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Kenya's Post-Election Violence: Using a Kisii-Luo Case Study for a Critique of Common Thought

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Executive Summary

A first step in a series of studies intended to discover how members of Kenyan ethnic groups elect National, Political and Ethnic identities, and how that election affected the 2007-2008 Post Election Violence, this field study examines as case study the relationship between the Kisii and Luo ethnic groups, setting up a comparison between the Kisii-Kipsigis ethnic relationship. Finding that the questions asked by actors such as the Kenyan National Commission on Human Rights were fundamentally wrong and incomplete, this study identifies questions of more significance to crisis-prevention and begins to identify methods to improve local civic-engagement within a community in Tabaka that relies so heavily on Soapstone.

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Introduction

Kenya

A Republic of some 38.6 million people[1], Kenya has been independent of British rule since December of 1963. Although multi-partyism was only introduced in 1992, leaving over three decades of Kenyan history under one party rule, Kenya is historically considered a fairly open, steady, democratic state. Kenya's first president was (Mzee) Jomo Kenyatta, a leading freedom fighter of the time, led the nation until his death in 1978, often seen as rewarding members of his own ethnic group, and the nation's largest, the Kikuyu. His successor as president was Vice President Daniel arap Moi, who is a Kalenjin of Kenya's western highlands. Serving until 1991 under one-party rule, Moi was also seen as ethnic favoritism. Reluctantly, and despite his government's success in legalizing one-party rule, in 1991 Moi agreed to the nation's first multi-party elections. In 1992, Moi retained the presidency due in large part to rifts in opposition parties resulting in opposition forces splitting votes. However, calls of rigging and dissatisfaction were present, and resulted in violence. In 1997, Moi was again re-elected for his final term, narrowly defeating Mwai Kibaki. In 2002, opposition forces realized their mistake in the past two elections, and united under NARC, or the National Rainbow Coalition, to carry Kibaki into the Presidency. At the time, Raila Odinga, a favorite to assume the leadership of incumbent party, KANU, was passed over by Moi, driving him into the welcoming arms of NARC, and laying the foundations for the political turmoil of 2007. During constitutional reform, Odinga expressed grievances with NARC, and left to establish the Orange Democracy Movement, which would become the primary opposition party to Odinga's previous party, and current ruling party, NARC.

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[1] Daily Nation, Census: Kenya has 38.6m

The nation is historically, and presently, ethnically diverse. According to the most recent census, the leading ethnic communities by population and Kikuyu with 6.62 million, Luhya with 5.33, Kalenjin with 4.96, and Luo with 4.04. Among dozens of other tribes, the Kisii community contains 2.21 million.[2]

The December, 2007 Elections

On December, 27, 2007, millions of Kenya's 38.6 million people voted in the nation's fourth multi-party elections since multi-partyism was introduced in 1992. An estimated 14.2 million Kenyans, 82% of eligible voters, were registered to vote in both the Presidential and Parliamentary elections. Nine presidential candidates, led by the incumbent candidate, Mwai Kibaki of the Party of National Unity (PNU) and main opposition leader, Raila Odinga of the Orange Democratic Movement (ODM), competed in the presidential election. Many reports showed ODM gaining votes in both races, but the ECK declared President Kibaki as the winner. Kibaki was quickly sworn in even while many election observers declared the elections rigged and flawed. Some examples of discrepancy, according to the Congressional Resource Service report of 2008 titled, "Kenya: The December 2007 Elections and the Challenges Ahead"[3], are the following:

- The ECK has 22 Commissioners, 19 of whom appointed by President Kibaki last year, consistent with the authority provided under the Kenyan Constitution. However, the appointment of the new Commissioners was reportedly done without proper consultation with opposition parties, according to the EU and Kenyan observers, which violates the Inter-Parliamentary Parties Group (IPPG) Agreement of 1997 that calls for consultation with opposition parties.
- According to the EU Electoral Observation Mission (EU EOM) report, the government-controlled Kenya Broadcasting Corporation (KBC) Radio coverage gave the PNU 76% share of coverage, compared to the opposition ODM 13% and ODM-Kenya 5%. The KBC-TV gave PNU 71% of the share of coverage, ODM 11%, and ODM-Kenya, a splinter party that broke from ODM, 5%.

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[2] Daily Nation

[3] Ted Dagne, CRS Report for Congress, "Kenya: The December 2007 Elections and the Challenges Ahead". Updated Sept 17, 2008. Congressional Research Service.

- The Chairman of the Commission also admitted that he was under intense political pressure from powerful political leaders and the ruling party.
- In Maragua District, a Kibaki stronghold, the document received by the ECK showed turnout at 115%, but was later changed by the Chairman of the ECK to 85%.
- In Molo, a small town in the Rift Valley of Kenya, the vote tally results document reportedly showed 50,145 votes for President Kibaki, but the ECK Chairman publicly announced that Kibaki won 75,261 votes, more than 25,000 votes than documented.

After the results were announced, violence immediately erupted in many districts of Kenya. Over 1,000 deaths were documented and an estimated 350,000 persons were displaced[4]. Some sources describe the violence as ethnically triggered, with the President's Kikuyu ethnic group fighting the Opposition's Luo ethnic group and Kalenjin ethnic group. Some sources see the violence as politically triggered, as the opposition party felt cheated and disempowered by a perceived rigged election. Other sources saw the violence as economically triggered as many victims were of higher economic standing and many of the attackers were said to be of lower economic standing. Other sources believed the violence to be triggered by land disputes stemming from colonial settlement policies.

No matter the source, in February the opposition and the government began the negotiation process as directed by international bodies and the leadership of former United Nations Secretary General Kofi Annan. The two sides agreed to a power sharing arrangement that was unanimously approved by the Parliament of Kenya. Further, the two sides agreed to end the violence, improve humanitarian conditions and write a new constitution within one year.

