

Identities of Impoverishment: Ethnicity, Tribalism and Violence in Kenya

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Abstract

While it is recognised that ascribing an ethnic identity to oneself and others is compatible with also being a citizen of a national state, including Kenya, less attention is now paid to how identities are formed. Kenya is one nation state among many in a world over which the accumulation of capital reigns: it is in short, a capitalist nation state. It is argued here that the process of accumulation again should be placed at the centre of understanding how humans, in this case Kenyans, are the bearers of particular identities. Ethnicity and its territorial expression tribalism are identities produced by and given particular salience as accumulation waxes and wanes. The corollary of accumulation, especially prominent globally over the last three decades and not least in Kenya, is the impoverishment of many people. To explain the often violent behaviour which has been widespread in the country in recent decades without reference to this phase which is determinant in contemporary Kenya is a further form of impoverishment, this one intellectual.

Introduction

Ethnicity and its corollary tribe are among the most commonly invoked expressions to describe people and particular behaviours in Kenya, including the violence which has become common before, during and after elections over the last two decades. As one analysis of the post-2007 election violence states: "...ethnicity is hardly ever a cause of conflict, but rather a way in which people in conflict label their grievances, target the perceived 'enemy,' mobilise the points of difference, support or even attack."¹ Whether the "increasingly diffused violence" is 'spontaneous,' organised (including organised retaliatory violence) (or) state violence,"² the combatants are invariably described in ethnic terms. Individual and household behaviour, 'neighbour against neighbour' post-election attacks are Kalenjin versus Kikuyu, while

¹ Kenya National Commission on Human Rights, *On the Brink of the Precipice: A Human Rights Account of Kenya's Post-2007 Election Violence*, (Nairobi: KNCHR, August 2008), 28

² Peter Kagwanja, "Courting genocide: Populism, ethno-nationalism and the informalisation of violence in Kenya's 2008 post-election crisis," in *Journal of Contemporary African Studies*, 27:3 (2009): 378.

ethnicity comes to the fore in descriptions of what is missing in national political institutions.

To explain the prominence of ethnicity and ethnic hostility is however another matter. Susanne Mueller, to cite one instance, argues that: “Given the non-programmatic nature of Kenyan political parties, the lack of institutional checks on the president, his consequent personal power, and the expectations of benefits from clients, ethnicity is seen as critical in determining the distribution of national resources.”³ Or to continue with the Kenya National Commission on Human Rights report’s reasoning:

Allusion to ethnicity in Kenyan politics camouflages the root causes of the country’s problems – historical injustices relating to land distribution, impunity, exclusion, economic and social inequality, weak and under-performing public institutions, corruption, political elite wars and an electoral system that sharpens rather than mitigates the destructive effects that negative ethnicity can be mobilised to achieve.⁴

The distinction between negative and positive ethnicity sits within a continuing tradition of thinking that ethnicity is a “universal human attribute,” neither intrinsically positive nor negative, but made so in specific circumstances. These include “politicised tribalism,” as well as in tussles over state power, where the state is described “as a cockpit of variously contested but always unequal power.”⁵ On a wider stage, Amartya Sen iterates a commonly held, even common sense view that ethnicity is only one of a number of identities, or forms of awareness that people, including presumably Kenyans, have. While some of these can be positive “a source not merely of pride and joy, but also of strength and confidence, identity can also kill - and kill with abandon.”⁶ Given the prevalence of “cultivated violence associated with identity conflicts (which repeats) itself around the world with increasing persistence,”⁷ an important problem arises of how to explain the pronounced salience of

³ Susanne D. Mueller, “Dying to win: Elections, political violence, and institutional decay in Kenya,” in *Journal of Contemporary African Studies*, 29:1 (2011): 105

⁴ Kenya National Commission on Human Rights, 2008, 28

⁵ John Lonsdale, “Kenya: ethnicity, tribe and state” 17 January 2008, at http://www.opendemocracy.net/article/democracy_power/kenya_ethnicity_tribe_state (accessed 13 February 2012)

⁶ Amartya Sen, *Identity and Violence: The Illusion of Destiny*, New York: W.W.Norton, 2006, 1

⁷ Sen, 3

particular identities at specific moments. Concerned to emphasise “a critically important need to see the role of choice in determining the cogency and relevance of particular identities which are inescapably diverse,”⁸ Sen argues that the assertion that people have a singular identity instead of a multiplicity of competing affiliations is an illusion, however powerful.

For Sen, the principle driver of the illusion is imperfect information, or information deliberately constructed to delude people into believing that they have no choice but to accept a particular identity. The illusion can be attached to violence “fomented by the imposition of singular and belligerent identities on gullible people, championed by proficient artisans of terror.”⁹ However Sen’s argument regarding which identity is ‘imposed’ as an ‘illusion’ upon people does little to explain why people are the bearers of particular identities, susceptible to the ‘illusion’ that ethnicity is the most important or only form of awareness in particular circumstances. Instead here it is argued that is necessary to ground the explanation in the material conditions which produce each and which give substance to the idea of choice. Of concern for this article is how and why ethnicity and its corollary tribalism have been formed and gained primacy in contemporary Kenya, as well as in accounts of the violence which has become so widespread over the last twenty years. While the practice of appealing to ethnicity as a means of fomenting violence for specific political purposes, including before, during and after elections is well documented, nevertheless the instrumentalisation of ethnicity does not explain how the identities exist, available for the ‘proficient artisans’ and their political-commercial backers to mobilise.

Here it is argued that ethnic awareness for the bulk of Kenya’s population, especially the majority who live in households upon rural small-holdings, has been and continues to be produced by the forms of development which determine their existence. These forms, private accumulation by individual capitalists and small-holder agriculture producing for immediate consumption, local and overseas markets are mutually opposed. Heightened ethnic awareness for many Kenyans arises out of the limits that each form of production imposes on the other. The inability of the regimes headed by Kenya’s second and third presidents, Daniel arap Moi and Mwai Kibaki to mediate the opposition between both forms in a manner that extends accumulation *and* raises

⁸ Sen, 4

⁹ Sen, 2

living standards for the bulk of the country's people has produced intensified ethnic awareness.

Of significance for understanding what is characterised as 'neighbour against neighbour' violence is the impoverishment over the last 20-30 years of many rural and urban households. Instead of being sites which formed the basis for expanded smallholder production and rising living standards as was the case until the mid-1980s at least, many rural smallholdings have become 'sponges' soaking up an increasing relative surplus population living in straitened circumstances.¹⁰ Whether in the good or bad years, land as the basis for reproducing consumption by small-holders is critical for a majority of the country's population: hence the importance of tussles over rights to land and why the legends associated with its acquisition have become especially prominent.

The second and more commonly understood form of accumulation by capitalists in a spontaneous process also has ensured that these identities have remained prominent for the country's population. While the initial class of accumulators in Kenya were indigenes, their suppression under colonialism and subsequent post-independence drive to overcome existing barriers has defined much of the politics of the country in tribal and ethnic terms. It is the conditions created by both forms of accumulation, including the traditions "of all the dead generations (which weigh) like a nightmare on the brain of the living"¹¹ that provide the fuel for the organised political violence and the spontaneous eruptions, some of them unconnected to elections.

While much has been written on the connection between the second form of accumulation and ethnicity, including how the tussles between layers of indigenous capital have involved marshalling support among the rest of the population along ethnic and tribal lines. Less has been written on how it came to be that all Kenyans, particularly those who constitute the class of labour on rural small-holdings, became bearers of these identities through the process of reproducing their daily lives. This article does not explore the occasions of 'fomenting terror,' such as the International Criminal Court has recently documented against one of Kenya's wealthiest individuals Uhuru Kenyatta, son of the first president, and other continuing instances. Instead the principal concern here is with

¹⁰ For the idea of a relative surplus population, see Karl Marx, *Capital*, Volume 1, (London: Penguin, 1979).

¹¹ The quotation comes from the second paragraph of Karl Marx, *The Eighteenth Brumaire of Louis Bonaparte*, (Toronto; Norman Bethune Institute, 1977): 13.

showing that violence taking the form of ethnic clashes needs to be understood as expressions of the development of capitalism in Kenya.

