15. Ethnic Manipulation, Representational Dilemmas, and the Precarious Future of Multi-ethnic Democracy in Kenya

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Abstract

Ethnic mobilization has become a central and disruptive force in East African politics, with Kenya serving as a prime example. This analysis positions Kenya's ethnic conflicts within a wider regional framework, arguing that the political use of ethnic identity is a persistent and adaptable tactic employed by elites that undermines the stability of the nascentdemocracies, particularly in Eastern Africa. While tracing the colonial origins of ethnic categorization, the essay focuses on contemporary dimensions of ethnic instrumentalization; specifically, how political elites systematically mobilize ethnicity to consolidate power and exclude rivals. Drawing on official commission reports, judicial findings, and scholarly analyses, the article argues that these practices have transformed ethnicity from a basis for cultural identity into a volatile currency of political contestation. Despite Kenya's relative post-independence stability, the persistent manipulation of ethnic grievances by elites, coupled with unresolved constitutional dilemmas regarding representation and resource allocation, portends a precarious political future. Without fundamental transformation in elite political behavior and the operationalization of constitutional safeguards, Kenya faces an uncertain trajectory marked by the ever-present potential for ethnic conflagration.

Keywords: Ethnicity, elite manipulation, political mobilization, Kenya, East Africa, representation, constitutional crisis, ethnic violence, devolution

1.   Introduction

The weaponization of ethnicity in electoral politics defines political competition across contemporary

East Africa. From Uganda's tensions between Buganda and the central state to Tanzania's balancing of

mainland and Zanzibari identities, Ethiopia's Oromia nationalism, the Dinka-Nuer rivalry in South Sudan,

Rwanda's post-genocide struggle with Hutu-Tutsi divisions, and Burundi's recurring ethnic violence,

Eastern African states share a common challenge: managing diversity within artificial colonial borders

(Posner, 2004; Straus, 2015). Kenya occupies a distinctive position within this regional landscape, having

experienced both remarkable political stability and violent upheaval. Its democratic institutions have

shown resilience amidst dangerously active ethnic fault lines.

This article situates Kenya's ethnic question within the broader East African context, focusing

on contemporary manifestations of elite ethnic manipulation and their implications for political stability.

The article's central concern is present-day practices: the systematic ways in which political elites

mobilize ethnic identities through coded language, mother-tongue appeals, ethnic caucuses, nighttime

meetings, traditional symbolism, and resource patronage to consolidate power and marginalize

competitors. These practices, documented extensively in official reports from the Saitoti Report through

the Waki Commission to the Building Bridges Initiative, have created what Berman and Lonsdale (1992)

aptly termed "the uncivil state"—a political order in which ethnic loyalty trumps civic citizenship and

violence becomes a recurring feature of electoral cycles.

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2. Ethnicity as East Africa's Political Currency

Kenya's ethnic tensions must be situated within the broader patterns of post-colonial state formation in East Africa. Across the region, colonial administrations constructed administratively convenient ethnic categories, privileged certain groups through divide-and-rule strategies, and left behind deeply unequal political economies that successor regimes have struggled, or deliberately declined, to dismantle (Mamdani, 1996; Young, 2012).

Uganda's political history exemplifies the regional patterns of ethnic manipulation. From Milton Obote's targeting of Buganda to Idi Amin's persecution of the Acholi and Langi, and later Yoweri Museveni's consolidation of Banyankole dominance, Uganda has exhibited what Mamdani (1996) terms the "political tribalization" of the state. The 1966 crisis, during which Obote abolished the federal system and attacked the Kabaka's palace, demonstrated how post-colonial leaders weaponized ethnicity to remove rivals (Karugire, 1980). Ethiopia reflects a different model through its system of ethnic federalism, instituted by the Ethiopian People's Revolutionary Democratic Front (EPRDF). While constitutionally empowering ethno-linguistic regions, it simultaneously entrenched the Tigrayan People's Liberation Front (TPLF) political dominance. Scholars argue that the system institutionalized ethno-territorial claims and contributed to violent fragmentation after 2018, including the Tigray War (Aalen, 2011; Lefort, 2020). Somalia presents another variant, where clan identity remains the central axis of political organization. Following the state collapse in 1991, even Somalia's revived federal system rests on clan-based power-sharing formulas, notably the "4.5 system," which allocates representation among major

clans and minority groups (Menkhaus, 2007). While intended to stabilize, this system has deepened the clan patronage networks. South Sudan provides a stark example of ethnicized state-building in post-secession fragility. The Kiir-Machar rivalry quickly took on a Dinka-Nuer ethnic dimension, plunging the country into civil war in 2013. Political elites routinely mobilize ethnic militias, and the state's security architecture remains fragmented along communal lines (Johnson, 2016).

Kenya occupies a paradoxical position within this context. The country has experienced significant ethnic violence: the 1969 violence after Tom Mboya's death, the 1980s Wagalla massacre, the 1990s land clashes, and the 2007-2008 post-election violence that killed over 1,133 people and displaced 663,921 (Commission of Inquiry into Post-Election Violence [CIPEV], 2008). However, Kenya has avoided the sustained civil wars that devastated Uganda, Rwanda, and Burundi, maintaining competitive electoral politics, relatively strong institutions, and significant economic growth. However, this stability has been episodic rather than structural. As Branch (2011) observes, Kenya represents "a successful failure"—a country that has avoided state collapse while failing to transcend the ethnic clientelism that generates periodic crises. The 2024 Gen-Z protests, which saw young Kenyans mobilize across ethnic lines against government corruption, offered a glimpse of potential transcendence, yet the government's response demonstrated how entrenched elite resistance to civic politics remains.

