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

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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.

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I. Introduction

Kenya went to the polls on 8th 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

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

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

Political assassinations started early in post-colonial Kenya. According to Branch (2011: 46), Pio Gama Pinto, a rich Asian political and media activist who was regarded as the brains behind Odinga's faction of KANU, was assassinated in 1965. "A few days after the assassination, Kaggia (speaker of the upper parliament) told his fellow MPs that Pinto's killing 'is no ordinary murder. It is a political murder' (Branch, 2011: 46). Kaggia lost his position as speaker! Odinga resigned from KANU and formed Kenya Peoples Union (KPU) which was later banned. Once Odinga was pushed out, Tom Mboya became the primary target and was assassinated for asking the Europeans not to abandon their farms. In his 1970 publication, Tom Mboya as Assistant Minister of Agriculture, observed that the Europeans were abandoning their homes and farms in Kenya, and he felt obliged to persuade them to stay for the sake of the economy. His policy of persuading the European farmers to stay angered the

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Mau Mau veterans and the Nandi remnants that were campaigning for the Europeans to leave, and this collusion triggered moves to assassinate him. Finally, in deadly internal power struggles to replace the ailing Kenyatta who had suffered a serious stroke, Mboya was assassinated, sparking intense ethnic rivalry between the Luo on the one side, and the Kalenjin and the Kikuyu on the other side.

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

Change of state leadership did not promote the stability of the Kenyan state. Daniel *arap* Moi, took over the presidency in 1978, and his version of nation-building emphasised continuity with Kenyatta's policies and with selected ancient values. He chose to view the resettlement of the Kikuyu in the Rift Valley as part of positive modernisation which was helping to unite the peoples of Kenya, and was going to sell this to the whole nation which already felt overwhelmed by Kikuyu dominance. But he also "… organised Kalenjin land-buying companies to compete with the powerful Kikuyu efforts sanctioned by Kenyatta…" (Branch, 2011: 129). Moi's *nyayoism* philosophy emphasised love, peace and unity. So, President Moi was now going to teach other Kenyans to love the Kikuyu who had been implanted in other people's ancestral lands, without anything in return! Alternatively, Moi was going to teach the politically and economically dominant Kikuyu to love and care for people whose ancestral lands they acquired!

Kenya's fragility continued even when multiparty democracy was introduced. Responding to the Forum for the Restoration of Democracy (FORD)'s campaigns for multi-party-ism, Moi's supporters (including cabinet ministers from the Rift Valley) started mobilising ethnicity and regional autonomy, calling all Kikuyu, Luo and Luhya communities who had settled in the Rift Valley to leave, and actually mobilising Kalenjin youths to expel them through violence. Branch (2011) quotes Patrick Chabal and Jean-Pascal Daloz who termed it "disorder as political instrument; the deliberate instigation of violence by states for political ends". In addition, "victims were treated a little better by the courts, which commonly released perpetrators on bail and handed out minor sentences to the more than one thousand individuals charged with involvement in the violence. Journalists attempting to investigate the clashes were harassed, and emergency legislation was used to restrict access to sites affected by the violence, and human rights activists were prevented from operating unimpeded in those locations. The regime was fighting for its life" (Branch, 2011: 202). In a sense, statelessness was very visible in Kenya during the period when multiparty democracy was introduced.

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

In contrast, the Kikuyu's response to the election related violence worsened the state's fragility. According to Branch (2011: 236), the Kikuyu youth responded by forming the Mungiki (multitudes in Gikuyu

language), a rural commune for the poor with an initial focus on indigenous religious beliefs, and on unity among the Kikuyu. Mungiki regarded itself as the true successors of the Mau Mau anti-colonialists. It was a militia that practised *oathing*, enforced female circumcision and engaged in criminal extortion. According to Branch, "Mungiki presented itself as an expression of Kikuyu unity in the face of threats from Kalenjin in the Rift Valley. Local pockets of Mungiki activists were involved in the formation of vigilante groups to protect Kikuyu families during the clashes of the 1990s. Its ranks were then swelled by displaced Kikuyu, forced by the violence to take up residence in the eastern Rift Valley, Central Province and Nairobi" (Branch, 2011: 237). Kikuyu elite (including MPs) supported the group. In contrast, the Bagdad Boys, according to Katumanga (2010) and Branch (2011), provided security for Luo political leaders in Kisumu throughout the multiparty era.

