

Can Moral Ethnicity Trump Political Tribalism? The Struggle for Land and Nation in Kenya

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“Unity in diversity is paramount for stability and progress in this nation.” Nandi Leaders confronting threats of violence against migrants in the Rift Valley 1998.

Unhappy with widespread irregularities and massive violence during the 1997 general election in Kenya, presidential runner-up Mwai Kibaki announced his intention to go to court with a petition against the president and the Electoral Commission. Shortly thereafter, a group of powerful clients of the incumbent President Daniel arap Moi held a series of public rallies threatening violence against Kikuyu migrants in the Rift Valley. They argued that Kibaki’s move constituted an affront to their Kalenjin community and vowed collective retribution against Kikuyu small hold farmers and traders. Later Kikuyu farmers and their families were attacked. Thousands of people were displaced, and a hundred people were killed, including innocent Kalenjin who suffered revenge attacks. (For details on this violence see *Economic Review* 26 January-1 February 1998; *Daily Nation* 27 January 1998; *Weekly Review* 30 January 1998; *Weekly Review* 6 February 1998; and *Economic Review* 2–8 February 1998.) Sadly, by 1998 this violent politics was nothing new to Kenyans who, over the decade of revived multi-partyism, had witnessed “ethnic clashes” which had left thousands dead, over half a million displaced¹ and the country more fragmented than ever before in its post-colonial history.

The unprincipled and divisive competition for state power by members of the political class who claim to speak for unified ethnic communities — “political tribalism” (Lonsdale 1994:132) — has in Kenya, as in other parts of the continent, wreaked havoc. While it is clear that ethnicities are dynamic, “ambiguous, constantly contested and the changing results of cultural politics” (Berman 1998:311–312), much of our attention has understandably focused on the dynamics of how ethnicity gets politicised “from above” within the struggle for state power. (For example, see Gagnon 1994/1995; Klopp 2001b; Médard 1996, 1998; Newbury 1995; Prunier 1995; and Simons 1995.) Far less scrutinised are resistance movements “from below”, fashioned to counter the ravages of political tribalism and the related opaque transfers of national wealth into patronage and private accumulation.

Part of the reason for the neglect of this resistance politics is that some theorists assume widespread societal complicity in political tribalism. Indeed, political tribalism very frequently triumphs, submerging or neutralising any potential counter-politics through violence and even genocide. Given these too frequent dynamics, it is easy to be entirely pessimistic about Africa's polyethnicity and its politicisation as a hindrance to democratisation on the continent. This paper argues, however, that Kenya presents a case where local counter-politics is visible, and that this resistance politics can take "ethnic" form, while at the same time including a wider and more inclusive civic and national consciousness. Further, within this counter-politics one can discern a projection of moral debates that have always existed within local communities, what Lonsdale (1994: 131) has called "moral ethnicity",² onto a newly opened national public arena. Whether moral ethnicity will present a genuine challenge to political tribalism is a key question to Kenya's increasingly violence prone future.

This paper uses the case of the Nandi nationalist movement in Kenya to illustrate how an ostensibly "ethnic" resistance movement in the current politics of fragmentation and violence can lead to a more tolerant and cosmopolitan politics. After a brief theoretical discussion, I will set the context of the case study by reviewing how, in 1991, as a counter-strategy to democratisation, the highest echelons of the government of President Moi began to publicly articulate an extremely illiberal and violent form of ethnic nationalism called "majimboism". This rhetoric became the justification for state-organised violence against multi-ethnic farming communities in the Rift Valley.³ Next, this paper explores how, in the mid 1990s, Nandi nationalist sentiment increased as a response to the highly inequitable accumulation of land by the same state actors responsible for Kenya's large-scale violence. I will show how local public rebuke of this accumulation pushed some leaders to foster an alternative form of Nandi nationalism and, in the process, take a public stance against majimboism. Weakening the power of the divisive *majimbo* rhetoric, this public stance helped undermine the carefully constructed official claims that the majimboists represented and spoke for a unified community of "indigenous" peoples of the Rift Valley.

Some Theoretical Considerations: Liberal Nationalism Vs. Civic or Illiberal Nationalisms?

Ample reason exists to be wary of ethnic mobilisations, which unscrupulous leaders can organise and exploit for narrow political interests such as control of the state.⁴ Such mobilisations tend towards "uncivic nationalism" (Berman 1998), excluding minority "outsiders" and exhibiting illiberal tendencies generally, often against "outsiders" but also against critics from within the imagined ethnic community (Berman 1998; Ndegwa 1997). While ethnic mobilisations within the context of a despotic state can also be a means to demand inclusion

and recognition within a national structure (Mamdani 1996; Yashar 1998, Berman 1998), most theorists see “ethnic citizenship” competing with a broader inclusive, national citizenship (Mamdani 1998: 13; Ndegwa 1997: 602).

Much liberal nationalist rhetoric used as a rallying call by urban NGOs and reformers, however, has been profoundly ineffective as a mobilising strategy against the existing despotic form of the African state (Mamdani 1996). In part, the reason for this is that Africa’s autocrats and their clients use liberal rhetoric to justify forgetting the violent histories of past accumulations and inequities and, when necessary, to justify the ongoing process of dispossession within patrimonial politics. Another reason stems from the inherent limitations of a political imagination focused on the relationship between the individual and the state to the exclusion of “thick” identities of community that mediate these relationships (Kymlicka 1995).⁵ In essence, a purely liberal view fails to correspond to the predominantly communitarian understanding of the nation on the continent. The assertion of individual rights does not speak to this vision of communities co-existing within a nation, with all the tensions and debates over historical grievances that this involves.

In Africa, as elsewhere, bearing an ethnic identity is “an ordinary aspect of selfhood and a basic social relation” (Eyoh 1999: 273). Depending on leadership, claims, and organisation, mobilisations that draw on these shifting local and regional identities may be more liberatory than is generally recognised. This emancipatory potential involves a projection of “moral ethnicity”, the moral debate within local publics, onto the national public arena. Interestingly, a national public debate about the ethnic claims around dispossession and marginalisation, rather than merely obscuring the dynamics of class exclusion, can help draw attention to them and the common enterprise across communities of fighting accumulation from the centre.⁶ Indeed class dynamics are often at the heart of debates and struggles within communities (Berman 1998: 323; Lonsdale 1992). Such debate carried out outside the context of violence is necessary to move towards a “politics of recognition” in which historical grievances, the fodder of political tribalism, are acknowledged and addressed in a national arena. (For an extended discussion of “the politics of recognition” and how liberalism tends to ignore this critical dimension of politics see Taylor 1994.) As shall be shown, the Kenyan case provides evidence that, within the context of extreme political tribalism or, indeed, because of it, such resistance movements are emerging that “entertain potentially democratic grassroots possibilities” (Atieno-Odhiambo 2000: 12–13).