Ethnicity and Development in Kenya

It is regularly asserted along these lines that: “Ethnic identity in Africa is a relatively recent phenomenon whose salience is largely a product of colonial rule... and postcolonial dynamics in which elites have continued to reify ethnic identity for political mobilization...”¹² It is less often noted that ethnicity, including its territorially circumscribed form of tribalism, was and remains central to the forms of development in many parts of the continent, including South Africa and Kenya.¹³

With accumulation of capital as the underlying premise of development, nevertheless the process of accumulation has taken distinct, often opposed forms. While the first form is easily recognisable, as the activity of a class of (private) accumulators owning firms and other enterprises, the drivers of the second form have been trustees acting through the colonial then national state.¹⁴ Smallholder production, coordinated and supervised through the state, of marketed food crops and other agricultural produce became central to the development of Kenya from the 1950s, at least. Late colonial state efforts to expand household production presumed that the indigenous population was constrained upon ‘native reserves’ with a tribal definition. This particular feature of the agrarian bias of late colonial development, the terms under which smallholders were attached to land, formalised, strengthened rather than weakened the association between location and a particular form of awareness, tribalism.¹⁵

¹² Stephen N. Ndegwa, “Citizenship and Ethnicity: An Examination of Two Transition Moments in Kenya Politics,” *The American Political Science Review*, 91:3 (September, 1997): 600-601

¹³ Michael Cowen and Scott MacWilliam *Indigenous Capital in Kenya: the ‘Indian’ dimension of debate*, (Interkont Books 8 Helsinki: Institute of Development Studies, University of Helsinki, 1996), 81-209

¹⁴ The importance of trusteeship for intentional development, the response to the negative effects of spontaneous development, is explained at length in Michael P. Cowen and Robert W. Shenton *Doctrines of Development*, (London and New York: Routledge, 1966), 3-59.

¹⁵ Anne Thurston, *Smallholder Agriculture in Colonial Kenya: The Official Mind and the Swynnerton Plan*, Monograph No.8, (Cambridge: African Studies Centre, University of Cambridge, 1979), Cf; Mahmood Mamdani, *Contemporary Africa and the Legacy of Late Colonialism*, (Kampala, Cape Town and London: Fountain, David Philip and James Currey, 1996); Michael P. Cowen and Robert W. Shenton, “Agrarian Doctrines of Development: Part II,” in *The Journal of Peasant Studies*, 25:3 (April 1998): 51-56.

After Independence, smallholders became increasingly important producers of major export crops, in particular coffee and tea.¹⁶ That these crops grow best in only some areas of the country, specifically the Central and Rift Valley provinces gave an enhanced association between crops, prosperity and impoverishment, and ethnic awareness. On the latest figures available, even as production of coffee has fallen between 1990 and the mid-2000s from about 130,000 tonnes to 50,000 tonnes, smallholders in Central Province have continued to be the most important producers, growing about 70% of the total. Tea output, by comparison, continually increased from almost 300,000 kilograms to 400,000 kilograms between 2001 and 2010. Here too smallholder production is more important than that from estates, yielding around 60% of the crop. There is continued expansion of smallholder tea plantings in areas west of the Rift Valley,¹⁷ as well as on large estates owned by indigenous bourgeois.¹⁸

Household occupation of land for the purpose of increasing production of marketed crops was extended under the first post-Independence regime with property rights formalised in titles issued by the government led by President Jomo Kenyatta. For much of the 1960s and early 1970s, as the regime sought to give accumulation a more substantial national reach, the government presided over the transfer of land in Central and parts of the Rift Valley provinces from former 'white settlers' to members of the indigenous capitalist class, mostly but not solely Kikuyu, and to

¹⁶ David K. Leonard, *African Successes: four public managers of Kenyan rural development*, (Berkeley: University of California Press, 1991).

¹⁷ Tea Board of Kenya, *Annual Report 2008-2009*, 17. http://www.teaboard.or.ke/about/annual_reports.html (accessed 13 February 2012). The Kenya Coffee Board is less forthcoming with official reports so the figures cited here have been collected using a range of other sources, including Scott MacWilliam, France Desaubin and Wendy Timms, *Domestic Food Production and Political Conflict in Kenya*, Monograph No.10, (Nedlands: Indian Ocean Centre for Peace Studies, University of Western Australia, 1995), 36-38.

¹⁸ Former president Daniel arap Moi owns a major tea plantation company. In concert with other political and business associates Moi acquired further large-holding areas in what was ostensibly a settlement area for the Ogiek people excised out of the Nakuru/Olenguruone/Kiptagich extension forest area. The underlying purpose of the excision was to establish small-holder growers for the Kiptagich Tea Estates Limited owned by Moi. See Kenya National Commission on Human Rights and Kenya Land Alliance, *Unjust Enrichment The Making of Land Grabbing Millionaires Abetting impunity: The other side of the Ndung'u Report on Illegal and Irregular allocations of Public Land*, (Living Large Series Volume 2, Nairobi: KNCHR/KLA, 2006), 21-22.

smallholders, again many of them Kikuyu.¹⁹ Resettlement on former settler large holdings meant not only a change of ownership, invariably from non-citizens to citizens, but also a change in the form of production which extended the presence of agricultural smallholders in both provinces. Tribal and ethnic identities shifted back and forth during the population movements as well as the acquisition of large farms in areas away from 'tribal homelands.' Kikuyu bourgeois and Kikuyu smallholders were no longer solely in and from Central Province.

The tussles over whether ex-settler farms would remain as large-holdings, with ownership change to indigenous bourgeois and would-be bourgeois, or sub-divided into smallholdings played a major part in the politics of the period. These battles could take the form of Kikuyu versus Kikuyu along district and other lines of division. Hence the eruptions in Kenya soon after Independence included arguments among Kikuyu in Central Province. The resignation of Murang'a Member of Parliament Bildad Kaggia from KANU and the government which preceded the 1966 Little General Election showed that objections to the regime's direction were not confined to the economic and political margins of the country.

From the 1980s, the importance for households of domestically marketed and immediately consumed produce has undergone considerable changes. Fluctuating prices for internationally marketed crops occurred at the same time as the country's indebtedness to international lenders increased.²⁰ Between 1971 and 1992 external loans as a per cent of GDP rose from just over ten per cent to fifty per cent.²¹ Smallholders, who could earn more by ripping out coffee bushes and planting maize for immediate consumption needs and local markets, did not heed government officials concerned with balance of payments difficulties. This period, during which international coffee prices fell to levels not seen since the 1930s depression, marked the end of the expansion phase of smallholding coffee and the beginning of a sharp decline in output. During the last decade, as national indebtedness fell back to about 20% of GDP in 2008, with over

¹⁹ The authoritative account of this process remains the late Apollo Njonjo's, *The Africanisation of the White Highlands: a study of agrarian class struggle in Kenya 1969-1975*, Unpublished PhD thesis, Princeton University, 1977.

²⁰ M.P.Cowen "Change in State Power, International Conditions and Peasant Producers: the Case of Kenya," *The Journal of Development Studies*, 22:2 (1986): 355-384; Michael Chege, "The Political Economy of Agrarian Change in Central Kenya," in Michael P..Schatzberg, ed., *The Political Economy of Kenya*, (New York: Praeger, 1987), 93-116.

²¹ MacWilliam, Desaubin and Timms, 56

60% owed to multilateral creditors, including the World Bank,²² the level of public services, especially to rural areas declined even further. Despite major reforms and the expansion of financial institutions, with increased lending to particularly urban wage and salary earners, rural areas remained ‘under-served.’²³

Extending production of food for immediate consumption and local markets often produced clashes between export crop producers and other agriculturalists as well as pastoralists. Production of milk as well as maize and sugar had become integral elements of the development of household production.²⁴ By 1989, when total marketed output of maize had increased from around 440,000 tonnes in 1973 to nearly 650,000 tonnes, the smallholder share had reached over 75% of the total.²⁵ It is estimated in January 2012 that “[m]aize is planted in one out of every two acres of land put to crop production.”²⁶ Nevertheless, since the late 1990s domestic consumption of maize has consistently exceeded local production. Low yields with little fertilizer usage by smallholders had become a substantial barrier to further increasing output of a crop almost all of which depends upon the sufficiency of annual rains.²⁷ Fights over land with either reliable rainfall, or less frequently, access to irrigated

²² International Development Association/ International Monetary Fund Kenya, *Joint IMF/World Bank Debt Sustainability Analysis* May 15, 2009, <http://www.imf.org/external/pubs/ft/dsa/pdf/dsacr09191.pdf> (accessed 13 February 2012)

²³ Francis Mwega, “The Competitiveness and Efficiency of the Financial Services Sector in Africa: A Case Study of Kenya,” *African Development Review*, 23:1 (2011): 46.

