited even traditional doctors in Tanzania, Nigeria and Zanzibar.
149 Chacha concludes:

150 Witchcraft and other unflattering spiritual exercises are usually a symptom of two things: desperation to
151 get something at any cost, even at the cost of flirting with evil, and a profound disempowerment in the face of
152 injustice that has infiltrated the psyche and intimate relations (p 126).

153 Furthermore, Chacha notes that power and elections have been heavily ethnicised in Kenya, favouring certain
154 ethnic groups at the expense of others. The sheer cold-blooded calculations that saw the burning to death of over
155 fifty women and children trapped in the Kenya Assemblies of God Church in Eldoret symbolised the climax of
156 deep-rooted tribal hatred that had been building up towards the 2007 elections. It equally rekindled memories of
157 the genocide that killed an estimated 1 million Tutsis and moderate Hutus in Rwanda in 1994?during the same
158 period, a Catholic clergy was murdered in Eldama Ravine area ??Chacha, 2010: 126-7). More than ten churches
159 countrywide were set ablaze in the volatile hotspots. This sent shock waves to all religious watchers inside
160 and outside the country. Kenya was exploding, and religious groups were active participants in its destruction.
161 Kenya almost degenerated into genocide killing in 2008, and its citizens remained heavily armed in readiness for
162 a possible violence in 2013 and 2017, and the Kenyan state was not ready to disarm anybody! This paper aims
163 to offer a state-centred account to explain the fragility of Kenyan politics and to show why ethnicity has been so
164 prominent in Kenyan politics. It focuses on the state cultures of four largest ethnic groups -Maasai, kikuyu, Luo
165 and Kalenjin -particularly their governance culture and history. The paper’s first argument is that pre-colonial
166 Kenyan communities had no centralised political centre that governed all of them as one people; therefore did
167 not see themselves as one people. The second argument is that colonialism did not prepare Kenyans to regard

2 A) STATE CULTURE OF THE NILOTIC GROUPS -THE MAASAI, KALENJIN AND THE LUO

168 each other as one people. Instead, it sustained the ethnic divisions by favouring some groups and marginalising
169 others, thereby recreating ethnic rivalries. The last argument is that nationalism in the 1940s and 1950s loosely
170 brought together leaders from the largest communities in Kenya (the Kikuyu and Luo). Without a pre-colonial
171 state history and culture of centralised political institutions, and without an inclusive colonial state policy, post-
172 colonial Kenyan politics contained elements of dysfunctionality The diverse origins of the peoples of Kenya (as
173 recorded in their traditions and history books), lack a centralised-state culture or a mythological culture that
174 promoted oneness. In short, pre-colonial Kenyan communities did not live in kingdoms or empires; neither did
175 they believe in one religion. According to historians, Kenya was initially populated by the Khoikhoi, who either
176 migrated away to east Africa, or were absorbed by the Cushites who are claimed to have come from the highlands
177 of Ethiopia. It was also populated by the Nilotic (the River-Lake Nilotic, the Plains Nilotic, and the high lands
178 Nilotic groups) who are commonly known as the Luo, Maasai and Kalenjin. Our argument is that none of these
179 groups developed an imperial culture and imperial institutions, and that the absence of these, left the different
180 groups to their own survival skills that tuned them against each other.

181 2 a) State culture of the Nilotic groups -the Maasai, Kalenjin 182 and the Luo

183 To begin with, Maasai traditions claim indigeneity to Kenyan territories. Ochieng' (1975: 30) observes that
184 "the mythology of their traditions starts with a lady, remembered as Naiterokop, who is alleged to have come
185 down from heaven and to have born two sons, Maasinda and Olmeek. Maasinda is regarded as the person
186 who formulated the Maasai code of behaviour". Historians and other scholars observe that the Maasai, like the
187 Kalenjin, Jie, Turkana, Kumam, Luo and Karamojong, among others, belong to the Nilotic people, and their
188 original land was situated probably in the vicinity of Lake Turkana in northern Kenya. Ochieng' (1975: 31) notes
189 that "looked at in terms of the broader Nilotic history, the Maasai seem to belong to the Southern Nilotic invaders
190 of Kenya who by the middle of the first millennium A.D had established themselves in the plains around Lake
191 Turkana stretching from Samburu country in the east, to Karamojong Plains in eastern Uganda". Thus, while
192 the Maasai claim indigeneity, historians say that they are part of the Nilotic people who invaded eastern Africa
193 much earlier. "The Plains Nilotic is today represented by the Maasai, the Turkana, the Jie, the Karamojong and
194 Iteso" (Ochieng' ??, 1975:27).

195 In contrast, the River-Lake Nilotic is represented by the Alur, the Acholi, the Labwor, the Jonam, the Padhola
196 and the Kenyan Luo. In terms of research on state-ness, the obvious thing that emerges is the absence of
197 centralised state power, hence the existence of so many clans, independently living in proximity, and sometimes
198 hostile to each other. ??oi (1986: 3) observes: "By the end of the nineteenth century, Kenya had a varied range of
199 natural environments which were inhabited by 64 tribes varying in size from small to large traditional groupings.
200 There were no hard and fast boundaries between them?". The Luo and the Kalenjin are the focus of this section.