3. Historical Origins: The Colonial Construction of Kenyan Ethnicity

Kenya's ethnic landscape is fundamentally a colonial creation. Pre-colonial Kenya featured complex,

overlapping identities based on lineage, age-sets, economic activities, and territorial affiliations rather than fixed ethnic boundaries (Ogot, 2003). However, the British colonial administration required legible populations for taxation, labor recruitment, and control. Colonial authorities therefore "played a crucial role in imagining and hardening tribal boundaries" (Lonsdale, 1994, p. 137), amalgamating diverse communities into larger administrative units like "Luhya" or "Kalenjin."[1]

This crystallization served multiple colonial purposes. First, it facilitated indirect rule through the appointment of chiefs to govern ethnically defined territories. Second, it enabled differential treatment: Kikuyu were characterized as "ambitious and subversive," while Kamba and Kalenjin were elevated as "martial races" suitable for military recruitment (Berman & Lonsdale, 1992; Osborne, 2014). Third, it created ethnic competition for scarce resources that persisted into the postcolonial era. Haugerud (1995) demonstrates how colonial economic policies embedded ethnic hierarchies into Kenya's political culture, establishing patterns of patronage that would endure after independence.

The Mau Mau War (1952-1960) deepened ethnic divisions catastrophically. Though rooted in legitimate grievances about land alienation, the colonial government framed it as a narrow, selfish Kikuyu tribal insurgency that could not claim even an iota of being a nationalist liberation movement, thereby planting the seed of resentment of the Kikuyu by others in the postcolonial era. Anderson's (2005) study documents how "colonial counterinsurgency turned ethnicity into a weapon of repression" (p. 216),

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[1] The Luhya was cobbled together by combining seventeen distinct groups, while the Kalenjin that united various linguistically related but distinct peoples who had not previously recognized "their" common identity (Lonsdale 1992).

establishing detention camps and imposing collective punishment on entire communities of Central Kenya, thereby isolating such communities by shouldering them with a particularly painful experience that was not experienced by the rest and which they are unable to comprehend or appreciate.

3-1 Post-Independence Entrenchment of Ethnicity

Kenya's independence in 1963 did not dissolve the colonial ethnic structures. Instead, it transferred control to African elites who exploited them. The Kenyatta government (1963-1978) established patterns of ethnic favoritism that subsequent regimes intensified. Land redistribution schemes were perceived as benefiting Kikuyu elites while marginalizing other communities (Kanyinga, 2000). Political assassinations, such as those of Pio Gama Pinto (1965), Tom Mboya (1969), and J.M. Kariuki (1975), eliminated leaders who challenged ethnic clientelism.

Daniel arap Moi's presidency (1978-2002) perfected ethnic manipulation. Hailing from a small ethnic group and unable to rely on demographic dominance, Moi constructed what Berman (1998) calls a "system of uncivil nationalism sustained by the distribution of state rents along ethnic lines" (p. 312). The reintroduction of multiparty politics in 1991 triggered state-sponsored ethnic violence, particularly land clashes in the Rift Valley that displaced thousands while portraying the regime as defenders of indigenous communities (Human Rights Watch, 1993). This ethnic competition persisted during the Kibaki era under the guise of democratic competition, culminating in the 2008 post-election violence (PEV).

3-2 Contemporary Dimensions: Mechanisms of Elite Ethnic Manipulation

Having established the historical context, this section examines the primary focus of this article: the contemporary practices through which Kenyan elites systematically mobilize and manipulate ethnicity for political advantage. These mechanisms, extensively documented in official reports and scholarly research, have evolved in sophistication while retaining the colonial-era logic of ethnic competition.

3-3 Mother-Tongue Mobilization and Coded Language

One of the most prevalent and insidious forms of ethnic mobilization involves the strategic use of vernacular languages and coded terminology that conveys ethnic messages to target audiences while maintaining deniability for outsiders. Vernacular language is a natural identity marker. In Kenya, political entrepreneurs often emphasize language differences to consolidate group identities and mobilize supporters along ethnic lines. During campaign periods, politicians routinely switch to their mother tongues when addressing co-ethnics, a practice that serves multiple functions: it creates intimacy and tribal solidarity, excludes outsiders from potentially inflammatory messages, and allows politicians to make ethnic appeals that would be scandalous if broadcast in national languages.

The Waki Commission (CIPEV, 2008) documented the extensive use of coded language during the 2007 elections. Politicians referred to their opponents as "foreigners," "invaders," or "madoadoa" (Kiswahili for "spots" or "stains") that needed to be removed. Target audiences understood this terminology as a call for ethnic cleansing. However, it was sufficiently ambiguous to avoid direct

prosecution. The Commission reported the following:

The use of hate speech and incitement to violence was widespread during the 2007 electoral campaign. Politicians and their supporters used vernacular radio stations to deliver messages in a coded language that incited communities against others. Terms such as "weeds that need to be uprooted," "strangers who should return to their ancestral lands," and "our land" versus "their land" were systematically deployed to inflame ethnic tensions. Such language was particularly prevalent in the Rift Valley, Coast, and Western regions, where historical land grievances could be easily manipulated for political purposes. The Commission finds that this was not spontaneous hate speech but a deliberate strategy coordinated by politicians across party lines to mobilize ethnic constituencies. (CIPEV, 2008, p. 337)

The Truth, Justice and Reconciliation Commission (TJRC, 2013) similarly documented how politicians utilized vernacular radio stations, particularly Kass FM (Kalenjin), Inooro FM (Kikuyu), and Ramogi FM (Luo), to disseminate ethnically charged messages that English and Kiswahili language media would never broadcast. Under the guise of media pluralism and diverse cultural programming, these stations became vehicles for political mobilization, with politicians calling in to deliver messages in their mother tongue that bypassed national scrutiny.

The 2013, 2017, and 2022 elections saw the continued use of these tactics despite legal

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prohibitions. The National Cohesion and Integration Commission[2] documented numerous violations of hate speech laws, noting that coded language remains a primary tool for ethnic incitement (NCIC, 2017). In the 2017 presidential election petition, the Supreme Court of Kenya acknowledged the prevalence of ethnic appeals, although it did not base its nullification of the results on this ground (Supreme Court of Kenya, 2017). During the 2022 elections, the NCIC and civil society observers documented the resurgence of coded rhetoric. For instance, politicians frequently framed the election as a binary "Hustler versus Dynasty" contest, which, while ostensibly class-based, was widely interpreted along ethnic lines. In reality, the "Hustlers" was a code for appealing mainly, but not limited to, urban and peri-urban Kikuyu youths forced to eke out a miserable living in those spaces. The nomadic herders and the maize farmers in the Rift Valley did not answer to this description. Anyone else who felt included in this description was welcome campaign collateral but was never a primary target.