In 2010, of over 12.5 million registered voters, over 8.5 million Kenyans, or 72%, voted in a referendum for a new constitution. With almost 6 million in favor, and only about 2.5 million

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[4] Ted Dange

opposed, the new constitution is seen as most Kenyans as a very promising, hopeful sign of change and things to come.[5]

This Paper

My initial research intention began as something relatively simple: to examine how individual Kenyans elected and valued ethnic, political and national identities, and how this process effected peaceful cohabitation between different ethnic groups in times of political uncertainty like 2007-2008. My intention was to compare this process within the Kisii and Luo, which was understood as generally successful or peaceful during the post-election violence, with that of the Kisii and Kipsigis, which was understood as strikingly unsuccessful, or violent. Soon into my field work, however, I developed a hypothesis that the questions being asked about the relationship between the selection of national and political identities, ethnicity in Kenya and Kenyan politics, and the post election violence of 2007-2008 are incomplete and possibly misleading. What they failed to lead to were questions about the effect on civic engagement. Further, the constant rhetoric of negative tribalism might have created a distraction effect.

In most interviews and casual conversations I conducted, tribalism came up without prompt. While this certainly examples the predominance of the term in everyday life of the area and the context of its discussion examples the negative connotation it possesses, it does not identify its source. Yet unknown is whether this common term, tribalism, exists prominently in local culture due to its natural importance to the population, or due to the frequency of its use amongst research, institutional or leadership forces. In the aftermath of the violence in 2007 and 2008, researchers and institutions asked 'why', as if looking for headline-worthy silver bullets. Whether to appeal to

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[5] Referendum Results of 2010 by the Office of Public Communications. Cane be viewed online at http://www.communication.go.ke/katiba

impatient audiences or for some other reason, broad terms like tribalism and corruption were over-simplified and over-used to answer questions trapped within limited scopes.   One worry I already possessed was that a disempowered, disbelieved, or uninterested Kenyan citizenry would leave the new constitution of Kenya unenforced, limiting it to idealistic, unpracticed thoughts. But if local Kenyans, be them empowered or not, had already allowed the common rhetoric in the area to begin to match that of researchers and policy-makers, and if that rhetoric was dangerously incomplete, future civic engagement itself would manifest only in an incomplete form.

What began as a short, month-long, first step in what I hoped to be a research series, quickly backpedaled. I realized it was necessary to the success of the series to find the boxes researchers and policy-makers had trapped their thoughts in, and begin to think outside them. It was also necessary to ask 'why' more frequently, to discover which topics were left too broad to allow specific answers to emerge. Lastly, it has become imperative to discover potential vehicles for civic engagement in the area. To allow the local citizenry to stagnate civically within the normalcy of generalizations and incomplete scopes could have a negative effect on the success of the new constitution's implementation stage. In its current state, this research was conducted with an operational theory that holds that ethnicity in itself is not divisive, but can quickly become so when reinforced and ignited by political leadership. In this sense, ethnicity may only be a tool of political leadership made allowable by underlying problems amongst the citizenry. If it is imperative to find the source of the violence, it is then also imperative to look beyond general ethnicity and identify what local or specific factors allow a citizen to become ignitable by political leadership.

The Setting

The intention of the study was to be comparison in nature; contrasting the successful Luo-Kisii relationship along their shared border during the post-election violence of 2007-2008 with the less-successful, more violent relationship between the Kisii and Kipsigi along their shared border. However, uncontrollable factors forced my research, at least in this first stage, to stay within Kisii land in Tabaka, a brief introduction within Luo land in towns such as Rongo, and along the border of the two lands near Nyachenge.

It is difficult to reference Tabaka without discussing soapstone. Nearly every piece of literature, whether scientific, economic or tourist in nature, limits the discussion of Tabaka to soapstone. However, this often seems justified as the streets of Tabaka are lined with women washing and polishing soapstone in front of the family soapstone store. The compounds of Tabaka families are filled with men sitting in shade carving soapstone at all hours. The streets itself are often composed of broken soapstone pieces and ornaments.

The predominance of the commodity and craft seemingly spread itself throughout Kisii land, all the way to Nyachenge. Nyachenge, the main border town on the Kisii Highway, resting just inside Kisii land a few minutes before the Luo town of Rongo, seems to exist solely as a forum to sell soapstone and for the large market once a week.

Both Nyachenge and Tabaka, the main two locations for my field work, rest in the Nyanza province of western Kenya. Both mainly in the South Murigango District, though in different wards, the two areas are only a 60 shilling motorcycle ride apart, making transportation between the two easy for both the researcher and citizenry. Perhaps aided by this proximity, the daily market, occurring one day of the week in Tabaka town and another day in Nyachenge, showcases foods and goods from inhabitants of both areas. So connected are the two areas that it is very common for

carvers residing in Tabaka to commute every day to carve in Nyachenge, taking advantage of its placement on the Kisii highway between Kisii and border areas like Homa Bay. Rain, while often scarce in other parts of Kenya, is consistently abundant in the two areas. Almost guaranteed on a daily basis, rain provides for very fertile land that makes this area green year-round, though it also muddies unpaved roads and paths, making transit difficult at rainy times of day. Providing the average resident of Tabaka and Nyachenge with food stuffs for the family or cows as well as potential supplemental income, fertile farms grow the results of a year-long rainy season. Despite this, poverty seems high throughout the area. While a passer-by will rarely encounter someone begging for change, he or she is guaranteed to be welcomed into any and every soapstone shop with the utmost eagerness or to be offered personalized creations with the most persistent of attention.

Though perhaps not often reflected in government reports or statistics, the area is inhabited by many Internally Displaced Persons who fled to the mountainous sanctuary after recent violence like that of 2007-2008. While many persons of this population have united to share homes and land, many are still homeless and formally unemployed.

Alcohol is a dominant factor in the culture of the area. Most of-age individuals, especially if employed through soapstone, seem to consume alcohol on a daily, often hourly basis. This common activity has noticeable results, usually negative, on the society. Further, there is a large divide between those who drink alcohol, and those who do not. Often times those individuals who do not consume alcohol are publically judgmental of those that do, creating what takes the form as social-classes or cliques.

