

'Fresh Killings': The Njoro and Laikipia Violence in the 1997 Kenyan Election Aftermath

Marcel Rutten¹

The period before, during and after the December 1997 general elections was marred by harassment, intimidation and violence in many parts of Kenya. In the months leading up to the elections, public demonstrations in Nairobi and other urban areas in favour of constitutional changes were sometimes violently dispersed by the Kenyan authorities. Some of the bloodiest acts of violence before the elections took place at the coast and along the border of Trans Mara and Gucha districts (see Chapters 4, 10 and 15). This chapter will mostly concentrate on the violence that erupted after the 1997 elections. In the month of January 1998, 'ethnic' violence flared particularly in the Ol-Moran and Njoro regions of Laikipia and Nakuru districts, respectively. We will try to provide an answer to why these clashes erupted. Many indeed wonder 'why they break out and why they can't be stopped immediately.' (*Daily Nation* 06/05/98).

Awakening from the 1997 general elections

In the early days following the general elections it became clear that President Daniel arap Moi was heading for a renewal of his term. Surprising to some, though, was the good performance of runner-up Mwai Kibaki of the Democratic Party (DP). However, on 4 January 1998, the Electoral Commission of Kenya (ECK) officially proclaimed Daniel arap Moi as the elected president of Kenya. This statement was made while the results from nine constituencies were still not known. Still the ECK announced the winner because President Moi would win even if all remaining votes went to Kibaki.

Sensing defeat, two days before the commission's announcement, presidential candidates Mwai Kibaki, Raila Odinga and Charity Ngilu had rejected the results and demanded a repeat of the elections within 21 days. But on 6 January President Moi was sworn in to the position he had held since 22 August 1978. In the following days, opposition leaders Wamalwa and Odinga

publicly accepted the results, though stating the elections were flawed. They announced a number of petitions regarding the parliamentary contest.

Whereas the presidential race had come to a fast conclusion, for parliament the outcome was less clear till the last seats. On 6 January the ECK gazetted that the Kenya African National Union (KANU) had captured 107 seats against 103 seats for the combined opposition. And some of the last wins for KANU (e.g., Westlands) said to have been won by irregular interference during the count were heavily contested (see Chapter 14). Thus, Kenya was set for a hung parliament and both political camps realised that Kenya's political future had entered a stage of uncertainty if the opposition could stand united and successfully petition the election results.

On 8 January, tension was further heightened when Mwai Kibaki, who vowed never to accept that President Moi had won fairly, filed a petition challenging Moi's re-election. At a public rally in Narok town on 17 January, cabinet ministers Kipkalia Kones and William ole Ntimama warned of possible violence if Kibaki did not abandon his election petition.² More KANU assistant ministers (e.g., Kosgey, Choge) rushed to the defence of their president, stating that the petition was an affront not just to Moi but to the entire Kalenjin community and they warned of bloodshed nationwide. Condemnation towards these utterances not only came from opposition politicians, local churches and the international community but also from within KANU, for example in the Nandi area (*Economic Review* 02-08/02/98:9).

It was this mixture of animosity, frustration, anger and hawkish threat-warning that characterised the Kenya social and political atmosphere in the election aftermath of early 1998. Some people were awakening from a bad dream. But real life for some innocent Kenyans soon turned into a nightmare. The two most hard-hit areas were to be found in Laikipia and Nakuru districts. Actually, the troubles had already started before the Narok meeting, i.e., on 13 January at about 5 pm shortly after a reconciliation meeting between groups of Kikuyu and Kalenjin in Ol-Moran, Ng'arua division, Laikipia district. Towards the end of the same month these troubles spread to Njoro division, Nakuru district, another strong Kikuyu immigration zone in the Rift Valley. Let us review the chronology of events as they occurred day by day in these two areas in the months of January and February 1998 before trying to explain the reasons for these happenings.

The chronology of the Laikipia and Njoro clashes

Laikipia

The reconciliation meeting of 13 January in the Laikipia area was held by Jonathan Soi, district officer (DO) of Ng'arua division, to discuss an incident

that had occurred on Monday 11 January. That Monday, a group of Pokot stole 15 goats from Esther Njeri Mburu and raped the woman and her daughter. That same night some Kikuyu revenged and set four huts on fire and killed 52 goats and 12 head of cattle thought to belong to the Pokot raiders (*Daily Nation* 04/02/99).³ At the 13 January reconciliation meeting, the Kikuyu pledged to compensate the damage with 70 bags of maize.

After the meeting ended, raiders from the Pokot and Samburu communities, supported by a few Turkana, attacked the Magadi, Survey, Miharati, and Merigwit areas using sophisticated firearms as well as traditional weapons, killing three elderly people, raping a woman and torching houses. The attackers retreated to two nearby hills where they had put up structures on land that belonged to the Kikuyu. Since the severe drought of 1984/85 some pastoralist groups had been allowed to graze in this area for compassionate reasons.⁴ Reports of the killings only appeared in the newspapers of 18 January.

On 14 January another person was killed at Survey and the looting continued. At least 63 buildings were looted or set on fire in Ndemu Samaki, Magadi, Miharati and Survey that same day. Cereals, furniture, household goods and clothes were lost. Some 1,700 people fled the area and sought refuge at the Ol-Moran Catholic mission and National Council of Churches of Kenya (NCCCK) compounds (CPK/PCEA/CC 1998).

However, on Friday 16 and Saturday 17 January, a group of some hundred Kikuyu men from Sipili, Kinamba and Ol-Moran areas took up traditional arms to defend and to revenge. Apparently, this time the community was no longer willing to resign from counteraction and accept a re-enactment of the 1992 post-election violence.⁵ The Kikuyu, most of them in their 20s and 30s, were poorly armed with traditional weapons such as machetes, spears, bows and arrows, and one home-made gun only. On 17 January they counterattacked in the Suguta Mugie valley. This attempt was easily repulsed by the Kalenjin/Samburu group who cornered the Kikuyu and butchered at least 30 of them in the Ngoisus area. In addition, 11 Kikuyu were killed at their homes and some 50 houses were looted or torched that same day. The following day in the Magadi, Ndemu Samaki, Miharati and Kakuho areas more killings continued. A mass exodus to the Sipili Catholic mission and National Cereals and Produce Board compound 20 km away followed these violent events. Six policemen stationed at the deserted Survey market and another seven at Ol-Moran could not cope. Father Sandro of Tarbor Spirituality Centre near Nyahururu later stated before the Akiwumi Commission that the police had fled from Ol-Moran division, although fully armed, towards Kinamba location. On 17 January, Father Sandro went to see the Kinamba officer commanding station (OCS) who stated he had visited Ol-Moran earlier in the day and that the security situation was under control. After the police station commander

failed to give assistance, he went to see the Ol-Moran district officer Jonathan Soi at 8.30 pm to implore him to dispatch security reinforcement to the area. However, the district officer stated that he had visited the area earlier that day and was tired. He would visit the area the next day. He also declined to see a delegation of Catholic priests on 19 January (*East African Standard* 06/02/99; *Daily Nation* 06/02/99; 11/02/99).