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

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

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

Furthermore, Chacha notes that power and elections have been heavily ethnicised in Kenya, favouring certain ethnic groups at the expense of others. The sheer cold-blooded calculations that saw the burning to death of over fifty women and children trapped in the Kenya Assemblies of God Church in Eldoret symbolised the climax of deep-rooted tribal hatred that had been building up towards the 2007 elections. It equally rekindled memories of the genocide that killed an estimated 1 million Tutsis and moderate Hutus in Rwanda in 1994…during the same period, a Catholic clergy was murdered in Eldama Ravine area (Chacha, 2010: 126-7). More than ten churches countrywide were set ablaze in the volatile hotspots. This sent shock waves to all religious watchers inside and outside the country. Kenya was exploding, and religious groups were active participants in its destruction. Kenya almost degenerated into genocide killing in 2008, and its citizens remained heavily armed in readiness for a possible violence in 2013 and 2017, and the Kenyan state was not ready to disarm anybody!

This paper aims to offer a state-centred account to explain the fragility of Kenyan politics and to show why ethnicity has been so prominent in Kenyan politics. It focuses on the state cultures of four largest ethnic groups – Maasai, kikuyu, Luo and Kalenjin – particularly their governance culture and history. The paper's first argument is that pre-colonial Kenyan communities had no centralised political centre that governed all of them as one people; therefore did not see themselves as one people. The second argument is that colonialism did not prepare Kenyans to regard each other as one people. Instead, it sustained the ethnic divisions by favouring some groups and marginalising others, thereby recreating ethnic rivalries. The last argument is that nationalism in the 1940s and 1950s loosely brought together leaders from the largest communities in Kenya (the Kikuyu and Luo).Without a pre-colonial state history and culture of centralised political institutions, and without an inclusive colonial state policy, post-colonial Kenyan politics contained elements of dysfunctionality

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that worked against state building and promoted state fragility.

II. Governance Among the Pre-Colonial Peoples of Kenya

The diverse origins of the peoples of Kenya (as recorded in their traditions and history books), lack a centralised-state culture or a mythological culture that promoted oneness. In short, pre-colonial Kenyan communities did not live in kingdoms or empires; neither did they believe in one religion. According to historians, Kenya was initially populated by the Khoikhoi, who either migrated away to east Africa, or were absorbed by the Cushites who are claimed to have come from the highlands of Ethiopia. It was also populated by the Nilotic (the River-Lake Nilotic, the Plains Nilotic, and the high lands Nilotic groups) who are commonly known as the Luo, Maasai and Kalenjin. Our argument is that none of these groups developed an imperial culture and imperial institutions, and that the absence of these, left the different groups to their own survival skills that tuned them against each other.

a) State culture of the Nilotic groups – the Maasai, Kalenjin and the Luo

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

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

The Highland Nilotic is represented by the Kalenjin. The Nandi and the Kipsigis were highland Nilotic who came to be known as the Kalenjin. They were primarily pastoralists, and their highland habitats and militaries were designed for raiding and for protecting the captured cattle once acquired. In short, the wealth of the community was dependent on the warriors who brought it in, and on the retired warriors to protect it. The warriors underwent an elaborate system of initiating them into formidable fighters and raiders that they were. The trained warriors operated through the age-grade institution, ready to embark on socially organised raiding missions, and to bring wealth home. In deployment terms, "for offensive actions the Kipsigis as a whole do not unite, but are divided into 4 districts: Peelkut, Waldai, Puret and Sot. In each there are four men, of the grade of elders, who have together the supreme command: the poysiek ab puriosiek, i.e., 'the elders of the regiments', who have been company commanders when their age-class formerly occupied the grade of warriors. These four elders do not conduct the raids, but are rather a kind of 'chiefs of staff"(Prins, 1970: 91). Thus, though the Kipsigis were a militarised society, with the warrior age-class as their primary institution for acquiring wealth, they too did not form kingdoms. In short, among the Kalenjin and the Maasai, the military was the institution of choice, for interacting with neighbouring communities. Socially and politically, real men (trained warriors), in Kipsigis culture are called 'arap' (as in Daniel arapMoi). This goes to show real continuities in traditions between the pre-colonial and post-colonial Kenya.