The whole area is also noticeably divided religiously, almost exclusively, between Seventh Day Adventists (SDA) and Catholics. This divide is seen especially on weekends, as Catholics rest

and attend church on Sunday, while the more dominant group, SDA, rests and attends church on

Saturday.
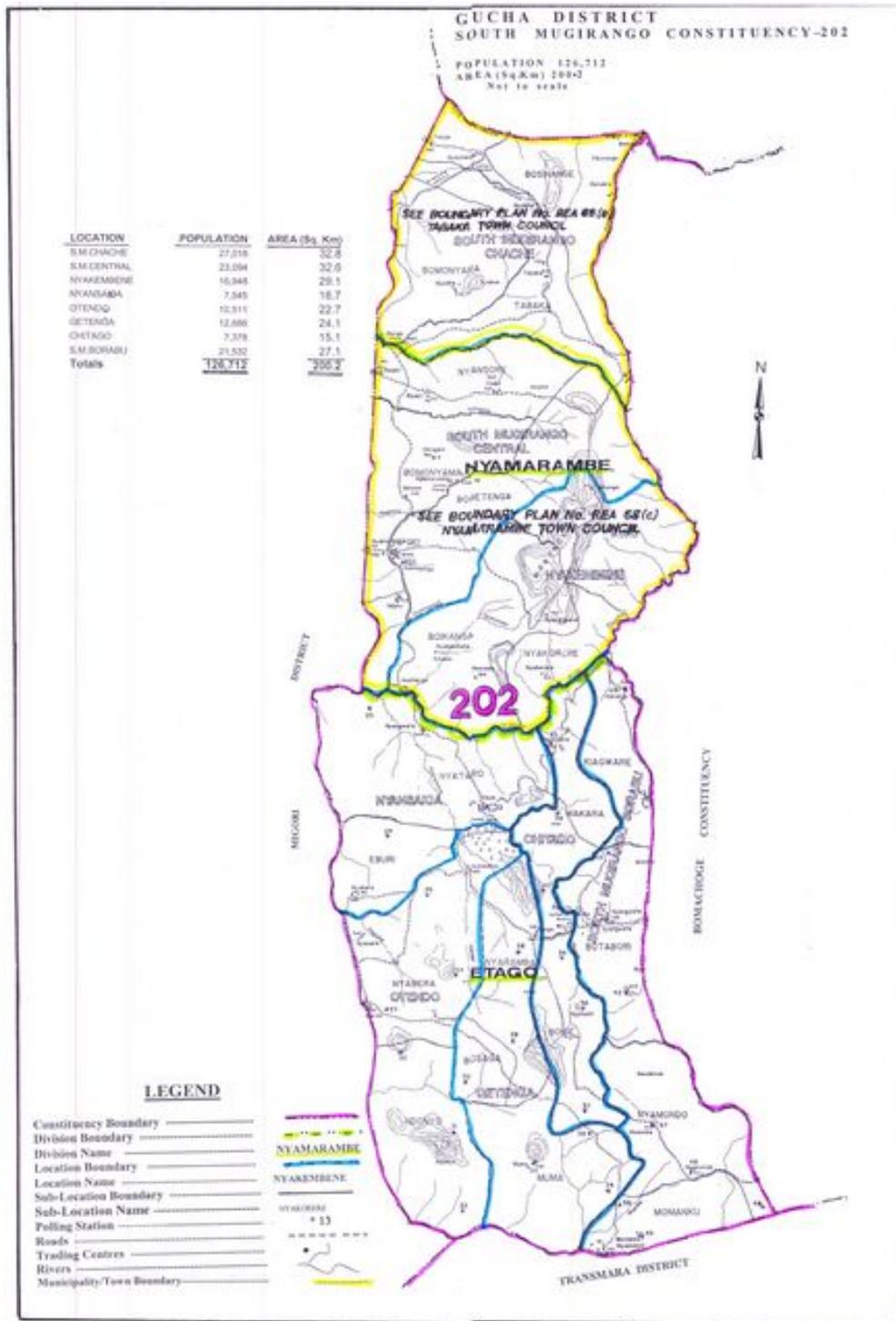
Methodology

Over the course of just over three weeks of field work, I managed to record responses from 93 respondents. That number represents various locations, length of interviews and questioning modes and does not reflect conversations that took place solely to gauge audiences for the purposes of building questionnaires. The majority of the first half of my field work was spent in the greater Tabaka area, gaining responses to establish the Kisii perspective [as the constant ethnic group in my intended comparison] while the majority of the second half of my field work was spent on the Luo-Kisii border in Nyachenge to establish some Luo and border-resident perspectives. Of the 93 recorded interviews, 55 took place in the greater Tabaka area, 35 in Nyachenge, with the remaining few scattered in Luo land. To prevent pressure when answering I tried to do as many interviews as possible in a one-on-one format. However, not all of the interviews were able to be done in this manner. Many times obligations to work, farm or be social, or uncontrollable circumstances like surprise rainfall or family deaths prevented private discussion. The normalcy and frequency of alcohol consumption, particularly in local changaa breweries, also forced many intended individual interviews to take on smaller group form, as nearby patrons felt left out or abused if not party to the discussion. In other situations, being alone increased fears of ICC arrest, as the interview took on natural similarities to investigations. Of the 93 people interviewed, 14 were strictly individual, 23 were conducted in small groups of one to three people, and the remaining 56 were done in large groups of three people or more. I tried to maintain a balance between male and female respondents, and by the numbers, was fairly successful as I interviewed 52 women to 42 men. One factor outside of my immediate control that lessens the effective reality of this balance was the frequency of female interviews being of large groups. Of the 52 respondents, only 4 were able to be interviewed alone.

The remaining women were interviewed in large groups, often of 10 or more. Further, one group of eight women I interviewed had to be interviewed again within a larger group in a more organized setting. However, this second group interview was done without names to help ameliorate fears of persecution which prohibited me from cross-checking names to avoid double-counting interviews. 22 interviews were done outside of the structure of my questionnaire, 33 interviews were conducted with a structure somewhat involving the questionnaire, and the remaining 38 were conducted involving at least the majority of the questionnaire. In terms of age groups, maintaining balance was very problematic. While youth were willing, often eager to discuss politics, school schedules combined with untimely national testing prevented many opportunities to talk at any operational length. As a result, I was only able to interview one woman under the age of 18, and this was in a group setting. The middle age group of 19-35 was willing and typically excited to speak, representing 29 interviews. The older generation of 36 and above represented 42 interviews leaving the remaining 22 interviews with undefined age groups. Most respondents were either willing to render their age, or were easily able to be categorized. I had hoped to be able to target a demographic of business owners but identifying shop owners in a specific sense was difficult as, among other reasons, many shops were owned or operated collectively, often as "community self-help groups".