On 19 January newly-elected Laikipia West MP Chege Mbitiru accused the government of laxity in dealing with the situation. His call for action was repeated by G.G. Kariuki, Laikipia KANU chairman, who urged the government to arrest perpetrators of clashes in the district. He blamed the clashes on the politics of doom advanced by some known personalities bent on causing mayhem among the members of the Kikuyu community living in Ng'arua division. Also, the Rev. Mutava Musyimi, the NCCCK general secretary, urged the government to stop violence in Laikipia district.

On 21 January, the government belatedly deployed a heavily armed contingent of 100 men of the General Service Unit (GSU) to Ol-Moran. The provincial commissioner, Nicholas Mberia, visited the affected *manyatta* of the Pokot family and the camp of the displaced, but was not taken to see the torched houses. A meeting was held but many members of the Kikuyu community left in protest as no questions were allowed to be posed and the provincial commissioner's address put more emphasis on the killing and stealing of livestock and less on the killing of people, the rape of women, torching of houses, etc.

In the following days more bodies were discovered and the death toll for the Laikipia clash victims rose to 55. In spite of the deployment of security personnel, attacks continued and people were killed in neighbouring Rumuruti division. The raiders came in groups of six to ten, armed with AK-47 rifles, mostly wearing white T-shirts bearing the KANU symbol (*East African Standard* 09/02/99). Accusations were made that a white Mercedes Benz lorry which the villagers claimed belonged to a former senior military officer was used to carry away most of the looted property. (*Daily Nation* 23/02/98). DP leader Mwai Kibaki said the GSU personnel sent to Laikipia were instructed to stay in their camps without making any patrols to restore peace and hunt the killers. He blamed President Moi for keeping silent over the clashes and stated that the innocent people had a right to fight back for their defence (*Daily Nation* 27/01/98).

By the end of January, the post-election killings had stopped in Laikipia. On 30 January, 19 victims were buried in a mass grave in the Sipili area. The final number of people killed stood at 57, one Turkana, one Pokot and 55 Kikuyu, while 5,000 people had fled their homes (*Daily Nation* 06/05/98). By the end of April 1998 almost all the people had returned to their homes.

According to a report by the Catholic church, 109 houses and 73 stores were destroyed and 122 had lost their iron sheets. A total of 683 families, in which there were 2,663 children, had been camping in Ol-Moran and Sipili.⁶

Njoro

No sooner had the killings in Laikipia stopped than the so-called 'fresh killings' started in the Njoro division of Molo constituency, Nakuru district. During the night of 25-26 January, without warning signs and in a well-organised way, Kalenjin i.e., Kipsigis and Ndorobo raiders attacked the Kikuyu in the Stoo Mbili trading centre, Mutukanio farm area and Kihingo trading centre along the Njoro-Mau Narok road.⁷ A group of police officers headed by Stephen Chiteka, the Njoro Deputy OCS, went to the area and found about 100 Kalenjin raiders torching 40 houses belonging to the Kikuyu (*Daily Nation* 14/08/98). Three persons were killed and scores injured. The police arrested seven Kalenjin attackers. The population, carrying their belongings, fled the area on foot or by *matatu*. Women, children and elderly men took refuge in various churches, such as St-Joseph Larmudiac's Catholic church, along the Njoro-Mau Narok road. Men who had stayed behind, armed with machetes, bows and arrows and picks, stood in groups on the main road, waiting for the attackers.

In the following days raiders, mostly men in small groups of ten, operated in different places along the Njoro-Mau Narok road. The fighting soon spread towards the south of the valley bordering the Eastern Mau forest and even beyond Mau Narok in the Meta and the Kianjoya area. Some attackers had their faces painted to prevent recognition. Still, some victims said they recognised their assailants (*Daily Nation* 27/01/98:18). On 27 January, the author witnessed how raiders armed with machete, arrows, picks and guns and mostly wearing white T-shirts moved in the valley west of the roadside. According to some informants, the raiders used houses on top of the hill as a shelter.

Three raiders were seen burning houses of non-Kalenjin without encountering any significant interference from the security forces. A group of about 10 administration police (AP) moved into the 15-metre zone next to the road while a few GSU stood on the road. According to informants, the attacks were taking place in Njeri Kleopa, Mutukanio, Ndeffo, Likia, Mau Narok and Kianjoya. Irish priests confirmed that the raiders attacked Kikuyu people and also mentioned that on that day, 27 January, the Kikuyu retaliated on local Kalenjin in the Likia area and houses belonging to the latter had been set ablaze.

Between Likia and Mau Narok, the Kikuyu complained furiously about the behaviour of the police and claimed that the police prevented them from defending their property. In Mau Narok, some 100 people had taken refuge

near a school. Further down the road, in the Meta area, the author witnessed a group of about 80 Kikuyu marching in a long line towards the attackers, trying to chase them away from a farm and prevent a house from being set ablaze. They managed to reach the house, but after a short while the Kikuyu, in spite of their big numbers, fled from a small group of ten raiders only. One Kikuyu was killed in the attack.⁸

According to police reports, 22 people had died by 27 January of whom 7 were found by the police. Also 16 suspects had been arrested. That day, 200 Catholic priests, nuns, monks and brothers from the Nakuru diocese, led by Bishop Peter Kairu, presented a protest note to the Rift Valley provincial commissioner, Nicholas Mberia, in which they accused the state of complicity and linked the renewed violence to recent remarks by KANU leaders in Narok. Also the MP-elect for Njoro, Kihaki Kimani (DP) said the Kikuyu community had been pushed to the wall for too long and warned they would go to war to defend themselves (*Daily Nation* 28/01/98).

On 28 January, Nakuru town shopkeepers shut their premises to protest at the on-going violence in Njoro. The police dispersed demonstrating residents by shooting in the air. Transport was paralysed as *matatu* operators withdrew their vehicles to mourn the dead (*East African Standard* 29/01/98). That same day, Kenya police commissioner Duncan Wachira directed security officers in the clash-hit areas of Njoro and Laikipia to arrest and disarm raiders. Officers in these areas had been reported in the press complaining that they had not been instructed to arrest or disarm suspected raiders. DP legislators asked President Moi to sack four cabinet ministers (Ntimama, Kones, Biwott and Lotodo) for fanning ethnic animosity and break 'his long silence on the matter as it may be interpreted to mean he does not care about the regrettable developments taking place.' (*Daily Nation* 29/01/98). In its editorial the *Daily Nation* wrote: 'The President's silence is particularly perplexing, indeed untenable, coming as it does hardly three weeks after he has sworn afresh to protect all the citizens of this country. . . . Not even condolences to the bereaved have issued from the politico-bureaucratic hierarchy.' (*Daily Nation* 29/01/98).

The following day, 29 January, President Moi in a statement from State House ended his silence and asked all *wananchi* in the clash-hit areas, regardless of their ethnic and political party affiliations, to stop hostilities against each other. He thanked KANU MPs for preaching peace and said it was unfortunate that some DP leaders were on record making inflammatory remarks, which fuelled hostilities (*East African Standard* 30/01/98).