The Rise of Uncivil Nationalisms: Majimboism and Kenya’s Patronage Bosses

Like other parts of the continent, by early 1990 Kenya’s highly repressive form of rule was experiencing pressure for change. Crowds filled the streets of Nairobi

demanding multi-partyism and relief from the stifling repression that had deepened dramatically during the 1980s. Many of the major donors grew increasingly disenchanted with the scale of corruption and were more inclined to support some limited reforms. In November 1991 a group of major donors, including the World Bank, took the unusual step of co-ordinating their actions. Pending reforms, they suspended for six months US\$ 350 million in non-humanitarian balance of payment support to the government of President Moi. Moi acted quickly. By early December 1991, the president signaled to donors his willingness to introduce formal reform; he legalised multi-partyism.

When given a choice between formal reforms and a reduction in aid,⁷ Moi chose without hesitation to introduce multi-partyism. No doubt Moi calculated that his party, the Kenya African National Union (KANU), could still win elections as long as he had adequate resources to maintain key patronage networks and retain control of state institutions, including the monopoly on violence. Indeed, by early 1991 a new strategy to counter multi-party advocates emerged. Spearheading this initiative was a constellation of KANU MPs, ministers and local officials associated with the Rift Valley representative to the KANU governing council Nicholas Biwott.⁸

Beginning in 1991 this KANU cabal launched a series of *majimbo* rallies. These rallies drew on a narrative of a pre-independence movement for provincial autonomy, or majimboism. In the 1950s this movement involved conservative white settlers fearful that universal franchise would result in a loss of control and property, particularly the loss of their large Rift Valley farms.⁹ Joined by some leaders of the small coastal and pastoralist communities (including Moi), the majimboists of colonial Kenya promoted the idea of provincial autonomy, reaffirming colonially defined boundaries that in reality included intermingled ethnic communities. Rift Valley pastoralist communities hosted numerous minorities, migrants from other areas, most of who came to work in plantations and settler farms. In some areas, many of these migrants were Kikuyu. Pushed out of their “home area” of Central Province by extreme land pressures, these labourers were the backbone of the Mau Mau revolt which “was the seed of Kenya’s all African sovereignty” (Lonsdale 2000b: 109). The *majimbo* strategy was justified as a means to safeguard minority communities within the Rift Valley and Coast from the larger Kikuyu community, even though none of Kenya’s communities, however their boundaries are defined, has a numerical majority. (For the 1962 census figures, see Republic of Kenya 1964.) It was in this post-independence jostling for power that “the fear of Kikuyu domination was invented” (Atieno-Odhiambo 2000: 24).

To evoke majimboism in the 1990s was to imply that once again “minority groups” needed protection from a feared Kikuyu domination of the state. Majimboism was used to counter the idea of multi-partyism by painting it as an exclusionary project of domination. To legitimise this project KANU bosses

equated majimboism with federalism, which academic circles were advocating as a solution to ethnic conflict. However, this was sheer rhetoric; any discussion of democratising provincial politics or devolving power to a provincial parliament was muted. As even the pro-establishment journal the *Weekly Review* remarked about majimboist Dr. Joseph Misoï, he “did not bother to explain the merits of federalism as a political system” but, rather, wielded it “as some kind of threat against continuing agitation for political pluralism” (*Weekly Review* 23 August 1991).

In reaction, multi-party advocates protested that the majimboists were eroding national unity. The pro-multi-party coalition Forum for the Restoration of Democracy (FORD) propounded a liberal agenda favoured by both donors and middle class populated urban NGOs. While this agenda, if implemented, would have constituted significant change, the reality was that FORD did very little to recognise the genuine concerns of pastoralists in the Rift Valley, the majority of whom suffered the worst forms of dispossession under both the Kenyatta and Moi governments.¹⁰ By not recognising this historical marginalisation, particularly with regards to land, and the related fear of domination by the multitudinous and “more developed” Kikuyu¹¹, the coalition failed to undermine the appeal of *majimbo* ideology for Kenya’s KAMATUSA (Kalenjin, Maasai, Turkana and Samburu) pastoralist communities of the Rift Valley. The involvement of wealthy Kikuyu brokers in the privatisation and accumulation of pastoralist land, especially Maasai land (see Galaty and Munei 1999), gave concrete expression to these fears of domination. KANU majimboists directly played upon these fears by telling their pastoralist constituents that a victory for FORD would mean a loss of their land. (For example of an articulate expression of this view from the majimboist William ole Ntimama, see the interview he gave in the *Economic Review* 11–17 1994. For the way his politics played itself out in his constituency see Klopp 2001, forthcoming.)

The historical basis for these fears lay in the memory of Kenya’s first president, Kenyatta, whose rule was widely perceived as deepening already existing inequities across regions. Here is how one Kalenjin woman, an activist working for peace and reconciliation, narrated the experience:

When the country attained independence, the first government advised the people from Central Province about land settlement schemes, so they were able to buy white settlers’ farms. ...Despite the fact that the Kalenjin community and Luhya community coexisted, most of the farms were bought by the Luhya or by Kikuyu from Central Province. During the distribution of land, the pastoralist communities were neglected and the agricultural communities benefited.

As pastoralist children went to school and became aware of this, they started questioning-why? Kalenjins felt they had been invaded. People of this community cannot go any other place to start a business because the community there will be hostile. I saw that happening when I stayed in Central Province for eleven years. Any time someone from another community wanted to start a business there, it was

very difficult. The ——— community members in Parliament used very dehumanising terminology to refer to the Kalenjin (Interview with the late Rose Bar-Masai by Helena Halperin, Nairobi 1996).¹²

Most contemporary Kikuyu politicians, lawyers and thinkers, with the exception of journalists from the opposition newspaper *The People* and land rights activists have done very little to recognise and address these fears. Instead, they respond with a liberal vision which asserts the constitutional right of any Kenyan to live, own land, and have property rights protected in any part of the country. Without a “politics of recognition”¹³ that involves grappling with the fears of communities who simultaneously absorb migrants and have little authority over land allocations, this liberal vision too easily masks the process of dispossession that has accelerated over the last decade. (For further information on the problem of lack of local control over land and how local lands get “redistributed from above” see Kanyinga 1998, 2000; and Klopp 2000, 2001b.) This is critical in understanding why majimboism provided an appealing narrative by claiming that “the violence was aimed at achieving justice in land claims by expelling those who had illicitly occupied land belonging to ‘traditional’ occupants of the Rift Valley” (Galaty 1999: 11).

In a series of 1991 rallies in the Rift Valley, the majimboists overtly threatened multi-party proponents with violence. Ethnicising the opposition as Kikuyu and playing on these fears of Kikuyu domination, the speakers made the implications of their ideology clear when they asserted that all those Kikuyu settled in the Rift Valley would have to pack up and return to Central Province. The rhetoric grew increasingly strident. On 21 September 1991 at a rally in Kapkatet, MP Chepkok encouraged the audience to “take up arms and destroy dissidents on sight” (*Weekly Review* 27 September 1991). Biwott appealed to Kalenjin pride by arguing that “the Kalenjin are not cowards and are not afraid to fight any attempts to relegate them from leadership” (*ibid.*; Imanyara and Maina 1991: 20). Biwott was referring to attempts to change the presidency with its cascading patronage networks from which he and his clients were personally benefiting.