²⁴ M.P.Cowen, “Patterns of Cattle Ownership and Dairy Production:1900-1965,” *Miscellaneous Paper 75*, (Nairobi: Institute of Development Studies, University of Nairobi, 1973); M.P.Cowen, “Concentration of Sales and Assets: Tea and Dairy Cattle in Magutu, 1964-71,” *Working Paper 146*, (Nairobi: Institute of Development Studies, University of Nairobi, March 1974).

²⁵ MacWilliam, Desaubin and Timms, 31

²⁶ United States Agency for International Development/ Kenya, *Kenya Maize Development Program*, <http://kenya.usaid.gov/programs/economic-growth/490> (accessed 13 February 2014)

²⁷ Tegemeo Institute of Agricultural Policy and Development, *Maize Production Outlook and Implications for Food Security*, (Egerton University, Njoro, Nakuru, 18 September 2009), www.tegemeo.org/documents/roundtable/Presentations/Maize-Production-Outlook (accessed 13 February 2014). The United States Agency for International Development / Kenya’s *Maize Development Program*, draws a specific connection between the widespread “cultural connection” of growing and consuming maize, at declining levels of efficiency with household impoverishment. The document notes that: “The lowest income quartile of the Kenyan population spends 28% of its income on maize,” and that growing the crop has declining commercial appeal. Since 1999 Kenya has been a major importer of maize.

water, became common as agriculturalists sought to extend crop growing into pastoral areas.²⁸ In the struggles over how and by whom land is to be employed to provide consumption for households, ethnic and tribal claims appear repeatedly. Some of the claims are covered in terms of traditional property rights based in first occupation.²⁹

There are numerous indicators of the slide in Kenya's economy over the last 20 years *as it affects the bulk of the population*. At least 20% probably live with incomes below the US\$1.25 per day indicator of absolute poverty, according to 2009 figures.³⁰ During the first decade of the twenty first century, there were claims that the proportion under the official poverty line rose from 42% to 50%.³¹ By the Kenya government's own estimation the situation is even worse. In 2003, "56% of the population was still living below the poverty line (and projecting the current trend) 65.9 per cent of the Kenyan population would be living below the poverty line by 2015."³² Between 2000 and 2009, the lowest 40% of the population acquired only 13% of total household income, while the highest 20% accrued 53% of the total.³³ Even as employment grew, between 1998/99 and 2005/06 the numbers of underemployed more than quadrupled.³⁴ Significantly, according to the same 2009 study, the

²⁸ See Philip Woodhouse, Henry Bernstein and David Hulme, *African Enclosures? The Social Dynamics of Wetlands in Drylands*, (Oxford, Trenton, NJ, Cape Town and Nairobi: James Currey, Africa World Press, David Philip and EAEP, 2000); Scott MacWilliam, "Harvesting Water and the Political Economy of Food Scarcity," *The Australasian Review of African Studies*, 23:2 (December 2001): 38-47.

²⁹ See for one such instance the paper by Pastor Peter Chemaswet in the NORAF Lecture Series: *The Land Question in Kenya*, on Kalenjin Online http://www.kalenjin.org/index.php?view=article&catid=909%3Ayour-letters&id=1281%3Anoraf-lecture-series-the-land-question-in-kenya&format=pdf&option=com_Content&Itemid=234 (accessed 13 February 2012).

³⁰ UNICEF *Kenya Statistics*, http://www.unicef.org/infobycountry/kenya_statistics.html (accessed 13 February 2012).

³¹ See United States Central Intelligence Agency, *Kenya Economy 2011*, http://www.theodora.com/wfbcurrent/kenya/kenya_economy.html (accessed 13 February 2012); for some earlier figures see Cowen and Shenton, 1966, 304.

³² Ministry of Planning and National Development, *Millenium Development Goals Needs and Costs*, (Nairobi: Government of Kenya, UNDP, Government of Finland, n.d), 4, <http://planipolis.iiep.unesco.org/upload/Kenya/Kenya%20MDG%20Needs%20Assessment.pdf> (accessed 13 February 2012).

³³ UNICEF.

³⁴ Anthony Wambugu, Boaz Munga and Eldah Onsomu, *Unemployment in Kenya: the Situational Analysis*, (Nairobi: Kenya Institute for Public Policy Research, National Economic and Social Council, UNDP and Danida, May 2009),7; See United States Central Intelligence Agency.

unemployment rate in the Rift Valley province which has been a focus for much of the violence was the highest of all provinces.

As emphasised by Cowen and Shenton, development as an idea was invented to deal with the negatives, particularly unemployment and disorder, which are inherent features of the spontaneous process of capitalist accumulation.³⁵ Kenya has not been immune from either the process or the negatives. Governments have become less and less able to reverse the growth in the relative surplus population. In the 1940s and early 1950s, landlessness and impoverishment in central Kenya in particular, contributed to the upsurge in violence which became known as the Mau Mau revolt. Subsequent governments, colonial and national have repeatedly held enquiries and attempted to construct measures to deal with the unemployed and underemployed who have appeared in urban and rural areas.

In 1960, just three years before Independence, the colonial government issued *Sessional Paper No.10 of 1959/60: Unemployment* which laid out the doctrine of agrarian development as intended to be applied to Kenya. Administration officials sought to reduce the large-scale unemployment which existed in the Central Province, and had been exacerbated by the return of Kikuyu farm workers and resident labourers, squatters from European settler large-farms in the Rift Valley. While the immediate solution proposed was to return the unemployed Kikuyu to the Rift Valley to work on large-holdings as they were taken over by Kenya Africans, the demand for labour on these farms did not meet the supply. As a result, instead popular pressure was exerted for small-holdings subdivided out of previous large-holdings in Central Province and the Rift Valley. The Swynnerton Plan, formulated in the early 1950s to deal with rural impoverishment in Central Kenya, subsequently became the template for further expansion of household production with Kikuyu permitted to return to the Nakuru and Naivasha districts of the Rift Valley to take up agricultural land. Cowen and Shenton note: “Political independence brought expectations that the post-colonial government would create jobs but there was no resolution of the unemployment problem.”³⁶ The second part of this sentence is also applicable for at least the next fifty years in Kenya.

³⁵ see Cowen and Shenton, 1966, 3-57.

³⁶ see Cowen and Shenton, 1966, 302.

Successive governments, international bodies, academics and others have held conferences, appointed parliamentary committees, issued reports and papers directed at finding solutions to unemployment and the associated impoverishment, urban and rural. A short list of the relevant documents would include a 1964 tripartite agreement between the government, private firms and trade unions stimulated by a Nairobi riot of unemployed; the 1966 Kericho conference which resulted in the 1970 report *Education, Employment and Rural Development*; and a 1970 report of a parliamentary committee chaired by G.N.Mwiciigi which concluded that structural unemployment previously widespread in the countryside was now obvious in towns. The internationally known 1972 ILO report *Employment, Incomes and Equality* supported the Mwiciigi report by placing primary emphasis upon growth in rural areas **and** urging support be given to the so-called informal sector for urban unemployment. The 1983 Presidential Committee on Unemployment, chaired by Maina Wanjigi; the 1989 *Survey of Rural Non-Agricultural Enterprises* and the May 2009 *Unemployment in Kenya: A Situational Analysis* sponsored by the Kenya Government, UNDP and DANIDA, each acknowledged the continuing and worsening scale of the problem.

However not until the 1991 Ndegwa *Report of the Presidential Committee on Employment* was it acknowledged that urban unemployment could not be dealt with primarily through rural development. Soon after the Ndegwa Report, in 1992 a sessional paper on *Small Enterprise and Jua Kali Development in Kenya* announced the official intention to develop small-scale manufacturing and to make urban self-employment a focus of government policy, much as small-holder farming had been for more than thirty years.³⁷ Development doctrine for Kenya had shifted its main focus from rural to urban, but without entirely removing the importance of small-holder agriculture for state policy, including in newly expanding areas of tea growing.