That same day, the author again visited the Njoro area, when people were still fleeing the area, albeit in a less massive way. Civilians, still armed, waited in groups by the side of the road. According to the Larmudiac Catholic

church priest, Simon Githere, 'there are a lot of policemen and security personnel here, but they are positioned along the road to arrest armed residents instead of pursuing the raiders into the forests and disarm them.' (*East African Standard* 30/01/98). Towards Mau Narok, five police 4-wheel drive cars and three empty army trucks could be seen on the road. From the talks with local informants, it became clear that local Kalenjin were increasingly attacked out of retaliation by groups of young Kikuyu.

On 30 January, the police released the names of 45 clash victims in the Njoro area (25 Kikuyu, 1 Kamba, 1 Kisii, 18 Kalenjin, 12 unnamed bodies). This confirmed the reports that the people murdered were not from the Kikuyu community alone. Increasingly, Kalenjin names appeared on the list of clash victims. A reconciliatory meeting was organised by the Nakuru DC, Kinuthia Mbugua, outside the Mauche trading centre. At the same time opposition MPs threatened to disrupt the opening of parliament on Tuesday, to block the election of the speaker and compel President Moi to end ethnic violence in the country. In spite of these attempts to stop the killings, organised violence spread to Mwariki, one of the outskirts of Nakuru town, following the same pattern of killing. Raiders with faces painted in white and red came from the forests and speared people while the police just watched (*Daily Nation* 31/01/98). Eight houses were burnt and two people killed.

On 31 January the death toll rose to 58. In Larmudiac Secondary School a mass burial service was held bringing together both communities. Also 20 Nandi KANU officials led by Kenneth Saina that day spoke out against cabinet assistant ministers Kosgey and Choge for inciting the Nandi against the Kikuyu and Luo. Political pressure intensified in the following days with the SDP in a press statement going as far as 'giving' President Moi an ultimatum to stop the killings, failing which the SDP would 'begin giving technical assistance to the victims so they can defend themselves.' (*Daily Nation* 01/02/98).

While speaking on 1 February at Kamasai in the Barut area, where 400 displaced Kalenjin from Njoro were camping, a section of KANU Rift Valley leaders claimed that the clashes were hatched and executed by some opposition elements still smarting from their humiliating defeat by KANU (*Kenya Times* 02/02/98). On 2 February police in the Njoro area recovered four more bodies of people killed bringing the death toll to 65. Rift Valley provincial police officer Joseph Cheruiyot was then replaced by James Warsame. The Nakuru divisional police boss Peter Kavila was also moved. In Nakuru town, Christians, Muslims and others held a two-hour long procession to protest the violence. KANU MPs of Kuresoi, Rongai and Eldama Ravine asked church leaders not to be partisan. They claimed the picture portrayed by the clergymen was that only one community had been adversely affected by the clashes, yet people from all communities had suffered (*East African Standard* 03/02/98).

With the news spreading that the Kalenjin were also victims of the Njoro clashes tension rose in other parts of the country. Some 60 non-Kalenjin people fled to the Kabernet Catholic church in Baringo and sought refuge for ten days after two bodies of Kalenjin victims of the Njoro killings were brought home for burial. Also reports in the newspapers appeared of one person tossed into the crocodile-infested River Keiyo in reaction to the Njoro violence (*Daily Nation* 03/02/98).

On 2 February, the Kenya Law Society, among many others, called for an independent investigation into the causes of the ethnic violence in parts of the Rift Valley. In a letter to the secretary general of the United Nations, the society said such independent investigations 'devoid of our municipal politics and acrimonies' were the only way of establishing the truth (*Daily Nation* 03/02/98).

That same day Raila Odinga rejected the call by DP's Kibaki to disrupt the opening of parliament to protest the ongoing clashes. FORD-Kenya also decided to deny the call. The non-DP/SDP/Safina opposition MPs supporting the call were Mukhisa Kituyi (FORD-Kenya) and George Nyanja (NDP). Indeed the, following day, the protesting MPs showed placards saying 'Moi Resign Now', 'Enough is Enough', 'Moi we want Peace', 'Leave Death to God'. They sang 'Oh, Oh Moi avunja nchi, Oh oh Kanu Yavunja nchi' (Moi and KANU are destroying the country). When they finished singing they started chanting slogans such as 'No more killings, no more killings, Moi, we are tired of killings' (*Daily Nation* 04/02/98; *East African Standard* 04/02/98). An attempt to discuss the violence was rejected by the speaker. Outside parliament a group of about 100 people were violently dispersed and 10 arrested by riot police (*Daily Nation* 04/02/98).

In Njoro and neighbouring Molo areas, arsonists continued torching houses at Belbut, Moto and Kongoi farms. The death toll rose to 69 after four more bodies were found in Likia and Ndeffo (*East African Standard* 04/02/98). The political fire was kept burning by new allegations by 41 Rift Valley MPs who claimed that ethnic violence was part of a DP plot 'to topple Moi'. In a rejoinder, the DP dismissed the claims as 'incredible and an arrogant attempt to play around with matters of life and death' (*Daily Nation* 05/02/98).

The government deployed five new district officers for Njoro and Nakuru, and on 5 February placed Nakuru district under a partial curfew, effectively closing all business in the region's urban centres between 9 pm and 6 am. Violation of the curfew would cost one a fine of Ksh. 1,000 or one month in jail. The move was criticised by some stating that this would benefit the raiders and hamper self-defence groups. The political accusations intensified with more KANU MPs blaming the opposition for the violence and with President Moi blaming religious leaders for supporting aggressors and the

opposition for wanting to create a Rwanda-like situation. But DP MP Njeru Ngigwa for Manyatta constituency said that if President Moi wanted to end the violence, he could do it in one hour (*Daily Nation* 06/02/98).

On 6 February 15 members of the Kalenjin community killed in the Njoro and Mau Narok area were buried in a mass grave in Naishi. The funeral was attended by KANU MPs and cabinet ministers Kones and Ntimama, among NCKK for being biased. The latter announced that it would hold a memorial service on 19 February in remembrance of all people killed.

On 7 February new attacks left one Kalenjin soldier seriously wounded by unknown assailants and one former Kikuyu soldier dead at Mutitu as he fled from his attackers who had descended from Mutitu Hill. For the police these were 'ordinary' cattle rustlers/looters. Others injured at Mutitu were four Kikuyu. In Ndeffo, one house was burnt and more looted. Earlier that morning some 40 youths were arrested in the Likia area (*Daily Nation* 09/02/98). A new attack took place on Sunday night 8 February in the Chukuiyat area which left six Kikuyu wounded. Trouble also spread to Loriani centre, Burnt Forest areas, Uasin Gishu district. Sixteen families (2 Kalenjin and 14 Kikuyu) were left homeless after their houses were torched by ten young men.