In contrast, the Dynasty was the tribe of the wealthy. In Kenya, the Kikuyu, Asians, and Whites have traditionally been perceived as controlling the national wealth, with only a sprinkling of wealthy people from other communities.   However, in the peculiar interpretation of the code, it is doubtful that Asians and Whites were included in the mental imagination of the dynasty. The Hustler-Dynasty dichotomy was therefore ethnic mobilization, at one level of the Kikuyu against their own tycoons, and

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[2] Formed in 2008 under the National Cohesion and Integration Act, the NCIC was Kenya's response to the 2007-2008 post-election violence. Its history is rooted in the need to address and mitigate the ethnic violence, competition, and discrimination that occurred during that time. The NCIC was a key component of the long-term solutions outlined in Agenda 4 of the National Accord, with a mandate to promote national unity, reconciliation, and peaceful coexistence among Kenya's diverse ethnic communities.

at another level, incidentally and not primarily, of other communities against the legendary Kikuyu wealth, which is perceived to have been irregularly and unfairly acquired through deliberate favoritism by the Jomo Kenyatta administration.

Feeling singled out and targeted, Kikuyu tycoons responded with messaging of their own that stressed the unity of the "Mountain"[3] and tried desperately to recreate the siege mentality that was last seen in 2007 when the whole country was mobilized against the Kikuyu. However, their mobilization efforts came a cropper due to the widespread feeling among the "Huster" Kikuyu that their wealthy tribesmen only remember them during difficult times and forget them in peacetime.   In general, terms like "our people" and "protecting our interests" were used as euphemisms for ethnic bloc appeals and get-out-the-vote strategies. Despite the NCIC summoning several politicians for these utterances, prosecutions remain rare, signaling persistent elite impunity.

4. Night Meetings, Ethnic Caucuses and Parallel Political Structures

Beyond public campaigns, Kenyan politicians systematically organize clandestine gatherings where ethnic mobilization occurs away from media scrutiny and legal oversight. These "night meetings" (also called "closed-door meetings," "family meetings (*mambo ya kifamilia*)," or "ethnic caucuses") have

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[3] The Mountain refers to the peoples of Mt. Kenya region. A detribalized term, it the new, politically-correct metaphor for the Kikuyu and the closely related neighbours, the Embu and the Meru, and most recently, the Kamba.

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become institutionalized features of electoral cycles, serving as spaces where ethnic strategies are coordinated and inflammatory appeals are made without fear of prosecution.

The Akiwumi Report (Republic of Kenya, 1999), a government-appointed task force led by Justice Akilano Akiwumi that investigated the 1990s ethnic clashes, provided damning evidence of how politicians organized night meetings to plan attacks on rival communities. The report documented meetings in Rift Valley locations where politicians distributed money, organized youth into militias, and provided specific instructions about which communities to target and which properties to destroy. District Commissioners testified about meetings they had observed or received intelligence about but felt powerless to prevent, given the political protection of the organizers.

The Waki Commission (CIPEV, 2008) documented a consistent pattern of political incitement prior to the 2007-2008 violence. According to the Commission's findings, politicians held meetings in Nairobi, the Rift Valley, and Nyanza,where they actively orchestrated the impending conflict. Their actions included organizing and financing youth militias and distributing crude weapons such as pangas, bows and arrows, and rungus (clubs). Furthermore, these politicians provided the militias with specific lists of individuals and properties to target. To execute their plans effectively, they established parallel command structures that operated outside the official security apparatus and set up dedicated communication networks to coordinate violence. These meetings typically occurred in private residences, hotels in remote areas, or ceremonial venues, where outsiders could be easily excluded.

The Building Bridges Initiative (BBI) Taskforce (2020) acknowledged this phenomenon, noting that "Kenya's political culture is characterized by ethnic caucuses that function as parallel decision-

making structures, often superseding official party mechanisms and constitutional processes" (p. 42).

These caucuses, whether the "Mount Kenya Mafia" (Kikuyu elite), Myoot Council of Elders (Kalenjin Council), Somali *Guurti* or the "Eastleigh Mafia," the informal "Mulembe Nation" (the term the disparate Luhya use to refer to themselves), *Atumia ma Thome* (Akamba Council of Elders), Maa Council (Maasai), *Abaturetti* (Abagusii Council of Elders), *Ker* (the Luo Council of Elders), or various other ethnic coalitions, often make critical political decisions that formal institutions merely ratify. This was evident in the lead-up to the 2022 elections, where the 'Kenya Kwanza' coalition was solidified through a series of private meetings between William Ruto and a cabal of ethnic kingpins who negotiated for shares in government should Ruto win the election.[4] This parallel governance structure ensures that ethnicity, rather than ideology or policy, remains the primary basis for political organization.

5. Traditional Symbolism and Ritualized Ethnic Mobilization

Kenyan politicians have become adept at deploying traditional symbols, ceremonies, and cultural practices as vehicles ofethnic mobilization. This lends contemporary political competition the appearance of an ancient tribal rite. These practices tap into deep cultural reservoirs while serving entirely modern political purposes: consolidating ethnic voting blocs, excluding outsiders, and framing

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[4] In the Mt. Kenya region, rebel Jubilee leaders (formerly allied to Uhuru Kenyatta) , styled themselves as Kingpins of the region and backed Ruto's candidature on that basis. These meetings allowed them to bypass the formal Jubilee party structures—which were controlled by Kenyatta—to secure an ethnic voting bloc that helped Kenya Kwanza to win the election.