Obstacles

- Rain. The amount of rain in Tabaka muddied roads and made transportation very difficult, often forcing either myself or my respondent to miss scheduled interviews. Potential respondents who would otherwise carve on the side of the road and make spontaneous interviews considerable, were forced indoors to seek shelter. The combination of rain and

lightening forced power to be very instable, often times limiting or all-together disabling much of my computer-based work.

- Importance of stone carving. The predominance of the art and its consumption of my field-work time was palpable. My demographic variety was naturally lessened and often time's respondents would answer questions only as if I wanted to know how to carve, finding a discussion of politics as off-topic.

- Language. Kigusii is the local mother tongue and is spoken a great deal more than English, and even more widely than Kiswahili. While I know a good deal of Kiswahili, Kigusii still eludes me. This often made interviews difficult, and forced me to work with a translator, who was inexperienced, but coachable.

- Death. During my month-long stay family deaths were constant. When a member of the community dies, especially if said deceased was an important or elder figure, the town nearly entirely shuts down for sometimes a week of mourning. Further, as politics are taboo for discussion at funerals, my ability to interview during these unexpected times were dramatically decreased.

- Aid. It was difficult to overcome the local hope that I was there to directly assist. IDP's desired to meet constantly to address grievances and request yet unseen governmental assistance. Shop owners and average carvers wanted me to market or sell for them in the U.S. Families often desired my assistance in schooling for their children. Protecting the received data from answers tailored for assistance was a constant struggle.

Discussion

The Kenya National Commission on Human Rights (KNCHR) compiled a report titled, "On The Brink of the Precipice: A Human Rights Account of Kenya's Post-2007 Election Violence"[6] in August of 2008 that offers an assumption that the violence was triggered by both the allegedly faulty tallying process of the vote, and by "underlying issues". Compiling sources, theories and assumptions from various scholars and researchers, this report is in itself a literary review that attempts to understand the violence. In short, my findings agree with the findings of the KNCHR report, but allow for less rigidly defined separation and the inclusion of further ideas and related factors. These other factors will be discussed in greater length in a subsequent edition of this report, but below is a brief discussion.

The underlying issues named by the KNCHR report are land, poverty, ethnicity, citizenship and history of violence. All of these issues were in line with my findings, but not in the exclusive way that the KNCHR report separates them. Further, while the report is generally in line with my findings, it also seems incomplete as it lacks consideration of various factors.

Foremost, there is an overarching dilemma present in the report, in the study itself by KNCHR, and by most researchers and policy makers: these actors are asking the fundamentally wrong question.

Secondly, the extensive report is generally incomplete. While being several hundred pages long and having sections for each topic and province, it still contains many problems. Foremost, the

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[6] KNCHR, Final Report: *On the Brink of the Precipice: A Human Rights Account of Kenya's Post 2007 Election Violence. Aug. 15, 2008*

report only looks at the past. Only looking to discover why violence happened in 2007 fails to

consider current answers to why violence might reoccur anytime in the present or future. Secondly,

the report doesn't ask 'why' enough. The only real 'why' the report is involved with is why the

violence occurred in the first place. However, it is imperative to address deeper levels of

understanding in order to establish understanding that allows for correction of the initial problems,

prevention, and the creation of institutions and safe guards.

Fundamentally Wrong 'Why'

The fundamental question required to maintain peace in Kenya's future is not, "Why *did* the

violence occur", but rather, "why was there an *absence* of violence in some areas".

In the section pertaining to Nyanza province, the report vaguely references a few groups and

their role in assisting populations during the violence. It fails to list or example methods used to

prevent violence, which is important in preparation for successful avoidance of future violence.

When arriving in Nyachenge, one of the first directions I was given was to find and interview the

"border committee". I soon discovered that there was a border committee in existence which had

the sole charge of maintaining peace along the Kisii-Luo border. Said to be comprised of old men

and clad elders, the District Commissioner and available political representatives, this committee met

regularly to discuss issues and methods of maintain peace. While my research was not able to unveil

in any concrete manner the extent to which this committee prevented violence, the respondents I

talked to in the area expressed a belief that the committee mattered a great deal. I was able to

interview leadership of both the Luo and Kisii side of the committee, as well as the committee's

chair, and a result of all of this was that the committee had a long-established presence in the area,

supporting a theory that it was important in maintaining peace at the time. Very late in my field

work I was able to find that copies of minutes kept in every committee meeting are kept at the District Commissioners office in Rongo. Reading these transcripts from before the violence, during and after should shed much light on possible causes to the violence, what was done to prevent and respond to the violence, and what has been done sense to maintain the peace.

Incomplete

Only Looking in the Past:

The report addresses only land grievances prior to the violence. While the report in itself was fact finding and prescribing in nature, failing to address current disputes leaves the door open, again, for violence in the future. One frequently discussed example of this is land once owned by persons displaced internally as a result of the post election violence. The area around Tabaka received a great deal of Internally Displaced Persons as a result of the post election violence. Seen as a safe haven by the fleeing persons and by the residents of the area, as expressed frequently in interviews, the population of Tabaka has changed since 2007. While the presence of the IDP's has raised the general feeling of good-doing amongst citizens of Tabaka- a factor contributing to interest in civic engagement, the IDP's themselves continue to deepen in their marginalization.

