

The Politics of Displacement in Kenya

Written by Jacqueline Klopp

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JACQUELINE KLOPP, JUL 2 2008

Africa has half of the world's 25 million internally displaced persons (IDPs). These IDPs are citizens displaced by development projects, natural disasters or violence. Violence, linked to civil war or repression, is the predominant cause of displacement. As respected Kenyan lawyer Makau wa Mutua emphasizes, bad government is at the root of this tragedy "with the most repressive governments producing the largest numbers of IDPs".[1]

In this brief piece we will look at Kenya's politics of displacement. Recent violence in this important East African country left over a thousand dead from police bullets, fires and machetes and around 600,000 displaced.[2] Such violence is not new and in fact follows patterns of police brutality and forced displacements that reach back into the colonial period. However, violent displacement is also linked in part to the revival of multi-party elections which in 1991/1992, 1997 and to a much lesser degree 2002 generated over 400,000 displaced even prior to the latest displacements from 29 December 2007 to February 2008.[3]

The disputed presidential election on December 27, 2007 was the apparent trigger to the latest round of violence. Results of the presidential election were delayed for unknown reasons, deepening suspicions of manipulation. In response, frustration among opposition supporters was inevitable. However, some key opposition politicians encouraged and organized attacks on the property and lives of people considered "traitors" by virtue of their Kikuyu ethnicity that they share with the incumbent President Kibaki. This started politically motivated ethnic cleansing of supposed Kibaki supporters out of core zones like the Rift Valley where key opposition politicians wished to entrench their supremacy. In response, counter-attacks occurred in other parts of the country causing the mass flight of those deemed opposition supporters also by virtue of their ethnicity. Core parts of the country and the capital Nairobi were in this way violently torn into ethnically homogenized regions.

Many commentators have pointed to the enormous concentration of power in the Kenyan presidency that makes the competition over the position such a high stakes game. For some on the opposition side, the use of violence was a legitimate response to the shenanigans of an Electoral Commission that was appointed and manipulated by President Mwai Kibaki to keep him in power. Deep land inequities linked to the enormous and opaque powers over land vested in the presidency are also often seen as a root cause of the violence. However, those justifying the violent displacement do not directly address the class dimensions of this inequity but instead activate the ethnically exclusive idea of land rights linked to their "native" community. They assume that all "settlers" from other ethnic communities access land immorally through the power of their ethnic leader in the presidency. Thus in this view, evicting these "foreigners" seen as moral impurities or "spots" is a form of land reform and economic redistribution.

A wide consensus exists in Kenyan society that the presidential powers, including those over land, need dilution and greater accountability.[4] The opposition Orange Democratic Movement (ODM) rightly attacked Kibaki and his Party of National Unity (PNU) for failing to push forward adequate constitutional reforms and also for abusing presidential power and using it to keep in office. Unfortunately, rather than protest in a principled and disciplined way, parts of the opposition resorted to a Machiavellian politics of displacement against people they perceived as PNU/Kibaki supporters.

In essence both parties continued to use colonial political repertoires; PNU politicians abused opaque central power and unleashed age-old police brutality against opponents. ODM and then later some PNU politicians engaged in the

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political use of large-scale displacement based on the notion of collectively punishing whole ethnic communities for the trespass of some members. This politics was part of Kenya's violent colonial experience. Scholars have documented how entire villages were punished for individual acts of resistance to colonialism such as support for the Mau Mau revolt.[5] In 1954 in Nairobi colonial officials evicted all Kikuyu to rid the city of resistance. Displacement then was part of the British colonial administration's counter-insurgency campaign.

Similarly, the ODM response to the PNU attempt to hold on to power has been to attack the Kikuyu as a whole. Part of the justification behind the displacements was that somehow the entire Kikuyu community, even children and the poor, was responsible for transgressions by Kibaki or the PNU. Like colonial administrators who punished entire villages for Mau Mau, some ODM politicians used the political injustices inflicted by Kibaki, or even the first President Jomo Kenyatta, to justify the cleansing of entire Kikuyu communities.

Particularly egregious is indeed the grossly inequitable distribution of land. The Kenyatta family's personal holdings are believed to be in the 500, 000 acres range or the size of one of Kenya's provinces.[6] The other side of this uneven distribution that is omitted from many accounts of these genuine injustices is that this past land grabbing left large numbers of Kikuyu in search of land where they could find it. It also left many destitute in Nairobi's slums or on large plantations or farms where some of the worst poverty in all of Kenya exists. Many of these poor were the targets of violence.

Besides the stubborn stability of a centralized colonial constitutional order and the inability of key Kenyan politicians to escape from colonial mindsets and tactics that serve their personal pursuit of power, another key element comes into play: democratization. Democratization, especially over the governance of land, is Kenya's only hope. However, the rocky road towards democracy also involves deepened political competition. Such political competition within a context of severe poverty and a colonial constitutional order generates incentives to misuse youth to perpetrate violence. This violence can serve to displace opposition voters and fend off deeper democratization. [7]

Human rights organizations and even the government itself through its commissions have amply documented the fact that throughout the 1990s, key politicians in the then dominant party, the Kenya African National Union (KANU), funded and orchestrated violence to cleanse opposition voters out of key constituencies.[8] Politicians used hate speech and the politics of fear to create ethnically homogenized or "majimbo" zones of repressive politics from which such politicians could bargain for power with the central state. The violence came with opportunities to grab land and other property for those who participated in attacking their neighbors, family and former friends. Further, those remaining behind were bound by collective guilt and the protection against the law by the big politicians who could then use their delivery of such violently created ethnic block votes to gain power at the center. This is a dynamic that is not unique to Kenya or Africa.