Witnesses to the violence that would follow pointed to the *majimbo* rallies as the start of the trouble (Republic of Kenya 1992). Indeed, these rallies, as public displays of power, served to transmit messages about how far the KANU cabal was willing to go to stay in power. Staged in areas of the Rift Valley that were monitored and controlled by KANU, these public displays conveyed a new message to provincial administrators and local politicians about what constituted “loyalty” to the president. Further, they implied that loyalty would be rewarded with land currently occupied by those migrants defined as “outsiders”.

Multi-ethnic communities of smallholder settlement schemes and trading centres became targets and were disproportionately affected, indicating a profound class dimension to the violence. It seems that the *majimbo* barons, wealthy farmers

themselves, did not want to set a precedent of invading large farms regardless of the ethnicity of the owners. Taken en masse as supporters of the opposition, conduits of “subversive ideas” and, thus, potentially of a trans-ethnic politics in the KANU dominated rural areas, migrant “outsiders” became the focus of violence organised by patronage bosses, mostly centred around Biwott. (For more information on the details of this violence elsewhere see Klopp 2001a, 2001b; *Ethnic Clashes* 1998; Evidence prepared by the Nakuru Diocese for the Akiwumi Commission of Ethnic Clashes; Human Rights Watch 1993, 1997; Kenyan Human Rights Commission 1996, 1997, 1998a, 1998b; Médard 1996, 1998; Memorandum to the Akiwumi Commission by the National Council of Churches of Kenyam 1998; Muigai 1995; Republic of Kenya 1992.)¹⁴

This rise of majimboism and the violent purification of multi-ethnic communities, first in the Rift Valley, Western, and Nyanza provinces and later on the Coast, constituted one of the most decisive and dangerous breaks in Kenya’s independence politics.¹⁵ It left thousands dead, half a million displaced and deep divides between Kenya’s communities. In particular, despite the fact that the violence was carried out by organised militias and small groups of collaborators at a local level¹⁶, those communities “represented” by the majimboists now live in fear of collective retribution.¹⁷ Unsurprisingly, the violence provoked a deep feeling among many Kikuyu that they were being persecuted, and some commentators lamented the “burden of being Kikuyu” in contemporary Kenya (*The People* 5 December 1999). Not only was *majimbo* violence targeted at “outsiders” as part of an electoral strategy, it also aimed at policing community boundaries through fear and, in this way, undermining potentially threatening trans-ethnic organising.

There is the tendency to assume that trans-ethnic organising is rare or a deviation from the norm. In fact, wheeling and dealing across fuzzy ethnic boundaries has been an essential part of patrimonial politics in a polyethnic society. In a multi-party context different local factions find alternative parties as national allies in their local struggles and in the process draw in migrants, less often as representatives, more often as important swing voters that need to be courted or, in the period of majimboism, cleansed. Kenya’s *majimbo* bosses as much wished to avoid the strengthening of dissent in their strongholds by cleansing migrant swing voters and potential allies of dissenters as they wished to merely get rid of recalcitrant voters. This is a point that tends to get lost in many analyses. (See, for example, Médard 1996, 1998.)

The Case of Nandi Nationalism

On the surface, it is surprising that in the heart of President Moi’s ethno-regional basis of support, a local nationalist movement would emerge to challenge the top patronage hierarchy’s accumulation and, by extension, its violent majimboist

onslaught against “outsiders”. Uasin Gishu and its urban centre of Eldoret is where the majority of the top Kalenjin politicians, civil servants, and parastatal heads live, including those who were the propagandists for majimboism and organisers of the Rift Valley violence. Local residents, the majority of whom belong to the Nandi sub-community, tend to identify the KANU government as belonging to “their Kalenjin community”, where Kalenjin is an umbrella category for a group of local identities sharing a similar language. This sentiment went so far that anti-government protests at Moi University, Eldoret, were perceived as a challenge to local power and were put down by residents as well as the police (personal communication from former student leader, Janai Orina, February 2001). Combined with the intense “ethnic clashes” in the area, these factors made the district a “KANU zone”. To understand how a Nandi nationalist movement began to challenge the most powerful majimboist politicians, as with much of Kenyan politics, we must look at the local struggles around land, beginning with a brief history of land alienations and redistributions.

Historical Context

Originally Uasin Gishu was the grazing land of the Uasin Gishu Maasai. In 1880, the Nandi decisively defeated the Maasai and were continuing to expand into the area when colonial forces intervened (Oboler 1985: 19). In 1906, after confronting fierce resistance from the Nandi, the British established colonial rule and Nandi communities were moved into a reserve (Matson 1993, Huntingford 1950: 108–118). This move and confinement separated Nandi pastoralists from important salt licks and grazing ground.

Under colonial protection, the region’s fertile land attracted settlers who set up large farms, many on former grazing grounds. By 1913 a system of squatting emerged that was similar to the arrangements made between Kikuyu labourers and settlers in other parts of the Rift Valley. By grazing their cattle on the former Nandi pasture/settler land, many squatters initially prospered. In this way, they were further reclaiming their rights to their former grazing land. (On the squatter perspective see the excellent studies on Kikuyu squatters by Furedi 1989 and Kanogo 1987. For a description of Nandi squatting relations by a colonial researcher and resident see Huntingford 1950: 73–77; for a helpful analysis see Youé 1988.)

After World War I, without consultation, 278km² of the most fertile land, one-seventh of the reserve, was hived off and given to British soldiers under the Soldier Settlement Scheme. Once again, this separated Nandi from salt licks and grazing grounds and displaced between 1,500 and 2,250 residents. In 1923 the hardship this generated, along with a substantial rise in taxes, helped to provoke resistance. Responding to a call from their spiritual leader, Nandi squatters left the settler farms en masse to attend a “traditional” gathering of the whole Nandi community. This withdrawal of labour, linked to a simmering campaign of

non-cooperation, provoked a crackdown on leading Nandi resisters, but also some concessions (Ellis 1976). By 1934 approximately 13,300 Nandi squatters, about one-quarter of the Nandi population at the time, had moved out of the reserve and onto European farms in the Northern Rift Valley, including the Uasin Gishu district. After the Kikuyu, the next largest group of Rift Valley squatters was Nandi (van Zwanenberg 1975:231).

In the 1940s, with squatter labour, Uasin Gishu District became the “bread basket of Kenya” producing large quantities of wheat and maize (Youé 1988). By 1961, there were 561 settler farms in the area, most covering around 2,000 acres. As in the rest of the Rift Valley at this time, there was a movement towards growing cash crops such as sisal, tea, coffee, and wattle. These cash crops covered 89,100 acres of Uasin Gishu settler land and involved 17,700 African labourers and around 3,500 squatters without homes in the reserve. Wattle, used to produce an extract for tanning hides, was the predominant cash crop covering 68,100 acres (Colony and Protectorate of Kenya 1961). Many settlers belonged to a wattle farmer’s co-operative, Plateau Wattle Co. Ltd until the East African Tanning Extract Company (EATEC) absorbed it.¹⁸ At the time, Plateau Wattle Company sold land to EATEC for the K.sh 250/acre as set by the Central Agricultural Board. Eventually, in 1969 EATEC was taken over by the British Multi-national Lonrho.