201 The Highland Nilotic is represented by the Kalenjin. The Nandi and the Kipsigis were highland Nilotic who
202 came to be known as the Kalenjin. They were primarily pastoralists, and their highland habitats and militaries
203 were designed for raiding and for protecting the captured cattle once acquired. In short, the wealth of the
204 community was dependent on the warriors who brought it in, and on the retired warriors to protect it. The
205 warriors underwent an elaborate system of initiating them into formidable fighters and raiders that they were.
206 The trained warriors operated through the age-grade institution, ready to embark on socially organised raiding
207 missions, and to bring wealth home. In deployment terms, "for offensive actions the Kipsigis as a whole do not
208 unite, but are divided into 4 districts: Peelkut, Waldai, Puret and Sot. In each there are four men, of the grade
209 of elders, who have together the supreme command: the poyziek ab puriosiek, i.e., 'the elders of the regiments',
210 who have been company commanders when their age-class formerly occupied the grade of warriors. These four
211 elders do not conduct the raids, but are rather a kind of 'chiefs of staff' ??Prins, 1970: 91). Thus, though the
212 Kipsigis were a militarised society, with the warrior age-class as their primary institution for acquiring wealth,
213 they too did not form kingdoms. In short, among the Kalenjin and the Maasai, the military was the institution
214 of choice, for interacting with neighbouring communities. Socially and politically, real men (trained warriors),
215 in Kipsigis culture are called 'arap' (as in Daniel arapMoi). This goes to show real continuities in traditions
216 between the pre-colonial and post-colonial Kenya. Ehret (1967) notes strong social connections between the
217 Maasai and the Nandi. "The Maasai vocabulary contains extensive word-borrowing from the Nandi (part of the
218 Kalenjin) -related dialect and, alone among the Plains Nilotic, the Maasai in many respects assimilate culturally
219 to the Nandi-related groups of tribes" ??Ehret, 1967: 35). Ochieng' (1975: 35) adds that "The Maasai found the
220 Kalenjin families already established in the highlands of the Rift Valley, the best agricultural lands in the whole
221 of Kenya. The Maasai broke through them, interacting with them in various ways. They are said, for example,
222 to have picked up a lot of early Kalenjin culture, adding relatively few distinctive elements of their own". Thus,
223 without establishing an imperial system, the Maasai interacted freely with the Kalenjin, as with the Kikuyu,
224 the Kamba and the Ndorobo as we saw above. Ironically, it was the Nandi, the Kipsigis and the Kikuyu who
225 contributed to the destruction of the Maasai who were also involved in

226 3 b) State culture of the Bantu groups -the Kikuyu

227 In contrast, historians and linguists classify the Kikuyu among the early Bantu settlers of the Mount Kenya
228 territory. There were several Bantu groups in Kenya, including the Kikuyu, Legooli, Gusii, Tende, Swetam,
229 and Luhya. Most of the Bantu groups claim to have come from Egypt, having passed through Ethiopia, Sudan
230 and Uganda into western Kenya. They count themselves among the immigrants who displaced or absorbed the
231 indigenous peoples of Western Kenya. Ogot (1967) argues that the Bantu groups preceded the others who later
232 settled in Kenya, but not necessarily in the lands that they occupied when colonialism was established later. But
233 the Kikuyu claims to be an indigenous group. Their claims of indigeneity imply that the Kikuyu lived much
234 longer (many generations) in the same area, and had established ancestral roots and prosperity within it. With
235 an environmentally friendly economy based on small livestock (sheep and goats), and occupying an extremely
236 fertile zone of the country, the Kikuyu became a prosperous and peaceful people.

237 The decentralised nature of the Kikuyu military that was coordinated through a council pursued peaceful
238 co-existence between the clans. Its warrior spirit was aimed at defending their common country against foreign
239 invaders and also protected its economic and social life. The Kikuyu occupied a forested highland environment
240 that provided relative protection from invaders, lessening its reliance on the military and reducing the edge to
241 fight. The Kikuyu military institutions were oriented towards peaceful political governance, ritual eminence and
242 accumulation of wealth. One institution of traditional governance was a 'council of war' that presided over a
243 warrior class divided into regimental groups, according to the system of age grades (riika). "Every riika had its
244 leader (mothamaki wa riika) who was responsible for the activities of his group [?] In time of war, these regiments
245 were united under the leadership of njamayaita (council of war) composed of several athamaki (leaders) of the
246 various age-grades. At the head of this council was a mondowaita (war magician or priest), whose duty was to
247 advise the council as to the best time of waging war (raiding for livestock). He blessed the warriors and gave them
248 war medicine to protect them against the enemy" ??Kenyaatta, 1938: 197-8). The predominance of magicians
249 and priests of the war council also suggest a political system that was less-war like.

250 In addition, motives for Kikuyu communities to start war were very limited and never about grabbing land or
251 capturing populations for purposes of increasing the size of the army, but to steal a few cows that had no proper
252 place in their culture. According to their traditions, land was a commodity to be bought and individually owned
253 (not to be violently grabbed), and to be commonly defended once it had lawfully changed hands as we shall
254 see later. Only cattle could be stolen in an organised fashion involving warriors, but these were irregular and
255 unpopular among the ordinary Kikuyu people. According to ??Kenyaatta (1938: 198-9), "the motive for fighting
256 was merely to capture the livestock of the enemy and to kill those who offered resistance. In other words, it was
257 a form of stealing by force of arms. Women were rarely killed, for it was a disgrace for a warrior to kill a woman
258 unless it was unavoidable[?] the council of war then divided the loot among the regiments[?] then a small number
259 of cattle were set aside for the mothamaki wa boriri (the high councillor or the chief of the country". Moreover,
260 such raids were not very common. According to ??Kenyaatta (1938: 201) "apart from the fighting strength of, say
261 the Kikuyu or the Maasai, there were natural features dividing the two tribes, such as huge forests full of all
262 kinds of dangerous wild animals and snakes, which made the forests a very effective blockade. Sometimes, it is
263 said, a party of warriors entered the forests and never came back[?] In places where there were no such natural
264 barriers, and where the two tribes came into contact frequently, peace treaties were signed and friendly relations
265 established. In this case intermarriages were one form of peacemaking". Kenyaatta admits that his grandmother
266 was a Maasai through that arrangement of peaceful coexistence. Joint operations were also possible between
267 Kikuyu and Maasai communities. ??Kenyaatta (1938: 202) observes that "[?] in territories where this friendship
268 was established, especially between the Kaptei Maasai and the southern Kikuyu, the warriors of the two tribes
269 joined together to invade another section of Maasai, like Loita, or a section of Kikuyu, like Mbeere of Tharaka".
270 The activities discussed above also show the absence of centralised state institutions.

271 Part of the reason the Kikuyu generally remained immune from invasion by the Maasai and by others was
272 because they hardly owned cattle, the major prize of raiding. It was not that they owned a powerful state that
273 was feared by others. According to ??Kenyaatta (1938: 63), "In former days cattle had very little economic value to
274 the (Kikuyu) owners, apart from the fact that such owners were looked on as dignified, respected rich men. The
275 milk was not sold, but used by the herdsmen and by visitors, especially warriors who were the protectors of the
276 villages against Maasai or other raiders. The rich men, who naturally had more property to be protected, were
277 responsible for feeding the warriors [with] milk and providing oxen for meat feasts (irugo) to keep the warriors
278 in good health". Without large herds of cattle, the Kikuyu were generally safe from Maasai raiders. Ochieng'
279 (1975: 34) notes about the Maasai, "Indeed the Ilmasai (Maasai proper) entertained the belief that God (Ngai),
280 in the olden days, gave them all the cattle upon the earth; it is therefore unworthy of a Maasai man or woman
281 to dig earth to grow crops". Thus, the Maasai licenced themselves to raid any community that possessed cattle,
282 creating enemies all over. Luckily for the Kikuyu, the Maasai saw them as complementing them rather than
283 competing against them.