On 8 February, the US special envoy for the promotion of democracy in Africa, the Rev. Jesse Jackson, arrived in the country as part of a three-nation African tour, including the Democratic Republic of Congo and Liberia. Upon his arrival he invited the president to accompany him to the violence-hit areas, but the president 'chose not to come' (*Daily Nation* 09/02/98). Upon his return from the Njoro area, the Rev. Jackson said it was up to President Moi to end the violence. Also, on 10 February, the American ambassador Bushnell expressed her government's concern over the ongoing clashes and pleaded to the government to restore peace and unity.

That same day a police inquiry was started into the cause of the tribal clashes in Njoro and Laikipia areas. Tension remained high in these areas with more people in Njoro fleeing from the Gachuni area. Some residents of Ng'arua division in Laikipia complained that more than 20 innocent people who had been involved in transporting families from the area to safer grounds had been arrested, detained and their cars confiscated. Also, two chiefs (Kalenjin and Kikuyu) from Barut and from the bordering Lare location, respectively, in Nakuru were arrested for inciting people to set ablaze houses belonging to the other community. In addition over 100 curfew breakers were arrested. Finally, hundreds of families were fleeing their homes for fear of attack in Uasin Gishu district. They said they had been warned to leave or perish following the death of a woman in unclear circumstances at Kiptingia trading centre (*Daily Nation* 11/02/98).

The following day, 11 February, President Moi toured the Njoro area. He gave the police firm instructions to arrest and prosecute warmongers and to facilitate the resettlement of the displaced families. By mid-February, some 1,200 people were still camping in the Larmudiac church compound and other centres in the Njoro area. In Laikipia, President Moi ordered a committee of genuine and impartial elders to reconcile members of the warring communities. The Central Province Development Support Group praised President Moi's visits and messages 'which clearly demonstrate his commitment to peace, harmony and security of all Kenyans' (*Daily Nation* 18/02/98). In contrast, the religious community held a one-and-a-half-hour procession in Nairobi, blaming the government for failing to end the violence (*East African Standard* 12/02/98; *Daily Nation* 12/02/98).

In reaction, the churches accused the government of lack of moral legitimacy to lead, called for the suspension of the constitutional review process and asked the United States and Britain to exert pressure to effect change. The names of 272 victims of the clashes were read out, drawn from victims of the Likoni, Trans Mara, Gucha, Migori, Nyambene, Tharaka/Nithi and the more recent Laikipia and Njoro violence. The churches also announced donation days for the violence victims. In response, President Moi said that the churches were on a smear campaign against the government and warned them that a Philippines-like revolution would not succeed in Kenya (*Daily Nation* 16/02/98; 20/02/98; 21/02/98). The Nakuru chiefs were released on bail and a High Court application was sought to lift the Nakuru curfew.

In Njoro and the surrounding area tension remained high for a long time. People mistrusted and feared members of other ethnicity. From the beginning of January Kalenjin and Kikuyu travelling along the Njoro-Mau Narok road had to use separate *matatus*. As late as April 1998 attacks were carried out by raiders and people were hacked to death.⁹ As in Laikipia, the loss of life and property was high. A report compiled by the Catholic diocese of Nakuru in February indicated that at least 2,000 families had been displaced, 250 houses and some 5,000 bags of maize destroyed and 1,500 animals were stolen in the Njoro area.¹⁰

The clashes kept the churches and NGOs searching for funds to assist the displaced. In Laikipia the Catholics, the Anglicans and the Presbyterians formed a co-ordinating committee to solicit for material support. Through the committee, food and medication for the displaced were distributed. At the same time, the Catholic church and the NCKK offered temporary shelter to the refugees while in Nakuru they provided temporary shelter for most of the victims from Mau Narok, Larmudiac, Likia and Njoro areas. The reconstruction of houses was also part of the assistance scheme. NGOs such as *Medicins sans frontières* and the Kenya Red Cross, with assistance from

the International Committee of the Red Cross, provided food, seed, tools, fertiliser, blankets, jerrycans and other utensils. Initially short-term relief was provided in February-March and more structural support by early June 1998. Over 9,000 people received assistance worth Ksh. 13.2 million (*Daily Nation* 08/06/98). The Red Cross was also involved in sanitation and water activities. It turned out that water development was especially instrumental in the reconciliation efforts in the Laikipia area.

When trying to explain post-election violence in Kenya one needs to answer specific questions such as 'Who started the violence? For what reason? Was it spontaneous or organised? Who were the group(s) targeted initially? Which roles were played by local residents, outsiders, politicians and the police? In the following section of this chapter we will look for answers to these questions from four main sources. First, (un)published statements by stakeholders such as the churches, politicians and human rights groups. Second, the hearings of the Akiwumi Commission as reported in the local print media. Third, archive material and other scientific publications on Kenya's Rift Valley and, fourth, personal observations and discussions with residents, human rights watchers, journalists, politicians and church representatives.

The fundamental discussion was whether the violence was ethnic, politically instigated or land-related. To understand the importance of the land factor let us turn to the land history of the Laikipia and Njoro parts of the Rift Valley.

History of land occupation and politics in Laikipia and Nakuru districts

At the end of the last century, Maasai pastoralists occupied an area of some 100,000-200,000 km² located at a latitude of between 1° north of the Equator to about 6° south. Both the Laikipia and Njoro areas were part of the northern Maasai territory.

In the previous two centuries the Maasai had descended from southern Sudan assimilating some of the Okiek, Sirikwa and Kalenjin groups (Newman 1995:172; Ochieng 1985:28). They found the Kalenjin and Kikuyu already settled in most of the western and eastern highlands of the Rift Valley, respectively. The Maasai broke through them, colonising the arid trough in between the western and eastern highlands. This action deprived the Kalenjin of their eastern grazing lands in the Rift and forced them to contract within the western highlands. The Kikuyu were stopped in their move out of the fertile highlands, at that time located east of the Aberdares, ranging from Ngong in the south to Nyeri in the north and the Rubingazi River in the east, towards the Kabete south-western frontier.

In the course of the nineteenth century, trouble started to build for the Maasai. Inter-sectional wars, known as *Iloikop* wars weakened the Maasai. In addition, severe droughts, rinderpest and smallpox killed huge numbers of cattle and many Maasai during the 1890s. The Maasai could no longer control their vast pastures because of the disparity in manpower between the Maasai and their neighbours. Kamba, Kikuyu and Kalenjin increasingly encroached on Maasai grazing areas (see Waller 1976:532).

This growing imbalance in military and political force would, however, soon be interfered with by the arrival of the British colonisers by the end of the nineteenth century. The colonial administration actively tried to interest settlers in Kenya by making large areas of land available and promoting a 'settler-friendly' land policy and legislation. In 1902, the First Crown Lands Ordinance proclaimed that all unoccupied land was crown land. In practice, this meant a denial of traditionally established African rights in land. A few large concessions in the Rift Valley were granted to some rich British aristocrats. Lord Delamere obtained 100,000 acres; Grogan and Lingham 120,000 acres of the Eldama Ravine forest and the East Africa Syndicate obtained a lease of 400 square miles of pasture land in the Naivasha area, the heart of the Maasai country.

