Horizontal Inequalities and Ethno-regional politics in Kenya

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Abstract

This essay examines the nature of horizontal inequalities in Kenya since independence and their implication for political stability in the country. It argues that horizontal inequalities remain the single most important determinant of political contests in Kenya, fuelling much of the sometimes violent contests during elections. Moreover, it suggests that the overwhelming focus on ethnicity per se, undermines citizen agency, confounds political interests, and at best down plays the historical antecedents that have undermined the Kenyan state. The essay argues that the socio- economic and political inequalities in Kenya are rooted in both the historical as well as structural characteristics of the Kenyan state. Four major factors account for these inequalities: (i) ethno-regional political patronage (ii) dominance of the Kenyan state (iii) colonial legacy (iv) historical grievances and inter-ethnic rivalries.

Keywords: Horizontal inequalities, ethnicity, Kenya

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Introduction

The ethnic and regional violence in Kenya after the controversial 2007 Presidential elections demonstrated the fluidity of ethno-regional cohesion, exposed the depth of historical grievances, and further polarized the country along ethno-regional lines. At the core of these grievances is the belief that political power provides the ethnic group of the President with exclusive advantages. Not coincidentally, deep schisms resulting from inequality in access to political and socio-economic resources remain. Historically, the region that controls political power in Kenya also controls the direction and magnitude of economic and political resources of the state. The resulting intra-regional variations in access to political and socio-economic power have in turn sustained deep seated grievances, sometime causing the kind of conflict witnessed in early 2008. These socio-economic and political differentiations based on socio-cultural identities such as ethnicity, religion or race, are known as horizontal inequalities (Stewart 2000, 2002).

The role of ethnicity in Kenya's politics has received enormous attention (e.g. Haugeraud 1995, Ndegwa 1997, Nasongo 2000, Osamba 2001, Atieno-Odhiambo 2002, Omolo 2002, Lynch 2006, Yieke 2007). More recently, the resulting variations in political and socio-economic benefits (horizontal inequalities) associated with access to power have been discussed (e.g. Widner 1992, Atieno-Odhiambo 2002, Murunga 2004, Githongo 2005, Mueller 2008, Branch and Cheeseman 2008). Moreover, the potential for ethnic conflict resulting from unequal distribution of national resources has always concerned keen students of Kenyan politics (e.g. Rothchild 1969, Nellis 1974, Gertzel 1974).

According to data from the highly regarded *Afrobarometer Survey* there is a high perception of unfair treatment among ethnic communities. Except for Central province where only 7 percent viewed their treatment as unfair, other provinces reported above average rates. For example: North Eastern (62 percent, Coast (48 percent), Nyanza (39 percent), Rift Valley (38 percent), and Western (21 percent). Central province is the home of President Mwai Kibaki, and boasts disproportionate representation in the government and quasi government agencies. Regional disparities in the availability of social services, such as water, follow the above pattern. Central province enjoys better access than the rest of the country. In Central province, 12 percent of households have access to piped water compared to 8 percent in Coast, 5 percent in Rift Valley, and 1 percent in Nyanza provinces (Githongo 2006: 20). The other provinces have far lower levels of access.

Predictably, the rationale for post election violence has been couched in instrumental (ethnic chauvinism) and not in ideological terms (demand for respect of the vote). This essay examines the nature of horizontal inequalities in Kenya since independence and their implication for political stability in the country. It argues that horizontal inequalities remain the single most important determinant of political contests in Kenya, fuelling much of the sometimes violent contests during elections. Moreover, it suggests that the overwhelming focus on ethnicity per se, undermines citizen agency, confounds political interests, and at best down plays the historical antecedents that have undermined the Kenyan state. The essay treats ethnicity as an important factor in Kenya's politics, but insists that it is the actions of the governing elite that elevate ethnic differences to conflict inducing status. By promoting exclusive economic benefits to sections of the country that promise the most political support, successive ruling elites have created grievances that are channeled as ethnic sentiments in every election. At worst, this situation has made it difficult for citizens to expect fair treatment if one of their own is not in power. More importantly, they have undermined efforts to alleviate poverty, created wastage in

public expenditure, and resulted in cross regional, gender, and generational variations in well-being.

The remainder of this paper proceeds as follows: the next section lays out the conceptual framework guiding this discussion. The following section provides the political context of the discussion on socio-economic and horizontal inequalities. The next section describes the nature of horizontal inequalities including political and socio-economic dimensions. The subsequent section discusses recent efforts by the Government of Kenya to redress these inequalities, while the last section concludes by offering some lessons and initial thoughts on policy recommendations.

Horizontal Inequalities: A conceptual overview

By horizontal inequalities we mean the socio-economic and political differentiations based on socio-cultural identities such as ethnicity, religion or race (Stewart 2000, 2002). As opposed to the more familiar vertical inequalities that measure individual variations in income, horizontal inequalities seek to understand how group affiliations determine socio-political and economic benefits from the state. Horizontal inequality is different from vertical inequality in the sense that the latter measures individual inequality, while the former is concerned mainly with deprivations at group level. Thus instead of using individual income as a unit of analysis, as would be the case in vertical inequality, horizontal inequality is concerned with those aspects of disproportionate allocation of social, economic and political resources that confer advantages to one group at the expense of others. The emphasis on vertical inequality at the expense of horizontal inequality militates against an appreciation of the latter as a potential cause of conflict.

Traditional measures of inequality, such as income distribution, do not capture the magnitude of group inequalities (Stewart 2000, Crammer 2003). Recent theorizing has demonstrated the inadequacy of using vertical inequality to explain the onset of violent conflict (Crammer 2003). According to Crammer, economic inequality is "hugely" important, but it must be viewed as a subset of the socio-political, cultural, and historical dimensions (p.406). Instead attention is being focused on inter-group inequalities based on race, ethnicity or religion (Stewart and Langer 2007; Stewart 2006, 2002, 2000, 1998; Langer 2005; Stewart, Brown and Mancini 2005; Sriskandarajah 2005). Stewart et al. note that groups gain salience because of the tightness of their boundaries. And, because members understand the advantages of memberships, they are always willing to defend these advantages, even through violence.