Due to non-existent, unclear or biased allocation of relief, the IDPs residing in the area have seen no attempt by the government to support them. Many with serious medical issues like amputated limbs or sexually-based injuries feel abandoned medically, despite the claims of free health-care for admitted patients. While no IDP I interviewed expressed a desire to return to their rightful land, they all added that even if they did want to, they could not as they had to abandon the documentation of their ownership. Further, the IDP's were content to remain in Tabaka, not because of any fear to return to their rightful land (mostly near Kericho), but because they have

happiness here. If this local happiness were to be in danger, currently, the IDPs of Tabaka could desire to return home. In this case, the government has no currently expressed plan for resettlement or reparations. The result of this failed planning could result in legal, political or physical repercussions. While currently the town of Tabaka is in strong support of these marginalized communities, there is a substantial financial burden placed on the IDP's host families in Tabaka that is coupling with pre-existing considerable poverty. The result of this, compounded by time, could be significant. In regards to civic-engagement, the IDP population in and near Tabaka exampled some of the highest political interest of the respondents. However, as a result of their hasty flee, identification cards enabling political activity are lost and there is a strong sense of political hopelessness as a result.

Only One Why

The sections that begin to claim why violence occurred seem to ask 'why?' only once. While my findings do agree with the claims proposed in KNCHR's extensive report, they also necessitate a long list of subsequent questions. In the report, and in reports like it, many topics are discussed broadly and generally. The KNCHR report is separated by province, but not further. This inherently requires broad generalizations. In this section I will touch on some of the topics alluded to and begin to touch on deeper levels of 'why'.

-Youth-

The youth are mentioned in the report as main participants in the violence, but little is mentioned about why the youth were a vulnerable or appealing audience to join the violence. Little is discussed about *who* takes advantage of *which* aspects of local youth culture or norms and *why* that

culture exists in the first place. The youth of Tabaka strongly supported political candidates and even participated in political organizing. But the factors that drove the youth of Tabaka to political organizing were not strong enough to also drive them to violent behavior, as they seem to have been elsewhere in the country. So it is imperative that the youth, especially of peaceful locations like Tabaka, are discussed in greater depth.

In Tabaka there seemed a noticeable divide that drove most of the youth to vote for ODM while more of the older generations voted for PNU. There is a distinct feeling amongst the youth of political misrepresentation as most politicians come from older generations. The youth often feel like politicians reflect solely the views, problems and wants of older generations. In many cases, I encountered youth who were decently to well-educated who struggled to find meaningful employment. This drove them, against their desire, to carve soapstone. This can create a natural shame of the profession, as it seems like a back-up option forced onto a person who can't accomplish anything better. When the parental generations to the youth were the ones who didn't pay for greater schooling, were consumed by the prevalence of alcohol in the area, or some other disagreeable trait, a natural rift is formed between the two age groups. The reformist platform of Odinga seemed to appeal to the youth, as they felt the change he stood for would include a change towards increased political empowerment or representation of the youth.

So if the youth of Tabaka felt disempowered, had noticeable grievances and were exposed to a perceived trigger when their political leader did not win the election, why did they not become violent? Tabaka was host to a few small clashes where a few individuals had minor injuries, but nothing to the extent of violence elsewhere, and never with a particular youth slant. The absence of violence amongst youth in Tabaka has several possible answers. First, Tabaka is almost exclusively inhabited by people of the Kisii ethnic group, so ethnic grievances had no room to foster within the

town itself. Secondly, while poverty is high in Tabaka, leaving room for youth to practice

opportunistic behavior and use violence or the political surprise as an excuse to loot, the youth had

no one to loot from. While there are some shop or cooperative owners that have more money than

the average carver, for the most part, there isn't as large of a divide between the rich and poor as

there was in areas like Kericho. Thirdly, business played a role.

Business-

 I believe soapstone played a role in maintaining peace. In nearly every interview conducted,

research-respondents would, at minimum, reference soapstone if not molding their answers to

include the craft in some way.[7]   The vast majority of respondents had positive or hopeful opinions

of the area's dominant economic component. However, some respondents expressed frustration at

the commodity's control of everyday life. Initially I shared this sentiment due to a frustration that

my conversations were often dominated by the craft and not my desired research outcomes. I then

operated under a hypothesis that the extremity of this soapstone-domination in conversation and

culture was due in large part to my continued presence in Tabaka- the heart of this sector. This,

among other things, led me to the Luo-Kisii border just outside the soapstone heartland in order to

do some comparative research. Even there, though, soapstone still dominated conversations. This

was true even when respondents were not directly employed by the craft. This inescapable factor

led me to believe that just as soapstone is vital in the lives of everyone in the greater area; it might

play some greater role in the maintenance of peace during the post-election violence.

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[7] While part of this may be due to the majority of respondents meeting with me while working with
the stone, the frequency of its presence in conversation suggests that even if interviewed in a
separate location the stone would have been discussed.

Soapstone itself was not the likely peace-maker, it was employment. To my question, "what are the five things that are most important in your life", almost every respondent referred to earning money to live, working in general, or their particular business. The need to maintain meaningful employment, whether due to poverty or some other cause, is vitally important to the average citizen in the area. Therefore, risking that employment by death, jail, destruction of one's place of employment or any other mean is locally impractical. Supporting this claim is a possible contributing rationale for why many of the aggressors were said to be youth. Youth in Kenya, specifically youth in South Mugirango are upset, worried or angry about not having opportunities for employment. The lack of employment does not only dishearten Kenyan youth. It also takes away the financial need not to add to chaos or wrong-doing. However in Tabaka, the average youth may not be formally employed, but he/she almost surely works somehow for soapstone, either as a carver or as a salesperson in a store. Further, because few carvers sell exclusively to one shop, and for several other reasons involving international demand and community-led order-filling, every person in the soapstone industry of Tabaka is somehow connected to every aspect of the soapstone process chain, including shops. Because of this, the average youth has a motive to not only *not* become violent or destruct property, but to act protectively of the whole of Tabaka, the core of the soapstone industry that puts food on the table.