Lonrho, along with many other multi-nationals in the 1960s, forged relationships with the Kenyan government in order to guarantee political protection and benefits. Part of this strategy was to appoint key members of Kenya’s ruling circle to senior positions. Early on, President Kenyatta’s son-in-law Gecaga was appointed managing director of Lonrho, East Africa. Under Moi, nominated MP and close Moi associate (some say his son) Mark arap Too was appointed deputy chairman and later chairman (Kareithi 1991:203–204). Not surprisingly, in 1971 EATEC/Lonrho acquired land at government-controlled prices.

In 1994, when Lonrho wanted to sell off its 40,000 acre EATEC farm, large chunks of land were transferred under a front company called Kenmosa¹⁹ to wealthy patronage bosses of the Moi regime, including the president himself. They were then free to sell it at market prices that most local people could simply not afford. One large piece of EATEC land was opaquely sold to a private company, which then sold it back to the government at a highly inflated price for a white elephant project, the Eldoret airport (Republic of Kenya 1999:16–20).

These EATEC land sales were carried out in a context of local land hunger. After independence, despite settlement schemes, land holdings in Uasin Gishu District remained highly skewed. In 1980, for example, the district still had 525 large farms covering 84 percent of the total land area (Kanyinga 1998:209). Even taking into account the subdivision of some of these farms into smaller holdings, the figures suggest that “relatively little land was turned over to land

hungry peasants and that the reform did not solve the problem of high levels of landlessness that characterised the district from the colonial period” (Kanyinga 1998:213). Hundreds of squatter families of former labourers lived on parts of EATEC land. While many of these squatters were migrants from neighbouring areas who came to work in Uasin Gishu, most of the squatters were Nandi. Today, such squatters make up a substantial part of the landless rural poor in the district (Republic of Kenya 1994–1996:74).

Trouble began when EATEC chairman Mark arap Too attempted to secure all the lucrative land for his patron, the president, and his clients and, in the process, tried to evict the former labourers engaged in subsistence farming on various parts of the EATEC farm. EATEC was not the only piece of land in the area provoking a deepening of the factional dispute within KANU in the region, but it appeared to be the last straw. Since the early 1990s, as in the rest of the country, the region had been experiencing an acceleration in the irregular privatisation of public land. For example, small-scale farmers accused Biwott of cheating them out of Goetzee farm.²⁰ In another dispute, in the neighbouring Trans Nzoia district, an Agricultural Development Corporation (government) farm was in the process of being given to prominent people, once again linked to Biwott. Another issue involved the Nyayo Tea Zones, which were being sub-divided and distributed to the well-connected (*Weekly Review* 20 June 1997). Local resentment over the exclusionary nature of these opaque land transactions, fueled by the plight of the EATEC “squatters”, created the basis for a local nationalist movement focused on resisting the highest echelons of power in the Kenyan state.

Articulation of the Nandi Movement With Multi-Party Politics

The EATEC land sale provoked a series of rallies which brought together Nandi squatters, young men, elders and local MPs. Youthful Nandi MP Kipruto arap Kirwa, a former Biwott client from Cherengany Constituency in neighbouring Trans Nzoia District, became the unlikely leader of this nationalist movement.²¹ At a well-attended meeting in Eldoret called to discuss EATEC land, Nandi elders told the crowd: “We have been abused to an extent we can no longer bear. Nandis shall not accept to be part of the Kalenjin coalition of sub-tribes if our role is to be used politically and then dumped without even being given our basic rights.” (*The People* 8 March 2000) While “prominent politicians, including Moi, asserted and invigorated the integrity of Kalenjin identity, claiming there was no such identity as Nandi, Tugen and Kipsigis ... only Kalenjin” (Ndegwa 1997:609), these dissident Nandi refused to give Moi “the power of ethnic naming”. (Worby 1994:376) To do so would have affirmed Moi, Biwott and Too as “insiders”, who, by allocating land and doling it out to their clients, were benefiting the local land hungry community through “trickle down” effects.

In the multi-party context, the claims and grievances of the EATEC squatters and Nandi land-poor became a central election issue. This issue generated a fractious break within KANU between accumulators of EATEC land, the president and his most powerful Kalenjin political bosses, and younger MPs from the area, particularly Kirwa but also MP Sambu from Mosop Constituency in Nandi District and MP Ruto from the multi-ethnic Eldoret North Constituency in Uasin Gishu District. The public pressure on the EATEC issue was so strong that the majimboist Nandi clients of Biwott were afraid to openly criticise the nationalists for fear of losing support. As one journalist wrote: “So emotive has the issue of Eatec land become that even compliant Nandi members of parliament such as the MP for Tinderet Mr. Henry Kosgey, the MP for Emng’wen Mr. Joseph Leting, the MP for Aldai Mr. Kiptum Choge and the MP for Eldoret South Mr. Jesse Mais, have not been willing to come into the open to criticise the crusade by Kirwa and his comrades to have a piece of land alienated for the settling of squatters from the Nandi community.” (*Weekly Review* 1998)

The Nandi MPs took up the EATEC squatters’ plight as a cause célèbre. Kirwa told the pro-establishment journal the *Weekly Review* (23 August 1996): “What I know is that the land was owned by Lonrho on a 99-year leasehold. Lonrho has not renewed this lease and the land should revert back to the government. Is this company (Kenmosa) now selling government land?”

A number of Nandi elders who met with the MPs and their constituents over this issue continued to assert community rights to the land based on patrimonial logics. For example, at one meeting a Nandi elder told the audience that “during Kenyatta’s time his people benefited from such things [land]. This should have been our time, but surprisingly, our own people whose days are numbered in the government have kept on undermining us.” (*The People* 26 February 2000) MP Sambu also expressed his displeasure in the familiar language of patrimonial politics (*Weekly Review* 20 June 1997):

In 1992 we were promised many goodies if we only stayed solidly behind President Moi and the ruling party. We were told if opposition tribes took over, the Kalenjin would be wiped out. The promises have not been fulfilled and the future looks bleak for us if we maintain this notion of Kalenjin solidarity against other tribes. If the government will allow EATEC to speculate with its land, the Nandi will also speculate with their votes. It is as simple as that.

In contrast, Kirwa, who became the de facto leader of this local resistance movement, articulated a Nandi nationalism imbricated in class as opposed to these purely patrimonial logics. At the meeting with the Nandi elders, for example, Kirwa countered the “language of the belly” by saying that what they wanted was a fair price for their land and that “Nandis and their neighbours must be given priority and not any other rich individuals who had all along been exploiting poor Kenyans” (*The People* 26 February 2000).

By taking a cut of the land and staying silently out of the path of the powerful Biwott faction, Kirwa could have behaved like a proper lower level client. Instead, strong pressures from below in the form of rebuke and censure, including potential electoral defeat made more salient by the presence of opposition parties, helped push Kirwa and other former lower level clients to rebel and take an alternative path. The nationalists used these popular pressures as a tool in their struggle against the immensely powerful Moi-Biwott-Too faction. By taking up the land issue these maverick nationalists around Kirwa solidified their support from mostly KANU voters and wielded this against the patronage hierarchy. This hierarchy still needed to win elections, and the presence of a popular dissident in their stronghold made this task harder. The fact that Kirwa refused to leave KANU complicated the picture as he was key to bringing crucial votes to the party.