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political contestation as an existential ethnic competition. These include the ceremonies ending traditional initiation rites and wedding and dowry-related events.[5]

Oathing ceremonies are the most notorious manifestation of this practice. In 1969, elements linked to powerful politicians at the time reportedly administered a Kikuyu oath of allegiance in which members swore to ensure that the presidencywould never go to a member of another ethnic community. The Akiwumi Report (Republic of Kenya, 1999) documented how Kalenjin politicians organized traditional oathing ceremonies in the 1990s, requiring participants to swear loyalty to ethnic leaders and commit to defending "Kalenjin land" against "invaders." These oaths, administered by traditional elders using culturally significant objects and invocations, created powerful psychological obligations while simultaneously marking ethnic boundaries and identifying potential collaborators with rival communities as being traitors.

The 2007-2008 period saw widespread reports of oathing, particularly involving the Mungiki organization among Kikuyu communities. The oath was ostensibly to counter a similar oath among the Kalenjin community. The Waki Commission (CIPEV, 2008) received testimony about forced oathing, where individuals were compelled to swear loyalty to ethnic leaders and commit to violence against rival communities. While some observers dismissed these reports as exaggerated, the Kenya National Commission on Human Rights (KNCHR, 2008) documented extensive evidence of coerced

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[5] Innocuous traditional wedding events Ruracio (Kikuyu), Koito (Kalenjin), "Ayie"(Luo), "Khuswala Kumukumba" (Luhya), "Ntheo" (Kamba), "Erongo" (Kisii), Yarad (Somali), often serve as political events where messages are passed "invited guests" who happen to be politicians or people with political ambitions.

oathing, including victims who suffered severe psychological trauma and communities in which oathing created climates of fear and compliance.

Beyond oathing, politicians routinely invoke cultural practices to signal ethnic solidarity and mobilize political support. During the 2013 elections, Kalenjin politicians organized traditional ceremonies involving age-set warrior graduations, positioning the election as a defense of community interests against external threats. Kikuyu politicians have invoked their myth of ethnogenesis, positioning themselves as defenders of "the House of Mumbi" (the mythical Kikuyu ancestral mother). In 2022, this was evident in the intense but futile lobbying for a "Mt. Kenya unity candidate" to protect the community's post-Uhuru Kenyatta interests. Luo politicians frequently reference traditional councils and cultural heritage to mobilize this support. Among the people of Western Kenya, funerals are a significant ethnic mobilizing event. Politicians attend the funerals of obscure people and proceed to make highly sentimental mobilization appeals at theseemotive events. At the same time, the funeral of the prominent are turned into mobilization crusades as throngs are worked into humongous mass spectacles who purpose and effect is stress ethnic exceptionalism while communally lionizing the deceased and thereby connecting him to the gallantry of the ancestors, amidst oblique references to unnatural death that are aimed at creating a siege mentality in the community.The funerals of Tom Mboya, Robert Ouko and Raila Odinga are cases in point where blatant ethnic mobilization happened under the guise of unrestrained communal grief enacted publicly.[6] These practices, while ostensibly celebrating

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[6] The deaths of the prominent Luo invariably results in death as mourners conflate public spaces with private spaces and clash with the police. For instance, at least three people reportedly died and many

cultural identity, serve to ethnicize politics, transforming electoral competition into tribal confrontation.

The use of traditional songs, proverbs, and folklore represents another dimension of cultural mobilization.

Politicians commission vernacular songs that become ethnic anthems, praising co-ethnic leaders while

denigrating rivals through cultural references that outsiders cannot decode. The TJRC (2013)

documented how certain vernacular songs during the 2007 elections contained thinly veiled calls for

violence against rival communities, using traditional metaphors about defending homesteads, removing

weeds, and protecting ancestral land. The 2022 elections saw a variety of vernacular campaign songs

across different tribes. While many songs innocuously urged for ethnic unity, others were more divisive.

The NCIC (2022) flagged several vernacular songs and social media content that used proverbs and

metaphors to portray political opponents as enemies or traitors to the community, continuing the pattern

of using culture as a vehicle for political exclusion and mobilization.

6. Ethnic Patronage Networks and Resource Distribution

Beyond symbolic mobilization, Kenyan elites also maintain the salience of ethnicity through systematic

manipulation of state resources by ensuring that material benefits flow along ethnic channels while

deprivation is distributed along the same lines. This practice, which Wrong (2009) immortalized with the

phrase "it's our turn to eat," ensures that political competition remains ethnically defined because the

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others were injured after a stampede as members of the public viewed his body.

material stakes are so clearly ethnic.

Appointments to state positions are the most visible manifestation of ethnic patronage. Despite constitutional requirements for ethnic balance, successive governments have maintained overwhelming ethnic dominance in key institutions in the country. Under Presidents Jomo Kenyatta (1963-1978) Moi (1978-2002) Kibaki (2002-2013), Uhuru (2013-2022) and Ruto (2022 to present), their respective communities dominated the civil service, security apparatus, and state corporations. Successive reports by the NCIC have reported the same trend, even after the enactment of a new constitution that polemicized against the past practice of ethnic domination. An NCIC (2023) report indicated early concerns about ethnic imbalance in the new administration's appointments, particularly within the executive office and parastatals, highlighting the persistent challenge of achieving equitable representation.

The security sector exemplifies this ethnic stacking. The TJRC (2013) documented how successive governments manipulated recruitment and promotion in the police, military, and intelligence services to favor co-ethnics, creating security institutions that communities perceive as ethnically partial. This perception, whether accurate or not, undermines confidence in state security and probably encourages communities to organize ethnic militias for self-protection. This is precisely the pattern that preceded the 2007-2008 violence. This trend mirrors the colonial approach of positing some tribes as more "martial" than others (Osborne 2014).

State procurement represents another vehicle for the distribution of ethnic resources. The Anglo-Leasing scandal, chronicled by John Githongo (cited in Wrong, 2009), revealed how government

contracts were awarded to fictitious companies controlled by politically connected individuals from the president's ethnic community. Subsequent procurement scandals, from the Mafya House scandal and National Youth Service corruption to COVID-19 supply fraud and recent scandals in the health, energy, and other sectors, have followed similar patterns, with audit reports consistently revealing ethnic patterns in contract awards.