As the shift was taking place in policy, rural areas had gained an additional importance, beyond their role as the centre-piece of development doctrine. Instead of small-holdings being primarily the basis for continually expanding output which would underpin higher living standards for households, 'patches of land' had become increasingly 'rural sponges.' Small-holdings are now as much intended to reduce the rate of population increase in towns and cities where large slums have formed and to provide consumption needs for rural households. One

³⁷ The 'list' is a summary compiled from Cowen and Shenton, 1966, 298-308.

measure of the outcome of this strategy is the falling rate of increase of the country's urban population. Although 22% of the population lived in urban centres by 2009, there had been a major reduction in the comparative rate of increase in the urban population. Instead of the urban population growth rate being almost twice (6.5% per annum) the country's total increase of 3.7% per annum between 1970 and 1990, over the last two decades as the national increase has slowed to 2.9% per annum, the rate of urban population growth has declined to 3.7% per annum.³⁸

The high rate of increase of the rural population and the importance of small-holdings for meeting immediate consumption needs has often resulted in further sub-division of land among families.³⁹ There has also been continued movement, authorised and unauthorised, on to vacant land including state forests and reserves. A recent report on the decline of two major water systems, Lakes Kamnarok in Baringo County, Rift Valley and Ol Bollosat in Central Province near the Aberdare Forest and the source of water for the popular tourist attraction Thompson's Falls, shows the multiple effects of resettlement, squatting, poaching, and prohibited planting of fast growing eucalyptus trees which consume large amounts of water.⁴⁰ In northern Kenya, there are repeated clashes among pastoralists over grazing land and livestock thefts.⁴¹ Almost 300 kilometres north of Nairobi, near Isiolo Anolei women have turned to rearing camels for milk which is sold, in part because these animals are hardier and less likely to be stolen than cattle, their previous milking animals.⁴²

³⁸ UNICEF.

³⁹ See P. Kennedy "Royal News" June 2005 http://www.sweetmarias.com/kenya_writeup_royal.pdf for the following report: "While small farms are said to average 1 to 5 acres, land inheritance laws that require the division of land between offspring each generation has resulted in much smaller farms in some areas (as demonstrated by the 0.15 hectare [sic] average farms in the Ruthanga co-op in Nyeri) and threatens to make coffee farming unsustainable as a livelihood."

⁴⁰ Peter Kahare, "Key Lakes Succumb to Human Activities," <http://ipsnews.net/news.asp?idnews=106459> (accessed 17 January 2012).

⁴¹ Anon "UN Voices concern over inter-communal violence in Kenya" <http://story.kenyastar.com/index.php/ct/9/cid/a262965e0c331d64/id/202542309/cs/1/ht/UNvoices%20concern%20over%20inter-communal%20violence%20in%20Northern%20Kenya/> (accessed 13 February 2012).

⁴² Erick Wamanji "Kenya women milk fortunes from camel" <http://story.kenyastar.com/index.php/ct/9/cid/a262965e0c331d64/id/202851854/> (accessed 13 February 2012).

The politics of ethnic separateness (discussed below) which came to characterise the last years of the Moi regime and into the 2000s further exaggerates land pressures, including among pastoral populations. This is because rural population increases and the battle to reproduce consumption needs are not confined to the most suitable agricultural lands, where the initial wave of small-holder expansion took place but are now common throughout the country. Nandi battling Nandi over grazing land, as well as over whether land ownership is to be concentrated in the hands of large or small holders, has become as regular a feature of existence among these populations as the earlier more prominent fights between Kikuyu and Kalenjin, or among Kikuyu.

In short, in such conditions of impoverishment the preconditions are ever-present for continued outbreaks of near-spontaneous violence over property rights, including to land, water and stock. When the outbreaks take the form of 'neighbour versus neighbour,' often identified ethnically, this is a direct consequence of the impoverishment which the household form of development had been intended to surmount. That the violence erupts almost continuously whether or not elections are imminent or past, is in part an effect of the constant tendency of capitalism to produce a relative surplus population.

However, in Kenya this tendency has been exacerbated and politics regularly taken the form of divisions along ethnic lines also because of the conflict which have occurred as one indigenous layer of capital has sought to displace its predecessor. As an outcome of the competition between indigenous capitalists, state power has been redirected increasingly to providing new fields for private accumulation and turned away from extending the smallholder form of development. This shift is now briefly considered, emphasising how ethnicity has become more and more important for the contending forces over the direction of private accumulation in Kenya.

State power and Indigenous Capitalism

As the victors in the politics of the transition to an independent nation-state, the Kenyatta regime sought to extend *both* forms of development into more and more areas of Kenya.⁴³ Accumulation became a national

⁴³ Extend is the operative word. Unlike accounts which propose that the formation of a 'bourgeoisie in waiting' was a consequence of British policy in the last years of colonial rule, Cowen and MacWilliam, 143-145, have noted that the historic roots of this class reach back into the pre-and early- colonial periods in a process of primary accumulation. If anything, colonialism and European settlers acted to constrain the

project, led by but not confined to the first layer of indigenous capital in which Kikuyu were especially prominent. In favourable international conditions, the initial post-Independence years which featured the successful expansion of small-holder agriculture simultaneous with the advance of this layer were largely successful. Kenya became an exemplar for a successful transition to independence with a growing economy.

Political independence acted to remove the barriers against both households and indigenous capital in agriculture, while providing opportunities for local Asian capital, particularly in manufacturing for domestic markets and nearby countries. When the political coalition formed under the Kenya African National Union (KANU) was successful in the pre-Independence election, this placed the representatives of Kikuyu capital in an especially favourable political position. The power was used to extend its agricultural presence into the large-holdings of the Central Province and parts of the Rift Valley, while also facilitating the movement of other sections of indigenous capital in agriculture and commerce.

In the early 1970s, GEMA (the Gikuyu, Embu and Meru Association) was registered by the Registrar of Associations under Attorney General Charles Njonjo's authority. The formation was a current expression of a historical division among Kikuyu between those north and south of the Chania River in Murang'a District, Central Province. As Cowen and MacWilliam note, by the early 1970s, "the hostility against the indigenous layer of capital was engendered as much within the Kikuyu country of the Central Province as by the extra-Kikuyu array of tribal forces of hostility against 'Kikuyu' domination over business and government."⁴⁴ While the organisation was initially registered officially with Members of Parliament the office-bearers, not one was from a southern Central Province, Kiambu electorate. Almost immediately,

earlier advance and confine the indigenous class to 'reserves,' emphasising and reinforcing the tribal identity of the accumulators. Also see Daniel Branch and Nic Cheeseman, "Democratization, Sequencing and State Failure in Africa: Lessons from Kenya," *African Affairs*, 108:430 (2008): 6.

⁴⁴ Cowan and MacWilliam, 161. There continues to be considerable confusion over the formation of GEMA, much as occurs over the seemingly similar formation of the KAMATUSA (Kalenjin, Masai, Turkana and Samburu) alliance two decades later. On the latter, see below. For a misunderstanding of GEMA's origins, see Susanne D Mueller, "The Political Economy of Kenya's Crisis," in *Journal of Eastern African Studies*, 2:2 (2008): 185-210, who claims that GEMA was "a defensive ethnic alliance initially created during (President Daniel arap) Moi's time...", Mueller, 2008, 201.

probably with the authorisation of President Kenyatta, the association was taken over “by a Kikuyu faction headed by the leading Kiambu businessman and later MP Njenga Karume...”⁴⁵ In 1973 the commercial expression of this shift appeared in the form of GEMA Holdings, which Swainson describes as “set up as a public company to act as an investment agency and bank for indigenous capital.”⁴⁶ Most importantly, GEMA Holdings provided an important means through which Kikuyu capital was moving beyond agriculture into manufacturing, as the initial post-Independence layer of indigenous capital.⁴⁷ This move occurred just as political and state power in Kenya shifted against the Kikuyu bourgeoisie, and global economic conditions checked the local process of accumulation on several fronts. Oil price hikes, agricultural price instability and a major change in ideas about bringing development affected the country’s direction. International institutions pressed for the removal of agricultural subsidies in all forms, including the privatization of state agencies, including marketing boards. Coincidentally the latter political-ideological shift opened space for the next indigenous layer of capital, represented by the ascension of former Vice-President Daniel arap Moi to the presidency.