Unsurprisingly, Nandi squatters were some of the most vocal proponents of a local nationalism that centered on resisting the exclusionary EATEC land sales. They resorted to claims that EATEC was on “ancestral land” and further that they had entered into a moral contract with the company when they agreed to provide the labour on the farm. Here is how Henry Maiyo, a squatter leader from Kampi Nandi, an EATEC settlement of about ten kilometres from Eldoret viewed the situation in a protest letter, interestingly to the British High Commission (reproduced in slightly altered form in the *Release Political Prisoners* newsletter Mtetezi 1 (10):6):

Our ancestors lived at Kampi-Nandi as early as 1920s and they were later turned into labourers on their own farms by the British colonial regime ... Thus the remains of our ancestors have been buried here. Likewise we shall be buried on the same land.

Labourers and their male offspring (aged above sixteen) were required to supply labour to the land owners for at least a hundred and eighty days per year. In return they were paid a nominal fee and allowed to farm and graze at the pleasure of the land owner ... This was the arrangement that was maintained in the early 1950s when EATEC took possession of the land on which we lived and worked.

In 1984 EATEC unilaterally decided to move us into labour camps hitherto occupied by labourers who had come here to work from outside. We declined ... The determination by EATEC to evict us has only been matched by our determination not to be evicted. We have nowhere to go!

The squatters viewed themselves as the deserving poor who laboured according to law. The graves of the ancestors on the land underscored their inter-generational commitment to the “contract” as well as the validity of their claims to “ancestral land”, although some government supporters dismissed these claims. They also appealed to principles of equity and their right to subsistence as landless people:

The plight of Kampi Nandi squatters has not been unique as landlessness is rampant among the Nandi. Also experienced in Kenya now is the land grabbing mania. In

1990s EATEC offered 40,000 acres for sale, requiring people to register for shs 5,000 (non refundable) fee. Nearly 10,000 people responded to this noble opportunity. Yet the outcome of this proposal has been totally disheartening. Whereas the exercise has been completed there is an instance where ten houses-holds [sic] ended up on one acre, while senior government officials have acquired substantial holdings in more than one such scheme!

We squatters detest collusion between EATEC and our predator government. The area of Kampi Nandi is targeted for sale but there is collusion to bring in wealthy outsiders, instead of resolving our plight. We know, for example, that President Moi himself has acquired part of EATEC land (LR. NO 77339/16-Original No. 7739/2/ 2 18.88 hectares (dated 30–11–93)). Mark Too LR. No. 774–1756 Hectares (dated 6–5–82) [sic] and is pressurising for his own Tugen and neighbouring Keiyo people to be brought from as far as fifty and a hundred miles, even though they are not landless (or squatters) to be settled here.

While the letter emphasises the encroachment of “outsiders”, it also draws attention to the fact that they are wealthy. Class awareness is wrapped within the ethnic language. The problem of landlessness is not a problem of the squatter families alone but of the wider imagined Nandi community against wealthy outsiders who were not landless. However, this problem was viewed as part of the “land grabbing mania” affecting the Kenyan nation as a whole. (For further information, see Klopp 2000.)

The squatters at Kampi Nandi did not deny the right to land of the multi-ethnic squatters in a Northern labour camp. In fact, they sympathised with their plight as landless people like themselves. However, they protested the attempt to place both groups together, diluting the Kampi Nandi claims to “ancestral land”. Indeed, the Kampi Nandi squatters also included a number of Luhya and Turkana, who were for all intents and purposes part of the Nandi community and whose claims to land were respected. Interestingly, the well-heeled EATEC Chairman Too, born and raised in the area and speaking the local dialect, was depicted as an “outsider”. Local Nandi chose to emphasise the Tugen strand of his lineage to portray him as part of Moi’s group which, along with Biwott’s Keiyo sub-group, were seen to be encroaching on land in the area through opaque transactions supervised by the administration and outside of local control (Kanyinga 1998:230). Thus, the squatter notion of a Nandi community was not an entirely exclusive one. Instead it was a means to articulate class grievances, while appealing to a wider constituency, both locally and nationally, to recognise their plight as poor landless labourers/farmers.

In an interview a squatter leader, who had been actively networking with Nairobi human rights organisations and no doubt was influenced by this encounter, made the class distinctions quite clear. Below is part of the transcript of an interview done in Nairobi on 30 June 1998:

Squatter Leader: Moi wants to grab for his people not for his community. It is for he, himself and his people.

Klopp: When you say “his people” you mean?

S.L.: Ministers who are protecting him, his family-not his community.

K: Not even the Tugen community?

S.L.: Yes, when we come to his community, there are people like Kiplenge (A prominent Nakuru-based lawyer and land rights activist). He is a Tugen, and he is fighting against Moi.

Even though much of the rhetoric around the mobilisations to protect Nandi “ancestral land” stayed within the idioms of community pitted against community, a closer look shows how this struggle was not only about ethnic domains. It was also part of a class-based struggle pitting land accumulators, including the president himself, against a primarily Nandi underclass. This class dimension facilitated the recognition of the claims of the Turkana and Luhya squatters at Kampi Nandi as genuine landless. Nandi nationalism involved appropriating the past for use in a highly unequal struggle in which liberal rights, entitlements of national citizenship, are too often masked as hollow promise. The Kampi Nandi squatters, for example, tried to use the courts and Kituo cha Sheria, the legal aid organisation in Nairobi offering assistance in suing EATEC. However, when squatter activist Henry Maiyo went to the Land Registry to place a caveat on the land, he was told he was in violation of legal procedure, that the “land already belonged to somebody else” (interview with squatter activist, Nairobi, June 1998).

This emerging cleavage around land was set to benefit the opposition, and many opposition MPs enthusiastically backed the renegade MPs and their stance on EATEC land. However, this was more than sheer opportunism for many opposition MPs who were struggling to find allies against persisting violence and threats of violence to their dissident constituents and supporters in the Rift Valley. At the same time Nandi squatters and their leaders were reaching out to the national arena for alliances, support and recognition for their struggle. Indeed, EATEC squatters from Kampi Nandi sent representatives to Nairobi to consult with human rights organisations, including the Kenya Human Rights Commission, the legal aid organisation Kituo cha Sheria, and Release Political Prisoners (RPP). RPP, which is heavily staffed by Kikuyu activists, sent representatives to squatter meetings in Eldoret and offered support and advice on strategy. In at least one meeting, RPP brought along Mrs. Sabina Wanjiku, a Kikuyu squatter activist from the growing Nairobi slums (*The People* 7–13 August 1998). This was a clear indication that a certain degree of common cause was being made with the struggles of multi-ethnic squatter communities in the capital. In this interaction, some squatter leaders acquired a stronger language of class and nationalist consciousness.