Development resource allocation provides the most tangible evidence of how ethnic patronage functions at the macro level. Despite the 2010 Constitution mandating the equitable sharing of national revenue, longitudinal data reveal that government ministries systematically skew public investment—specifically in infrastructure, healthcare, and education—toward regions co-ethnic with the ruling elite. A seminal study by the National Bureau of Economic Research (Burgess et al., 2015) quantified this bias, finding that during autocratic periods in Kenya, districts sharing the President's ethnicity received twice the amount of road expenditure and had four times the length of paved roads built compared to the national average.This disparity is further compounded by the strategic marginalization of non-aligned regions. Furthermore, the phenomenon of "advantageous underdevelopment" acts as a tool of political leverage. Politicians in marginalized regions often weaponize this lack of development to bargain for loyalty, yet this rarely translates into completed projects. The Controller of Budget and the Parliamentary Budget Office have consistently flagged a crisis of "stalled projects, where funds are allocated for political optics but siphoned off through procurement schemes, leaving the regions with unfinished "white elephant" projects (Parliamentary Budget Office, 2023). This cycle ensures that these regions remain dependent on the center for "relief," thereby maintaining the clientelist structure necessary for

ethnic mobilization.

Devolution, operationalized through the 2010 Constitution to cure historical marginalization, has paradoxically decentralized ethnic patronage rather than eliminating it (Cheeseman, et. Al., 2020). While the creation of 47 county governments succeeded in bringing resources closer to the periphery, it simultaneously birthed a system of "decentralized despotism" where ethnic competition is merely replicated at the micro-level. In cosmopolitan counties such as Nairobi, Mombasa, and Nakuru, gubernatorial contests function as ethnic censuses, often necessitating "negotiated democracy" or informal pre-election pacts in which positions are bartered between ethnic chieftains to build winning coalitions, prioritizing tribal arithmetic over administrative competence (Cheeseman et al., 2019).

This patronage is most empirically visible in public service staffing patterns. Section 65(1)(e) of the *County Governments Act (2012)* mandates that at least 30% of vacant posts at the entry-level be reserved for candidates who are not from the county's dominant ethnic community. However, compliance has been poor. A 2023 audit by the NCIC revealed that 30 out of 47 counties had violated this legal threshold. In extreme cases, such as in Bomet and Nyamira, over 97% of the workforce is drawn from the dominant ethnic group, effectively turning the county administrations into exclusionary ethnic enclaves (NCIC, 2023).

The tragedy of this trend is that devolution has created "outsiders within." Previously, ethnic exclusion was a grievance directed at the National Government in Nairobi. Today, a minority community within a county (e.g., the Kuria in Migori, Kikuyu in Uasin Gishu, or Turkana in Samburu) often faces a more immediate and aggressive form of exclusion from their local governor than from the President. By

localizing patronage, Kenya has not democratized development; the state has merely democratized the ability to discriminate, creating 47 distinct arenas where the "tyranny of the numbers" suppresses local minorities. Research suggests that rather than reducing violence, devolution has reshaped it, with newly empowered local structures intersecting with longstanding rivalries (Rift Valley Institute, 2017).

7. The Digital Dimension: Social Media and Ethnic Mobilization

While traditional methods of ethnic mobilization continue to play a crucial role, the digital age has introduced new tools that enhance and accelerate ethnic messaging. Social media platforms such as WhatsApp, Facebook, and Twitter have become channels for spreading ethnically charged content, organizing ethnic groups, and coordinating mobilization in ways that bypass traditional media gatekeepers and state oversight. The 2013 elections were Kenya's first "digital election," with both major coalitions heavily investing in social media campaigns. However, these platforms quickly turned into channels for ethnic propaganda. Portland Communications (2013), which monitored digital media during the elections, recorded the extensive use of fake content, manipulated images, and inflammatory messaging aimed at stoking ethnic tensions. WhatsApp groups organized along ethnic lines spread messages alleging that rival communities were planning violence, creating a climate of fear that justified preemptive mobilization. For instance, vernacular radio stations expanded their reach by creating dedicated WhatsApp groups and YouTube channels, broadcasting coded ethnic messaging directly to their audiences (Mati, 2020). Furthermore, politicians and influencers now use TikTok videos and memes

infused with cultural metaphors to rally ethnic blocs, making the content more relatable and shareable among the youth.

The 2017 elections witnessed even more advanced digital ethnic mobilization. Research by the Oxford Internet Institute documented how both major political camps used digital disinformation campaigns to exploit ethnic fears (Nyabola, 2018). Fake news stories about planned ethnic attacks, doctored images claiming to show violence against specific communities, and coordinated social media campaigns amplifying ethnic grievances all contributed to the heightened tensions. The NCIC (2017) reported monitoring over 90,000 pieces of potentially inflammatory digital content during the 2017 electoral cycle, although successful prosecutions were minimal. Social media has also facilitated the organization of ethnic youth groups that serve as mobilization structures for protests. WhatsApp groups connecting young men from specific ethnic communities, ostensibly for cultural or social purposes, can be quickly activated for political mobilizationpurposes.

The anonymity and encryption of digital platforms make it difficult for authorities to monitor or prevent such organization, while the speed of digital communication enables rapid mobilization that can outpace state response. The 2024 Gen-Z protests demonstrated both the potential and limitations of digital organizing. Young Kenyans used social media platforms to coordinate nationwide demonstrations against the Finance Bill and broader government corruption, initially transcending ethnic boundaries. However, as the protests progressed, some politicians and ethnic entrepreneurs attempted, and often succeeded, to hijack the movement's digital spaces, injecting ethnic narratives to fragment the coalition. This dynamic revealed how digital platforms remain contested spaces in which civic and ethnic

mobilization compete for dominance.