Ehret (1967) notes strong social connections between the Maasai and the Nandi. "The Maasai vocabulary contains extensive word-borrowing from the Nandi (part of the Kalenjin) – related dialect and, alone among the Plains Nilotic, the Maasai in many respects assimilate culturally to the Nandi-related groups of tribes" (Ehret, 1967: 35). Ochieng' (1975: 35) adds that "The Maasai found the Kalenjin families already established in the highlands of the Rift Valley, the best agricultural lands in the whole of Kenya. The Maasai broke through them, interacting with them in various ways. They are said, for example, to have picked up a lot of early Kalenjin culture, adding relatively few distinctive elements of their own". Thus, without establishing an imperial system, the Maasai interacted freely with the Kalenjin, as with the Kikuyu, the Kamba and the Ndorobo as we saw above. Ironically, it was the Nandi, the Kipsigis and the Kikuyu who contributed to the destruction of the Maasai who were also involved in

endless civil wars among themselves as shall be shown below.

b) State culture of the Bantu groups – the Kikuyu

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

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

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

Part of the reason the Kikuyu generally remained immune from invasion by the Maasai and by others was because they hardly owned cattle, the major prize of raiding. It was not that they owned a powerful state that was feared by others. According to Kenyatta (1938: 63), "In former days cattle had very little economic value to the (Kikuyu) owners, apart from the fact that such owners were looked on as dignified, respected rich men. The milk was not sold, but used by the herdsmen and by visitors, especially warriors who were the protectors of the villages against Maasai or other raiders. The rich men, who naturally had more property to be protected, were responsible for feeding the warriors [with] milk and providing oxen for meat feasts (irugo) to keep the warriors in good health". Without large herds of cattle, the Gikuyu were generally safe from Maasai raiders. Ochieng' (1975: 34) notes about the Maasai, "Indeed the Ilmasai (Maasai proper) entertained the belief that God (Ngai), in the olden days,

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gave them all the cattle upon the earth; it is therefore unworthy of a Maasai man or woman to dig earth to grow crops". Thus, the Maasai licenced themselves to raid any community that possessed cattle, creating enemies all over. Luckily for the Gikuyu, the Maasai saw them as complementing them rather than competing against them.

Kenyatta notes that the Kikuyu were governed in a loose manner through a council of elders from each settlement, not the kind of institution that could impose an imperial culture and dominance. Allegedly, the council of elders was established after the Kikuyu dethroned their kings and abolished kingship. "Every village appointed a representative to the council, which took the responsibility of drafting the new constitution. The first council meeting was held at a place called *Mokorwe wa Gathanga*, situated in the centre of the Kikuyu country, where the tribe is believed to have originated" (Kenyatta, 1938: 181). "In order to keep up the spirit of the *itwika* (republican revolution), and to prevent any tendency to return to the system of despotic government, the change of, and the election for, the government offices should be based on a rotation system of generations. The community was divided into two categories: (a) *mwangi*, (b) *maina* or *irungu*. Membership was to be determined by birth, namely, if one generation is *mwangi*, their sons shall be called *maina*, and their grandsons be called *mwangi*, and so on. It was further decided that one generation should hold the office of government for a period of thirty to forty years, at the end of which the ceremony of *itwika* should take place to declare that the old generation had completed its term of governing, and that the young generation was ready to take over the administration of the country" Kenyatta, 1938: 182).

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

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

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

According to Kenyatta (1938), on spreading out from their ancestral location, individual Kikuyu families bought land which became private property. First, they met the Gumba (pigmy) people who lived in the forest, who allegedly disappeared and never to be seen again. Second, they met the Ndorobo or Aathi who shared their language, customs and who transacted land for payment. According to Kenyatta (1938: 26)

"The Ndorobo established friendly relations with the Kikuyu, and, as the people continued to move southwards, land transactions started between the two tribes who lived side by side…As time went on the Kikuyu, who had not enough land to cultivate in the

congested areas started to buy land from the Ndorobo. All the lands which were bought in this way were held under private ownership or as family joint property…The term 'communal or tribal ownership of land' has been misused in describing the land, as though the whole of it was owned collectively by every member of the community".