Brown, Stewart and Langer (2007) note that addressing horizontal inequalities is important for the following reasons: First, individual conditions may be difficult to improve without improving group conditions. Where group inequalities are widespread, it does not matter what is done to improve the conditions of the individual. The salience of group exclusion would endure, thereby increasing the likelihood of violent conflict. More importantly, by focusing on social relations that undermine inequality such as ethnicity, religion, or race, it is possible to understand the aspects of history or political choice that create categorical group differences within society. Thus according to Crammer, "economic inequality exists by virtue of the social and political forces that give rise to it, just as material forces shape the social and political" (2003:406). Economic inequality is embedded in a social and historical milieu that determines the choices that the political class makes in relation to outside groups.

Cultural factors are important for group mobilization. They combine with existing geographic and economic conditions in society to "provide the potential for construction of a group identity as a source of political mobilization (Stewart 2000: 247). As was evident in Kenya

after the 2007 general elections, this potential may then be exploited by political actors in and out of government to make cultural identity salient enough as a resource for political mobilization. But the differences have to be viewed in relative and sometimes in absolute terms as conferring various advantages to the favored group. Otherwise they may not rise to a sufficient level for group mobilization. For horizontal inequalities to rise to the level where they induce conflict, elite political leaders have to be involved in the process of grievance formation and group mobilization (Langer 2005:27). In practice, ordinary citizens are concerned with the bread and butter issues- socio economic wellbeing, while the elite are interested in power. As such, where the political elite are well taken care of in the distribution of political power, the risk of violent conflict is severely reduced given that the elite do not have the motivation to mobilize the citizens for violent conflict. This may explain why some countries with obvious significant inter ethnic inequalities, such as Kenya, remained relatively stable over a long period of time. But, notes Langer (2005), there is still a danger of mobilization by new and upcoming ethnic elite if the current elite fail to address the demands of the masses. The new elite might be more confrontational and adopt a more violent approach to addressing the existing horizontal inequalities.

It is understandable that once co-opted by the ruling elite from the group in power, elites from the disadvantaged group, now satisfied, have no reason to mobilize the masses for protest. However, Stewart (2000) offers additional insights into this paradox. The presence of strong state intervention to prevent protest in these countries makes it possible for highly unequal societies to escape violent conflict (p. 253). Also, in situations where economic and political power is shared among groups, the likelihood of conflict is reduced. But, where the group that controls economic power also controls political power, the chance of violent conflict is increased. The importance of ethno-regional basis of political power is also demonstrated by the pattern of political conflict in recent years. The two regions that have been associated with political power i.e. Central and Rift Valley provinces are also the ones that have been deeply involved in the major political ethnic conflict in recent times. After the 2007 elections for example, more violence was witnessed in Rift Valley province than in any other part of Kenya. It was not a coincidence that it was mostly directed against the people of Central province ancestry, now perceived to benefit from political power (Branch and Cheeseman 2008, Yieke 2008).

Stewart (2000), however, notes that intra group vertical inequality may reduce the chances of violent conflict, even in horizontally unequal societies, considering the difficulty of unifying the entire group around an "inequality agenda". There is also the rare case of elite from a vertically unequal society identifying more with elite from other societies, than with low income members of their own group thereby neutralizing its potential for protest (p.253). But, it is not automatic that horizontal inequality will cause conflict. The size of the group determines their ability to organize and protest- smaller groups are unlikely to cause violent conflict even when they experience high levels of horizontal inequality. In order to reduce the likelihood of conflict, greater attention must be paid to policies that reduce horizontal inequality- policies that address and aim to provide political, economic and socially inclusion. The 2007 Kenyan election, the post election violence, and subsequent efforts to re-engineer the contours of the state provide important lessons on the nature of horizontal inequalities and their impact on governance and public administration in unequal societies. It is to this that we now turn.

Background and Context

Kenya has enjoyed decades of peace unlike most of her neighbors. Ethno-regional schisms have, nevertheless, always lurked on the surface. Long periods of economic well-being and perceptions of equality, it is suggested, accounted for the absence of internal conflict (Klugman et al. 1999). But recent events in the aftermath of the disputed 2007 Presidential elections suggested the existence of deep seated inter-ethnic and regional animosities. Contemporary and historical factors were at the root of the vicious reaction to the election results. Among these factors are the political bargains at the founding of the Kenyan state, the post independence coalitions crafted to sustain ethnic hegemony and the insularity of post independence governing elites. These historical factors have been sustained by the patron- client nature of Kenyan politics, and the resultant exclusion of non-power holding ethnic communities. Elections are thus important vehicles for the control and transfer of state resources to favored regions. Election time ethno-regional conflicts in 1992, 1997 and 2007 all have one thing in common: The determination to control the spoils of office.

The 2007 election was different from any other election in recent times. It was the first time a clearly discernible difference existed in the political agenda of opposing contenders. At an ideological level, it was a contest between a conservative ruling elite and a more liberal and activist opposition. More importantly, it was also an emotional reaction to perceived state sanctioned horizontal inequality. Opposition campaign agenda revolved around this theme. The overarching opposition response to this phenomenon was devolution: the spread of state power to regional units which would oversee tax collection and determine expenditure depending on local need. But, like previous electoral contests the 2007 election was organized around disgruntled and suspicious ethno- regional coalitions.

The post election violence was historic in the sense that, until then, no violent articulation of citizen grievances of that magnitude had occurred in the country. But these were different times: it would be the first time in independent Kenya that an incumbent regime would come close to losing power, itself an important indication of the country's democratic maturity. In this sense it was different from previous electoral contests given the high stakes involved. Previous Kenyan Presidents had been replaced as a result of natural and constitutional causes. The first President Jomo Kenyatta died while in office, while his successor Daniel arap Moi was constitutionally barred from a third term at the end of his second term in 2002. Mwai Kibaki, Kenya's third president is serving his last term. Ethno-regional interests have therefore never been threatened. The prevalence of violence in the Rift Valley and sub-urban Nairobi and its target on Central province communities, demonstrated existing grievances against Central provincial political elite. One thing was common in both parts of the country: high levels of poverty, the cause of which was perceived to be horizontal inequality, the one based on land pressure caused by migrant Central province communities in the Rift Valley, and the other economic pressure represented by wealthy Central province land lords in slum communities of Nairobi such as Kangemi, Kawangware, Kibera, and Mathare. In both cases, political horizontal inequalities were key determining factors.