It was decided by the colonial administration that the Maasai had to be 'given' an area of their own. Two reserves were planned outside the Rift Valley: the Laikipia Plateau (12,350 km²) in the north and another reserve south of Ngong and the railway (11,250 km²). A treaty was signed to this effect in 1904. The total area of the two new Maasai reserves was some 40 per cent of the original Maasai-controlled territory. Soon the settler community, aware of the superior potential of the Laikipia plateau for livestock keeping, showed an interest in the northern reserve and a second Maasai treaty that resulted in the removal of the northern Maasai to an extended reserve south of the railway was signed in April 1911. Also other groups, especially the Kikuyu living in Limuru and Kiambu, were pushed towards their own reserves. 'The loss of lands that had once belonged to the Kikuyu, but especially the drawing of boundary lines around the Kikuyu land unit, jeopardized the traditional processes of political and economic expansion' (Tignor 1976:29).

The Laikipia and Njoro¹¹ areas played major roles for the settler economy in livestock ranching, wheat farming, pyrethrum growing and woodlogging (Weight 1955:341-49). Roads and rail were constructed and swamps drained. The question of the alienation of the land, though, remained a key subject of interest. For example, the annual report of Laikipia district for 1928 states:

the Samburu occupy provisionally as an addition to their reserve the Northern portion i.e. [the north of Laikipia] of what was originally Masai country. The feeling is that the Maasai were moved to an extended

Southern Reserve in order to make way for white settlement. The war [1914-18] intervened so that settlement was delayed for about six years. In this interval the Samburu were allowed into Laikipia, then empty of inhabitants, as a result it is understood, of rearrangements of the tribes in the Northern Frontier (KNA/DC/LKA/1/15 1928:1)

This northern portion, the well-grassed Leroghi plateau, was a dry-season grazing area for the Samburu. According to Chenevix Trench (1993: 92-3) the settlers claimed the plateau had been promised to them, and called it 'The Promised Land'. The Laikipia settlers were plagued by Samburu moran (warriors) stealing cattle. The moran's usual victims were Kikuyu labourers employed by Laikipia ranchers.

The highlands became a 'White man's Country' (Rutten 1992: 174). By 1928 some 605,000 acres were in the hands of 83 European farmers out of which only 5,666 acres were under cultivation in Laikipia (KNA/DC/LKA/1/15/1928:22). In the whole of Kenya there were some 2,000 European farmers cultivating some 593,000 acres out of 5 million acres reserved for white settlement. Some of the land was grazed but a considerable portion was put to no effective use (Tignor 1976: 25). Also in Laikipia, several unalienated surveyed farms amounting to some 200,000 acres existed by the late 1920s. A committee was set up to look into the problem. It recommended selling suitable farms by auction, while unsuited blocks should be disposed of by tender. The third class consisted of poor land with thin grazing and much bush to be leased on special terms. It also stated that the greater part of the Ndaragwa area was unsuited for small mixed farming although some thought that wheat could possibly grow there. 'They were however not prepared to accept the responsibility of approving it being disposed as small mixed farms, the success of which is problematical in the extreme' (KNA/DC/LKA/1/15/1928: 2-3). The area of land still available for European occupation was estimated to well over 2,000 square miles.

The Maasai, however, hoped to regain their lost pastures one day and protested before the Carter Land Commission. This body was set up in the early 1930s on request of a British parliamentary committee to look into African grievances. Among other issues the Maasai complained about the Mau Likia area. However, the commission claimed the land never belonged to the Maasai but was part of an area outside the reserve boundaries and in the hands of (i.e., leased by) a Mr Powys Cobb. In fact, at the time, all of the Njoro area was in the hands of Lord Delamere and to a lesser extent Powys Cobb (see KLC 1934: 526). Otherwise the commission recommended some exchanges between Europeans and Kikuyu with the Maasai such as on the southern extremity of the Eastern Mau Forest Reserve, Ndeiya and near the Marmanet River.

Claims by the Tugen (Kamasia) for land east of the Molo River were dismissed. '... the piece of country east of the Molo river and south of Lake Hannington [Elmenteita] was not permanently inhabited by any natives, but was definitively looked upon by the Maasai, as their country.' (KLC 1934: 253). The Tugen stayed in the hills and did not go down out of fear of the Maasai. They only came down when the Maasai did not need these plains. The commission was of the opinion that even if the Tugen had lost land west of the Molo River, they were compensated by additional land elsewhere. For economic reasons only the commission recommended that an area of 74 square miles, formerly used by Uasin Gishu Maasai, should be added to rest the 'over-stocked' Kamasia Reserve. It also recommended that some neighbouring alienated farms near the Esagiti River (23 sq. miles) should be leased by the government for this purpose (see KLC 1934:527). This way the Tugen got access to most of the area north of Rongai stretching from west of the Molo River towards the Mau Summit, all in today's Baringo district.

As for the Kikuyu, the commission stated that 'an addition of land was required in order to reduce the pressure of population on the land ... we have therefore recommended a substantial addition of the Mwea area (132,000 acres) and another 21,000 acres to the Kikuyu Reserve mainly to be found in forested zones.' (KLC 1934:129).¹² By 1930 it was estimated that some 110,000 Kikuyu lived outside their Reserves, for the most part on European farms, while some 500,000 stayed inside the Kikuyu Reserve (KLC 1934: 144; 351). The district commissioner Laikipia wrote in 1935:

of the native population of the district about 63% is resident (i.e. squatters) the remaining 27[sic] is temporary labour ... another question is arising from the squatter's situation and that is the ultimate position of the numbers of squatter children ... who are to all intents and purposes detribalised. They know no other homes beyond the farms where they were born. The Kikuyu on the farms appears to be a colonist not a squatter. ... The majority of the labour is Kikuyu but there is a sprinkling of Masai, Lumbwa, Turkana, Wandorobo and Kamasai. (KNA/DC/LKA/1/16/1935:12).

By 1945 it was estimated that 90 per cent of the squatters in Laikipia were Kikuyu (KNA/DC/LKA/1/16/1945:6). The need for land among African cultivating groups in the reserves had grown tremendously. In Kikuyuland, population densities had increased from 254 persons per sq.m. in 1902 to over 500 in 1944/45 (see Kohler 1987:36). There was a growing class of landless people. The African population looked for alternatives in neighbouring scheduled areas, as temporary labourers or squatters. Resettlement away from the reserves was discussed by the authorities, but no proposals were ever made as to where it should take place. The White Highlands were out of the question for African settlement in the mid-1940s although African ...

leaders had made it quite clear by then that the Africans needed more land, and that this land could only be got from the scheduled areas (Bogonko 1980: 35). In the words of the DC Nakuru: 'the future of the ever increasing numbers of detribalized Africans who have lost all connection with, and for whom there is no room in their reserves presents a problem incapable of solution save on a Colony-wide basis.' (KNA/DC/NKU/2/4/2-1948: 2). The same annual report noted that an 'association designated Maumau, emanating from the Kikuyu Reserve started branches at Naivasha and Ol'Kalou . . . This association is probably affiliated to the Kikuyu Central Association.' (KNA/DC/NKU/2/4/2-1948:4).