In the run up to the historic 2002 election which unseated the dictator Daniel arap Moi and KANU, the National Alliance of Rainbow Coalition (NARC) led by Kibaki made the choice to include many of the former KANU politicians responsible for the violence in exchange for their ability to deliver block votes. Some were even elevated to high positions. This meant that such a government would not address one proximate cause of violent displacement which lay in impunity. No one was ever punished for the violence.

The more recent violence, some caused by the very same culprits, was thus neither unanticipated nor unusual except in terms of magnitude and the rapidity with which it spread. Indeed, as former Chairman of the Kenya National Commission for Human Rights Maina Kiai remarked, more people were displaced in the recent two months of violence than in all of the previous cycles of violence combined since 1991.[9] The fact that many displaced complained that it was their third or fourth time and refused to return to their old homes suggests this is a deep "governance" problem that is in fact getting worse over time.

This violence also involves more than land injustices or electoral manipulations. Indeed, the idea that the violence is rooted in the electoral manipulations is belied by the fact that violence in some areas started well before the election. The idea that it is simply rooted in land inequities is questionable given that areas with much deeper land problems like the Coast did not experience nearly as much violence as places like the Rift Valley where land is less of a

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problem. Instead, violent displacement is produced by a combination of deeply flawed constitutional order which generates land inequities and poverty, increased electoral competition within a repressive order, the (im)moral choice of political strategy on the part of politicians and a persistent problematic political culture that shapes the way serious problems are approached. This culture manifests itself in public acceptance of the powerful who, regardless of their violent deeds, gain respect in society. It also is reflected in the idea of collective ethnic punishment and purified ethnic territories which you might call native reserves, an idea that is at odds with a dynamic modern economy as the former Yugoslavia is also discovering.

Unless Kenya's new generation of politicians transcend and challenge this toxic combination, expect more displacement, horrific human distress and stalled democratization. Indeed, the idea of Kenya as a nation tied together by shared history, economic and social transactions and identity is in serious trouble.[10] Still, national networks for peace and dialogue exist and were active even in the darkest moments of violence.[11] This alternative politics challenges the culture of the "big man", impunity and violence and provides hope that the politics of displacement might yet end.

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[1] Makau wa Mutua. 1995. "The Interaction between Human Rights, Democracy and Governance and the Displacement of Populations" *International Journal of Refugee Law* (July/Special Issue) pg 42.

[2] See Human Rights Watch. 2008. <http://www.hrw.org/reports/2008/kenya0308/>

[3] See Prisca Kamungi and Jacqueline M. Klopp. 2007. "Failure to protect: Lessons from Kenya's IDP network", *Forced Migration Review*, 28, 52-53. <http://www.fmreview.org/FMRpdfs/FMR28/29.pdf>

[4] See the excellent work of the Kenya LandAlliance <http://www.kenyalandalliance.or.ke/Historical%20Injustices%20PDF.pdf>

[5] On Mau Mau see <http://www.kenyawebsite.com/history/struggle/index.html>. See also the work of Bruce Berman and John Lonsdale and Wunyabari O. Maloba.

[6] See for a thoughtful articulation of this grievance see Atieno Aluoka <http://www.tokyofoundation.org/en/sylff/voices-from-the-sylff-community/kenya2019s-post-election-violence> and also <http://www.jaluo.com/wangwach/200802/Job020608.html>.

[7] Jacqueline M. Klopp "Ethnic Clashes and Winning Elections" *Canadian Journal of African Studies* 35 (2) 2001: 473-517.

[8] See Human Rights Watch. *Divide and Rule: State Sponsored Ethnic Violence in Kenya* (New York: HRW 1993) Kenyan Human Rights Commission. *Ours by Right, Theirs by Might* (Nairobi: KHRC 1996) Kenya Human Rights Commission *Killing the Vote* 1998 Law Society of Kenya. *Impunity Report of the Law Society of Kenya on the Judicial Commission of Inquiry into Ethnic Clashes in Kenya* (Nairobi: LSK 2000).

[9] See Maina Kiai's comments at http://sipa.columbia.edu/news_events/multimedia/videos/sipa_kenya_708.html.

[10] See Jacqueline Klopp and Prisca Kamungi. "Violence and Elections: Will Kenya Collapse?" *World Policy Journal* Winter 2007/08, Vol. 24, No. 4, Pages 11-18. <http://www.mitpressjournals.org/doi/abs/10.1162/wopj.2008.24.4.11?journalCode=wopj>

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[11] See http://www.opendemocracy.net/article/kenyas_path_to_peace.