Nevertheless, the perceived lack of response to citizen demands for fair distribution of national resources, and the impunity of the ruling regime even when its legitimacy was under assault may have also contributed to the post election crisis in 2007. After the 2005 referendum, the governing elite around President Kibaki became more insular than at any other time in the five year period his first term (Murunga and Nasongo, 2006, Whitaker and Giersch 2009). Political appointments in both the Cabinet and the Civil Service bureaucracy now favored

Central province after the sacking of proponents of the draft constitution who were mostly non-Kikuyu ministers. These included Raila Odinga, Kalonzo Musyoka, and William Ruto who would later initiate presidential bids of their own. Appointments to executive positions in state corporations and parastatal agencies followed a similar trend. At the same time, the government's image was blemished by what became known as "the Anglo Leasing Scam", a series of corruption allegations by the Secretary for Governance and Ethics, John Githongo (Githongo 2005). This led to the resignation of three Kibaki loyalists from the Cabinet namely: David Mwiraria (Finance), Kiraitu Murungi (Justice) and Christopher Murungaru (National Security). These events set the state for the 2007 elections, making the inequitable distribution of state resources, corruption and nepotism core themes of the impending elections. Poverty was also an important catalyst for the post election violence. Even though the country registered an impressive 7 percent growth rate during the previous five years, growing poverty and high cost of living persisted, especially in slum areas of major cities. The failure of the state to respond to citizen demand for socio-economic improvements especially in poor urban areas may have heightened popular disaffection. The most affected socio- economic segments in the poor urban areas believed that a new political dispensation was the panacea for their economic woes. Additionally, the political rhetoric of unequal distribution of economic resources hardened existing inter-ethnic suspicions against landlords in poverty ridden urban areas. These historical grievances found expression in the post election violence.

The discourse on inequality has been a subject of much political and academic debate in Kenya since independence (Rothchild 1969, Nellis 1973, Kariuki 2004). The political elite have responded in various ways. In the immediate years after independence regime representatives responded by (i) blaming the colonial regime (ii) insisting that individual recruitment was based on merit, and by (iii) assuring less endowed areas that resources would be distributed equitably (Rothchild 1969: 704). Scholars are, however, unanimous on the pervasiveness of inequality and the manipulation of political power for access and control of state resources (Widner 1992, Cohen 1995, Weinreb 2001). Successive presidential regimes have attempted redistribution programs to improve socio-economic equity. Similar efforts targeting political horizontal inequalities remain elusive. Among the most innovative programs addressing socio-economic inequalities are the District Focus for Rural Development (DFRD), the Local Authority Transfer Fund (LATF), the Constituencies Development Fund (CDF), the Free Primary Education (FPE) and the National Accord and Reconciliation Act (NARA) of 2008. Even though intended for socio-economic parity, most of these programs have not succeeded in reducing inequality. Part of the reason for this lack of impact is that they have been used to benefit new regional power holders (e.g. DFRD), or have been undermined by existing differences at initiation (e.g. CDF). They have also been affected by technical weaknesses, poor prioritization, and elite capture (e.g. LATF; CDF). It is too early to determine the impact of the NARA in addressing the political horizontal inequalities. Nevertheless, it remains an important initial attempt.

Nature and Scope of horizontal inequalities in Kenya: An overview
The extent of horizontal inequalities in Kenya reflects the nature of the Kenyan state, the intersection of politics and ethnicity, and the divided loyalties of major institutional actors. These factors significantly influence allocation of resources as well as the exercise of sovereign powers. Unlike neighboring Tanzania, Kenya's nation building program was undermined by an inward looking strategy that promoted sectional interests in language, education and material culture while maintaining fidelity to the colonial state system. The result was a regional strategy of

divide and rule, which emphasized local vernacular more than the national language and adherence to regional identity over national outlook. Specifically the education system was designed to impose notions of parochial identity with indigenous languages occupying prominent roles in the curriculum (Miguel 2004:327-362). Thus, the failure to build a unitary nation out of the disparate ethnic communities, and the retention of colonial era geographical divisions has continued to undermine national unity. These have jointly led to major socio-economic and political cleavages, affected economic growth, and caused substantial political and socio-economic horizontal inequalities. We look at some examples below:

a.   Political Horizontal Inequalities

Group based differences in access to political power and the significant benefits that are attached to group membership are pervasive in Kenya. The Ethno-regional group (ethnic community) is the most politically salient unit in Kenyan politics. The interaction of geographical, administrative and political boundaries only heightens the salience of these ethno-regional groups. Nevertheless, there is an increasing assertiveness of alternative social groupings that were very active in the 2007 elections. Among these are religious groups notably the Muslims (Cheeseman 2008: 168).

However, another key emerging and increasingly salient demographic group is the Youth. Like many developing countries, Kenya is currently experiencing a youth bulge. About 60 percent of Kenya's population comprises the youth in the 18-35 age bracket. Apart from being the most politically active demographic they are also one of the most politically excluded groups in the country, and also the most economically affected. According to Government of Kenya (GoK), youth accounts for about 45 percent of the unemployed (GoK 2003:8). While the economic implications of this bulge have been documented, its political significance remains largely understudied (Kagwanja 2006, Muhula 2007, Mwangola 2007). The recent wave of violence and the prominent participation of the youth in the disturbances is a clear indication of this segment's growing importance. Its continued exclusion not only means that a major portion of the country's human capital is not productively engaged, but it also raises important implications for political stability in Kenya. These two constituencies, the ethnic groups and the youth must be factored into any discussion on growth, poverty reduction and political stability in Kenya.

(i) Political Inequalities: ethno-regional groups

Post independence political bargaining and coalition formation has largely assumed regional dimensions. Similarly, access to political power has, by and large, determined the distribution of socio-economic and political benefits. Several studies have underlined the existence, and indeed the potential dangers inherent in these regional variations. Rothchild (1969) and Nellis (1974) have shown regional differences in Cabinet and Public Service appointments in the immediate post independence years, and that these differences were artificially determined by the power holding political elite. Similar studies by Barkan and Chege (1989), SID (2004) and Kanyinga (2006), also pointed to the persistence of political inequalities and to their long-term implications for economic growth and political stability.