This eventually escalated towards an armed struggle between the so-called Mau Mau movement and the colonial government. In October 1952 a state of emergency was declared, which lasted officially till January 1960. Disunity among the settlers as to how to respond to African grievances allowed the British foreign office to press for reforms. Among the most important initiatives was the *Plan to Intensify the Development of African Agriculture in Kenya of 1954* (the Swynnerton Plan). This plan must mainly be seen as a reaction to the Mau Mau revolt and the problem of land in the densely populated Central Province. Within Kikuyu society

the strongest supporters [of land consolidation] were not unnaturally the larger landowners, particularly those who had come out on top in the litigation before the Emergency. They saw in consolidation a means of obtaining a final validation of their titles. . . The bitterest opponents of consolidation were landless . . . consolidation and registration confirmed their landlessness. Government had hoped that consolidation and improved farming would provide these people with regular employment but as this failed to materialize they had to be moved out of the Kikuyu country as quickly as possible. (Sorrenson 1967 : 243-50).

By early 1957 the few remaining Mau Mau fighters in the Nakuru area were either eliminated or thought to have left the district. Ex-detainees were released and returned to Londiani, Mau Summit, Mau Narok and the Bahati forest (see KNA/DC/NKU/2/1/2- April 1957). Many Kikuyu families were engaged locally by the forest department following their discharge from saw mills in the Elburgon and Molo areas. And in 1960 even more large numbers of Kikuyu moved to Nakuru and Laikipia following the lifting of the emergency restrictions. Unemployment rose by leaps and bounds owing to economic stagnation, especially in the building (including timber) industry. For example,

Amalgated Sawmills alone signed off some 600 employees from their stations at Mariashoni, Nessuit and Maji Mazuri, but most of these were absorbed by the Forest Department. Several new Forest villages were started. . . Many European farmers took time to recover from the shock

of the Lancaster House proposals, and morale was further weakened by the events in the Congo. Animosity between the Kikuyu and the Kalenjin tribes increased as the year wore on. As the General Election approached political loyalty became more and more synonymous with tribal loyalty. The main lines-ups were the Kikuyu/Luo for K.A.N.U. and the Kalenjin/Abaluhya for K.A.D.U. (KNA/DC/NKU/2/4/2-1960: 1-2, 8).

These developments made J. Howard, DC Nakuru at the time, state that 'The growth of political intimidation is the curse of Africa, including Kenya' (KNA/DC/NKU/2/4/2-1960:11).

It was not until the last years of colonial rule that the government finally took steps towards African settlement in the European areas. In 1960, the British government passed an Order in Council ending the original reservation of the 'White Highlands' for farming by Europeans only. A report published in 1960 that looked into land available for settlement mentioned among others Ol Arabel in Laikipia and the good 'underused' land in the Mau of Narok district. This is between Olenguruone in the west and the Mau Narok European farms in the east. It stated that the plans for the settlement of Africans on farms purchased in the highlands would provide a useful outlet for people from the more densely populated districts (see CPK 1960).

That same year Kipsigis and Ndorobo people in the area complained about the lack of land holdings to which they could retire in their old age. Outside the Central Province, land enclosure programmes were started as early as the 1930s in the Kipsigis and other Kalenjin areas on a voluntary basis. None of these groups, however, evinced the same desire as the Kikuyu for titles; indeed with the Kipsigis it was not until 1960 that government persuaded them to register titles at all (Sorrenson 1967:252).

Land transfer schemes, based on 'willing buyer-willing seller' basis, were constructed to promote the gradual purchase of land by Africans. The most important and best known of these was the Million-Acre Settlement Scheme (see e.g., Leo1984:70). This settlement programme benefited Africans of all classes, although in later years larger and more fertile tracts were accumulated by rich, prominent, successful Kenyans. One of the less successful endeavours in aiding the unemployed landless of Nakuru was a scheme for the Kikuyu to emigrate to the Mpanda Settlement Scheme in Tanganyika. KANU set up a political boycott (for fear of losing voters) and was particularly successful but 410 families defied the boycott and went. That same year a relocation of Tugen people in the Sabatia Settlement of the district was carried out and a five-year purchase plan whereby European farms would be purchased for settlement was announced (KNA/DC/NKU/2/4/2-1962).

By the early 1960s relations between the Kikuyu and the Kalenjin/Maasai grew more tense. The Kikuyu 'Land Freedom Army' was revived in 1961. It

had little support in Kikuyuland but it won a great deal of support in the Rift Valley and other European farming districts (see Sorrenson 1967: 250). Political activity increased. The authorities feared trouble especially in the border areas such as in the Eldama Ravine area where many Tugen, mostly KADU supporters, came over daily from the Baringo reserve to work while the residents of the township mostly supported KANU (KNA/DC/NKU/2/3-HOR 1962). But also inside Nakuru district a fear of fights was noticed. District officers at Molo and Njoro received large numbers of applications from farmers for native arms permits for their employees, all Kalenjin. This request was made after the return of Jomo Kenyatta to Gatundu from prison in August 1961.

And when in the Mau Narok area negotiations for the sub-division and sale of land to Kikuyu were underway, the Maasai indicated growing discontent, feeling that should this area be vacated by the Europeans it should revert to the Maasai (KNA/DC/NKU/2/1/2 - Sep. 1961).¹³ Finally, in August 1962 the Regional and Constituencies Boundaries' Commission arrived in Nakuru. The commission spoke to several interest groups, including political parties. The KADU Laikipia branch stated that the Ndorobo, Samburu and Maasai wanted to be in the Rift valley region with the Kalenjin. 'They can never live together with the Kikuyu who came to Laikipia and Nanyuki merely as workers on the farms.' The KANU-Laikipia branch wanted the regional boundaries to follow the existing provincial boundaries to 'prevent tribal clashes in the future'. The KADU Nakuru branch stated that the Nakuru, Laikipia and Naivasha districts should be part of the Rift Valley region together with the Maasai, the Samburu, the Uasin Gishu and the Kalenjin districts. The branch predicted that otherwise 'there will be another Congo in Kenya' (RBC 1962). This line of thinking was also expressed by the Rift Valley Kalenjin Political Alliance of Daniel arap Moi. 'The Kalenjin do not want anything to do with the Kikuyu who take oaths at night.' Indeed, by September 1962 reports of oath-taking and gun-making by members of the Kikuyu community caused a lot of tension and anger among other Africans, especially the Kalenjin. 'Tribal tension is such that you only need to strike a match and anything at all can start.' (see KNA/DC/NKU/2/1/2-Sep 1962).