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

Kikuyu customs made it almost impossible to sell land to members of other communities, effectively making it extremely difficult to develop a state culture that was all-encompassing. This inward looking cultural policy only helped to alienate the Kikuyu. Kenyatta (1938: 36), says that '"according to law of land tenure, if one of the brothers wanted to sell out his share, the relatives had the first option so as to avoid a stranger coming in their midst. The descendants of the one whose right was bought out lost all claims to the original ancestral land, and were treated as mere strangers". What emerges from the above is that while the Kikuyu were free to buy land from strangers, they did not sell land to strangers. Such practices were likely to create problems in the colonial era and in the wider nationalism of Kenya where many other groups allowed Kikuyu strangers to buy land from them, and yet that favour was not reciprocated. As a result, the Kikuyu never lost land to any other African group, yet other ethnic groups lost land to the Kikuyu. This culture of never selling land to members of other ethnic groups and the huge hunger for more land would continue into post-colonial Kenya with devastating effect on Kenyan nationalism and on the legitimacy of Kikuyu leadership over kenya as shall be shown later.

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

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

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

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

By A.D. 1800 the Maasai had already seen their greatest days of power. Thereafter their expansion was minimal and, in places such as Western Kenya, the Maasai were definitely on the retreat before the Nandi, Luo and Kipsigis. The apogee of their glory was followed by a precarious balance of power which they had struck with their neighbours. Thus, thwarted, the Maasai turned their aggressiveness inward. The struggle and conflict over grazing and watering rights, and chronic cattle

raiding, now took place among themselves in a protracted series of civil wars.

Ochieng' (1975: 91) observes that "one of the results of Maasai civil wars in the nineteenth century was the removal, in some cases completely and in others partially, of several Maasai sub-groups. Particularly, the second or Losegelai and third wars created a vacuum which several opportunistic groups could take advantage of". Most Maasai land in the Rift valley was taken over by the Nandi and Kipsigis, both Kalenjin groups. A combination of endless wars between the Maasai and their neighbours, civil wars among themselves, render-pest and drought, severely weakened the Maasai communities. By the time of British occupation in 1894, the Maasai were thought to face extinction (having lost a huge population, as well as most of their land and livestock). The British responded by establishing a reserve for the Maasai. However, this also meant the Maasai had ceased to be a political entity that could help resist colonialism, and their collaboration with the British made them enemies of the rising Kenyan nationalism led by the Kikuyu, Luo and Kalenjin communities.

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

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

deadly Maasai civil wars. These activities resulted in the expulsion of the Maasai from the Rift Valley.

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

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

The leaders of the Kikuyu Central Association… encouraged those members of their tribe who had genuinely lost land to the white man, to put in such preposterous claims – so exceeding the true facts – that it was inevitable that a clear-headed, judicial-

minded body would reject the claims as too fantastic to be treated seriously. The issue was, in fact, so confused by the untrue evidence that was put forward that, in the end, the extent of the claims which the Commission finally accepted as genuine, fell far short – both in my opinion and in that of many others who knew the position – of reality.

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

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

266). In this regard, the foundations of Kikuyu nationalism were being laid, but this too was inward looking.