Not entirely constrained under Kenyatta, a non-Kikuyu indigenous bourgeoisie had advanced considerably after Independence, in part due to the political negotiations which gave the Kenyatta government much of its strength. Moi, to cite one example, had become a substantial commercial figure *prior to* his 1978 ascension to the presidency, partly because of the clout he had acquired in concert with major Kikuyu power-holders and alliances formed with Kenya Asian and European business. However the over-riding effect of the Kenyatta government was for state power to be directed at the extension of Kikuyu capitalists as the representative indigenous layer beyond Central Province and into confrontation with the ambitions of other bourgeois and would-be bourgeois. Major moves against this connection between Kikuyu businesses and state power were undertaken from the late 1970s-early

⁴⁵ Cowen and MacWilliam, 162, drawn from Registrar of Associations’ files Nos.9,738, 10,049, 10,114, 10,202, 10,208, 10, 672, 10, 746; Nicola Swainson, *The Development of Corporate Capitalism in Kenya 1918-1977*, (London: Heinemann, 1980), 204-206, provides a succinct biography of Karume, whom she describes as “one of the foremost members of the (Kenyan) industrial bourgeoisie during the 1970s.”

⁴⁶ Swainson, 206.

⁴⁷ For further discussion of the idea layer of capital, see Cowen and MacWilliam, 101-102.

1980s as Moi tightened his grip. Tribal associations were banned, with GEMA as the main target of government hostility.

While under the terms of existing private property laws there could not be overt confiscation of commercial assets, state power was redirected toward the aspiring Kalenjin-dominated commercial interests. By 1992, only one Kikuyu remained in Cabinet and most senior military, parastatal and public service positions were held by non-Kikuyu. The newly ascendant political-commercial alliance operated under the acronym KAMATUSA, representing its Kalenjin, Masai, Turkana and Samburu elite composition.⁴⁸ However due to the changes in international and domestic conditions, highlighted above, this second layer of indigenous capital could not replicate all the moves undertaken by its predecessor to advance accumulation across the entire country.

Instead from the 1990s the ethnic and even tribal character of accumulation became even more prominent. During this phase there were demands for a return to the political federalism which had featured in Kenya's initial, independence constitution, described as *majimboism* or regional separatism. The moves to extend arenas for other indigenous businesses had to be carried out in ways which kept the reform of internationally unfashionable state agencies, including parastatals out of the grasp of Kikuyu and Indian businesses. The reluctance to privatise these institutions in any process where the latter would predominate was notable.⁴⁹ As further areas of the economy were opened for private capital, denationalisation occurred under terms that favoured newly established, invariably non-Kikuyu businesses. The political banks of the late 1980s and early 1990s were emblematic of this new direction, even

⁴⁸ For the construction of founding mythology, it has been necessary to portray the KAMATUSA alliance as having a long-standing even pre-Independence history, pastoralists contending for power against agricultural Kikuyu and others. Apart from the non-existence of such an alliance, given the prominence of many Kalenjins, Masai and others in the Kenyatta-led KANU government or even the presence of the acronym in Kenya before the late 1980s-early 1990s, to describe it as an alliance of pastoral peoples is fanciful. KAMATUSA is a bloc, formed into the second layer of indigenous capital primarily during the Moi years of some of Kenya's leading commercial figures and politicians. Nevertheless, the construction of such a myth is indicative of the process of establishing a particular ethnic identity available for commercial-political purposes. The falling apart of the alliance during the years of Mwai Kibaki's presidency is discussed below.

⁴⁹ The nature of the changes, including the increasing dependence upon international loans and the terms under which funds were advanced, are discussed at greater length in Cowen and MacWilliam, 164-209.

as many did not survive for long.⁵⁰ These banks competed to act on behalf of state instrumentalities, including the Central Bank of Kenya, on terms which favoured recently formed Kalenjin-KAMATUSA banks. In other cases, against international pressure for reform, state agricultural agencies were not abolished but reformed, sometimes into private firms through changes in personnel and procedures which gave rise to allegations of corruption, nepotism and ethnic favouritism.⁵¹

However despite all the commercial success of the second layer, its hold upon political power and capacity to displace Kikuyu from managerial and other important positions in state instrumentalities, the Moi regime was unable to remove the earlier layer or even completely check its further advance. Kikuyu retrenched from senior state positions moved into newly formed banks and other financial institutions, while their ability to negotiate with the president and his allies meant much of the earlier ownership of other commercial properties, including large farms remained. Populist claims for land reform and redistribution pushed Kalenjin and other large farmers closer together, which in turn ensured that the regime had a limited ability to extend the small-holder form of development by extending the land area occupied by household agriculture. The intensity of the competition among members of the indigenous capitalist class explains much of the ‘winner takes all’ character of elections in Kenya during the later Moi years and after. This intensity is fuelled in part by the more limited opportunities for accumulation in a political economy marked by urban and rural

⁵⁰ Cowen and MacWilliam, 182, explain that “the ‘political banks’ were the ...group of Kalenjin owned and/or sponsored banks which were often managed by Kenya Asians and Kenya or expatriate European managers. Given that the late-1980s thrust of the banking phenomenon was to discriminate against Kikuyu-owned banks, it is the sub-set of banks which were tied, one way or another, to the regime which are properly deemed to be the political banks....Political banks rested upon the expectation that the Central Bank would use state finance to bail them out if their loanees defaulted.”

⁵¹ Regarding the late 1990s – early 2000s change in the country’s largest tea producer, processor and marketer from the previously highly successful parastatal Kenya Tea Development Authority to the private firm Kenya Tea Development Agency, see the Commonwealth of Australia Refugee Review Tribunal, *RRT Research Response* (KEN34521 16 March 2009) on corruption in the transition process. For an examination of the corruption involved in ownership changes in telecommunications agencies, see Africa Centre for Open Governance, *Deliberate Loopholes Transparency Lessons from the Privatisation of Telkom and Safaricom*, (Nairobi: AfriCOG, n.d).

impoverishment.⁵² International barriers against the use of state measures, including supports for local manufacturing which were important in the first decades after Independence have forced firms to look for markets in other countries rather than expand domestically. While still the largest economy in East Africa, and after a brief period of expansion in the early 2000s, Kenya's rate of growth has fallen behind that of most other countries in the region. In November 2011, the Standard Chartered Bank predicted that by 2030 the Tanzanian economy would be larger than Kenya's.⁵³ The rise of gangs using extortion as a principal means of acquiring assets came to overlap with electoral politics. The seeming weakening of state repressive apparatuses is especially significant in this context,⁵⁴ and appears to represent the increasing salience of ethnicity in early twenty-first century Kenya.

Ethnicity and 'Kenya on the Brink'

Referring to the period between 2002 and 2007 when Mwai Kibaki was Kenya's third president, Branch and Cheeseman correctly identify that there is a major difference between the conditions faced by each regime. They note that "political disorder in Kenya was not the result of a straightforward weakening of the state...that disorder was the consequence of the Kibaki government's decision to employ the state in a manner that both Kenyatta and Moi would have recognised but in a far less favourable context."⁵⁵ The principal features of the change they

⁵² One measure of the decline of the economy is the rise of overseas remittances as the fourth most important source of overseas earnings, after tea, horticulture and tourism. See Anon. "Kenyan remittances up 39 per cent in 2011" <http://news.yahoo.com/kenyan-remittances-39-percent-2011-072750010.html> (accessed 13 February 2012).

⁵³ Immaculate Karambu "Kenya's growth to fall behind other EA States in two years" <http://www.nation.co.ke/business/news/Kenyas+growth+to+fall+behind+other+EA+States+in+two+years+/-/1006/1312766/-/k9jff1z/-/index.html> (accessed 13 February 2012); see also the conclusion by one London-based research institute that Kenya ranks 102nd out of 109 countries in terms of national prosperity Anon. "Kenya ninth least prosperous country, says report" <http://www.nation.co.ke/business/news/Kenya+ninth+least+prosperous+country+says+report/-/1006/1309818/-/105xjurz/-/index.html> (accessed 13 February 2012).