8. Unresolved Representational Dilemmas and a Precarious Future

Despite the transformative promise of the 2010 Constitution, Kenya remains entangled in persistent representational contradictions. These unresolved dilemmas continue to fuel ethnic tensions and create a tinderbox of conditions that could ignite future violence in the region. When combined with the well-documented practices of elite manipulation, these issues signal a precarious political future that belies the country's recent period of relative stability and peace.

8-1 The "One Man, One Vote, One Shilling" Debate

At the heart of the current contention is the formula for allocating county resources and drawing electoral boundaries, a debate that strikes at the very core of political equality. Article 27 of the constitution offers a clear guarantee, stating that "every person is equal before the law and has the right to equal protection and equal benefit of the law." However, the actual design of Kenyan democracy often seems to pull in a different direction, creating a fundamental tension between principle and practice.

Consider the structure of the National Assembly. Its 349 members include 290 elected from constituencies, 47 women representatives (one from each county), 12 nominated members, the Speaker, and any additional members needed to meet the two-thirds gender rule (Republic of Kenya, 2010). This framework was designed to balance population-based representation

with protection of marginalized and sparsely populated areas. However, it has attracted sustained criticism for violating the principle of vote equality. Proponents of the "one-man, one-vote, one-shilling" argument contend that the current system systematically over-represents low-population regions, granting voters in places like northern pastoralist constituencies far greater electoral weight than those in densely packed urban areas (Building Bridges Initiative Taskforce, 2019; Society for International Development, 2018; Oloo, 2021).

This critique gained significant momentum during the Building Bridges Initiative (BBI) debate. The final report pinpointed "inclusivity and lack of a sense of belonging" as a core national challenge, manifested in an "unequal distribution of parliamentary representation" that disadvantages populous regions (BBI Taskforce, 2019, p. 45). The report argued that constitutional safeguards for arid and semi-arid lands (ASALs) mean that "one vote in a sparsely populated area [is] worth more than one vote in a densely populated area," thereby skewing power and perpetuating a sense of marginalization (BBI Taskforce, 2019, p. 46).

In response, the BBI proposed a structural fix: expanding the number of constituencies from 290 to 360. This move was designed to rebalance the scales by allocating new seats to underrepresented high-density areas, aiming to reduce extreme vote-weight disparities from ratios exceeding 1:5 to closer to parity (BBI Taskforce 2019, pp. 47–49). The "one shilling" component was addressed by tying these representation reforms to a more population-based revenue-sharing model, ensuring that fairer political representation would also translate into more equitable resource allocation (BBI Taskforce, 2019, p. 52).

But how did these imbalances arise in the first place? While constituency boundaries are

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ostensibly based on population, the Constitution explicitly permits significant deviations to account for vast and sparsely populated geographies. The result is a dramatic variance in the number of voters per constituency. A voter in a northern constituency like Lafey or North Horr, with fewer than 50,000 registered voters, wields several times more influence in electing an MP than a voter in an urban constituency in Nairobi or Kiambu, where the numbers can exceed 200,000 (Independent Electoral and Boundaries Commission, 2022). This disparity produces a vote-weight ratio that can exceed 1:5 (BBI Taskforce, 2019; Cheeseman et al., 2019; International Crisis Group, 2021).

This inherent imbalance is then compounded by the allocation of the 47 county woman representatives. Here, each county receives a single seat regardless of whether it is Lamu, with a population of under 200,000, or Nairobi, with over 5.5 million (KNBS, 2019). Consequently, voters in the smallest counties enjoy far greater per-capita representation through this mechanism than those in the largest counties (Murunga, 2020). The BBI report acknowledged that this layer of the system further entrenches "skewed representation" (BBI Taskforce, 2019, p. 49).

When these two geographically fixed components–the 290 constituencies and the 47 county women seats–are combined, the cumulative effect becomes clear. Arid and semi-arid regions, which cover approximately 80% of Kenya's landmass but hold only about 20–25% of its people, secure a disproportionately large share of the 337 territorially allocated seats (Society for International Development, 2018; Oloo, 2021). The 12 nominated seats are too few and too controlled by political parties to correct this fundamental demographic skew. The BBI positioned its constituency expansion as the primary remedy, arguing that without such reforms, low-density areas would continue to "enjoy a

greater power of the vote," distorting democratic equality (BBI Taskforce, 2019, p. 46).

Critics argue that this framework contravenes the constitutional principle of "equality of the vote" and undermines the democratic norm of equal political influence (Cheeseman et al., 2019; International Crisis Group, 2021). They argue that the over-representation of low-density regions distorts critical national debates, particularly over revenue sharing, creating a system that is democratic in form but deeply unequal in substance. Although the courts ultimately invalidated the BBI's proposals, they underscored an urgent need for reform, with the report itself warning that unaddressed imbalances risk deepening the very "ethnic antagonism and corruption" rooted in perceived inequities (BBI Taskforce, 2019, p. 53).

Therefore, this debate transcends technicalities and touches on the most fundamental questions of Kenyan citizenship. Is Kenya a nation of co-equal individuals, each with identical rights? Or is it a confederation of ethnic communities that require special protection? Can a constitutional system truly accommodate both principles, or must one ultimately prevailover the other? As political analyst Peter Kagwanja (2017) has warned, leaving these representational questions unresolved "threatens to ignite new forms of ethnic conflict, pitting numerical majorities against constitutionally protected minorities" (p. 45). The path forward requires Kenyans to navigate this delicate and dangerous terrain.

8-2 Electoral System Vulnerabilities

Kenya's electoral system remains vulnerable to manipulation, which triggers ethnic violence. Despite reforms following the 2007 crisis aimed at addressing the fundamental flaws identified by the Kriegler

Report (2008, p. 167), elections have continued to demonstrate persistent vulnerabilities. Additional reforms in electoral law have aimed at giving the IEBC more operational and financial independence and increasing the use of technology in the conduct of elections. However, all elections held in 2007, 2013, 2017, and 2022 have seen complaints surrounding the electoral system. During the 2022 general election, the Azimio coalition alleged that the IEBC had bungled the verification process for the presidential vote in the final stages of tallying. This claim was supported by four IEBC Commissioners who subsequently resigned, leading to calls for further technologization of the voting process (Nantulya, 2022). These vulnerabilities intersect dangerously with ethnic mobilization efforts. When communities believe that electoral processes are rigged, they become receptive to calls for extra-constitutional resistance. The 2007-2008 violence demonstrated this catastrophically, with opposition supporters convinced their victory was stolen, engaging in violence against communities associated with the incumbent.