284 Kenyaatta notes that the Kikuyu were governed in a loose manner through a council of elders from each
285 settlement, not the kind of institution that could impose an imperial culture and dominance. Allegedly, the
286 council of elders was established after the Kikuyu dethroned their kings and abolished kingship. "Every village
287 appointed a representative to the council, which took the responsibility of drafting the new constitution. The first
288 council meeting was held at a place called Mokorwe wa Gathanga, situated in the centre of the Kikuyu country,

3 B) STATE CULTURE OF THE BANTU GROUPS -THE KIKUYU

289 where the tribe is believed to have originated” ??Kenyatta, 1938: 181). ”In order to keep up the spirit of the
290 itwika (republican revolution), and to prevent any tendency to return to the system of despotic government,
291 the change of, and the election for, the government offices should be based on a rotation system of generations.
292 The community was divided into two categories: (a) mwangi, (b) maina or irungu. Membership was to be
293 determined by birth, namely, if one generation is mwangi, their sons shall be called maina, and their grandsons
294 be called mwangi, and so on. It was further decided that one generation should hold the office of government for
295 a period of thirty to forty years, at the end of which the ceremony of itwika should take place to declare that the
296 old generation had completed its term of governing, and that the young generation was ready to take over the
297 administration of the country” ??enyatta, 1938: 182).

298 The Kikuyu economy prioritised small livestock and its warrior army prioritised defence and only engaged
299 in sporadic raids. According to Kenyatta (1938), ”In Kikuyu country, before the introduction of the European
300 monetary system, sheep and goats were regarded as the standard currency of the Kikuyu people. The price of
301 almost everything was determined in terms of sheep and goats (mbori). This system still operates among the
302 majority of the Kikuyu people who have not yet grasped the idea of a monetary system and its value [?] Sheep
303 and goats, unlike cattle, are used for various religious sacrifices and purifications. They are the chief means of
304 supplying the people with meat, while the skins are used as articles of clothing. Finally, without them a man
305 cannot get a wife, for it is sheep and goats that are given as roracio (marriage insurance)”. The conjoining
306 of sheep and goats into a medium of exchange and medium of religious sacrifices and purifications, gives them
307 enormous weight in the culture of the Gikuyu communities. Even land was sold and bought using sheep and
308 goats.

309 With a small-stock based economy and a culture of buying and selling, the Kikuyu were relatively safe
310 from constant attacks from their neighbours and could strike friendship and trade missions with many of them.
311 However, such institutions could not launch it into political dominance over other groups. According to ??enyatta
312 (1938: 66), ”The articles of special value in trading with the Maasai are spears, swords, tobacco, gourds and red
313 ochre. The Maasai, who are not agriculturalists, and who regard the cultivation of the soil as a crime against
314 their gods, depend almost entirely on the Kikuyu for the supply of the three mentioned articles”.

315 One central institution of traditional governance among the Kikuyu was the religious sacrificial council
316 (Kaimakia Maturanguru). According to Kenyatta, members of this institution ”?had practically all their children
317 circumcised (both boys and girls)’ and had ”passed through all age-grades”. Members of this council were the
318 most senior elders, and therefore very old, and able to devote their lives to serving God (Ngai). ??rins (1953:
319 113) adds ”in all matters pertaining to public worship of Ngai, the High God, i.e., those acts of worship which
320 fall outside the sphere of kinship: birth, initiation, marriage and death, it is the assembly of ceremonial elders
321 of the grade of ukuru which comes into action. If a sacrifice has to be made to Ngai they convene the 4 th and
322 5 th grades’ elders. But only the senior ones (of ukuru) are allowed to come near the sacred tree dedicated to
323 the deity”. These observations confirm that the Gikuyu society was also oriented towards religion and rituals.
324 ??rins (1953: 114) further adds, ”a part from the sacrificial duties and prayer with which they are entrusted it
325 is especially in the field of fighting the disastrous results of breaches of taboo that the elders of the ceremonial
326 council (i.e., of both upper grades) are engaged in. The situation of disturbed equilibrium they are to restore
327 is called ’ritual un cleanliness’ or thahu”. It is this religious character of the Gikuyu which was later exploited
328 by the Mau Mau in the 1950s and later by Kenyatta in the 1960s, to win support for their political purposes.
329 However, such practices and institutions were incapable of founding an imperial state culture.

330 According to Kenyatta (1938), on spreading out from their ancestral location, individual Kikuyu families
331 bought land which became private property. First, they met the Gumba (pigmy) people who lived in the forest,
332 who allegedly disappeared and never to be seen again. Second, they met the Ndorobo or Aathi who shared
333 their language, customs and who transacted land for payment. According to ??enyatta (1938: 26) ”The Ndorobo
334 established friendly relations with the Kikuyu, and, as the people continued to move southwards, land transactions
335 started between the two tribes who lived side by side?As time went on the Kikuyu, who had not enough land to
336 cultivate in the All the lands which were bought in this way were held under private ownership or as family joint
337 property?The term ’communal or tribal ownership of land’ has been misused in describing the land, as though
338 the whole of it was owned collectively by every member of the community”.

339 What Kenyatta demonstrates in the quotation is that the Kikuyu had a practical problem of land shortages
340 which they solved by gaining access to lands held by other communities through monetary transactions, and not
341 through imperial conquest. According to Daniel Branch (2011), land shortages formed the anchor or constant
342 interest defining Kikuyu nationalism that later emerged, making it appear as a greedy community poised to
343 grab land from other groups. The above quotation also shows the character of the neighbouring communities.
344 Ochieng’ (1975), notes that the word ’ndorobo’ means those without cattle. So this group was no danger to
345 the Kikuyu, and was also safe from the Maasai and from the Kalenjin groups. The Ndorobo were also friendly
346 and traded with the others. So too were the Kamba people who traded primarily with the Gikuyu and Kalenjin
347 communities. Ehret (1967) observes that the Kamba (occupying most of the dry plains between Nairobi and
348 Mombasa) supplied iron ores, salt bearing earth, ebony beeswax, honey, hides, livestock, and goats.