With divide and conquer tacks, the British colonial government primarily recruited for its army, from what was regarded as loyal tribes. According to Ochieng' (1975) the Kipsigis (a Kalenjin group) initially traded ivory indirectly with the Swahili and Arabs and were indifferent to those passing through their country. Ivory "was exchanged for cattle with the Dorobo, who in turn sold the ivory to the Coastal caravans". Ochieng' (1975: 116) says later the Swahili and Arabs set up ivory depots in Kalenjin country. Then the European traders came. According to Katumanga (2010; 538), "The colonial preference of the Kamba and Kalenjin has seen the two communities emerge as the numerically major groups in the armed forces". (The response of the Kipsigis was surprising, coming from a militarised community that could have easily opted to fight). Ochieng' says a Kipsigis man stole an iron chain from one Fredrick Jackson who responded by confiscating "one hundred and sixty cattle and one thousand, five hundred goats and sheep". This kind of British injustice alienated the Kipsigis, who grudgingly managed to contain themselves, and acquired the characterisation of a friendly people. It is said that the Kipsigis were even persuaded by their retired warrior-elders to surrender to British rule. Thus, the Kipsigis strategically avoided armed confrontation with the British, sparing their institutions and economy from disruption, and acquiring new advantages of being enlisted into the colonial army that was used to suppress all armed resistance across Kenya.

In contrast, the equally militarised Nandi (another section of the Kalenjin) was hostile to the Europeans and "would not even let individual Europeans cross their country and, in 1895, they murdered a British trader called Peter West who tried to do so". Ochieng' (1975: 119) adds that "Nandi resistance was not broken until October 1905 when Colonel Mienertzhagen surreptitiously murdered the Nandi Orkoiyot (spiritual and military leader), KoitalelarapSamoei. "The original contingent against the Nandi was 1,074 men strong; among these were some six European officers, 500 Sudanese, and 108 Swahili soldiers. By November 27th 1905, about forty-two of them had been killed and forty-six wounded. As against this, about 685 Nandi were killed, 10,308 cattle and 18000 sheep and goats captured, and several men wounded. To prevent further trouble, arrangements were made to move the Nandi into a Reserve, comprising the Aldai and Kabwaren districts 'and the belt of the country between the Western Escarpment and the line ALAGABIET – KIPSEKAK hill" (Were, 1967: 169). Being a warrior society, the Nandi responded militarily to European encroachments, and therefore suffered casualties, loss of land and livestock. As part of their nationalism, they

never forgave the British, for killing their Orkoiyot, arap Samoei, and for the economic loss they suffered. Naturally, the Nandi expected to return to their ancestral lands after independence and their nationalism sought to expel the white settlers and to return the Nandi to their ancestral homeland. It is not surprising that the Nandi developed a nationalism that was initially anti-British and later anti-Kikuyu who replaced the European occupiers after independence. As we shall see, when independence came, President Jomo Kenyatta from the Kikuyu people insisted that no land would be returned to any community, rather, that land would be sold to any landless people who could afford to buy and to farm it. Such a policy allowed the Kikuyu people to replace the Europeans farmers in Nandi hills, a great source of conflict in post-colonial Kenya.

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

This viewpoint stemmed partly from the British philosophical teachings of Edmund Burke and Herbert Spencer, that traditional culture was an [organic] structure of mutually dependent parts which would be seriously disrupted by the innovations associated with urbanisation. The resulting cultural void would provoke violence and decadence. Those who shared this outlook tended to distrust the westernised and educated African" (Werlin, 1974: 48).

One central way of preventing urbanisation among Africans was racial segregation in the towns, disallowing Africans from owning land and houses in towns and neglecting African townships that were overcrowded, dirty and poor. Colonial segregation offended the materialist culture of the Kikuyu who felt denied of new opportunities to acquire wealth and who were dispossessed of their land and their ancestral region. This provoked protest nationalism which was predominantly civil and peaceful.