Apart from variations in regional composition of Cabinet and Public Service appointments, perceptions of political inequality exist in several regions. The Afrobarometer's third round survey on "Attitudes to Democracy and Markets in Kenya" conducted in 2005 found regional variations in perceptions of political power. About 38 percent of Kenyans noted that

their ethnic community had less or much less political power compared to other communities. The magnitude of this perception is only remarkable when viewed across regions: Central (7%), Nairobi (28%), Eastern (34%), Western (36%), Nyanza (38%), Rift Valley (42 %), Coast (72%), and North-Eastern (83 %). It is important to note that post election violence was predominantly in Western, Nyanza, Rift-Valley, and Coast provinces, and they were also the areas with significant opposition victories in the 2007 elections. While these data emerged from a period of heightened political activity, coalition formation and inter-party rivalry they nevertheless, present evidence that these perceptions exist nationally.

　　　Historically, political patronage has also reflected regional access to political power. The Kenyan constitution confers vast powers to the President. These include powers to allocate ministerial positions, and make appointments to constitutionally protected offices. Successive regimes therefore entrenched their rule, assigned strategic administrative positions, and directed political resources to supportive provinces. The level of regime insulary rises with increased challenge to the regime by non- governing regional elite. Conversely, challenge to the ruling elite negatively affects the representation of non- governing provinces in the national bureaucracy. It also results in total withdrawal of state support for programs in such provinces. Thus between 1963 and 1978, and 2003 to 2007 Central province was disproportionately represented in Cabinet, Military, Diplomacy, and Public Service. Not accidentally, Jomo Kenyatta, Kenya's president was from the province. A similar pattern was evident between 1979 and 2002, with Rift Valley province, the home of President Daniel arap Moi, disproportionately represented. But these periods also coincided with the deliberate exclusion of specific provinces whose political elite were considered disloyal to the ruling elite. This can be seen in the reduction in the proportion of PS appointment from Nyanza and Eastern provinces between 1969 and 1972 (see table 1).

Table 1. Central province disproportionately represented in Cabinet and Civil Service appointments (%), 1969- 1972.

Province	President & Cabinet		Assistant Ministers		Permanent Secretaries		Provincial Commissioners	
	1969	1972	1969	1972	1969	1972	1969	1972
Central	33	33	16	17	27	45	57	50
Rift Valley	5	10	13	20	11	10	29	25
Western	10	10	16	23	5	10	0	0
Nyanza	10	10	9	9	26	20	0	0
Eastern	10	10	9	3	21	0	0	0

Figures do not include Nairobi, Coast and North Eastern (Adapted from Nellis (1974), p. 14-15).

　　　This reduction coincided with antagonism between the Nyanza (Luo) and Central province (Kikuyu) elite leading to the formation of opposition party Kenya Peoples' Union, and the alleged involvement of military officers from Eastern province (Kamba) elite in the army mutiny of 1971. A similar pattern occurred between 1985 and 2002, with Rift Valley securing more representation, while Nyanza and Central provinces witnessing substantial reduction in representation. For instance, by 1994 Central province proportion in the Cabinet had dropped from 20 percent in 1985 to 4 percent, while the Nyanza proportion dropped from 16 percent in

1985 to 4 percent in 1994. Meanwhile, Rift Valley representation increased from 12 percent in 1985 to 17 percent in 1994. Again, inter-regional political considerations explain these differences. The considerable reduction in Nyanza and Central provinces proportion (table 2) coincided with the consolidation of political power around the Rift Valley elite, as well as greater agitation for political reforms led by Nyanza and Central province elites.

Table 2: Rift Valley province disproportionately represented in Cabinet and Civil Service appointments (%), 1985-2001

Province	President and Cabinet		Ambassadors		Permanent Secretaries	
	1985	**1994**	**1985**	**2001**	**1985**	**2001**
Central	20	4	10	12	28	9
Rift Valley	12	17	13	21	20	35
Western	8	17	10	12	12	13
Nyanza	16	4	17	15	8	9
Eastern	8	17	8	3	12	4

Figures do not include Nairobi, Coast and North Eastern provinces (Adapted from Kanyinga (2006), p. 274-275).

More recently, inter-coalition differences within the National Alliance Rainbow Coalition led to the capture of the presidency by Central province elite. The process of exclusion that started with the purging of Rift Valley elites after the end of the Moi regime extended to representatives from Nyanza and Eastern provinces after the 2005 referendum in which political elite from these regions campaigned against the draft constitution. The beneficiaries of this fallout became the Central province elite. Nationally, a perception of Central province hegemony inevitably escalated, and was manifestly demonstrated during the post referendum debates, the 2007 election and the events thereafter. The three cases demonstrate how access to political power by the president's home determines the fortunes of that province, and the resultant exclusion of other provinces.

(ii) Political Inequalities: Youth, Politics and Inequality
The youth (age-group 18-35) comprises about 60 percent of the national population (Afrobarometer, 2005). It is the fastest growing demographic group, with potential significant effect on economic growth, poverty reduction and political stability. The youth is therefore an important political constituency in its own right. Estimates indicate that in the 2007 elections age was an important factor. About 1.6 million new voters registered to vote for the first time, most of these under the age of 35. The youth, mostly in urban areas became the third most sought after electoral constituency (ICG 2008: 8). Unlike ethno-regional groups that are amenable to political consideration, the fluid nature of this category undermines it's salience as a significant political constituency. This is however changing in Kenya considering the role of the youth in the 2007 general elections, as well as in more recent elections. Opinion surveys carried out before the general elections point to a politically active as well as a highly volatile demographic.

According to Afrobarometer (2005) survey the youth are actively engaged in political affairs. About 63 percent indicate that they are very interested in public affairs, while 71 percent

indicated that they discuss political matters frequently. Three factors account for the political salience of this group: It is highly mobile i.e. youth can easily move across all group as well as geographical boundaries. Also, it is mostly educated and networked. Youth literacy rate in Kenya is about 80 percent, while the youth comprise about 45 percent of the unemployed (GoK 2003:8). This makes it the most disaffected, and therefore the most vulnerable to political mobilization.