MP Kirwa’s campaign for Nandi rights did not appear to contradict his deliberate attempt to court voters from all ethnic identifications. Indeed, his popularity in the multi-ethnic Cherengany constituency soared, where the Luhya, Kalenjin, and a mixture of Kikuyu, Kisii and Turkana voters each represent about a third of the vote. While Kirwa’s well-connected KANU rival John

Kittony, remarked, “for him to start campaigning along ethnic lines in a multi-ethnic constituency like Cherengani is a big political blunder” (*Weekly Review* 27 June 1997), Kirwa won the 1997 election with a comfortable 63.43 per cent of the vote. While promoting Nandi nationalism around the EATEC issue, the MP made a deliberate and electorally successful policy of campaigning against irregular land allocations more generally, recognising the rights of the landless from other communities, and promoting a tolerant cosmopolitanism. This strategy led KANU critics to call him an “opposition mole”. He countered by suggesting his criticisms of the patronage hierarchy and majimboism had a “principled foundation” (*Weekly Review* 27 June 1997). When the president on tour in the area depicted the nationalists as “enemies within KANU”, they told him to “stick to the issues they had been raising” (*Weekly Review* 12 June 1998).

Most critically, in January 1998 in the aftermath of the December 1997 election, the Biwott faction of KANU started to once again advocate violence against Kikuyu farmers and traders in the Rift Valley. This time, they used the threat of violence against Kikuyu farmers as a means to threaten Mwai Kibaki of the Democratic Party, the Kikuyu presidential runner-up in the elections. As we noted at the very beginning, Kibaki was in the process of challenging the results of the election on seventy-five different grounds through a High Court petition against the president and the Electoral Commission.²² Biwott warned in an address to his constituents that “Kibaki’s petition was being viewed as an affront not just to Moi, but to the entire Kalenjin community” and underscored it would directly affect relations with the Kikuyu (*Economic Review* 2–8 February 1998). The same day a group of Biwott’s Nandi clients, including EATEC chairman Too, met in Nandi Hills to threaten tribal warfare if Kibaki proceeded with the petition. Shortly after this “ethnic clashes” occurred: organised and well-armed raiders began a series of violent attacks against Kikuyu farming communities in Laikipia and Njoro in the Rift Valley. Most of the victims had voted for Kibaki in the last election. As most migrants were from Kibaki’s Nyeri home, the message of this violence was not lost on many local observers.

This time, however, the violence was not met by silence within the Nandi community. The renegade nationalist leaders refused to let the Biwott faction speak on behalf of the community as a whole. Shattering the carefully crafted majimboist image of a united and belligerent “Kalenjin community”, the Nandi nationalists issued a strong condemnation captured in this 28 January 1998 press release (reproduced in *Economic Review* 2–8 February):

Let it be clear at the onset that the Nandi community leaders have not held a meeting for noble causes like sorting out land messes in the area and fighting a fast creeping poverty bedeviling the society, let alone dam a flood of war songs. Election grievances are best addressed through petition courts, which have the requisite machinery to deal with such matters

The scenario and the aftermath of the 1991 clashes are still fresh in the minds of many, and anybody can seize the opportunity of such careless statements to precipitate a political disaster. History attests to the fact that the Nandis, though militant, never jump on any bandwagon of inciters. Logic has it that violence begets violence, and violence is not a wedding dance. We will therefore not allow anybody to misuse the name of the community for any parochial or selfish purposes. As Nandi leaders we care about the welfare of our people both in Nandi and the diaspora. We have to think of what to bequeath to future generations.... We are not by any stretch of the imagination condoning insults targeted at any elected leader — the courts, not rallies, are meant to address exactly that.

We strongly condemn the utterances of leaders who met in Nandi hills and totally disassociate members of our communities from any form of violence. Nandiland cannot be allowed to become a battleground. And we wish to assure all communities living among the Nandi that we shall not allow our people to be misused. Mutual and peaceful co-existence is what we advocate.

.... Unity in diversity is paramount for stability and progress in this nation.

John K. Sambu, MP Mosop

Jackson Kibor, National Co-ordinator Ford-K

Kipkorir Menjo, Chairman Ford-K Eldoret North

Paul Birech, KANU Assistant Secretary, Uasin Gishu

Kipuro arap Kirwa, MP Cherengany

Reflected in this statement is a potential counter-politics to majimboism. In this resistance politics, fashioned as a kind of local nationalism, the saliency of ethnic community is wholly recognised. However, the moral universe of the local community is extended to recognise the rights of migrants from other communities. Furthermore, within this resistance to the violence is an appeal to others within the Kenyan umbrella nation that Nandi migrants be similarly protected.²³ The image here is of a mutually respectful and co-existing set of inter-penetrating communities that can negotiate differences in a national public arena, rather than resort to mutually destructive violence.

As events unfolded, this trans-ethnic politics of cooperation over EATEC expanded. Two Kikuyu municipal councilors from Eldoret, Peterson Mwangi and Paul Gicheru, issued a declaration that “the Kikuyu community would be risking too much if they went ahead and bought the EATEC farms without approval of the Nandi community” (*The People* 6 March 2000). While the experience of being targets of violence prompted this statement, it was also the beginning of a reciprocal politics of recognition that local land rights should be negotiated and based on publicly accepted transactions. This declaration came after a Democratic Party legislator Chege Mbutiru brought in a bus full of wealthy prospective Kikuyu buyers to look at EATEC land. This provoked a hasty response from local Kikuyu community representatives who distanced themselves from the wealthy outsiders by saying “some people are trying to joke around with the sale of land and that is why we felt the need to let the local community buy the farms, and we, therefore, advise our people to keep off meanwhile” (*The People* 6 March 2000).

It did not appear that Kibaki and the party as a whole supported the move by wealthy DP supporters to buy EATEC land and the renegade Nandi MPs joined Kibaki at an opposition rally in neighbouring Trans Nzoia district where they spoke out against the EATEC land sale. By June 2000 the Uasin Gishu Democratic Party held an Eldoret press conference to state their position on EATEC. They said that “events around the sale were worrying” and urged the government “to take charge if the lease between it and Lonrho (East Africa) had expired”. Appealing into the class dimension of Nandi nationalist rhetoric, they asked for “the plight of the landless in Uasin Gishu District” to be addressed urgently “regardless of community” (*The Daily Nation* 16 June 2000).

Moi, Biwott and Too tried to counter this rising tide of multi-ethnic opposition to the EATEC sale based on Nandi nationalist claims by turning from *majimbo*-ism to liberal language. They said that private property rights needed to be protected, and that the price of land would be determined on a “willing seller, willing buyer” basis. (See the exchange between Biwott and Kirwa in parliament in *Daily Nation* 15 June 2000).

They presented the privatisation of the farm as part of the mechanical working of a free market. On 24 February 2000, amidst much contention swirling around the land sales, EATEC manager Jeremy Humes announced that plots on “Nandi District Estates” would go on sale and that “market prices would dictate prices in all transactions”. Thus, he expected that the five acre plots would be sold for K.sh 150,000/acre in prime areas and K.sh 60,000/acre in the interior areas (*The People* 26 February 2000). On 2 March 2000, when opening the Eldoret Agricultural Show, Moi backed up the EATEC management, chaired by his own client Too, with the rhetoric of upholding private property rights and the constitution protecting these rights: “Some people think there is free land in Kenya. This EATEC land is legally owned by the company and I have no powers to interfere if they have decided to sell it on a willing-buyer-willing-seller basis.” (*The People* 3 March 2000)

The Land Registry showed otherwise. Too had 1,756 hectares to his name as early as 1982, with payment made through exchange with another piece of land, no doubt of much lesser value. The squatters at Kampi Nandi discovered that none other than President Moi himself had been allocated the land they were living on. In 1993 he had received a 957 year lease for 18.85 hectares of EATEC land, including Kampi Nandi, at the annual rent of K.sh 56,640 or K.sh 1,216 per acre (Eldoret Land Registry entry for LR 7739/6). This was definitely not a market rate as this land was being sold at between K.sh 60,000 and 150,000 per acre.