⁵⁴ See David M Anderson, "Vigilantes, Violence and the Politics of Public Order in Kenya," *African Affairs*, 101 (2002): 531-555; Peter Mwangi Kagwanja, "Facing Mount Kenya or Facing Mecca? The *Mungiki*, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987-2002," *African Affairs*, 102 (2003): 25-49; Mueller, 2008; Mueller, 2011, 103.

⁵⁵ Branch and Cheeseman, 5. How Kenya's political and administrative elite acquire expensive consumption goods in the context of the last two decades is detailed in, Kenya National Commission on Human Rights and Transparency International-Kenya, *Living Large: Counting the Cost of Official Extravagance in Kenya Until all*

identify are “the mutually reinforcing processes of elite fragmentation, political liberalization, and state informalization [which] radically altered the balance of power between the centre and the periphery.”⁵⁶ While the conclusion that Kibaki has ruled in less favourable conditions than his predecessors is unexceptional, nevertheless it is unsatisfactory to confine the explanation why this is so to what are seen as more or less standard features of the process or stage of democratization. Instead consider the following regarding features of the material base of the Kenyan political economy discussed above, specifically accumulation of large-holdings and the means by which this has occurred, mainly through what is termed corruption.

From the late 1990s, there has been increasing international attention to what is described as ‘land grabbing’ and/or ‘large-scale land investment’ which has been explained in the following terms as a response to ‘global crises in food, energy, finance, and the environment.’ Hence: “Powerful transnational and national economic actors from corporations to national governments and private equity funds have searched for ‘empty’ land often in distant countries that can serve as sites for fuel and food production in the event of future price spikes.”⁵⁷ Significantly, for the present purposes, the ‘actors’ involved are framed in the fashionable ‘North-South, South-South’ terms: national governments do not appear to act at the behest of specific ‘actors’. In the case of Kenya, there is no such difficulty.

From the mid-1980s, and particularly over the last decade, the drive to increase land-holdings by indigenous capitalists in Kenya has become harder and harder, producing more popular objections which have spread beyond the protests in Central Province noted above, to almost the entire country. Contributions to the Kenya National Commission on Human Rights, *Nguzo za Haki* (the Pillars of Rights) include a statement by insurance broker Zack Kwendo who urges “land grabbing” in reverse, by the landless against those who have accumulated land, some of it uncultivated. Kwendo argues that of course the (Kibaki) government has no commitment to -

necessities are accessible to all members of our community, no one should live in luxury using public resources, (Nairobi: KNCHR and TI-Kenya, 2006).

⁵⁶ Branch and Cheeseman, 5.

⁵⁷ Saturnino M. Borras Jr., Ruth Hall, Ian Scoones, Ben White and Wendy Wolford, “Towards a better understanding of global land grabbing: an editorial introduction,” in *The Journal of Peasant Studies*, 38: 2 (March 2011): 209.

addressing the land issue. The reason for this is that the President himself is the third biggest land owner in Kenya, after the previous Presidents, Moi's and the Kenyatta's family.⁵⁸

One consequence of this increasing shortage of available larger areas has been the moves on to various forms of public land, including reserves previously set aside for forests, animals and water catchments. The holdings of numerous state instrumentalities have also been targeted by the commercially and politically powerful. Corruption in Kenya, which in 2005 Transparency International assessed as having improved from 'highly acute' to 'rampant',⁵⁹ was central to these moves. *The Report of the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land* (popularly known as the *Ndung'u Report* after the chairman Paul Ndung'u) was presented to President Kibaki in mid-2004, but little has resulted. It provided a lengthy list of illegal land allocations to the Kenyatta and Moi families, as well as many politicians, judges, military personnel and civil servants. The Report also documented the manner in which official procedures were breached on behalf of the accumulators.⁶⁰ A central effect of illegal and irregular excisions is the reduction in closed canopy gazetted forests from three per cent of the country's total landmass at Independence to almost half this area now.⁶¹

The Mau Forest case is instructive, demonstrating as it does the manner in which awareness of ethnicity is central to both household occupation of small-holdings and the process of accumulation by indigenous capital. From the early 1990s, settlers and people influential in the Moi regime moved into the reserve area. Subsequently, after the 2002 elections the Kibaki government further extended the excision of land. As the 2009 report of an enquiry into the Mau Forest, headed by Professor Frederick Owino noted:

⁵⁸ Kenya National Commission on Human Rights, *Nguzo za Haki*, Issue No.5, April 2006, 33.

⁵⁹ The phrase is reproduced in Roger Southall, "The Ndung'u Report: Land and Graft in Kenya," *Review of African Political Economy*, 103 (March 2005): 142-151.

⁶⁰ For the Report itself, see: Mars Group Kenya Corruption *Ndung'u Report* http://corruption.marsgroupkenya.org/index.php?option=com_content&task=blogcategory&id=26&Itemid=41 (accessed 13 February 2012). For an assessment of the prospects for implementation see Africa Centre for Open Government *Mission Impossible? Implementing the Ndung'u Report* n.d., http://www.africog.org/reports/mission_impossible (accessed 13 February 2012).

⁶¹ Kenya National Commission on Human Rights and Kenya Land Alliance, (No.1-The Plunder of Karura, Ngong Road and Kiptagich Forests Nairobi), 6.

The examination of the Land Registries [as of October 2008] revealed that out of the 18,649 titled parcels in the excised areas, 12,616 parcels [approximately 68 per cent] were titled after 22 April 2002 in disregard of a High Court order. The majority of these 12,616 title deeds... were issued by the President (Kibaki) shortly before the 2005 constitutional referendum,⁶²

when the government was trying to gain support including from ex-President Moi and his supporters. Within sixteen years of the move into the forest approximately one quarter of the million acres of forested area, an important catchment source for the Nile, major Kenyan rivers and the internationally renowned bird sanctuary Lake Nakuru, was cleared. Because the forest is in Nakuru District, Rift Valley and most of the squatters as well as those who acquired large-holdings were/are Kalenjin, subsequent attempts to reverse the encroachment rapidly became yet another battleground covered with the garb of ethnicity.⁶³

The continuing fight over the Mau Forest is instructive for what it shows about the material conditions that produce the awareness of ethnicity. At the surface, it represents the breaking apart of the political alliance which had nearly propelled Raila Odinga into the presidency at the disputed 2007 elections. The leading figure defending both small-holding settlers and the accumulators of land was William Ruto, the Minister for Agriculture, who is a possible contestant for the presidency in the 2012 elections. Ruto has recently been cited by the International Criminal Court, along with Uhuru Kenyatta and two others for their leading role in the post-election violence.⁶⁴ Ruto rose to prominence in the 1990s, first

⁶² See International Land Coalition, "Report on Kenya's Mau Forest recommends eviction of settlers," 27 July 2009, <http://www.commercialpressuresonland.org/press/report-kenyas-mau-forest-recommends-eviction-settlers>, (accessed February 13 2012); See also Government of Kenya, *Report of the Prime Minister's Task Force on the Conservation of the Mau Forests Complex*, (Nairobi: Government Printer, March 2009).

⁶³ See International Land Coalition; see also Anon. "Kenya to evict squatters in key forest, watershed Logging has threatened water supplies; report urges moving 45,000 people" July 31 2009 http://www.msnbc.msn.com/id/32241858/ns/world_news-world_environment/t/kenya-evict-squatters-key-forest-watershed/ (accessed 13 February 2012); Africa Conservation Foundation, *Kenya: Selfish Interests threaten Mau Forest*, 22 July 2008, <http://www.africanconservation.org/content/view/full/946/405/> (accessed 13 February 2012) details the leading politicians, public servants and government instrumentalities cited in the Ndung'u Report who acquired substantial land-holdings in the Forest.

⁶⁴ Ginny Stein "ICC confirms charges against four Kenyan leaders" <http://www.abc.net.au/news/2012-01-24/icc-confirms-charges-against-4-top-kenyans/3789206> (accessed 13 February 2012).

as a young radical critic of the Moi regime, who converted to Moi's side, then once more became an opponent as it became apparent that a generational and deeper political shift was underway among the leading figures of the Kalenjin alliance.