Youth engagement in politics has rarely assumed organized forms in terms of agenda setting for political debate. Traditionally, the youth have been used as party agents, not necessarily in substantive roles, but as party "foot soldiers" (Youth Agenda 2008). Their role has largely been restricted to providing security and in some cases forceful mobilization of support for both parliamentarians and presidential candidates. Unemployment and resultant poverty makes election time a highly rewarding time for the youth. But, it also makes it the most risky time for them given the volatility of electoral politics in Kenya. The post election violence in 2007 demonstrates how violently engaged youth were in the conflict. According to Youth Agenda, a local NGO, while the youth were responsible for the planning of only about 7 percent of the violence, they were responsible for the execution of about 55 percent of election related violence (ICG 2008:25).

Similar trends are evident in the funding for violence. About 60 percent of funding for violence was sourced from non- youth sponsors, while youth sponsorship of violent activity accounted for only 7 percent (ICG 2008: 23). These figures demonstrate, even if circumstantially, the existence of a supply chain, in which youth are merely conduits. Nevertheless, the concerns of the youth such as employment, security, and political representation remain only marginally considered. In the 2007 elections as in previous ones, in spite a high number of young people registering as candidates for parliamentary nominations (e.g. Cecily Mbarire, Kabando wa Kabando,Miguna Miguna among others) , there was no organized articulation of a unified youth agenda. Major political candidates rarely articulated a youth action plan in their speeches, and only occasionally referred to plans to fund youth self-help programs, such as capital to operate bicycle transportation businesses. Nevertheless, there was a highly visible participation of the youth in the elections.

An emerging phenomenon in Kenyan politics is the rise of youth militias. Some of these militias have been known to work for individual politicians. In 2002 elections for instance, the Mungiki militia openly identified itself with the KANU presidential candidate, while in the 2007 elections, this group was identified with the PNU presidential candidate, and were active in the post election violence. The ideology of these militias is couched in pure instrumentalist terms-youth have been excluded, and have to claim the political space through violence if necessary. The rise of the Mungiki in Nairobi, Nakuru and parts of Central province, as well as the emergence of the Land Defense Force in Western province and parts of Rift Valley could be attributed to the socio-economic and political exclusion of the youth. High unemployment, poverty, little confidence in state interest in addressing their concern, and a manipulative and predatory political environment collectively heightens perception of inequality among the youth.

To be sure, youth mobilization for political participation follows the ethno- regional patterns characteristic of national politics. Thus youth in one region are more likely to vote for the region's preferred candidate, and not necessarily the one with the best policy for youth. This undermines the articulation of a decisive youth platform as well as a collective attempt at organized claim making. The resultant horizontal inequalities against this highly impressionable

group pose major implications for security and vulnerability of the country. Both could undermine long term economic growth and political stability.

b.   Socio-economic horizontal inequalities

Regional imbalance in the distribution of political appointments inevitably contributes to the ethno-regional inequalities. This is exacerbated by the synchronous relationship between administrative and political boundaries. The distribution of public goods such as education facilities, health, water and physical infrastructure also follows patterns of access to political power. Senior government officials including ministers and permanent secretaries influence public expenditure decisions. Thus the pattern of socio-economic inequalities reflects the patterns of regional representation in public service appointments. Under Kenyatta, Central province experienced better access to public services compared to other provinces. Similarly, under Moi, Rift Valley province received disproportionate share of government investment in public service delivery. In 1969 about 64 percent of primary school age children were enrolled, compared to 31 percent for Nyanza and 29 percent in Rift Valley. Central Kenya was the only province above the national average of about 39 percent (Alwiya and Schech 2004:271). While enrolment itself is a household level decision that does not necessarily follow political patronage, provision of education inputs such as teachers is amenable to political influence. Citing Ministry of Education data, Alwiya and Schech (2004) note that Central Kenya also had the highest percentage of professionally qualified teachers compared to any other province, other than Nairobi during the Kenyatta regime (p.271).

By the end of Kenyatta regime and beginning of Moi regime in 1979, about 90 percent of Central province teachers were qualified compared to about 68 percent for Nyanza and 70 percent for Rift Valley. Regional variations in pupil-teacher ratio during the 1990s demonstrate the existence of influential political considerations in the provision of teachers. For example high enrolment in Central and Nyanza (100 percent and 80 percent respectively) was not marched with the same proportion of teachers. Consequently, the two provinces had a higher pupil-teacher ratio (34 percent and 31 percent respectively), while Rift Valley with 94 percent enrolment rate, had a pupil teacher ratio of about 28 percent (Alwiya and Schech 2004) .This pattern was evident in access to health care and housing during the various regimes.

Central province was more favored than other provinces during the Kenyatta regime. In 1970, the province accounted for about 15 percent of government expenditure on housing while Nyanza province accounted for only 1 percent even though the difference in population was negligible (ILO 1972:301). Similarly, the province had only 766 people per hospital bed (only worse than Nairobi, with 152). Whereas politically excluded areas like Nyanza, Western and North Eastern provinces had an average of over 1,000 peoples per bed.[i] The Moi era brought similar advantages for Rift Valley province, again at the expense of politically non-salient ethnic communities. By the end of Moi's term in 2002, Rift valley province had about 6,000 people per health facility-the least of any province. Nyanza had about 9,000 while Western had 11,000 people per health facility, only better than sparsely populated North-Eastern province which had about 14,000 people per health facility (SID 2004 :21). Similar variations are demonstrated in under- five mortality rates across the country. Kalenjin children in rural areas were less likely to die under the age of five compared to children of other ethnic communities during the Moi presidency (Brockerhoff and Hewitt 1998:22). Similar trends were evident for the Kikuyu during the Kenyatta regime, where under-five mortality rates declined by 69 percent during the 1970s

(p.23). The effect of these inequalities has been evident in later years, and continues to widen inequalities even further.

From the foregoing, it is clear that the socio- economic and political inequalities in Kenya are rooted in both the historical as well as structural characteristics of the Kenyan state. Four major factors account for these inequalities: (i) ethno-regional political patronage (ii) dominance of the Kenyan state (iii) colonial legacy (iv) historical grievances and inter-ethnic rivalries. It is to these that we now turn.

i. Ethno-regional political patronage and horizontal Inequality

Ethno-regional political patronage remains a pernicious aspect of Kenyan politics. It determines access to both political and economic resources. The resulting horizontal inequalities are further exacerbated by the alignment of electoral with administrative regions. Electoral constituencies sometimes combine three to four administrative divisions headed by a civil servant. Since most constituencies (politico-electoral) and provinces (administrative) are dominated by one ethnic community, policy decisions made on the basis of political considerations account for much of the existing horizontal inequalities. Central province received much of the political and economic benefit under Kenyatta, while Rift valley was the main beneficiary under Moi.