8-3 The Persistence of Impunity

Perhaps the most critical factor in ensuring continued ethnic manipulation is elite impunity. Despite extensive documentation of politically instigated ethnic violence, from the Akiwumi Report through the Waki Commission to the TJRC, virtually no senior, premier-league politicians have faced prosecution locally. The Waki Commission (CIPEV, 2008) identified a network of politicians who organized the 2007-2008 violence, providing the ICC with the names of key suspects. Kenya's parliament repeatedly refused to create a special tribunal, forcing ICC's intervention. Even ICC prosecutions ultimately collapsed amid

witness intimidation and state non-cooperation (Human Rights Watch 2014). This pattern, in which commissions document elite culpability followed by governmental inaction, ensures that ethnic mobilization remains a viable political strategy. As long as politicians can mobilize ethnicity, trigger violence, and face no consequences, they will continue doing so. This impunity signals that ethnic mobilization works and that violence achieves political objectives without accountability (Murunga & Nasong'o, 2006).

8-4 The Intergenerational Dimension

Contemporary ethnic mobilization increasingly exploits Kenya's youth bulge and unemployment crisis. Approximately 75% of Kenya's population is under 35 years of age, with youth unemployment exceeding 40% in urban areas (KNBS, 2020). This demographic provides politicians with a vast pool of young men susceptible to ethnic mobilization when offered cash payments and patronage. The Waki Commission (CIPEV, 2008) documented politicians hiring youths into ethnic militias. Criminal gangs such as Mungiki (Kikuyu) and Kalenjin warriors were at that time functioning as political instruments. However, the 2024 Gen-Z protests revealed a potentially transformative shift in the political landscape. Beginning in June 2024, young Kenyans organized largely leaderless and non-ethnic protests against the Finance Bill and governance failures. Using hashtags such as #RejectFinanceBill2024, protesters coordinated demonstrations across the country, initially transcending ethnic lines and uniting diverse communities through economic grievances. The government's violent response momentarily galvanized further cross-ethnic solidarity. However, as the movement evolved, traditional politicians attempted, and somewhat

succeeded, to ethnicize the protests, revealing the persistent challenge of sustaining civic mobilization against elite ethnic manipulation. The Gen-Z protests demonstrated both the possibility of post-ethnic politics and the determined resistance faced by such movements.

8-5 Warning Signs: Indicators of Future Instability

Several contemporary trends suggest that Kenya's ethnic tensions may intensify. First, demographic shifts are altering the ethnic balance in historically contested areas. The 2008 post-election violence forced the migration of Kikuyu from some areas of the Rift Valley, entrenching the view that some communities are unwanted in some areas. Although displaced communities have returned to some areas, many people have not returned to their farms. There is a real fear that further clashes could occur in the future. This fear has produced interesting trends: communities go to do business in areas they feel unwelcome, only to return to their "ancestral" territories in the run-up to elections when they expect chaos to break out.

The 2019 Census revealed significant population movements into Nairobi, Mombasa, Nakuru, and Uasin Gishu—all ethnically diverse counties where demographic changes affect electoral outcomes and resource control (KNBS, 2019). These shifts generate anxiety among "indigenous" communities fearing minority status in their ancestral territories. Simultaneously, climate change exacerbates resource competition in pastoral areas. Prolonged droughts in Northern Kenya and parts of the Rift Valley intensify competition for water and grazing land, with ethnic dimensions to resource conflicts (Schilling et al., 2012). The intersection of environmental stress, small arms

proliferation, and a weak statecreates conditions conducive to sustained ethnic violence. It is also noteworthy that the 2022 election cycle reinforced the persistence of ethnic mobilization. Despite constitutional reforms, campaign rhetoric often masks ethnic appeals. Electoral outcomes remained geographically polarized, reaffirming the entrenched ethnic voting patterns (Cheeseman & Kanyinga, 2022). Equally important to note is the widening of the "digital divide" in ethnic mobilization. While urban, educated youth increasingly reject ethnic politics, as demonstrated by the 2024 protests, rural communities remain deeply embedded in ethnic political frameworks (Ogola, 2019). This generational and geographic divide creates unpredictable dynamics with the potential for both progressive transformation and reactionary backlash.

8-6 The "Third-Time Lucky" Hypothesis Reconsidered

Ndegwa's (2003) characterization of Kenya as "third-time lucky" rested on the successful navigation of the Kenyatta succession, multiparty transition, and Moi succession without sustained civil war. The 2007-2008 violence fundamentally challenged this optimism, revealing that beneath the apparent stability lay deep ethnic fault lines that political elites could activate when threatened. However, Kenya's recovery, as demonstrated through the negotiated settlement, constitutional reform, and subsequent peaceful elections, suggests that Ndegwa's thesis retains its validity. Kenya has repeatedly stepped back from the abyss, finding political accommodations to prevent a complete breakdown. The 2010 constitution provides institutional mechanisms for managing diversity. The Supreme Court's willingness to annul the 2017 presidential election demonstrated judicial independence constraining

executive impunity (Supreme Court of Kenya, 2017; Cheeseman et al., 2020), although the independence of the judiciary came into question after 2022 (Gathara, 2023; ICJ, 2024). The willingness of presidential candidates to disavow ethnic violence, commit to peaceful campaigning, and resort to court for the resolution of electoral disputes, as was witnessed in the 2022 campaigns (Nantulya, 2022), is commendable, but it offers no guarantees that the same politicians will not resort to violence after results are declared. The 2024 Gen-Z protests further complicate this narrative. The movement demonstrated that significant youth segments have begun rejecting ethnic mobilization in favor of class-based and governance-focused organizing. However, the government's repressive response revealed how deeply entrenched elite resistance to transformative change remains. The defection and co-option of some Gen Zs into ethnic politics demonstrate how manipulative ethnic-based politics can be. Kenya may, therefore, be better characterized as "perpetually lucky" for repeatedly escaping catastrophe through improvised accommodations, while underlying structural tensions remain unresolved. The critical question is whether luck can substitute structural reform. How many more times can Kenya pull back from ethnic violence before its institutional frameworks collapse? Can a system predicated on ethnic mobilization gradually transform into a civic democracy, or must there be a definitive break?