The KANU-Nakuru branch stated that the existing boundaries should not be altered one inch. KANU argued that since the ultimate goal of independence was to unite all tribes in Kenya, there was no need to redraw the boundaries along ethnic lines. The European farmers of the Njoro Settlers Association said that the Njoro mixed farming area should be in the region centred on Nakuru. Areas such as Kinangop, Kipipiri and Ol Kalou, apparently earmarked for future Kikuyu settlement, should be excluded from the Rift Valley region, and be included in whatever region is predominantly Kikuyu.

In its report the commission referred to the many delegations wishing to be united with groups of similar customs and habits. It also stated that before the British handed over to an independent Kenya, they should put their house in order and redraw the boundaries in a manner more closely corresponding to the position as it was when they first came to the country. It decided to include in the central region areas of land capable of being made available for settlement schemes. As a result, Nanyuki district was split, whereby the western and eastern high potential areas were added to Central and Eastern provinces respectively and the northern ranching areas to the Rift Valley Province.

In the opinion of the district administration, the report of the commission was accepted by the majority of the Nakuru inhabitants as fair and just.

However, in Molo, Londiani and Njoro areas most of the Kikuyu did not like the report because they feared they might be thrown out from these areas by the Kalenjin. They talk of destroying these boundaries at a later date. The Luo living in these areas shared the Kikuyu views to a large extent. The Kalenjin were quiet but happy about the Rift Valley boundaries. . . To the European farming community in the District it may well have resulted in a return of confidence in the future (KNA/DC/NKU/2/1/2 Dec. 1962)

Still, a section of the European community decided that the time had come to go, but the actual exodus was limited to some 12 per cent of the Europeans in the Nakuru region (KNA/DC/NKU/2/4/2-1962). Others waited till they could get an acceptable price for their farms. In the last year before independence the Nakuru area witnessed many groups settling illegally, especially Kalenjin, as less than 10 per cent of the applications for land could be awarded on official settlement schemes.¹⁴ Other well-organised groups made joint efforts and applied for loans to take over the farms from leaving Europeans. This way, Kalenjin squatters bought the 1,000 acre Sach-Ang'wan farm near Mau Summit by 1965. In the early 1970s it was sub-divided into 10-acre plots. Another such farm up for sale was Gicheha which, however, ended up in the hands of Jomo Kenyatta. So did Tangi Sita, opposite Gicheha, which was taken by Margaret Kenyatta. Other high-ranking officials followed suit including a permanent secretary who acquired Mukinyai farm. The rocky other half of the ranch was bought by a group of Kikuyu from Central Province (Sang 1997). The concentration of land in the hands of wealthy elements in Kikuyu society did not restrict itself to Central Province only. Even in the migration zones the powerful battled the poor. Ex-freedom fighters such as the Njoro-based Ndeffo (Nakuru District Ex-Freedom Fighters Organisation) also settled in the area.

In Laikipia, animosity developed between the Kalenjin and Kikuyu. 'This tribal feeling arose through fear, but was undoubtedly fanned and encouraged

by the example of certain leading national members of K.A.N.U. and K.A.D.U.' (KNA/DC/LKA/1/11/8-1961: 2). Indeed, feelings of mistrust were exacerbated during the elections of 1961. It is interesting to recall the then DC Laikipia's words in view of the 1997 post-election violence:

The prime motive was fear on the part of the Kalenjin minority in the district of the prospect of domination by the Kikuyu and Luo. In reaction to distorted messages about the disturbances in Nakuru in January, the local branches of K.A.N.U. and K.A.D.U. took steps to arm groups of supporters for defence against each other. The situation was quickly restored to normal on the intervention of the District Commissioner. In Rumuruti, however, the local K.A.D.U. Chairman went too far, and was arrested and convicted for setting out for Nakuru in a vehicle full of bows and arrows and other arms. On the 1st October a large number of K.A.D.U. Youth Wing members turned up at a K.A.D.U. sponsored political meeting in Thomson's Falls carrying an assorted collection of arms, apparently as a precautionary measure, in view of well founded rumours that the K.A.N.U. Youth Wing intended to break up the meeting. All were disarmed by the Police. At the meeting Mr. Towett strongly advocated Regional Autonomy as insurance against Kikuyu/Luo domination (KNA/DC/LKA/1/11/8-1961:7).

In Laikipia the first of the government-initiated settlement programmes was not carried out until 1967/69 (Kohler 1987: 30).¹⁵ Under these public schemes, only 277 km² of land or 3 per cent of the district was transferred to small-scale settlers by 1980. These settlements are located in the wetter western section of the district, adjoining the forest reserves around Nyahururu and extending toward OlArabel/Ndindika. Other schemes such as Shirika schemes in Ndindika and Kalalu and a Haraka scheme in Marmanet were created in 1978 (Kohler 1987:30).¹⁶

Thus, by the early 1980s large-scale ranching still covered over half of Laikipia district and rested in the hands of non-Africans, mostly British and non-African Kenyans (see Kohler 1987:28). Other large-scale ranching such as the ADC Mutara Boran Breeding Station and the LMD livestock holding ground in the north bordering Samburu area was under state or parastatal ownership. But since the 1980s these areas have not been used for vaccination or fattening purposes, they are used by squatters and neighbouring pastoralists for grazing their livestock.

This leaves us with the small-scale settlements created by private initiative and self-help (*harambee*). Self-help groups of varying sizes, whether companies or co-operatives, were formed by people in need of land in order to pool enough money to buy the large European-owned farms. The 'patrons', such as Kihika Kimani and G.G. Kariuki, were often influential businessmen or politicians. Shares were issued to the group members. Land purchase loans

were also involved. Sottas (1992:260) describes the way these groups operate and the crucial roles played by the leaders. In the words of Kohler (1987: 39): 'These people had to think about getting votes, and settling land-hungry citizens was a safe method of getting them.' By so doing, the leaders often safeguarded their long-lasting political interests besides direct financial gains. Sottas also points at the misbehaviour of certain land-buying groups by way of, for example, issuing more shares than land available (e.g., the Ngwataniro Company). Other bogus, land-buying groups only collected the money and never bothered to buy land.

In Laikipia 44 self-help groups were known to have purchased land in the district by 1981 (Kohler 1987:33). Most of these bought land in the late 1960s on a small scale, especially east of Salama, east of Ng'arua, and north and south-west of Nanyuki. Larger areas were acquired in the 1970s when settlement shifted to the drier regions of Laikipia district such as south and north of the Mutara ranch, west and east of Rumuruti, north of Sipili and north of Timau. By the 1980s buying land slowed down. '... obviously the reservoir of non-African land owners willing to sell has been exhausted, and it seems at present as if potent and influential land-buying personalities or pressure groups capable of rallying the political support needed to effectuate land transactions do not exist' (Kohler 1987:33).

The strain on natural resources, especially water, has increased and some argue that rainfed agriculture is not suited to these dry zones better equipped for extensive livestock keeping. Also cattle rustling-related insecurity is a problem for the immigrant mixed farmers. For example, in the 1990-97 period Samburu and Kalenjin attackers killed 21 people, mainly Kikuyu, in the Magadi, Kahuho, Survey and Merigwit areas. Some 300 people were injured, 8 women raped and 400 cattle and 2,300 goats stolen (CPK/PCEA/CC 1998). Though initially spears and bow-and-arrows were the main weapons, guns became more common in later years.