In all three post independence regimes these inequalities have been reflected in appointments to the Cabinet, Judiciary, Diplomatic Corps, State Corporations, and in the nature of public service delivery. National poverty estimates indicate that Central and Rift Valley provinces with poverty indices of 31 percent and 44 percent respectively are the wealthiest provinces in the country. Both regions have produced a President at least once. The poverty indices in Nyanza and Western provinces are 61 percent and 65 percent respectively. These regions have never produced a President and are the poorest (GoK 2006). The ruling elites use political power to direct resources to areas that enjoy their patronage. These group based advantages in economic and socio- political realms have provided the advantages that make horizontal inequality a persistent feature of socio-economic and political structure in Kenya. The result has been unequal access to education (Amutabi 2003), health (Grab and Priebe 2009, Nyanjom 2006), water and sanitation services and a disproportionately better quality of life in provinces associated with political power (Alwy and Schech 2004). For instance, Grab and Priebe (2009) note the paradox around low malnutrition rates and high mortality rates of children in Nyanza province. Accordingly, they state that "an interaction of cultural, geographic and political factors can reverse the positive relationship between a good nutritional status and the survival chances of children" (p. 3).

Ethno-political patronage is also the main determinant of horizontal inequalities in land distribution in the country. The political origin of landlessness as a manifestation of horizontal inequalities is the "Million Acres Scheme". This land redistribution program immediately after independence opened up Rift Valley, the traditional home of the Kalenjin, to external purchasers from Central province who enjoyed massive economic advantages during the Kenyatta era. It brought about 35, 000 non- Rift Valley families, mostly from Central province into the Rift Valley. While it helped the departing colonial and the newly independent Kenya government settle immediate short term instability, the magnitude of inequalities that would result from it were not immediately apparent (Leo 1981: 202-222). The land buying companies that were formed by the Central province elite during the Kenyatta era helped negotiate better prices for their members, and therefore led to their disproportionate migration into the Rift Valley (Oyugi 2000, Atieno-Odhiambo 2002). More importantly, because of political advantages accruing from

the Kenyatta presidency, members of the Kikuyu community had more access to the loans than any other community. This disparity in the distribution of state resource would continue henceforth. For instance, by 1966 about 64 percent of all industrial and 44 percent of commercial loans given by the state owned Industrial and Commercial Development Corporation (ICDC) went to Kikuyu clients (Rothchild 1969: 693). As a result, there ensued an expansion of kikuyu reserves to include Nakuru, Laikipia, Nyandarua, Eastern Nandi, Eastern Kericho and Southern Uashin Gishu (Leo 1984).

Land pressure in the greater Rift Valley precipitated much of the animosity to the Central province immigrants and other migrant communities in this region. This would be exacerbated by an imminent loss of political power. Thus in recent years political conflicts among elite have degenerated into local conflicts over land. It is not a coincidence that these conflicts have routinely coincided with general elections, as witnessed with the targeting of Central province Diaspora communities in the Rift Valley after the 2007 elections. Similarly, in both 1992 and 1997 ethnic conflict occurred in the Rift Valley, Nairobi and Coast provinces. The findings and recommendations of a government appointed commission of inquiry (Kiliiku Commission and Akiwumi Commission) to investigate the violence were never considered.

ii. Imbalanced State- Society relations contribute to horizontal inequality

The nature of the Kenyan state that favors a strong executive with vast powers promotes the exercise of state powers for ethno-regional and political interests. With vast controls over parliament and the judiciary, executive officials have used state resources to reward supportive constituencies while excluding others. The state is the main provider of social services in Kenya even though private sector participation in the provision of education, health, water and sanitation has expanded in recent years. As such, executive influence in the provision of public goods results in unequal distribution of these resources. Such influence also affects recruitment into the national bureaucracy- the Civil Service. At independence, the majority of public service delivery was undertaken by Local Authorities. The provision of primary education and health, for instance, was until 1970 a function of Local Authorities. The subsequent abolition of the Graduated Personal Tax in the 1970s dried the much needed source of revenue and increased Local Authority dependence on the central government. Similarly, the politically motivated establishment of numerous Municipal and Urban councils through divisions of these hitherto large entities reduced their efficiency while increasing the power of Central government to control Local Authorities through the appointment of personnel. The transfer of important public services to line ministries ensured that important service delivery decisions would be made through the highly politicized and partisan civil service command that stretched from the president to the sub-location level. Structurally, the civil service is underpinned by a technocratic tradition. However, ethno-regional influence, executive interference and client-patron relations undermine service delivery, and promote horizontal inequalities.

The performance of the Kenyan parliament has been mixed. Important oversight organs like the Public Investment Committee (PIC) and the Parliamentary Accounts Committee (PAC) exist but, with no real enforcement mechanisms, their recommendations are routinely ignored. Annual reports of the Controller and Auditor-General routinely cite politically motivated and in most cases economically unviable projects, while recommendations of oversight committees of parliament such as the PAC are rarely implemented. More importantly, disclosure laws remain weakened both by stringent libel laws and the Official Secrets Act, a colonial era law that undermines citizen access to executive action. This makes it not only difficult for citizens to

determine the degree of political influence in the allocation of state resources, but also provides no incentive for transparency and accountability. Horizontal inequalities are thus concealed, and inevitably thrive unchecked since the oversight function of parliament is hampered by tradition of a strong executive. Moreover, the constitutional requirement that the Cabinet is drawn from among legislators further undermines parliament's oversight role. First, it weakens parliament since a section of the membership can no longer oppose government agenda because of collective responsibility requirements. But more importantly it introduces opportunities for executive incursion into the independence of the legislature, coercion of legislators and opportunities for patronage (Widner 1992, Murunga 2004).