In Nyachenge, this protection of peace by this business arrangement persisted. Further though, in many cases businesses themselves took an active role in peace making. Led by the border committee members on the Kisii side of the border, locals in Nyachenge, almost all of whom were business/shop owners, were instrumental in providing safe passage across the Luo border for those Luo's fleeing more violent areas. In one particular incident, two Luo passengers on a Matatu, seeking to travel into Luo land, refused to pay the fair and insisted to just be taken back to their

departure point. Infuriated, the Matatu driver and conductor, both of the Kisii ethnic group, drove the two passengers just behind Kisac Fair Trade, a well-known, local organization selling and exporting quality soapstone goods, and forced them to lay down on the ground. Presumably intending on murdering the two, the two Matatu employees were stopped by the management of Kisac, who arranged for the two Luo travelers to receive safe escort across the border and into Luo Land. Part of the rationale for this was the individual reputation of the business. Had Nyachenge been known as a violent border town, local businesses would have been associated with violence and possibly lose customers. Further though, business had already began to suffer, especially due to primary roads being shut down for long periods of time, preventing shipments and customers coming in or out. To become violent would be to risk damaging shops and goods, which would only further hurt business.

As expressed my several respondents of informal, unrecorded questioning, the market-town of Nyabigege exists exclusively for and on once-a-week market days. While the food-based economic exchange in the market town of Nyachenge remained operational at least in the evenings during the post-election violence, all economic exchange apparently ceased during the post-election violence in the town of Nyabigege. While the relative absence of the soapstone industry due to the predominance of food-exchange in this market provides a possible rationale for the closing of business during times of violence, a more pressing rationale exists. Being a more popular and significantly larger venue, the weekly market in Nyabigege is a more natural draw for political organizing, especially in times of campaigning. This was especially apparent even after the post-election violence, during the 2010 bi-election for South Mugirango's parliamentary seat, in which political campaigning took violent forms as political parties and their supporters feuded, threatened and fought to win the seat.

Impunity-

Because this violence took place years after the violence of 2007 and 2010, certain lessons are learned. In all of my questionnaire-based-interviews, if the respondent answered, "no" to the question, "do you think this sort of violence could happen again, maybe in the next election", I would follow up by asking "is there any particular reason why you think that". Many, if not most, answers to this was along the lines of, "Kenyans could never become violent like that again- we've experienced it already". Certainly this case is an example of the fact that Kenyans, in fact, *can* become violent again and that being witness to violence at least once-before is not necessarily a deterrent of violence. In fact, violence has occurred throughout Kenyan political history. Seemingly every five years, as voting took place every five years since 1992, violence of some degree would take place somewhere in the country. As such, and as per the weak historical responses from government to such political violence, a culture of impunity has emerged that fails to discourage political violence. An example of such impunity could be seen within the following theory.

The Kisii ethnic group is said to have split votes between ODM and PNU. If this is the case, and ethnicity was used by political organizers to incite youth to evict certain ethnic groups who did not vote in their favor, then something doesn't make sense. If attacking the Kisii, in theory to scare or terrorize them to prevent them from voting as such in the future, resulted in the majority of the Kisii population not voting again, then in terms of total percentage, nothing is done to benefit any political party, as both parties lose their respective halves of the ethnic Kisii population. This leaves a few theories. The attack on the ethnic Kisii could have been a form of punishment for the half of the ethnic Kisii population who voted the perceived wrong way, regardless of the other half of the Kisii population, and all the while without any greater political motive. The attack of the Kisii

ethnic group could have also been an opportunistic attack based on ethnic divisions, using politics as a rationale or excuse for violence. Or lastly, there are other factors at play- like perhaps the desire of an upper class to purchase land, resulting in the forced eviction of populations to decrease property values and misplace titles and deeds to those desired, now available lands.

The Unasked Question

Consistently unasked by reports, researchers and the like is, what is the effect of all of this- violence, local prevention measures, causes and factors, on civic engagement. Part of the rationale for this absence might be the new constitution in Kenya. Persons might believe that the new constitution will change all of the problems of the past. But if the Kenyan citizenry does not enforce the new constitution's implementation and supremacy, it will have no chance as an agent of change.

When asked if they planned on voting in the next elections, most respondents replied with yes. The youth, especially, were often passionate in their responses, reminding me it is their constitutional right or expectation as a citizen. The only demographic that generally voiced that they would not vote in the next elections was the IDP population. Much of this was because they didn't think they could as their voting cards were misplaced in the violence. But even this exampled a lowered appreciation for civic engagement as the IDPs generally did not feel capable of going to the local government to rectify the situation.

A special question I began asking late in my field work has multiple tells and outcomes, one of which shows understanding of civic engagement. I would ask, "Development. Who holds the bulk of responsibility for it?" Then I would ask, usually much later, "If a school needed to be built, how would it go about being built here in town?" Surprisingly, the responses were split demographically, by sex. Males tended to reply it is the responsibility of the government- which

initially seems like a civically-enlightened response. But what was written between the lines in responses like that was a delegation of responsibility without any enforcement. In terms of civic engagement, responses such as this example a personal disinterest in civic participation or feeling of personal disempowerment in doing so. The typical female response however, initially seemed void of civic-enlightenment, but in reality was at a heightened level. The typical responses were along the lines of, "we collect funds from everyone and then find local labor to do the work" and "we look for materials, perhaps asking for donations to buy them, and then work together with local labor to have the school built", respectfully. While this removes governmental institutions from the equation, seemingly missing a key component of civic engagement, it actually devolves authority to the individual and assumes a local, community responsibility that examples either an interest in, or feeling of empowerment to engage civically. From these two questions I was led to believe men in Tabaka either have a general disinterest in civic engagement, they feel disempowered to act civically, or they are set in a norm of wanting another power to act civically on their behalf. Women however, were seemingly the opposite. To many women I would follow up with another set of questions, to gauge their levels of civic empowerment. I would ask, "What do you feel in control of", "if you could be granted control of one thing you don't currently control, what would it be", "Could a woman be president in Kenya", and "should a woman be able to be president in Kenya". Respectfully, responses would typically start with an answer like "everything", being sure to mention the kitchen, cooking or the home. While this shows a woman's own special attention to the woman's role in the home, it also shows some feeling of broad empowerment, that a woman controls most things. To the second question, most women responded with some sort of amused amazement, replying that they would be overwhelmed and then choose to take some kind of position of power. The amazement and awe in the answer examples how women might actually not

feel as empowered politically as they want. This also though shows that most women want to be more politically empowered or engaged. Possibly here, they feel controlled politically, even slightly, by their husband or by the tradition of following the elder. The last two questions resulted in split answers amongst women respondents. Some women thought a woman could (and even should be able to) be president, just not anytime soon- alluding to women of Tabaka seeing women as currently and politically, at least at the highest level, disempowered. Others thought women couldn't and shouldn't be president. This examples an extreme disempowerment that is likely entrenched in tradition, but not necessarily a separation from civic engagement itself.