9. Regional Implications and Comparative Lessons

Kenya's experience offers important lessons for East Africa and multi-ethnic democracies elsewhere. Several patterns have emerged. First, constitutional engineering alone cannot overcome elite

ethnic manipulations. Kenya's 2010 Constitution represents a sophisticated institutional design; however, ethnic mobilization persists because elites retain powerful incentives to exploit ethnicity. Constitutional frameworks provide necessary but insufficient conditions for managing ethnic diversity.Second, economic inequality reinforces ethnic political mobilization. Where state resources remain the primary avenue for wealth accumulation and access follows ethnic patronage networks, ethnicity inevitably becomes politicized. Kenya's failure to develop broad-based economic opportunities independent of state patronage ensures the continued salience of ethnic mobilization. Third, the impunity for elite violence perpetuates regional ethnic manipulation. Kenya's failure to prosecute politicians who organized ethnic violence mirrors the patterns in Uganda, Burundi, and elsewhere. The collapse of ICC prosecutions sent regional signals that international accountability mechanisms can be resisted through state non-cooperation (Mueller, 2014). Fourth, the interaction between democratization and ethnic mobilization requires careful management. The introduction of multiparty competition initially intensified rather than reduced ethnic tensions, as elites deployed ethnicity in newly competitive environments (Barkan, 1994). This suggests that democratic transitions in ethnically diverse societies require the simultaneous development of civic political cultures and institutional constraints on ethnic appeals.

10. Conclusion: Between Crisis and Transformation

Kenya stands at a pivotal moment. The persistent mechanisms of ethnic mobilization documented

here, including unresolved representational dilemmas, continued elite impunity, exploitation of unemployed youth, and emerging digital dimensions of ethnic propaganda signal a precarious political future. Ultimately, Kenya's future depends on whether the country can transition from ethnic to civic politics; from a system where political competition follows ethnic lines to one where citizens organize around ideologies and policies that cross-cut ethnic identities. This transformation requires multiple simultaneous shifts: economic development providing opportunities independent of state patronage; institutional strengthening constraining elite manipulation; accountability mechanisms imposing costs on ethnic mobilization; civic education promoting national over ethnic identity; and, most critically, elite political leadership willing to prioritize national cohesion over ethnic advantage.

Institutions such as the judiciary and devolved governments offer avenues for managing diversity; however, elite mobilization of ethnicity continues to undermine political stability. Reading the crystal ball, three scenarios appear possible. The first is *gradual transformation*, where generational change, economic development, and strengthened institutions progressively reduce the incentives for ethnic mobilization. This assumes that urban, educated youth will increasingly reject ethnic politics, that economic opportunities will emerge independent of state patronage, and that institutional constraints will strengthen. The Gen-Z protests provide evidence of this trajectory. Perhaps this is the transformation sought by President Ruto's Affordable Housing project. In defense of the controversial housing policy, he has said that the future is urban. [7] The second scenario is *continued*

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[7] The Kenyan Presidency, "The future is urban. We need organized and safe Housing options~President   William   Ruto,"

oscillation between accommodation and crisis, with Kenya perpetually managing ethnic tensions without resolving the underlying issues. Elites would continue finding improvised accommodations to prevent complete breakdown while retaining ethnic mobilization as a viable strategy. Kenya would remain "perpetually lucky," repeatedly escaping catastrophe without fundamentally transforming its political culture. This appears to be the most probable short-term trajectory, given the current trends.

The third scenario is a *catastrophic breakdown*, where accumulated ethnic grievances, disputed electoral outcomes, economic crises, or external shocks trigger violence overwhelming institutional capacities. Each electoral cycle tests institutional resilience, climate change, and demographic pressure intensifies resource competition, and elite impunity encourages increasingly risky ethnic mobilization.

Which scenario prevails depends substantially on the elite political choices. Kenya's ethnic question is fundamentally a crisis of political leadership. As Lonsdale (1994) observed, "Moral ethnicity is the soil of civic virtue; political tribalism is its corruption" (p. 147). Kenya possesses rich ethnic cultures that can coexist peacefully within a civic nationalist framework. What prevents this is not ethnicity itself but elite manipulation of ethnic identities for narrow political advantage. As East Africa's economic and diplomatic hub, Kenya's trajectory affects the entire region. Kenyan stability enables regional integration and development; Kenyan instability threatens neighboring states struggling with their own ethnic tensions. If Kenya can develop effective mechanisms for managing ethnic diversity within democratic

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https://www.tiktok.com/@the.kenyan.preside/video/7553676639326981387

frameworks, these lessons could inform governance across East Africa.

However, current trends suggest that this is a cause for concern. The dream of a united Kenya, where ethnic diversity enriches rather than threatens national unity, remains alive. The 2024 Gen-Z protests demonstrated that this dream resonates powerfully with younger generations, viewing ethnic politics as an obstacle rather than a vehicle for advancement. However, that dream faces formidable obstacles, including persistent elite ethnic manipulation, unresolved constitutional dilemmas, and continuing patterns of ethnic politicization. Whether Kenya's "luck" will hold; that is, whether the country can continue managing ethnic tensions without a catastrophic breakdown while gradually building a civic political culture, remains an urgent question not only for Kenya but for multi-ethnic democracies throughout Africa and beyond.

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