Even though the Kenyan legislature has increasingly become more assertive in recent years (Barkan et al. 2004), it still remains subordinate to the executive in many aspects. For example a recent study on the strength of legislatures worldwide ranked the Kenyan parliament at 126 out of 158 (Fish and Kroneig 2008). This has major implications for governance, but the most obvious is that political actors cannot depend on parliament to mitigate executive excesses. Historically legislative initiatives to reduce horizontal inequalities have received hostile reception from government aligned members of parliament. Instead, parliament has consistently participated in facilitating executive clamping of its independence and effectiveness. The fact that parliament does not control its own calendar and can be prorogued and dissolved at the president's will undermines its independence. More importantly, parliament has no control over the budget, and members of parliament only encounter the budget on the day it is presented by the Minister for Finance. Recent efforts to create a budget office and to allow parliament to control its calendar have met stiff resistance from the government. Consequently, presidential powers to appoint top Civil Service and military officials remain, as do powers to order the provision of any kind of development project to a favored constituency. Kenyan Presidents have no doubt used this power to enrich their communities, resulting in both economic and political horizontal inequalities.

While in recent years private sector involvement in the provision of social services such as water, education and health services has increased, the government still remains the main provider of these services. And, even though the network of public service delivery systems follows the provincial administration system, there are still variations in access. In most cases, such variations reflect patterns of political patronage and relative access to political power over the years. Inequality has arisen because political considerations determine access to government resources. State bureaucrats in the districts are important executive agents that ensure compliance with state policy. As representatives of the president, they have traditionally invoked the President's executive authority to reward loyal constituencies and to build a political base. Moreover, since development projects in all regions are overseen by Permanent Secretaries with very little parliamentary oversight, certain areas have been favored in allocation of state resources. Thus deserving areas may be starved of resources, while areas with powerful political patrons get access to government programs. The result has been regional variations in access to social services. But, as shown below systemic horizontal inequalities are also rooted in historical legacies.

iii. Colonial legacy and post independence bargains fuel present inequalities

British colonial settlement in some parts of Kenya had two distinct outcomes. First it resulted in disproportionate infrastructural development in areas that were inhabited by the settlers. These areas tended to have better access to education, roads, water and sanitation, as well as potential

for commerce. Additionally, colonial settlement in these areas led to the emergence of a class society based on access to land. In the process, three main classes emerged: the European settler farmers, the middle class African farmers and the landless Africans. These two outcomes continue to shape not only horizontal inequalities in land ownership, but also other socio-economic and political inequalities in the country. In this sense much of the imbalances in the years immediately after independence and subsequent years are attributable to inherited conditions.

Both colonial settlement and government policy on land have sustained initial horizontal inequalities sometimes with grave consequences. Additionally, these actions have also created an imbalance in land ownership-thus making landlessness a politically salient issue that can be used to rally constituents for violent action. It is no wonder that Rift Valley has always been the scene of violent clashed during election time. The need for fertile and temperate conditions for livestock and dairy farming precipitated the expropriation of land in Central Kenya and the Rift Valley provinces by settler farmers. In 1902 the colonial government set aside 3.1 million acres for this purpose (Kariuki 2004). Because of its restriction on subdivision of land, a landless class emerged alongside successful African farmers in the Native Reserves and the European farmers in the White Highlands. Post independence African elite not only replaced the European settler farming class, but also kept intact existing inequalities in land distribution and ownership. Remedial measures such as the "Million Acres Scheme" that was initiated by the government to remedy landlessness only worsened the situation. Through this scheme the government settled thousands of families, mostly from Central province, in the Rift Valley. Subsequent population growth and infrastructural development during the Moi presidency created land pressure. More importantly, because of their newly acquired political power following the consolidation of Moi rule, native Rift Valley communities were more educated, lived longer and became more assertive over land rights.

Areas that were traditionally occupied by British settlers were more developed than the rest of the country. Thus, at independence, Central province had better access to education, health services, and transportation infrastructure. It therefore followed that Central province produced the bulk of the national bureaucracy at independence. Subsequent horizontal inequalities were based on these initial advantages not only in access to services but also in the representation in the public and private sector. These regional imbalances became critical in shaping subsequent inequalities, and have not been addressed by post independence governments. Not only did they shape access to education, they also determined access to loan facilities, and ultimately to the differences in per capita earnings in the respective administrative regions. These imbalances persist to date, and are the basis of subsequent inequalities in both political and socio-economic realms. More importantly, they created a legacy of ethno-regional rivalries and grievances that continue to influence politics in Kenya.

iv. Historical grievances, Inequality and Exclusion in Kenya

Political rivalry and ethno-regional animosity is the result of perceived historical grievances. These rivalries, to a large extent, are also responsible for existing horizontal inequalities. Accusations of betrayal by the political elite across communities underpin greater inter-ethnic distrust in addition to hardening the positions of the political elite. Thus political opposition to an incumbent is based on diverse ethno-regional and political interests with the immediate objective of supplanting the *ancien* political elite. The fallout between President Jomo Kenyatta and Vice-President Oginga Odinga in1966, the assassination of prominent Luo politician Tom Mboya (in

1969) and the banning of Odinga's KPU and his detention (in 1969) consigned Nyanza province into a conflict with the Kenyatta regime (Atieno- Odhiambo 2004). Similar ideological disagreements during the Moi and Kibaki regimes likewise led to the blacklisting of Nyanza province both in access to capital development and also in terms of appointments to public positions. The Kenyatta-Odinga hostility has continued to inform the political mistrust between the Nyanza provinces (Luo) and the Central province (Kikuyu). To be sure, Central province was neglected under the Moi regime after military officers from Central and Nyanza provinces were implicated in the failed coup of 1982. Subsequent Luo- Kikuyu political agitation against the Moi regime during that decade hardened the Rift Valley province (Kalenjin) distaste for these two provinces. The exclusion of the Rift Valley elite from senior government positions after Moi's retirement is mostly attributable to these grievances. The underlying cause of these disagreements was traditional rivalries over historical grievances.