Ruto's prospects were enhanced by two additional factors, on top of the political shift represented by the triumph at the 2002 election of the Nyeri Kikuyu Kibaki and Kisumu District Luo Odinga over the Kiambu Kikuyu Kenyatta and his allies, including Moi. While Moi became an extremely wealthy businessman from the 1960s onwards, for more than 30 years his status as Kalenjin leader was assisted by the fact he came from a small 'tribe,' the Tugen, at the margins of the Kalenjin alliance. From this position Moi could mediate disputes among the Kalenjin. From the early 1990s Moi's 'minority' status changed from being an asset to being a liability. As Gabrielle Lynch notes, in the last decade of Moi's reign, what she describes as "the so-called Tugen-Keiyo axis of power" was being challenged by a Nandi-Kipsigis "local nationalism."⁶⁵ Ruto's origins as one of the latter allowed him to move into the leadership of this challenge. Moreover, being young and not yet particularly wealthy he was able to acquire a populist following, of Kalenjin in the Rift Valley and elsewhere. These supporters of Ruto resented the massive wealth acquired by the Moi family as well as their political dominance, with Moi's sons and other close relatives holding numerous parliamentary seats and other public offices.

This second factor which facilitated Ruto's rise, the increasing opposition among Kalenjin, especially among the landless, unemployed and impoverished small-holders, to the wealthy in their midst, provided a powerful political base for an aspiring politician. In 2002 his base made Ruto a critical figure in Moi's support for Uhuru Kenyatta's failed bid to become the third president. Aligning with two of Kenya's wealthiest men, albeit in an unsuccessful campaign did nothing to check Ruto's rise. In 2005 he was prominent in the successful campaign opposing the government sponsored constitutional changes and two years later was recognised at a public rally as *the* pre-eminent Kalenjin politician. With Moi less important, Ruto could dress himself up as the leader who was not only opposed to the now marginalised Kalenjin leadership that enriched themselves *and* their failure to check the Kikuyu drive into the

⁶⁵ Gabrielle Lynch, "Courting the Kalenjin: The Failure of Dynasticism and the Strength of the ODM wave in Kenya's Rift Valley Province," *African Affairs*, 107:429 (2008): 543. I am indebted for much of the detail here to Lynch's account.

Rift Valley. In the 2007 election Moi's sons and other allies were defeated. Afterwards property owned by Moi's family was destroyed, while mainly young unemployed Kalenjin, Kikuyu and others fought, spontaneously and in organised gangs, with Ruto taking a prominent role.

In the longer term the success at rebuilding the Kalenjin alliance could only work at one level. For underneath, the level of landlessness and unemployment as well as generalised impoverishment intensified, including in Rift Valley towns and rural areas. Continuous outbreaks of land encroachment, stock theft, farm burning and personal assaults occurred in which intra-ethnic terms were invoked. Such conditions made it more and more important that Ruto and other Kalenjin politicians defended squatters as well as those who had accumulated far more than small parcels of land in the Mau Forest, waving the banner of ethnicity against a Kikuyu-Luo government for which their support had previously been critical.

Conclusion

From a central role in the process of accumulation in Kenya it is argued here that ethnicity has been both positive and negative. During the first decade and a half, through the political alliances forged, ethnicity facilitated both the expansion of an indigenous class of capital in large-holding agriculture and manufacturing, as well as a major increase in smallholder production. From the 1980s on, ethnicity has been the principal covering for the barriers which stood in the way of further extending accumulation of both forms. Even more recently, ethnic awareness has been central to Kenya's slide into a nation 'on the brink of the precipice' where the general rise of impoverishment is the underlying feature of the political economy, more important even than the increasing violence. Whether these are the meanings of ethnicity's naturalness or positiveness intended by Lonsdale and Sen cited above is another matter. Similarly how in the current circumstances in Kenya people can be said to prioritise one identity rather than another, as matters of choice, is not explored here. However what should be clear is that proposing a solution for Kenya's supposed problems by increasing the capacity to choose a particular 'positive' identity such as community and substituting this for a 'negative' form such as ethnicity leads to a dead end.

When sales executive Beatrice Sydede of Nyanza states⁶⁶ that while land is not "the only source of wealth [but] that every Kenyan should be

⁶⁶ Kenya National Commission on Human Rights, 33.

enabled to own land” she strikes a popular chord. In explaining how this should be done Sydede, echoing critics of both forms of the process of accumulation that have been central to the country since Independence, proposes that in the name of human rights: “Large tracts of land should be returned to the various Kenyan communities who have lost their land in different circumstances.” However, where communities is a synonym for ethnic groups, and return means the redistribution of large-holding acreages as well as the confiscation of small-holdings from ‘immigrants’ to ‘traditional owners – first occupants,’ it is hard to see how this is other than a restatement of the continuing importance of ethnicity in Kenya’s impoverished political economy.

Bibliography

- Africa Centre for Open Governmance. *Mission Impossible? Implementing the Ndung’u Report* n.d <http://www.africog.org/reports/mission-impossible> (accessed 13 February 2012)
- Africa Centre for Open Governmance *Deliberate Loopholes Transparency Lessons from the Privatisation of Telkom and Safaricom* Nairobi: AfriCOG, n.d.
- Africa Conservation Foundation. *Kenya: Selfish Interests threaten Mau Forest* 22 July 2008 <http://www.africanconservation.org/content/view/946/405/> (accessed 13 February 13 2012)
- Anderson, David M. “Vigilantes, Violence and the Politics of Public Order in Kenya,” *African Affairs*. 101(2002): 531-555
- Anon. “UN voices concern over inter-communal violence in northern Kenya” <http://story.kenyastar.com/index.php/ct/9/cid/a262965e0c331d64/id/202542309/cs/1/ht/UNvoices%20concern%20over%20inter-communal%20violence%20in%20northern%20Kenya/> (accessed 13 February 2012)
- Anon. “Kenya remittances up 39 per cent in 2011” <http://news.yahoo.com/kenyan-remittances-39-percent-2011-072750010.html> (accessed 13 February 2012)
- Anon. “Kenya ninth least prosperous country, says report” <http://www.nation.co.ke/business/news/Kenya+ninth+least+prosperous+country+says+report/-/1006/1309818/-/105xjurz/-/index.html> (accessed 13 February 2012)
- Anon. “Kenya to evict squatters in key forest, watershed Logging has threatened water supplies; report urges moving 45,000 people” July 31 2009 http://www.msnbc.msn.com/id/32241858/ns/world_news-world_environment/t/kenya-evict-squatters-key-forest-watershed/ (accessed 13 February 2012)

- Borras, Saturnino M. Jr, Hall, Ruth, Scoones, Ian, White, Ben and Wolford, Wendy "Towards a better understanding of global land grabbing: an editorial introduction," *The Journal of Peasant Studies*. 38:2 (March 2011): 209-216
- Branch, Daniel and Nic Cheeseman, "Democratization, Sequencing and State Failure in Africa: Lessons from Kenya," in *African Affairs*, 108: 430 (2008): 1-26
- Chege, Michael. "The Political Economy of Agrarian Change in Central Kenya," in Schatzberg, Michael G. ed., *The Political Economy of Kenya* New York: Praeger, 1987.
- Chemaswet, Pastor Peter. *The Land Question in Kenya* in the NORAF Lecture Series on Kalenjin Online http://www.kalenjin.org/index.php?view=article&catid=909%3Ayour-letters&id=1281%3Anoraf-lecture-series-the-land-question-in-kenya&format=pdf&option=com_content&Itemid=234 (accessed 13 February 2012)
- Commonwealth of Australia Refugee Review Tribunal. *RRT Research Response KEN34521* March 16 2009
- Cowen, Michael P. "Patterns of Cattle Ownership and Dairy Production:1900-1965" *Miscellaneous Paper 75*, Nairobi: Institute of Development Studies, University of Nairobi, 1973.
- Cowen, Michael P. "Concentration of Sales and Assets: Tea and Dairy Cattle in Magutu, 1964-71," *Working Paper 146*, Nairobi: Institute of Development Studies, University of Nairobi, March 1974.
- Cowen, Michael P. "Change in State Power, International Conditions and Peasant Producers: the Case of Kenya," in *The Journal of Development Studies*, 22: 2 (1986): 355-384.
- Cowen, Michael and MacWilliam, Scott *Indigenous Capital in Kenya: the 'Indian' dimension of debate*, Interkont Books 8 Helsinki: Institute of Development Studies, University of Helsinki, 1996
- Cowen, Michael P. and Shenton, Robert W. *Doctrines of Development* London and New York: Routledge, 1966.
- Cowen, Michael P. and Shenton, Robert W."Agrarian Doctrines of Development: Part II," in *The Journal of Peasant Studies*, 25:3 (April 1998): 31-62.
- Government of Kenya. *Report of the Prime Minister's Task Force on the Conservation of the Mau Forests Complex*. Nairobi: Government Printer, March 2009
- Government of Kenya. *The Report of the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land* Nairobi: Government Printer, 2004
- International Development Association/ International Monetary Fund Kenya.