349 Kikuyu customs made it almost impossible to sell land to members of other communities, effectively making
350 it extremely difficult to develop a state culture that was all-encompassing. This inward looking cultural policy
351 only helped to alienate the Kikuyu. ??enyatta (1938: 36), says that ”according to law of land tenure, if one

352 of the brothers wanted to sell out his share, the relatives had the first option so as to avoid a stranger coming
353 in their midst. The descendants of the one whose right was bought out lost all claims to the original ancestral
354 land, and were treated as mere strangers". What emerges from the above is that while the Kikuyu were free to
355 buy land from strangers, they did not sell land to strangers. Such practices were likely to create problems in the
356 colonial era and in the wider nationalism of Kenya where many other groups allowed Kikuyu strangers to buy
357 land from them, and yet that favour was not reciprocated. As a result, the Kikuyu never lost land to any other
358 African group, yet other ethnic groups lost land to the Kikuyu. This culture of never selling land to members of
359 other ethnic groups and the huge hunger for more land would continue into post-colonial Kenya with devastating
360 effect on Kenyan nationalism and on the legitimacy of Kikuyu leadership over Kenya as shall be shown later.

361 In contrast, the Luo settled in Western Kenya, among fragmented communities, some of which were entrenched
362 in armed raids, and others occupying highlands and collaborating with visitors for defensive purposes. First, the
363 Luo (a Nilotic group as the Maasai and Kalenjin) were a pastoralist, fishing and raiding community. According
364 to ??got (1967: 38-9), the Luo (like the Maasai) had no strong attachment with land. They were a mobile and
365 ever expanding community, prone to raiding and starting wars that displaced other groups, and they were also
366 less religious. They had no strong attachment to any particular land that they could call ancestral, and they
367 did not respect ancestral claims of other communities either. This also means the Luo felt less inhibited when
368 displacing other communities from their ancestral lands. Thus, the Luo based land settlement on conquest which
369 was elevated to a primary principle, displacing other communities who felt marginalised. From my interviews in
370 Kisumu, the Luo characterise themselves as peaceful people whose nationalism was not driven by any particular
371 immediate hunger. The abundance of fish from Lake Victoria made them a very content people without big
372 stately ambitions. According to a got (1967: 169), neither did the Luo have centralised political institutions nor
373 a centralising political culture.

374 In summary, pre-colonial Kenya was dominated by Bantu groups among whom the Kikuyu became prominent.
375 It was also dominated by Nilotic groups that included Maasai, Kalenjin and Luo. Both Bantu and Nilotic group
376 lacked a centralising political structure (kingdoms or even empires) from which power radiated from one centre
377 to the different regions of the territory. Numerous ethnic communities based on clan rule, mushroomed and
378 competed for space and for other resources, leading to endless wars, cattle raids and complete displacement of
379 some communities from their ancestral lands. All these set up a stage either for fragmented state systems such as
380 a federation or for a colonializing power to establish a centralised state system and culture. The Maasai raided
381 all communities that kept cattle and created enmity with them, and befriended those that did not keep cattle.

382 4 c) The entry of colonial rule in Kenya-the absence of a 383 centralising state culture

384 Fragmented pre-colonial communities in Kenya entered colonialism at different times, some with losses and others
385 with gains, but none with a centralised state/political system. To start with, Ochieng' (1975: 38) notes that the
386 decentralised Maasai communities lost the heaviest and had to be rescued by colonialism.

387 By A.D. 1800 the Maasai had already seen their greatest days of power. Thereafter their expansion was
388 minimal and, in places such as Western Kenya, the Maasai were definitely on the retreat before the Nandi, Luo
389 and Kipsigis. The apogee of their glory was followed by a precarious balance of power which they had struck
390 with their neighbours. Thus, thwarted, the Maasai turned their aggressiveness inward. The struggle and conflict
391 over grazing and watering rights, and chronic cattle Ochieng' (1975: 91) observes that "one of the results of
392 Maasai civil wars in the nineteenth century was the removal, in some cases completely and in others partially, of
393 several Maasai sub-groups. Particularly, the second or Losegelai and third wars created a vacuum which several
394 opportunistic groups could take advantage of". Most Maasai land in the Rift valley was taken over by the Nandi
395 and Kipsigis, both Kalenjin groups. A combination of endless wars between the Maasai and their neighbours,
396 civil wars among themselves, render-pest and drought, severely weakened the Maasai communities. By the time
397 of British occupation in 1894, the Maasai were thought to face extinction (having lost a huge population, as well
398 as most of their land and livestock). The British responded by establishing a reserve for the Maasai. However,
399 this also meant the Maasai had ceased to be a political entity that could help resist colonialism, and their
400 collaboration with the British made them enemies of the rising Kenyan nationalism led by the Kikuyu, Luo and
401 Kalenjin communities.

402 Without developing imperial institutions, other communities had made substantial material gains at the time
403 of colonialism. Towards the end of pre-colonial Kenya, all that the Maasai lost (cattle and land and watering
404 points), the Kalenjin (particularly the Nandi and the Kipsigis) gained. Ochieng' (1975: 92) notes that "the
405 Nandi raids against the Maasai were primarily aimed at dispersing the Maasai, who although weak after the
406 nineteenth century Maasai civil wars, were considered by the Nandi as a threat to their cattle and land. Most
407 of the Nandi-Maasai wars were fought during the time of the Maasai civil war in the Uasin Gishu plateau (the
408 current areas of Eldoret-my emphasis) in the 1860s and these conflicts continued right up to the 1880s". Thus,
409 the Nandi took advantage of the Maasai civil wars to drive them out of the Uasin Gishu. Once lost, and with
410 the Maasai in a defined reserve established by the British, the Uasin Gishu plateau became forever part of the
411 Nandi country who were, according to Ochieng', on friendly terms with their cousins the Kipsigis, the Keiyo,
412 Tugen and the Pokot.