Moi acted to counter the threat that Nandi nationalism posed to his accumulation and the *majimbo* politics of divide and rule. While other squatters were evicted, he granted the vocal Kampi Nandi squatters two acres of EATEC land per family (Interview with Kampi Nandi, Nairobi November 2000). After Kirwa attended

a large political rally in Eldoret and, in a potent symbolic gesture, linked arms with a multi-ethnic group of opposition leaders as they marched through the streets, the president intensified a vicious campaign against the MP. Kirwa's meetings with constituents, including meetings with "harambees" or fund-raisers, were brutally dispersed by armed police and, in February 2001, Moi warned potential Kirwa allies: "From today, I will keep my eyes open and if any leader who says he talks to him *basi* (that's it)." (*Daily Nation* 4 February 2001). At the same time, Moi ordered majimboist ministers to hold fundraisers in the Cherengany Constituency to undermine Kirwa. Biwott began the tour by helping raise K.sh 1.8 million [US\$ 22,500] for a local high school where the headmaster had been dismissed, allegedly for supporting the Nandi nationalists (*Daily Nation* 25 February 2001). By pumping money into the area in this manner, while at the same time using the administration to bar Kirwa's meetings on the grounds of "insecurity", Moi, Biwott, and their lower level majimboists were actively trying to crush, with the old "politics of the belly", Kirwa's grassroots support and the cosmopolitan resistance movement within Nandi politics of which it is part.

Conclusion

Will the cosmopolitan vision of politics articulated by Kirwa and the Kampi Nandi squatters overcome the Moi cabal's increasingly violent "politics of the belly"? "Or does the dividing power of political tribalism still hold the trumps?" (Lonsdale 2000a: 14). In many ways, this is the key question to Kenya's future. Many local movements like that of the Nandi nationalists are increasingly defining civic virtue as a willingness to combat unaccountable land accumulation from the centre. This accumulation of land has increasingly encroached on national forests, schools, court compounds and other public spaces through which the Kenyan nation is experienced at a local level (Klopp 2000, 2001a). The profoundly exclusionary nature of much of this accumulation, which leaves the majority of Kenyans from all communities out of both decision-making and benefits, is provoking the sense that "these allocations are killing the nation" (*The People* 3 February 1999) or that "land grabbers have no sense of belonging to this nation" (*Daily Nation* 12 November 1998). The contradictions between this private accumulation and majimboist politics based on customary notions of land as communal territory are, as in the EATEC struggle, coming to the fore.

The devastation this accumulation along with majimboist violence has wreaked on local economies and often harmonious inter-community relations is increasingly understood as the very opposite of the "community" protection majimboism promised to pastoralists. Indeed, in this time of drought and political crisis, the profound inter-dependence of Kenya's communities, an inter-dependence

that predates colonialism, is resurfacing as one of the few protections against the ravages of nature and the shared experience of political despotism. Rumours now circulate among pastoralists that the last terrible drought was punishment for the shedding of innocent blood, and some farmers suggested, as they offered distressed pastoralists grazing land, that they were glad for the drought as it brought them back to “traditions”. This profound sense of identification across ethnic lines with the ravages of drought was further underscored when the *Daily Nation* publicised the plight of starving drought-stricken Turkana in the marginalised North. Shocked by images of children and the elderly dying, Kikuyu farmers donated maize, and Kenyans across the ethnic spectrum provided a flood of donations for a relief effort organised and run by the paper, which had donations pouring in long after the paper tried to close down the process. In brief, indications exist that Kenyans across communities are increasingly transplanting their local understandings of civic responsibility or “moral ethnicity”, in this case involving a strong subsistence ethic, to a newly opened national public arena.

Still, as we have seen with the case of Nandi nationalism, political tribalism holds one critical card: the monopoly on violence. In response to resistance and challenges to their power, the majimboist clique at the top of the current patronage hierarchy is undoubtedly planning more violence. Violence has been effective in maintaining their grip on power, and they have never paid any international cost in terms of aid or reputation for its use. Indeed, while the contradictions between majimboism and private accumulation are becoming more apparent, Kenya’s violent ethnic barons continue to operate on a bifurcated world outlined by Mamdani (1996:61); they continue to move between being “ethnic chiefs” in rural areas, speaking the language of “custom” over land and threatening violence against “outsiders” to using liberal rhetoric and portraying themselves as protectors of “private property rights” to facilitate their own accumulation.

Regardless of the existence of vibrant resistance in Kenya to the politics of ethnic fragmentation, in the end, the majimboists are in control of the state monopoly on violence. In the absence of international censure and costs for their ethnic strategies, they have the means to subvert this resistance politics through assassination of leaders, massacres, and widespread intimidation. As we have seen in the cases of Rwanda (Uvin 1998, Human Rights Watch 1999) and Somalia (Simons 1995) or in the more hopeful recent case of Yugoslavia where a nationalist opposition movement dislodged an illiberal and violent nationalist cabal, this does not mean that political tribalists always have the means to control these processes. The ongoing violent attack on MP Kirwa and his supporters is an early warning signal for what is to come in the upcoming 2002 general election in Kenya. Regardless of the experiences of the last decade, it is not clear that we are paying any more attention to such signals than before.