- Joint IMF/World Bank Debt Sustainability Analysis, May 15, 2009, <http://www.imf.org/external/pubs/ft/dsa/pdf/dsacr09191.pdf> (accessed 13 February 2012)
- International Land Coalition, "Report on Kenya's Mau Forest recommends eviction of settlers," 27 July 2009 <http://www.commercialpressuresonland.org/press/report-kenyas-mau-forest-recommends-eviction-settlers> (accessed 13 February 2012)
- Kagwanja Peter Mwangi, "Facing Mount Kenya or Facing Mecca? The *Mungiki*, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987-2002," *African Affairs*. 102 (2003): 25-49
- Kagwanja, Peter Mwangi. "Courting genocide: Populism, ethno-nationalism and the informalisation of violence in Kenya's 2008 post-election crisis," in *Journal of Contemporary African Studies*, 27:3 (2009): 365-387
- Kahare, Peter. "Key Lakes Succumb to Human Activities" <http://ipsnews.net/news.asp?idnews=106459> (accessed 17 January 2012).
- Karambu, Immaculate "Kenya's growth to fall behind other EA States in two years" <http://www.nation.co.ke/business/news/Kenyas+growth+to+fall+behind+other+EA+States+in+two+years+/-/1006/1312766/-/k9jff1z/-/index.html> (accessed 13 February 2012)
- Kennedy,P. "Royal News" June 2005 http://www.sweetmarias.com/kenya_writeup_royal.pdf (accessed 13 February 2012)
- Kenya National Commission on Human Rights. *Nguzo za Haki* Issue No.5, April 2006
- Kenya National Commission on Human Rights. *On the Brink of the Precipice: A Human Rights Account of Kenya's Post-2007 Election Violence*. Nairobi: KNCHR, August 2008
- Kenya National Commission on Human Rights and Kenya Land Alliance *Unjust Enrichment The Making of Land Grabbing Millionaires Abetting impunity: The other side of the Ndung'u Report on Illegal and Irregular allocations of Public Land*. Living Large Series Volume 2 Nairobi: KNCHR/KLA, 2006.
- Kenya National Commission on Human Rights and Transparency International-Kenya, *Living Large: Counting the Cost of Official Extravagance in Kenya Until all necessities are accessible to all members of our community, no one should live in luxury using public resources*. Nairobi: KNCHR and TI-Kenya, 2006
- Leonard, David K. *African Successes: four public managers of Kenyan rural development*. Berkeley: University of California Press, 1991

- Lonsdale, John. "Kenya: ethnicity, tribe and state" 17 January 2008, http://www.opendemocracy.net/article/democracy_power/kenya_ethnicity_tribe_state (accessed 13 February 2012)
- Lynch, Gabrielle. "Courting the Kalenjin: The Failure of Dynasticism and the Strength of the ODM wave in Kenya's Rift Valley Province," *African Affairs* 107: 429, (2008): 541-568
- MacWilliam, Scott. "Harvesting Water and the Political Economy of Food Scarcity," *The Australasian Review of African Studies*. 23:2 (December 2001): 38-47.
- MacWilliam, Scott, France Desaubin and Wendy Timms, *Domestic Food Production and Political Conflict in Kenya*. Monograph No.10. Nedlands: Indian Ocean Centre for Peace Studies, University of Western Australia, 1995.
- Mamdani, Mahmood. *Contemporary Africa and the Legacy of Late Colonialism*. Kampala, Cape Town and London: Fountain, David Philip and James Currey, 1996.
- Mars Group Kenya Corruption, *Ndung'u Report* http://corruption.marsgroupkenya.org/index.php?option=com_content&task=blogcategory&id=26&Itemid=41 (accessed 13 February 2012)
- Marx, Karl. *The Eighteenth Brumaire of Louis Bonaparte* (Toronto: Norman Bethune Institute, 1977).
- Marx, Karl. *Capital*, Volume 1. London: Penguin, 1979
- Ministry of Planning and National Development *Millenium Development Goals Needs and Costs* Nairobi: Government of Kenya, UNDP, Government of Finland, n.d., <http://planipolis.iiep.unesco.org/upload/Kenya/Kenya%20MDG%20Needs%20Assessment.pdf> (accessed 13 February 2012)
- Mueller, Susanne D. "The Political Economy of Kenya's Crisis," *Journal of Eastern African Studies*. 2:2 (2008): 185-210.
- Mueller, Susanne. D. "Dying to win: Elections, political violence, and institutional decay in Kenya," in *Journal of Contemporary African Studies*, 29:1 (2011): 99-117.
- Mwega, Francis. "The Competitiveness and Efficiency of the Financial Services Sector in Africa: A Case Study of Kenya." *African Development Review*, 23:1 (2011): 44-59.
- Ndegwa, Stephen N. "Citizenship and Ethnicity: An Examination of Two Transition Moments in Kenya Politics," *The American Political Science Review*. 91: 3 (September, 1997): 599-616
- Njonjo, Apollo. *The Africanisation of the White Highlands: a study of agrarian class struggle in Kenya 1969-1975*. Unpublished PhD thesis, Princeton University, 1977

- Sen, Amartya. *Identity and Violence: The Illusion of Destiny*. New York: W.W.Norton, 2006.
- Southall, Roger. "The Ndung'u Report: Land and Graft in Kenya," *Review of African Political Economy*. 103 (March 2005): 142-151
- Stein, Ginny "ICC confirms charges against Kenyan leaders" <http://www.abc.net.au/news/2012-01-24/icc-confirms-charges-against-4-top-kenyans/3789206> (accessed 13 February 2012)
- Swainson, Nicola. *The Development of Corporate Capitalism in Kenya 1918-1977*. London: Heinemann, 1980
- Tea Board of Kenya. *Annual Report 2008-2009*, 17. http://www.teaboard.or.ke/about/annual_reports.html (accessed 13 February 2012),
- Tegemeo Institute of Agricultural Policy and Development *Maize Production Outlook and Implications for Food Security* Nakuru: Egerton University, Njoro, 18 September 2009, www.tegemeo.org/documents/roundtable/Presentations/Maize-Production-Outlook (accessed 13 February 2012)
- Thurston, Anne. *Smallholder Agriculture in Colonial Kenya: The Official Mind and the Swynnerton Plan*. Monograph No.8, Cambridge: African Studies Centre, University of Cambridge, 1979.
- UNICEF *Kenya Statistics* http://www.unicef.org/infobycountry/kenya_statistics.html (accessed 13 February 2012)
- United States Agency for International Development/ Kenya. *Kenya Maize Development Program* available at <http://kenya.usaid.gov/programs/economic-growth/490> (accessed 13 February 2012)
- United States Central Intelligence Agency. *Kenya Economy 2011*, http://www.theodora.com/wfbcurrent/kenya/kenya_economy.html (accessed 13 February 2012)
- Wamanji, Erick. "Kenya women milk fortunes from camel" <http://story.kenyastar.com/index.php/ct/9/cid/a262965e0c331d64/id/202851854/> (Accessed 13 February 2012)
- Wambugu, Anthony, Boaz Munga and Eldah Onsomu. *Unemployment in Kenya: the Situational Analysis*. Nairobi: Kenya Institute for Public Policy Research, National Economic and Social Council, UNDP and Danida, May 2009.
- Woodhouse, Philip, Henry Bernstein and David Hulme. *African Enclosures? The Social Dynamics of Wetlands in Drylands*. Oxford, Trenton, NJ, Cape Town and Nairobi: James Currey, Africa World Press, David Philip and EAEP, 2000.