4 C) THE ENTRY OF COLONIAL RULE IN KENYA-THE ABSENCE OF A CENTRALISING STATE CULTURE

413 Without imposing imperial rule, the Kipsigis also took a large chunk of Maasai country and cattle. Ochieng'
414 observes that while the Kipsigis raided the Luo (at night for cattle), and fought wars against the Gusiiover
415 boundaries, real war was fought against the Maasai. "War between the Kipsigis and the Maasai on the other
416 hand, was looked on as true war, and was carried out under strict rules, 'as much for glory and the love of
417 fighting as for the acquisition of cattle" (Ochieng '1975: 96). It was certain that the group that lost the war
418 would be driven out and impoverished. Coincidentally, the Kipsigis fought wars against the Maasai at a time
419 when the latter fought the Nandi, and were embroiled in deadly Maasai civil wars. These activities resulted in
420 the expulsion of the Maasai from the Rift Valley.

421 In contrast, the Kikuyu in central Kenya appear to have never lost land to any African group and pursued
422 a less militarised foreign policy. The only group to whom the Kikuyu lost land was the Europeans. According
423 to Kenyatta, while the Kikuyu initially supplied food to, traded with, and welcomed the Europeans and their
424 Christian religion, they later changed, and started rejecting the religion (opting for a mixture of Christianity and
425 pre-colonial worships), employed peaceful means to try to drive the Europeans out of their land, and started
426 intimidating activities against them. ??ere (1967: 162) quotes a British officer, Fredrick Jackson, who observed
427 as follows: "Between Kikuyu and Kabaras (Kabras) going via the Nakuru road there is absolutely no food, and
428 then again via Baringo, and co., there is food, but it cannot be relied upon for a large caravan. To do away with
429 this I strongly recommend that stations should be built at Kikuyu?Ngongo and Bagas at Naivasha and Njemps.
430 When Kabaras (Kabras in Buluhya) is once reached the food question difficulty is all over". This observation was
431 acknowledged by Kenyatta (1938) who had noted that the Kikuyu withdrew food supplies, with the intention of
432 starving the Europeans as a way of encouraging them to leave.

433 As a way of addressing the artificial food shortages caused partly by Kikuyu resistance, the Europeans started
434 establishing stations in Kikuyu country, confiscating all land assumed to be unoccupied, establishing the 'white
435 highlands', leading to land dispossession among the Kikuyu at a scale previously unknown in their history.
436 According to Werlin, 1974:39), things worsened when the British settlers and colonial administrators in Kenya
437 developed an ideology of 'white highlands', and 'the Elgin pledge', prohibiting the sale of land in the uplands
438 to Asians. Confrontation was inevitable, but militarisation was not. The withholding of trade to starve the
439 Europeans confirms that the Kikuyu were a less militarised community, and its resistance was civil rather than
440 military. The Europeans responded in a civil manner, too. They were now going to produce food for themselves,
441 and acquiring Kikuyu highlands and labour became their primary concerns. In accordance with the culture and
442 tradition of the love of acquiring land and of paying for it, the Kikuyu demanded exorbitant compensation rather
443 than resort to political violence, another sign of a less militarised community. According to ??eakey (1954: 22-23)
444 when the Morris Carter Land Commission was appointed,

445 The leaders of the Kikuyu Central Association? encouraged those members of their tribe who had genuinely
446 lost land to the white man, to put in such preposterous claims -so exceeding the true factsthat it was inevitable
447 that a clear-headed, judicial- minded body would reject the claims as too fantastic to be treated seriously. The
448 issue was, in fact, so confused by the untrue evidence that was put forward that, in the end, the extent of the
449 claims which the Commission finally accepted as genuine, fell far short -both in my opinion and in that of many
450 others who knew the position -of reality.

451 The Kikuyu culture of prioritising material gain (particularly accumulating more land or demanding exorbitant
452 compensation) would haunt the post-colonial Kenyan government as shown in subsequent sections. ??enyatta
453 (1973: 151) criticised this culture of his people in the following words: "We have got to forget the old saying
454 that money is all that matters and start thinking of our country which we love". But this was against a strong
455 Kikuyu culture which was not going to disappear just because Kenyatta said so. Concerted effort was required to
456 combat it through targeted policies, which never came during the colonial period and in the postcolonial Kenya.

457 In a related matter and according to Kenyatta (1938), the Kikuyu later rejected Christianity over controversy
458 caused by the rejection by the Church of Scotland Mission Kikuyu of the custom of clitoridectomy, which was
459 widespread among the Kikuyu and among their neighbours. This was a custom involving the initiation of girls
460 characterised by the cutting of the clitoris. Kenyatta (1938) observes that the Kikuyu had so much attachment
461 with the custom to the extent that they disowned their sons who married women from groups that did not practice
462 the custom. So, when the Church of Scotland abolished the practice and expelled all school going children who
463 had passed through the custom, the Kikuyu Christians abandoned the church. Kenyatta notes that in the place of
464 the Church of Scotland, sects such as Watu wa Mungu (people of God) emerged. This particular one emphasised
465 holiness, proclaimed the sacredness of their mission, rejected the holding of property and of money, which they
466 regarded as the source of all evils. However, Kenyatta says the group embraced communion with ancestors and
467 polygamy. "?the new religion sanctioned polygamy on the ground that several leading personages of the Bible,
468 Ibuku ria Ngai, often had many wives without being discredited for it; on the contrary, they are praised for their
469 good deeds and wisdom" ??Kenyatta, 1938: p 266). In terms of ancestors, Kenyatta says the group argued that
470 "since the Church recognises the sacredness of saints, who are but ancestors of the mzungu, and if the deity can
471 be addressed by the saints and can listen to their intercessions, it will be more likely that the spirits of the Kikuyu
472 ancestors will act effectively. The Kikuyu ancestral spirits would have more personal interest in transmitting the
473 prayers and needs of their descendants than mere outsiders who have to deal with requests from different peoples
474 of the world" ??Kenyatta, 1938: 266). In this regard, the foundations of Kikuyu nationalism were being laid,
475 but this too was inward looking.