Notes

1. The precise number of people who died in Kenya's "ethnic clashes" is unknown. One report estimated that, by September 1992, 779 people were killed and 54,000 displaced (Republic of Kenya 1992: 85–90). By 1993, Human Rights Watch estimated that 1,500 people died and 300,000 were displaced (Human Rights Watch 1993: 1). Violence continued into 1994 and flared up again in 1997 when hundreds more were killed at the coast and at least 100,000 people were displaced (Kenya Human Rights Commission 1997: 1, 1998a: i). Thousands have died, including many children living in squalid conditions in refugee camps. The number of internally displaced has reached half a million.
2. This term is from Lonsdale (1994: 131) who defines "moral ethnicity" as the "internal standard of civic virtue against which we measure our personal esteem" and distinguishes it starkly from political tribalism.
3. Violence also was experienced in Western Province, Nyanza and the Coast. The majority of the violence, however, took place in the Rift Valley. There are also ongoing "clashes" in the much marginalised North that have led to much suffering.
4. I clearly see ethnicity as integral to political practice and, therefore, manipulable and open to appropriation and reinterpretation by political actors for instrumental reasons. This does not, however, negate the reality that ethnic understandings are widespread. In fact, it is the experience of cultural difference and how this plays itself out in the political arena that explains the appeal of claims of ethnic grievance. I see no need, then, to take either a purely instrumentalist or primordialist approach to ethnicity.
5. In this many of Africa's autocrats are following colonial practice of emphasising liberalism when it suits their purposes, but otherwise falling back on an ethnic and racial script. See Parekh (1994) and Mamdani (1990). One of the reasons for the liberal emphasis in many NGOs and aid agencies is quite simply that this is the dominant American model.
6. As Haugerud (1993: 41) notes, "When Kenyan politicians rhetorically invoke local or ethnoregional identities, they can 'make connections with lower classes without raising class-based issues' (Ford and Holmquist 1988: 160)."
7. It was not the aid reduction per se that Moi and his cabal feared but the loss of international credit based on the signals sent out by the highly influential World Bank and IMF.
8. Biwott has a notorious reputation. He was implicated in a series of high-level scandals. Scotland Yard detectives, among others, cited him as the chief suspect in the 1990 grisly murder of Foreign Minister Robert Ouko. As we shall see, he is also one of the masterminds behind the engineered "ethnic clashes" in Kenya.
9. In 1954, a conservative settler party called the Federal Independence Party appeared to be the first to suggest the idea of provincial autonomy. The idea was to create a European province to protect their interests and maintain segregation (Bennett and Rosberg 1961: 9–10). For a discussion of the form of majimboism that was briefly implemented at independence and then dismantled as well as a comparison with contemporary majimboism see Murungi 1995.
10. As Galaty (1999) points out, the chief difference for most pastoralists between the Moi and Kenyatta governments was that more of the land accumulators came from within the Kalenjin coalition.
11. For a complex set of reasons, Kikuyu came into the market economy faster and experienced more class formation. Some Kikuyu were also in the position to benefit from Kenyatta's patronage system. As a result, many prominent businessmen are Kikuyu. Not all have got their wealth legitimately.
12. I am grateful to Helena Halperin for sharing parts of her forthcoming book *Mama Ansema* with me.
13. Misrecognition — in this case, blindness to the profound concerns of many pastoralists — as well as the more overtly egregious deprecation of pastoralist communities that some espouse "can inflict harm, can be a form of oppression ..." (Taylor 1994: 25). One gets the sense of this from Rose Bar-Masai's statement.

14. Two reports, one by the government commission of inquiry (Akiwumi Report), the other written by the Law Society of Kenya, have not been released out of fear, as they implicate not only Biwott, Ntimama and their associates, but the president himself. Even without these two unreleased reports there is ample evidence to this effect.
15. Abwunza (1993) effectively describes Moi's *Nyayo* ideology of following in Kenyatta's footsteps (*nyayo*) that dominated his rule since 1978. While she adds a post-script to her study, this does not do justice to the dramatic shift in ideology and practice that majimboism represented in the 1990s.
16. Francis Gitaari of the Nakuru Catholic Diocese (now in exile) collected affidavits from military personnel who were recruited to participate in the clashes as part of the evidence prepared by the Nakuru Diocese for the Akiwumi Commission of Ethnic Clashes.
17. An informal survey carried out around Nakuru showed that many clash victims identify their Kalenjin neighbours with the KANU government and thus blame the Kalenjin as a whole for the violence. This is because in a patrimonial system the ethnicity of the president becomes a marker of which community is dominant. Interestingly, even while propounding this logic, some clash victims felt that the provincial administration was the one that needed punishment (Author Interviews with clash victims around Nakuru October 2000).
18. From 1933 EATEC was owned by Forestal Land and Timber Company, whose British parent company was a dominant manufacturer of bark extract (Swainson 1978:37). In 1969, Slater-Walker Securities purchased EATEC. The same year, Slater-Walker was purchased by the large British multi-national corporation, Lonrho. In 1973, when EATEC took over its competitor, Kenya Tanning and Extract Company, a monopoly was established in the region.
19. Both the pro-establishment journal *Weekly Review* and squatter activist Henry Maiyo were unable to find any trace of this company in the Registrar's Office.
20. They directed their anger at local Biwott client, Uasin Gishu KANU Chairman Jackson Kibor. Biwott, unwilling to back down in light of his client's remonstrations, left Kibor no choice but to plead with the president. In a public rally, however, the president sided with Biwott (*Weekly Review* 13 August 1993). Members in Biwott's own Kerio South constituency dramatically accused Biwott of being a "land grabber". Having acted as an intermediary between the mining company Kenya Fluorspar Co. and 1,400 families who were occupying land targeted by the company, Biwott had the families moved off and then used the compensation money to buy a farm for himself. When he called a rally in August 1990 to deny that he was a land grabber, he ended up chastised. Challenging anyone in the audience to come up and call him a land grabber, he was astounded when a certain Mr. Nathaniel Sogei immediately rose to the occasion. Sogei was arrested before he reached the dais (*Weekly Review* 29 November 1991).
21. In the 1989 by-election carried out under the notorious queue voting of the one party system where supporters lined up behind their candidates, the young Nandi Kirwa beat the veteran Luhya politician Masinde Muliro in what many saw as a flawed and irregular process (Wandibba 1996: 36–39). However, Kirwa took over Muliro's platform of inter-ethnic solidarity and managed to beat Muliro's son in the multi-party election in 1992. Early on, Kirwa was a close associate of Too and the KANU powerbrokers. Evidence of tension grew when the Kenya Cooperative Creameries, a critical local industry, was passed into the hands of Moi's clients who were running it into the ground. The aim was then to privatise it and capitalise off this scheme. Kirwa came out criticising the hierarchy for this move, but eventually reconciled in 1996 when he was appointed an assistant minister. Eventually, however, the land issues led to a deep rift between Kirwa and the Biwott-Too-Moi faction. Interestingly, the Kikuyu Democratic Party leader Kibaki is now picking up the Kenya Cooperative Creameries debacle as a farmer's issue, regardless of ethnicity.
22. One of the complaints was that the president had unlawfully declared parts of the republic security zones and in this way prevented Kibaki from campaigning (*Daily Nation* 23 January

- 1998). While donors, through their observers, sanctioned the election, they were aware of widespread election irregularities that put KANU victory in doubt. However, it was leaked to the press that the donors excised from their report the key phrase “in five per cent of the parliamentary contests, the irregularities in the poll were so great as to invalidate the elections in these particular constituencies and, consequently, the legitimacy of the overall KANU majority in the national assembly” (Cited in *Economic Review* 23 February–2 March 1998). See also the helpful analysis of these events by Brown 2000:287–281.
23. This was a genuine concern because revenge killings were not unknown in Kenya. In May 1992 Kalenjin living in Nairobi claimed that they received threatening leaflets and were being harassed (*Daily Nation* 4 May 1992, 1 June 1992). Many innocent Kalenjin did die in the hands of grieving and angry members of the victimised communities (Interview with NCCK activist from Baringo, Kipchombe Nakuru, October 2000). In fact, as one Kikuyu witness of the violence observed, it was the revenge killings of innocents that tended to polarise communities in the clash area where he had lived (Interview with Molo clash witness October 2000 Nairobi). The Catholic Church and the National Council of Churches of Kenya have played critical roles in dampening potential cycles of retribution. See, for example, how they turned a funeral for fifty-six victims of the Laikipia and Njoro violence into a peace rally in *Ethnic Clashes* 1998.

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