In summation of this point, men of Tabaka are shown to be split, some empowered currently, others disempowered and even disinterested. Women are often disempowered but generally interested. Youth, like most women, are disempowered but see that changing and are very interested. More work is needed on this point to determine the violence's role in creating these current beliefs, but an important question exists: what can be done to increase civic-empowerment and interest?

Improving Civic Interest and Empowerment

At the onset of my field-work, I set out under the assumption that civic engagement and empowerment had decreased and that potential measures of improvement needed to be identified as soon as possible. As such, I hypothesized that broad, early civic education was the best first step. While I still maintain the importance of early civic education in the general education of primary and secondary school children, I also think more effective steps can be taken that will also affect the current generation- not just prepare the next.

Women-

Civic education still has a secondary role for women. In addition to the civic education in primary and secondary schools, inclusive of female students, women of Tabaka should find opportunities for civic education made free and easily accessible to them. Done in a personal setting where the women could remain together and socialize, even while working, post-secondary civic-education can have a great impact on women. This is, however, as long as local gender and family roles as considered and only slowly and incrementally altered. Not respecting this can result in negative responses by the men and then negative or taboo views of post-secondary civic-education by the women the project intends to target.

A different form of female empowerment that has multiple other benefits is also available. If women were to achieve an increased power of the family purse, their own empowerment and sense of worth can be improved, allowing for a heightened sense of their collective good. All the while, sources of social stagnation can be reduced.

Tabaka has a substantial, rampant fondness, addiction to, and reliance on alcohol. Many if not most, carvers wake up early in the morning, take the cows to grazing, begin carving for a few hours and then go to a local brewery to start drinking local whiskey or local beer. For the rest of the day the men split time between work and drinking, often finding it easy to do both at the same time if their craft is small enough for transport. Paying from 20-40 shillings per cup, several times a day, the average man in Tabaka can spend 20-300 shillings a day, while only a rare few only spend that minimum amount. Many times the entire income from the day is spent on this alcohol, or on its often-used friend, cigarettes. Other times men become so drunk that they are unable to work at all, bringing home no money for the wife to be able to prepare food for her husband and family. Some men are so addicted to the brew that they claim they cannot work without having alcohol to drink.

If women could find ways of creating supplemental income, and personally maintain that income, she will increase her feeling of self-worth and contribution to the family and community, increasing her feeling of empowerment. Further, if women could gain increased percentages of their husbands' income, the husbands would be less able to spend too much on alcohol and cigarettes. In my questionnaire, every woman responded to the "most important things" question, with some form of "family, money for food for the family, and money for the education of children". Every man, however, replied with money or business as well. This, though, often had an unmentioned parenthetical: (For money for beer and personal enjoyment, not familial obligations). It is also possible that if women possessed more of the family's budget then financial planning would be more easily available, and saving could begin to occur. This could potentially be the first step for the average citizen of Tabaka to begin stepping out of an otherwise comfortable, common poverty. This, in itself, would benefit the women, men and children of the family, and could begin to positively affect the local community.

Men-

Civic interest and civic empowerment of the men of Tabaka can be best encouraged and provided in a manner that also positively affects other communities. Because the entirety of the local economy and culture revolves around soapstone, soapstone itself, and its industry is a natural catalyst and vehicle for civic interest and empowerment.

Soapstone as a Catalyst and vehicle-

The town of Tabaka, lying in the relative interior of traditional Kisii land is connected, seemingly interdependently, to the border town of Nyachenge. This apparent interdependence

seems firmly rooted in the business of soapstone, as represented by the frequency of soapstone

middle-men shops in Nyachenge. Further, even in Nyachenge, most of my interactions with locals

seemed somehow tied to soapstone.

However, this understood interdependence seems to exist outside of necessity and rather by

the inability of Tabaka carvers to market their goods. This inability seems to be present in two

forms: controllable by local forces within the soapstone business and controllable by more

institutional or governmental forces.

Uncontrollable, governmental Problems-

There are substantial negative forces outside the control of the average Tabaka carver.

Foremost, Tabaka suffers from inconvenient town placement. As the time of product-completion

decreases as the carver resides closer to the source of his/her material due to decreased transport

time, especially as considering the substantial weight of soapstone, most carvers in Tabaka live

within a small vicinity of the soapstone quarries. While the market center of Tabaka, near to the

large Tabaka Mission Hospital, is a few minute walk from the quarries, the distance is in no way

comparable to that of Nyachenge or other nearby market centers. Had Tabaka existed in an area

more attractive for tourism or in closer proximity to large, attractive city-centers like Nairobi, it

would have a more natural pull for customers. In the absence of this good fortune, however, the

soapstone industry is forced to export many of its goods due, in part, to the lack of customers

coming to Tabaka itself.   Further damning, the many visitors of the nearby Kisii town, Lake

Victoria, or on route to Tanzania or the many National Parks of the area, are discouraged from

travelling the short distance to Tabaka due to the terrible road conditions on the hills of Tabaka that

are often impassable.   A result of all of these factors is the ability of residents on more popular,

navigable routes to establish market-towns and exist effectively as otherwise-unnecessary economic middle-men. In this sense, the relationship of Nyachenge to Tabaka is almost economically opportunistic in a parasitic manner, though necessary due to factors outside the control of the host.

The difference from purchasing to market price from the carver in Tabaka to the store overseas or in Nairobi is large. The extent to which 'middle-men' *towns* like Nyachenge divert profit from industry-centers like Tabaka is yet unclear in this research, however the frequency of carvers selling finished soapstone pieces to shop owners within Nyachenge at fractions of market prices is high and common. Therefore, if the soapstone industry were to be able to bypass parasitic relationships, be those towns or personal exporters, profit would increase immediately. The most immediate method of doing this would be for government funds, be them from CDF, or the district budgets of the new constitution, to be allocated towards the improvement of key roads.