476 With divide and conquer tactics, the British colonial government primarily recruited for its army, from what
477 was regarded as loyal tribes. According to Ochieng' (1975) the Kipsigis (a Kalenjin group) initially traded ivory
478 indirectly with the Swahili and Arabs and were indifferent to those passing through their country. Ivory "was
479 exchanged for cattle with the Dorobo, who in turn sold the ivory to the Coastal caravans". Ochieng' (1975: 116)
480 says later the Swahili and Arabs set up ivory depots in Kalenjin country. Then the European traders came.
481 According to Katumanga (2010; ??38), "The colonial preference of the Kamba and Kalenjin has seen the two
482 communities emerge as the numerically major groups in the armed forces". (The response of the Kipsigis was
483 surprising, coming from a militarised community that could have easily opted to fight). Ochieng' says a Kipsigis
484 man stole an iron chain from one Fredrick Jackson who responded by confiscating "one hundred and sixty cattle
485 and one thousand, five hundred goats and sheep". This kind of British injustice alienated the Kipsigis, who
486 grudgingly managed to contain themselves, and acquired the characterisation of a friendly people. It is said
487 that the Kipsigis were even persuaded by their retired warrior-elders to surrender to British rule. Thus, the
488 Kipsigis strategically avoided armed confrontation with the British, sparing their institutions and economy from
489 disruption, and acquiring new advantages of being enlisted into the colonial army that was used to suppress all
490 armed resistance across Kenya.

491 In contrast, the equally militarised Nandi (another section of the Kalenjin) was hostile to the Europeans and
492 "would not even let individual Europeans cross their country and, in 1895, they murdered a British trader called
493 Peter West who tried to do so". Ochieng' (1975: 119) adds that "Nandi resistance was not broken until October
494 1905 when Colonel Mienertzhagen surreptitiously murdered the Nandi Orkoiyot (spiritual and military leader),
495 KoitalelarapSamoei. "The original contingent against the Nandi was 1,074 men strong; among these were some
496 six European officers, 500 Sudanese, and 108 Swahili soldiers. By November 27 th 1905, about forty-two of
497 them had been killed and fortysix wounded. As against this, about 685 Nandi were killed, 10,308 cattle and
498 18000 sheep and goats captured, and several men wounded. To prevent further trouble, arrangements were made
499 to move the Nandi into a Reserve, comprising the Aldai and Kabwaren districts 'and the belt of the country
500 between the Western Escarpment and the line ALAGABIET -KIPSEKAK hill" ??Were, 1967: 169). Being a
501 warrior society, the Nandi responded militarily to European encroachments, and therefore suffered casualties,
502 loss of land and livestock. As part of their nationalism, they never forgave the British, for killing their Orkoiyot,
503 arap Samoei, and for the economic loss they suffered. Naturally, the Nandi expected to return to their ancestral
504 lands after independence and their nationalism sought to expel the white settlers and to return the Nandi to
505 their ancestral homeland. It is not surprising that the Nandi developed a nationalism that was initially anti-
506 British and later anti-Kikuyu who replaced the European occupiers after independence. As we shall see, when
507 independence came, President Jomo Kenyatta from the Kikuyu people insisted that no land would be returned
508 to any community, rather, that land would be sold to any landless people who could afford to buy and to farm
509 it. Such a policy allowed the Kikuyu people to replace the Europeans farmers in Nandi hills, a great source of
510 conflict in post-colonial Kenya.

511 The white settlers got to dominate the racist politics of colonial Kenya. By nature, racism is not an inclusive
512 system. After the British settlers occupied the 'white highland' around Mt. Kenya and the whole of the Rift
513 Valley, they were able to dominate the constitutional arrangements of Kenya. Werlin (1974: 40-1) notes that
514 "Between the two World Wars the constitutional arrangements was such that the Europeans elected from the
515 rural constituencies in the highlands dominated the proceedings of the Legislative Council. This required the
516 Government to subject all important measures to the criticism of the elected members before submitting them
517 to the Legislative Council for passage. Similarly, the settlers were permitted to be very influential in all stages
518 of administration". Werlin also notes that the white Kenyan civil servants were allowed to own land and this
519 brought them closer to the settlers who influenced government policy to deny Africans the right to grow cash
520 crops, the right to access government education, the right to be appointed into the civil service, the right to
521 political representation and to prosperity, and the right to live in urban Nairobi.

522 This viewpoint stemmed partly from the British philosophical teachings of Edmund Burke and Herbert
523 Spencer, that traditional culture was an [organic] structure of mutually dependent parts which would be seriously
524 disrupted by the innovations associated with urbanisation. The resulting cultural void would provoke violence and
525 decadence. Those who shared this outlook tended to distrust the westernised and educated African" (Werlin, 1974:
526 48). One central way of preventing urbanisation among Africans was racial segregation in the towns, disallowing
527 Africans from owning land and houses in towns and neglecting African townships that were overcrowded, dirty and
528 poor. Colonial segregation offended the materialist culture of the Kikuyu who felt denied of new opportunities
529 to acquire wealth and who were dispossessed of their land and their ancestral region. This provoked protest
530 nationalism which was predominantly civil and peaceful.

531 **5 d) African nationalism in Kenya -the absence of inclusive** 532 **nationalism**

533 African nationalism in Kenya was dominated by the Kikuyu who were predominantly in ward looking, peaceful,
534 and who demanded compensation for lost land and equality of opportunity to grow cash crops and a united
535 Kenya led by African majorities. Notwithstanding the violent politics introduced by the Mau Mau (formed by
536 a section of the Kikuyu), Kenya remained predominantly peaceful until Kenyatta was detained, and continued

5 D) AFRICAN NATIONALISM IN KENYA -THE ABSENCE OF INCLUSIVE NATIONALISM

537 to be so until he was released. The initial Kenyan nationalism was the kind that complained about injustices,
538 denied opportunities, racism, poverty, poor education and so on. The character of Kenyan nationalism and
539 its peacefulness is represented in the writings of Mugo Gathuru (1965). The entry of the armed Mau Mau
540 did not change Kenyan nationalism that much, except creating the impression that the Kikuyu were the only
541 ones fighting for independence. The Mau Mau aimed to 'recover the land stolen by the white man; obtain self-
542 government; destroy Christianity; restore ancient customs; drive out all foreigners; abolish soil conservation; and
543 increase secular education' (Leakey, 1954). The fact that the Mau Mau was restricted to territories occupied by
544 Kikuyu and sought to rely on the support of this traditionally peaceful and monetised community, weakened its
545 national appeal and weakened its capacity to unleash widespread violence. According to Leakey (1954: 3), "a
546 number of brutal attacks were made upon European families, and women and children and elderly people were
547 among those killed, but the total number of incidents involving Europeans was very small, for the directions of
548 the Mau Mau leaders was to concentrate attacks upon loyalist members of the tribe, in order to intimidate them
549 (and any others who thought of helping the Government) into at least a state of passivity. In this they had
550 not, however, succeeded as much as they had hoped". In short, the Mau Mau hardly targeted Europeans even
551 though the latter finally got scared away. In addition, the general Kikuyu population refused to support it, which
552 turned its violence on them, assassinating targets and further alienating the community from its mission. In
553 any case, the Mau Mau had not acquired sophisticated weaponry to face the colonial army primarily consisting
554 of the fierce Kipsigis and the Kamba. Instead, according to Leakey (1954), Mau Mau ran a small mobile gun
555 factory in the Meru forest near Kibiricho. It also relied on stealing weapons from cars, farms and so on, thus
556 introducing a culture of stealing and banditry. The entry of the Mau Mau introduced gangs, stealing, murders
557 and assassinations in Kenyan politics.