d) *African nationalism in Kenya – the absence of inclusive nationalism*

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

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

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

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

Led by Jomo Kenyatta as president and by Oginga Odinga as vice president, independent Kenya followed a reconciliatory state policy, trying to let bygones be bygones. "Forgive and Forget and unity" were Kenyatta's purported guiding principles in building state institutions, in building a new national identity, in developing a national economy and in developing a foreign policy. In short, no meaningful land redistribution was contemplated. In practice, however, Kenyatta allegedly divided the government and the ruling party into Kikuyu who supported the president and into Luo who supported Vice President Odinga and who provided opposition from within. According to Branch (2011), Jomo Kenyatta prioritised the interests of his own Kikuyu community: shortage of land for his Kikuyu people was given utmost government priority. The whole process of state building, of forging a new national identity and of building a national economy, sought to address this problem. In short, President Kenyatta behaved more like a Kikuyu warrior, conducting state affairs to satisfy Kikuyu land hunger through political dominance. According to Branch (2011), the main reason Kenyatta rejected regional autonomy and federation was neither about costly governments nor prospects of oil in the northern regions nor a genuine desire for national unity, but was about how his Kikuyu people and himself, could gain access to land and to wealth throughout the whole country (particularly in the fertile and evergreen Rift Valley). Branch (2011) compares a U.S consul who observed that Kenya's nationalist leaders had their own reasons for wanting to hold on to northern parts of the country that sought autonomy, with a British MP who held a contrary view. "While the U.S consul in Nairobi reported in May 1963, that 'oil hopes play a role', a British MP and former governor of northern regions observed that oil was not the main thing. For KANU, refusal to discuss autonomy for the north was consistent with the centralist policies that also dictated its attitude towards devolution. Autonomy for the Rift Valley would have been much

harder to resist had the North Eastern Province been granted some form of self-rule. The Rift Valley and the lands to be vacated by the European settler farmers were the real prize of independence, not the north".

It should also be noted that there was rebellion within Kenyatta's KANU party. First, the youth of KANU led the internal rebellion, invading and trespassing on white-owned farms in pursuit of Mau Mau-inspired politics of opening more space for the Kikuyu, and of Kalenjin politics dominated by calls for the expulsion of the Europeans. "Disturbed by reports from sundry areas of trespass and intimidation, and even *oathing* by some younger members of the party, he issued – on January 19, 1962 – a stern statement…" It is clear that Kenyatta's leadership based on forgiving the whites, forgetting all wrongs of the past and uniting all communities and races, was not resonating even with the youth of his own party, prompting him to threaten them with expulsion! His version of land re-distribution was based on giving loans to 'peasant farmers' to buy 'unused land in the hands of the whites', whose loss would be compensated by the British Government! "In the allocation of land to the new peasant farmers we shall bear in mind that our first duty will be to help those landless people who today have no means of livelihood. I did not say – at a recent KANU rally – that such peasant farmers will get land free. I went to great pains to explain that the way the government would help such peasant farmers would be by giving them loans on easy terms, to be repaid by the farmer in instalments over a period of time".

Thus, Kenyatta had no intention of directly addressing wrongs of the past in a comprehensive way. Rather, his government was going to help landless farmers (mostly Kikuyu as it later turned out) with loans to buy land! From interviews in Nairobi, Kisumu, Mombasa, Nakuru and Northern regions, these loans attracted very low interest rates in Kikuyu-dominated territories, and very high interest rates in non-Kikuyu areas. In addition, the loans were administered through banks, either owned or run by the Kikuyu. The end result was that only the Kikuyu accessed the loans, and in a sense, got the plots for free as they were given interest-free loans. In any case, the Mau Mau had had a policy of mobilising the Kikuyu to be land hungry, and after independence, to always flock in large numbers to resettlement areas, necessarily constituting a majority of squatters who were to be given priority in resettlement programmes. It is therefore not surprising that Kenyatta's commercialised re-settlement policies shattered the Kikuyu-Luo partnership that had built KANU and energised calls for regional autonomy, plunging Kenyan politics into chaos forever.

III. CONCLUSION

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

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

Kenyan nationalism had three strands: (i) national unity, equal opportunities and opening up the whole country to Kikuyu investment that championed by KANU that became the ruling party; (i) regional autonomy and separate development championed by KADU and representing the Nandi, Coastal peoples and other groups; and (iii) secession, championed by the Arabs and the Somalis who wanted to break away from Kenya. Strong variations imbedded into the lived social experiences of different groups in Kenyan society, promoted differences rather than unity and oneness. Amidst this, Mau Mau radicalism introduced secret gangs and the political assassinations of opponents among and outside the Kikuyu communities, bequeathing a violent culture and clandestine groups that took to *oathing*. Kenyan politics is partly characterised by armed gangs to whom violence is a normal political tool, for hire to elites from the same ethnic background. This politics of gangs for hire excludes principles of fairness and of the rule of law.

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

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

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

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