The soapstone industry is not an official sector of the Kenyan economy despite the fact that it represents one of its most famous of national exports as well as the majority of the economy of several highly populated districts. The Kenyan government needs to address this issue and begin to take steps to collect data and information on this important part of this Nyanza economy. Then, it should take steps to improve industry, especially with technology. Currently, global demand for soapstone is not nearly met, so mechanization can increase production to increase local and national profit, once this sector is assisted, monitored, and taxed appropriately.

Further possible, once the Kenyan government recognizes soapstone as an important sector of its economy, it can begin providing orders for practical goods like chalk and chalk-boards, tea cups and the like, to provide the area with jobs and industry and to be able to decrease dependency on foreign goods for those can be found domestically.

Local, Controllable problems-

The soapstone industry in Tabaka is a confusing, unorganized conglomeration of individual companies and carvers all attempting to tap into the same market. If all of these groups could practice basic capitalist principles for communal goals, uniting periodically for purposes of political lobbying and the like, the soapstone industry could greatly improve and the entire action in itself would be civic engagement towards civic empowerment. With improved incomes, more steady labor opportunities and increased recognition by and in local and national governments, civic empowerment and engagement are likely to rise.

The capitalist principles I mentioned could be simple. Currently, carvers and sellers from all over the district market the same goods to the same audiences. If several units of collective soapstone groups would individually target different niches in the same market, a greater percentage of the market can be reached while increasing the number of groups selling and profiting. In this sense, small conglomerates of carvers and sellers would be acting aggressively, as if competing with each other, in a capitalist fashion.[8] With profits increased, the collective industry would be able to fund community based projects, picking up where the government left off. Further, as a more successful industry, the collective soapstone industry would have increased political capital as, among numerous other things, it would represent a larger percentage of the economy, a larger percentage of taxable funds for the government, and a larger percentage of employed citizens. Then, individuals within the soapstone industry would maintain increased civic empowerment and,

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[8] An example of this type of activity is Kisac Fair Trade, in Nyachenge. Kisac applied opportunistic, capitalistic-like principles in establishing business within Nyachenge, away from the source of stone, but along a popular and paved road and already in its young age is receiving large shares of the industry's orders for export.

as connected to their living, increased civic interest. In fact, members of the soapstone industry could vie for political positions in government and policy making.

Recommendations

Foremost, as just the first, fact-finding, step of a potential series of research opportunities, the work represented in this paper is incomplete. Now knowing a long list of the appropriate and complete questions and topics for research, as exampled below, a full scale research opportunity can provide more adequate and confirmed results to the hypotheses in this paper.

- As there is a dominant connection between land ownership and ethnicity, and because violence seems focused around ethnic groups living outside of their traditional homeland it is vital to compare a) how strongly members of ethnic groups ethnically and politically identify when they reside inside and outside of their ethnic home-land, and b) how strongly members of the same geographical area ethnically and politically identify, when members of another ethnic or geographic identity do and do not live within their ethnic home land.

- Because the second half of this field work discovered a frequency of responses highlighting circumcision as the main difference between the ethnicities, the extent to which Kisii and Kipsigi ethnic groups associate the Luo ethnic group with the difference in circumcision should be studied.

- Operating under the theory that, "the excessive appreciation for the role of the executive, or leadership in general, comes with a heightened allowance for ethnic association to be utilized or taken-advantage of. With an increased appreciation for the role of the citizen, and as product and increase appreciation for the role of the collective citizenry, the ability to abuse

ethnic association might decrease", a) the appreciation of both executive rolls and citizen rolls or various levels of governance should be compared, b) methods for improving citizen empowerment, c) the relationship between this theory and increased federalism and decentralization within the new constitution.

- The effect of the new county system on collective sector marketing amongst unified soapstone enterprises.

- Because of what appears to be a stagnating civil-society, and a potentially ineffective class of NGO's, what would be the potential effect on the community if local leaders were empowered to run community projects.

- If it is true that business played a peacekeeping role during the violence then what would be the effect on the area's social-political stability if Tabaka was able to exist economically without 'middle-men' towns such as Nyachenge.

- The extent to which community-business (soapstone)-based community outreach for social issues could act as a catalyst for business and civic/political engagement.

- The extent to which ethnic and clan structure, specifically with regard to clan elders, effects or drives politics.

- The effect of the CDF, Community Development Fund, on personal empowerment, as it could be a primary source for inter-ethnic or inter-geographic competition.

- The extent, if any, to which ethnic identity increases in importance and willingness to self-identify, with increased age.

- a) the extent to which older generations seek land while b) younger generations seek items/material goods, while c) employment opportunities are unequal by age

- Due to the frequency of respondents identifying:

1) Historical land disputes a) coupled with long-lasting anger or dissatisfaction, b) and a lack of legal or

political means to address grievances,

2) the frequency of ethnic populations to live outside their traditional ethnic land and a) its effect on business,

b) intermarriage and c) higher-education,

3) Opportunistic behavior to acquire resources, often born of a) poverty, caused by what? b) upper class (to

what extent political?) desiring land. (to what extent were land values affected as a result of the post-election

violence?) and to what extent this was done through organization.

We should identify more deeply how and to what extent ethnic populations identify and

whether that result is used as a cause or catalyst.

- It is imperative that the Luo-Kisii case study is able to be compared to a Luo-Kipsigi case

  study.

Conclusion

I claim that the views and beliefs like those expressed in KNCHR's 2008 report on the 2007

Presidential elections in Kenya, are thus far correct but incomplete. More so, I claim that for the

sake of future application the main question, "Why did the violence happen", is fundamentally

wrong and should be replaced with, "why did violence *not* happen in some areas". Doing so allows a

second, fundamentally important question, "What has happened to civic engagement in Kenya" to

be asked. Its answer has applications that could safeguard Kenya's new constitution. Preparing for

future studies, this study ended by beginning to identify "outside-of-the-box" ways to stimulate civic

engagement and more useful research-questions.