Ethnic articulation of political grievances is however not a recent phenomenon in Kenyan politics. The war for land rights against British colonialists by communities in Central province notably the Kikuyu remains, to date, the most vicious expression of ethnic grievances against a ruling elite in Kenya. But the first ethno-political conflict after independence occurred in what was then called the Northern Frontier District (NFD), and present day North Eastern province. The dominant Somali community in Northern Kenyan preferred to be part of Somalia, and not Kenya, and so when the colonial government opted to have the new Kenyan state deal with this issue, the Somali community initiated an irredentist war against the Kenyan state. Successive regimes have responded to historical grievances arising from this conflict only casually. They have co-opted members of the Somali community into the Civil Service, military and the political bureaucracy without confronting the key grievances of the community. Because of this conflict or even despite it, the Northern districts remains among the most impoverished and the least represented in Kenya's state bureaucracy. With a poverty index of 65 percent, it is one of the poorest provinces in the country, and records the worst in all measures of socio-economic wellbeing. The failure to address the political grievances of this community continues to haunt successive governments in various ways, and may be a fissure for the next major violent conflict.

Conclusion

In conclusion, a few issues emerge from our understanding of socio-economic and horizontal inequalities in general, and with particular reference to post- election violence in Kenya. At the institutional level the post election violence demonstrated the importance of oversight even where institutions of governance such as credible electoral commissions exist. Before the elections the electoral commission was generally considered independent, but it succumbed to external pressure, and in the process lost its credibility as an arbiter of the electoral process. Second, state capture by political elite may not only exacerbate existing horizontal inequality, but also heightens the perception of a politically motivated horizontal inequality. The perceived arrogance of the ruling political elite in defense of a flawed election may have fuelled perceptions of ethnic superiority and subsequent violence against the Kikuyu in all parts of the country. Third, where there is a lack of clear state response to citizen demand for redress of historical grievances, including horizontal inequality, the mere fact of peaceful coexistence must not be construed for tolerance. Finally, perceptions of horizontal inequality are organic, and where rampant may affect confidence in other important state institutions such as the judiciary. Citizens then resort to extra judicial means for resolving political conflict. Governance

institutions must be driven by a non- partisan, non-political ethos that embodies the national identity of the country and not parochial interests. Institutions such as the judiciary, electoral commission, as well as other quasi- statutory bodies such as political parties must be delinked from ethno-regional influence. Such institutions must not only be strengthened to survive political pressure, but also be required under the law to display a national character. Political parties must endeavor to cultivate a national character not only in recruitment but also during campaigns.

The state must move in to deliberately encourage and manage the political reform agenda with a view to reconstituting afresh the national governance arena, as well as the redefining the nature of the Kenyan state. An important starting point must be a recognition that ethnicity remains the most pernicious challenge to the reduction of horizontal inequalities in Kenya. Because ethnic communities are enduring, specific governance measures to reduce regional allegiance must be anchored in a governance framework driven by diversity. Initial steps may include bold measures to facilitate not only the equitable distribution of public service opportunities, but also efforts to redress perceived regional inequalities in the provision of these opportunities. Such measures might include affirmative action programs to target specific regions, quota systems to improve group representation in public sector employment as well as specific measures to improve diversity in the Civil Service. Consequently, there should be a deliberate national program of inclusiveness not only in political rhetoric but also in the practice of governance. Appointments to public positions as well as allocation of resources to regions should be based on objective criteria that take into account the diversity and the needs of specific regions. A first step would be an acknowledgement of ethno-regional sensitivities and the need for ethnic balancing in public appointments. The recent publishing of "The National Ethnic and Race Relations Commission Bill, 2008" is a step in the right direction.

The political impasse at the end of the general elections in Kenya was only a public demonstration of private ethnic anxiety over access to power. At the core of this conflict were the anticipated advantages that political power confers on the ethnic community. An ethnic community with access to power tends to benefit more, hence the intense competition for the presidency. Long term resolution of these competing ethno-political interest demands a clear appreciation of the magnitude of historical grievances and their residual effect on contemporary political conflict. It is envisaged that the recently creation of the Truth, Justice and Reconciliation Commission in 2009, will provide a framework for addressing some of these historical grievances. More importantly, reforms that would devolve power from the presidency to other levels such as parliament are necessary. The recent creation of the office of the Prime-Minister is an important first step. Similar bold measures are necessary, for instance, to improve parliamentary effectiveness in functioning as an oversight institution. Other important measures such as the strengthening of the Local Authorities through aggressive professionalization and expansion of their mandate would not only bring public service closer to the citizens, but also create alternative points of accountability separate from the executive. The provinces in which violence was most evident also happen to be the ones with the most grievances. Historical animosities of inequalities in land distribution and access to land was foremost in Rift Valley. In Nyanza and Western provinces, political grievances over access to power and the historical neglect of these areas fuelled much of the animosity that found expression in the post election violence.

The National Accord and Reconciliation Act is an important step in reducing executive power, it must however be expanded to include parliamentary involvement in executive exercise

of power. Parliament must be recognized as a co-equal arm of the government with the executive- and must be consulted. Strengthening oversight power and committee system will help check the President and Prime-Minister in addition to strengthening parliament to ensure equity. Legislative amendments might be necessary to allow parliamentary committees to summon executives of statutory bodies and other government departments. This might be useful in examining employment practices as well as resource allocation countrywide. Such oversight roles should also be expanded to include vetting of presidential nominees for key public service appointments in the judiciary, electoral commission, diplomacy, and the military and to other quasi- state institutions.

While the introduction of both CDF and other funds is an important step, it is important to refocus it to reducing socio-economic horizontal inequalities, improving its management capacity, and making it truly citizen driven. The fact that some areas in the country experience initial inequality suggests the need for individual attention to these regions. The CDF and other funds could be further strengthened through a preferential formula that would ensure transfer of more funds for targeted public service programs such as water, health and education. For example, in the wake of the recent conflict the government established many police stations across the Rift Valley province- a similar "big bang" approach could be applied in the provision public service utilities and health services to region that have traditionally lagged behind in access to these resources.

Finally, youth remains the most critical political constituency in the country today. Whether by sheer number or the level of political involvement, they can only be ignored with grave ramifications for national stability and economic growth. The youth are easily excitable, and remain the most impoverished demographic in the country. For this reason, they are more likely to be extreme in their response to perceive state inattention to their grievances. Consequently, as the government moves to institute strategies to address inequalities in the country, there is need to particularly focus on measures to include the youth not only in government policy documents but also in actual resource allocation and representation in visible public positions. This might include the expansion of the innovative Youth Fund as well as other opportunities from both the private and public sector.

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