558 In 1955, the British ordered Kenyans to form political parties along district lines, thus adding to the already
559 existing politics of fragmentation. "The result was the formation of numerous district political parties from 1955,
560 such as the Nairobi District African Congress, Taita African Democratic Union, Nakuru African Progressive
561 Party, Baringo District Independence Party, and the Nandi District Independence Party, just to mention a
562 few"(Wanyama, 2010: 66). While Wanyama blames colonialism for fragmenting Kenyan politics, our evidence
563 shows that it merely preserved what was already on the ground. During the time of district-based political
564 parties, the Coast people (headquartered at Mombasa) and the Somalis in Northern Kenya (through the Northern
565 Province People's Progressive Party -NPPPP that even fought against British colonial rule and demanded to be
566 re-integrated into Somalia), were demanding autonomy while Kenyatta insisted on a united Kenyan state. It
567 should be noted that the Coastal region pitted Ronald Ngala's KADU against the Arabs who wanted to secede,
568 and against KANU who favoured a national state. Ngala's KADU had been joined by the Nandi District
569 Independent Party that resolved in 1959 that "the land once occupied by our forefathers and mothers and now in
570 the hands of the foreigners should be handed back to the Nandi people" (Branch, 2011: 13). What this suggests
571 is that there were two kinds of nationalisms in Kenya: one calling for equal opportunities between the whites and
572 the blacks; and another calling for regional autonomy and for the return of the land to the original inhabitants or
573 their children. The dominance of Kenyatta ensured the marginalisation of the latter nationalism, which however,
574 never died away and continued to torment Kenya. On the issue of ethnicity and of lack of national institutions
575 that could bring Kenyans together as one, Kenyatta preached unity characterised by a one-party state. At a rally
576 in Meru (the stronghold of the Mau Mau) in 1961, Kenyatta said:

577 The need now is for unity, for ending the divisions which are delaying Uhuru. All of us come from one mother.
578 If you want freedom, you must eliminate violence. Now we have the chance to hold meetings during the day.
579 Those who want to hold meetings during the night should stop. We must be peaceful. We must be ambitious.
580 But we should not be vengeful. The time for taking oaths is past. I have heard that some people giving oaths
581 have said they were commanded by Kenyatta. Now I must say that I have never told them to do so. We must
582 not use clubs, pangas or arrows, but one thing: logic (Kenyatta, 1973: 154).

583 Labelling it disunity, Kenyatta opposed politics of regional autonomy, opposed the expulsion of the whites
584 which he called politics of revenge, opposed violence and secrecy which was championed particularly by the Mau
585 Mau in Kenya during that time, by KADU in its regions of Rift Valley, and by Coastal, and North Eastern
586 provinces. According to Branch (2011), Kenyatta also feared that the Mau Mau veterans could organise another
587 uprising against his government. "Kenya is a small and not unduly rich country. We simply cannot afford six
588 parliaments and six governments. It is a gross error to believe that the division of the country into [regions] will in
589 some way help to preserve individual liberties. On the contrary, it could easily lead to chaos and disintegration"
590 (Kenyatta, 1973: 169). But Kenyatta offered no solution towards returning back ancestral lands to the original
591 communities that owned them. It can be seen that the politics of regionalism and federalism was meant to protect
592 the land and autonomy of the minority communities.

593 Led by Jomo Kenyatta as president and by Oginga Odinga as vice president, independent Kenya followed a
594 reconciliatory state policy, trying to let bygones be bygones. "Forgive and Forget and unity" were Kenyatta's
595 purported guiding principles in building state institutions, in building a new national identity, in developing
596 a national economy and in developing a foreign policy. In short, no meaningful land redistribution was
597 contemplated. In practice, however, Kenyatta allegedly divided the government and the ruling party into Kikuyu
598 who supported the president and into Luo who supported Vice President Odinga and who provided opposition
599 from within. According to Branch (2011), Jomo Kenyatta prioritised the interests of his own Kikuyu community:

600 shortage of land for his Kikuyu people was given utmost government priority. The whole process of state building,
601 of forging a new national identity and of building a national economy, sought to address this problem. In short,
602 President Kenyatta behaved more like a Kikuyu warrior, conducting state affairs to satisfy Kikuyu land hunger
603 through political dominance. According to Branch (2011), the main reason Kenyatta rejected regional autonomy
604 and federation was neither about costly governments nor prospects of oil in the northern regions nor a genuine
605 desire for national unity, but was about how his Kikuyu people and himself, could gain access to land and
606 to wealth throughout the whole country (particularly in the fertile and evergreen Rift Valley). Branch (2011)
607 compares a U.S consul who observed that Kenya's nationalist leaders had their own reasons for wanting to hold
608 on to northern parts of the country that sought autonomy, with a British MP who held a contrary view. "While
609 the U.S consul in Nairobi reported in May 1963, that 'oil hopes play a role', a British MP and former governor
610 of northern regions observed that oil was not the main thing. For KANU, refusal to discuss autonomy for the
611 north was consistent with the centralist policies that also dictated its attitude towards devolution. Autonomy for
612 the Rift Valley would have been much harder to resist had the North Eastern Province been granted some form
613 of self-rule. The Rift Valley and the lands to be vacated by the European settler farmers were the real prize of
614 independence, not the north".

