

Chapter 4

Ethnic antagonism and competition

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59. If we do not find a better way to manage our diversity, particularly in the competition for power, then it will be our collective ruin. Even those who benefit from dividing us along ethnic lines will lose, and their children, and children's children, will lose when this mode of competition runs out of room, as it eventually will.
60. Competition for resources, recognition and power are inevitable, and even natural, where human beings are concerned. Kenya is an African country made up of multiple, ancient nations that were often defined along linguistic and ethnic lines — with varying political and cultural models of governance. They competed and even fought over resources — whether these were pasture, water, livestock or land. Over time, neighbouring nations and communities developed and implemented mechanisms for the regulation and settlement of these conflicts.
61. The coming of the modern State as a colonial enterprise — which was racially defined and placed in opposition to our African nations — led to the recruitment of ethnic division and manipulation as a tool for the exploitation and governance of the colony. Colonialism was a winner-take-all system that entrenched the principle of 'might is right' and used the control of the State as the excuse for dispossession and oppression. At independence, we inherited the winner-take-all model particularly for the Presidency, with ethnic and racial identities as the primary vehicles for political competition. Our system is at odds with the consensus-led model of settling political and social differences that is characteristic of almost every ethnic and cultural community in Kenya.
62. An ethnically driven politics that ends with a winner-take-all model contradicts political and cultural cultures in Kenya that have lasted for much longer than we have been Kenyans. It does not offer us the capable leaders who will offer a strong vision and rally us to implement national visions that uplift us. And it will certainly keep us forever in one form of ethnic-based conflict or another, leading to the loss of lives and frustrating our desire for a peaceful and prosperous Kenya.
63. This problem is not unique to Kenya: tribalism is present in our entire region and all over the world. Tribalism as a form of competition and antagonism does not just belong to ethnic groups, there are different forms of tribal attachment that are equally, if not more, destructive. What matters is the amount of cultural, social and political innovation that a country can produce to build itself structures that minimise group antagonism.
64. One of the major ways we can escape the trap of ethnicised political competition is to more deeply integrate with our neighbouring countries, and to achieve the political federation that is the ultimate objective of the East African Community. Deeper integration, at the political level, will lead to today's ethnic politics being swallowed by much larger populations so that any one group in Kenya is a small minority in the federated region. There is already an official EAC process underway to

get to a Federated East African Community through an initial process of confederation that allows each country to retain its sovereignty for a period while converging legally, policy-wise, and administratively in preparation for federation.

MAJOR RECOMMENDATIONS

65. **Build and strengthen the ties that bind us** — The Taskforce also recommends that throughout their education, and in sustained civic education for non-students, Kenyans be exposed to — and incentivised to respect — ethnic and religious diversity, and for this principle to be reflected in the Public Service. Specifically, the measures required to implement this recommendation are as follows:
- A. School curriculums should feature compulsory components on history, cultural diversity, knowledge of the major religions including traditional ones, and the relationship between the Constitution and our cultures/religions.
 - B. Ensure that secondary boarding schools that are publicly funded have representation from different Counties amounting to at least 50% of the student body.
 - C. Align the National Museums of Kenya to this mission.
 - D. Promote and support inclusive cultural centres in every County.
66. **Do away with a winner-take-all model for the Presidency and opt for a more consociational model that works best for ethnically divided societies** — The Taskforce proposes that we transform our political system to be more in line with the consensus-driven traditions of our people, and to reduce the appeal of ethnicity as our primary mode of political competition, which takes on a do-or-die quality. We take this to mean principally that we should do away with a winner-take-all model for the Presidency and opt for a more consociational model that works best for ethnically divided societies. The Executive should reflect what is commonly known as the Face of Kenya in a way that inclusively reflects the political will of Kenyans and does not simply mean making appointments based on ethnicity.
67. **Make resource distribution to be fair and felt to be fair** — Decrease conflict over national resource distribution by treating all Kenyans as equal — this should take into account population, needed investment in health and agriculture, service provision, and access to natural resources and livelihood opportunities. The per capita share of national resources for every Kenyan should be carefully balanced to account for every Kenyan being treated as equal, as the Constitution makes clear, while ensuring that those who have been marginalised in the past, or are being marginalised at present, are given extra help where they need it. The institutions responsible for resource distribution should report their work clearly and understandably to all Kenyans.

68. **Baraza la washauri** — That the President as a symbol of national unity should benefit from the private advice of eminent, experienced, and honourable citizens serving in a **Council of Advisors** on a non-salaried basis.
69. **Accelerate regional integration** — One of the major ways we can escape the trap of ethnicised political competition is to more deeply integrate with our neighbouring countries, and in particular to achieve the Political Federation that is the ultimate objective of the East African Community Treaty which is already part of our laws and Government. Deeper integration, at the political level, will lead to today's ethnic politics being swallowed by much larger populations with any one group in Kenya being a small minority in the Federated country. There is already an official EAC process underway to get to a Federated East African Community through an initial process of Confederation that allows each country to retain its sovereignty for a period while converging legally, policy-wise, and administratively in preparation for Federation.
70. **Institutionalisation of national political parties** — All political parties should be compelled to reflect the Face of Kenya in ethnic, religious, regional, and gender terms. A significant reason for our ethnicised politics is the lack of a strong referee in the political field. The existing referee, the Registrar of Political Parties, should be strengthened and supported so that the office is assertive, independent, and proactive. This should be done while taking note that since the creation of this office in 2007, it has lacked a substantive Registrar in breach of the Constitution and the Political Parties Act. Strengthening this crucial office can be achieved by undertaking the following actions:
- A. Recruit and appoint a substantive Registrar and ensure that this position is maintained in future.
 - B. In recruiting for the Registrar, the requirements should be comparable to that of a Chairperson for a Chapter 15 commission.
 - C. Strengthen the Office of the Registrar in monitoring the implementation of the political parties' Code of Conduct, and sanctioning where necessary.