615 It should also be noted that there was rebellion within Kenyatta's KANU party. First, the youth of KANU
616 led the internal rebellion, invading and trespassing on white-owned farms in pursuit of Mau Mau-inspired politics
617 of opening more space for the Kikuyu, and of Kalenjin politics dominated by calls for the expulsion of the
618 Europeans. "Disturbed by reports from sundry areas of trespass and intimidation, and even oathing by some
619 younger members of the party, he issued -on January 19, 1962 -a stern statement?" It is clear that Kenyatta's
620 leadership based on forgiving the whites, forgetting all wrongs of the past and uniting all communities and races,
621 was not resonating even with the youth of his own party, prompting him to threaten them with expulsion! His
622 version of land re-distribution was based on giving loans to 'peasant farmers' to buy 'unused land in the hands of
623 the whites', whose loss would be compensated by the British Government! "In the allocation of land to the new
624 peasant farmers we shall bear in mind that our first duty will be to help those landless people who today have
625 no means of livelihood. I did not say -at a recent KANU rally -that such peasant farmers will get land free. I
626 went to great pains to explain that the way the government would help such peasant farmers would be by giving
627 them loans on easy terms, to be repaid by the farmer in instalments over a period of time". Thus, Kenyatta
628 had no intention of directly addressing wrongs of the past in a comprehensive way. Rather, his government was
629 going to help landless farmers (mostly Kikuyu as it later turned out) with loans to buy land! From interviews
630 in Nairobi, Kisumu, Mombasa, Nakuru and Northern regions, these loans attracted very low interest rates in
631 Kikuyu-dominated territories, and very high interest rates in non-Kikuyu areas. In addition, the loans were
632 administered through banks, either owned or run by the Kikuyu. The end result was that only the Kikuyu
633 accessed the loans, and in a sense, got the plots for free as they were given interestfree loans. In any case, the
634 Mau Mau had had a policy of mobilising the Kikuyu to be land hungry, and after independence, to always flock
635 in large numbers to resettlement areas, necessarily constituting a majority of squatters who were to be given
636 priority in resettlement programmes. It is therefore not surprising that Kenyatta's commercialised re-settlement
637 policies shattered the Kikuyu-Luo partnership that had built KANU and energised calls for regional autonomy,
638 plunging Kenyan politics into chaos forever.

639 6 III. Conclusion

640 Kenya remains a fragile country, and the disputed 2017 election results that were followed by sporadic post
641 elections protests and a court case challenging presidential election results, are clear evidence of that fragility.
642 This paper has shown that state fragility in Kenya is imbedded in the pre-colonial systems that were allowed
643 to continue during the colonial and postcolonial periods. Pre-colonial Kenya neither had centralised political
644 institutions nor a state culture and universal religion that could be relied upon to unite the different ethnic
645 groups and clans into one nation-state. Through the culture of buying and acquiring property in areas occupied
646 by other ethnic groups, the Kikuyu managed to spread their wings and occupy faraway territories in the Coastal
647 areas, in Western and Northern Kenya and in the Rift Valley. But without imperial institutions and an imperial
648 culture of dominance and without hierarchy and subordination, the Kikuyu exposed their defences and remained
649 vulnerable.

650 The paper has also shown that colonialism, nationalism and post-independence politics, equally failed to create
651 a centralising state culture that could have united Kenyans under Kikuyu dominance. Colonialism dispossessed
652 the Kikuyu and the Nandi, displacing them from ancestral lands, racially discriminating and preventing them
653 from accumulating property in the country and in the urban areas, driving them into slums and reserves, and
654 radicalising them into freedom fighters. In contrast, colonialism benefited the Maasai who it saved from extinction,
655 and it benefited the Kipsigis who escaped military defeat and instinctively acquired the label of 'friendly people'
656 and got absorbed into the colonial military and into the police that were inherited by post-colonial Kenya. To
657 the Kikuyu nationalists, the Kipsigis and the Maasai acquired the label of collaborationists as the institutions
658 they were hired into had been used to protect colonialism and to brutalise the local peoples.

659 Kenyan nationalism had three strands: (i) national unity, equal opportunities and opening up the whole
660 country to Kikuyu investment that championed by KANU that became the ruling party; (ii) regional autonomy
661 and separate development championed by KADU and representing the Nandi, Coastal peoples and other groups;

6 III. CONCLUSION

662 and (iii) secession, championed by the Arabs and the Somalis who wanted to break away from Kenya. Strong
663 variations imbedded into the lived social experiences of different groups in Kenyan society, promoted differences
664 rather than unity and oneness. Amidst this, Mau Mau radicalism introduced secret gangs and the political
665 assassinations of opponents among and outside the Kikuyu communities, bequeathing a violent culture and
666 clandestine groups that took to oathing. Kenyan politics is partly characterised by armed gangs to whom
667 violence is a normal political tool, for hire to elites from the same ethnic background. This politics of gangs for
668 hire excludes principles of fairness and of the rule of law.

669 Instead of relying on the state security that is controlled by former collaborationists, Kenyan communities
670 resort to criminal gangs for protection! Rooted in an undying warrior culture, many Kenyan communities
671 encourage armed youth gangs that freely rob and are easy to hire by rival politicians and businessmen. Kikuyu
672 political and business elites who oppose the politics of regionalism and whose property and lives are vulnerable
673 all over Kenya, protect themselves through armed gangs and through rigging elections to prevent from attaining
674 political power, any political party that campaigns for regionalism.

675 To expect Kenyan politics miraculously (without systematic effort and international assistance) to re-structure
676 itself into hierarchical and coherent parties with loyal branches all over the country, into inclusive state institutions
677 that are nationally focused and that protect all Kenyans, and into equitable social and economic distribution
678 systems that create even development, is to expect what is not within her reach. Kenya remains a fragile society.
679 Its militias are deadly armed, and their enemy is Kenya itself. No Kenyan leader has been ready to disarm the
680 militias and the criminal gangs, and the country faces real risks of implosion. The security forces are immobile
681 and offer no security to the Kenyan people. The religious institutions are divided.

682 But Kenyan political violence is not spontaneous, it is either hired out or mobilised for targeted political
683 and economic ends. Kenya remains fragile as it is founded on unfairness, insecurity, intolerance and survives on
684 ethnic mobilisation. But without addressing past injustices suffered by the Nandi and the Kikuyu, and without
685 assuring the Kikuyu of safety in the wider country where they have bought enormous properties, preventing
686 the opposition from winning political power and from implementing regionalism, is the single most important
687 political goal. Political assassinations, election rigging and buying of voters, have all been used at one time or
688 another in pursuit of that goal -preventing parties that threaten to use state power to implement regionalism.
689 The country needs the involvement of the international community to negotiate a peaceful existence and to build
690 an equitable economic and social system. Observing elections alone will not help the international community
691 to help Kenya reform itself.

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