In spite of these natural and man-made insecurities, the immigrants were determined to stay on and continued to settle in Laikipia. The need for land to make a livelihood, a home and finally to secure the children's future is a driving force to this end. Sottas (1992: 224) also refers to the Kikuyu tradition whereby the new 'house' will become the new 'home' for the next generation.

In retrospect, migration towards the Rift Valley was noticed for the intercensal period of 1948-62.¹⁷ In Laikipia, the number of agricultural employees increased more than 50 per cent between 1954 and 1961. Indeed, by 1962 almost two out of three inhabitants were born outside the district (RoK 1966: 41-76). A majority of the Kikuyu migrants to Laikipia were born in Nyeri district. Turkana, Kalenjin and Samburu immigrants were small minorities.

Population totals for Laikipia district were estimated to be 41,574 and 68,643 people for 1948 and 1962 respectively (RoK 1966). Densities were low. Laikipia population densities increased from 13 to 24 persons/km² for 1979-89. Especially the central (12 to 23) and western (18 to 28) parts of the district showed huge increases. The eastern area (Mugokondo) had a stable population density for the period (9 to 10). By contrast, Nyeri and Baringo population densities for this period increased from 148 to 186 and from 20 to 32, respectively.

Population estimates for Nakuru in 1948 and 1962 were 90,301 and 185,241 respectively (KNA/DC/NKU/2/4/2-1962). This meant population densities of 12 and 25 persons per km², respectively. A 1960 estimate put the percentage of Kikuyu, Embu or Meru (KEM) at 53. For Njoro it was 61 per cent. Mau Narok scored 65 per cent. Other so-called KEM-dominated areas were Elburgon (75), Eldama Ravine (66), Londiani (61), Dundori (57), Subukia (55), Solai (54) and Nakuru town (50). In Molo (42), Elmenteita (34), Rongai (33) Kampi-ya Moto (27) and Olenguruone (2) they formed a minority (KNA/DC/NKU/2/4/2-1962). By 1989 the Nakuru district share of KEM stood at 60 per cent. Population density increased from 40 in 1969 to 118 by 1989. For the Njoro division the overall density in 1989 was estimated at 148, ranging from 86 (Mau Narok) to 234 (Lare location) (see RoK 1994). Most Kikuyu immigrants came from the Murang'a and Kiambu areas.

Table 20.1: Ethnic composition of Laikipia district 1969-99

	Kikuyu	Maasai/ Ndorobo	Kalenjin	Turkana	(Kenyan) Europeans	Others	Total Pop	Land (km ²)	Density (p/km ²)
69	38,223	8,440	7,406	4,277	431	7,729	66,506	9,723	7
79	86,603	10,116	11,795	9,568	272	16,173	134,527	9,718	13
89	146,607	11,821	15,690	14,396	211	30,232	218,957	9,162	24
99 (pr)	290,000	15,000	23,000	26,000	150	60,000	414,000	9,162	45

Source: Kenya Population Census 1969, 1979, 1989; author's 1999 projection based on 69-89 average growth rates. Boundaries of Laikipia district were used in 1962. A portion on the western side was transferred to Baringo district while in the east part of Nanyuki was added. This might, among other reasons, explain the apparent reduction in population size from 1962 to 1969.

Table 20.2: Ethnic composition of Nakuru district 1969-99

	Kikuyu	Maasai/ Ndorobo	Kalenjin	Luhya	Luo	(Kenyan) European	Others	Total	Land (km ²)	Density (p/km ²)
69	169,363	14,528	37,354	24,154	20,606	2,102	22,746	290,853	7,291	40
79	317,855	8,519	81,651	36,142	36,217	1,438	40,887	522,709	7,200*	73*
89	506,499	16,650	127,163	63,020	61,660	1,043	73,061	849,096	7,190	118
99 (pr)	875,000	25,000	235,000	100,000	105,000	500	124,500	1,465,000	7,190	204

Source: Kenya Population Census 1969, 1979, 1989; Statistical Abstract 1982; authors' 1999 projection based on 69-89 average growth rates. The 1999 projection does not take into account the Molo and Njoro clashes and the Kalenjin settlement schemes of the 1990s. * The Nakuru land area used in the 1979 census is 5,769 km² resulting in a 90 persons per square kilometre density. Most likely this is due to leaving out the gazetted forested areas in the south and Mau Summit zone estimated to be some 1,523 km².

Table 20.3: Average annual growth rate of Laikipia and Nakuru districts 1969-89 (per cent)

	Laikipia Kikuyu	Laikipia Kalenjin	Laikipia Others	Laikipia Total	Nakuru Kikuyu	Nakuru Kalenjin	Nakuru Others	Nakuru Total
1962-1969				1.2*				6.7
1969-1979	8.5	4.7	5.9	7.4	6.5	8.1	3.9	6.0
1979-1989	5.4	2.9	4.6	5.0	4.8	4.5	5.7	5.0

Source: Kenya Population Census 1969, 1979, 1989; Ominde 1984; author's calculations.

*Estimate by Ominde.

Table 20.3 shows that in both Laikipia and Nakuru the average annual growth rate slowed down in the 1980s, from 7.4 and 6.0 to 5.0 per cent. The figures for the Kalenjin group seem to underline the claim that in the 1980s ordinary Kalenjin in the two districts did not profit from the 1978 change of presidency. Others, however, point at the influence of the Kalenjin-dominated government in the settlement of Kipsigis in the Salama (Lorien farm) region of Laikipia district (Sottas 1992: 228, 264). Sottas also claims that the groups of Turkana, Mukogodo Maasai, and Pokot pastoralists did not get access to land as easily as the Kipsigis mixed farmers. The former at best remained squatters on the farms not yet settled. However, in recent years government-owned land (e.g. research stations, livestock holding grounds) and gazetted forests has been transferred to these groups. For example, in the Ol-Moran area of Laikipia the Maundu ni Meri farm is utilised by the Tugen community from Kaptito and Mochongoi:

With the coming of new multiparty era these privately-owned areas together with Lonyiek (whose ownership passed from ADC to the Pokot community) have started to be more and more inhabited by the pastoralists namely Samburu, Masai, Pokots and Tugens. Their attitude becoming more and more overbearing on the original settlers with unjustified grazing in the cultivated areas, carelessness and destruction of water infrastructures put up by the settlers and especially with increasing of cattle theft and level of violence (CPK/PCEA/CC 1998:1).

In Nakuru district, Bishop Ndingi Mwana a' Nzeki noted in April 1996 that 'strange people' had been taken to Teret, Likia and Sururu forests on 9 March of that year and a helicopter was seen landing there. The bishop also wanted to know why access roads in the area bordering Lusiru (Ndeffo farm and Mauche Settlement at Likia) were closed, why an explosion took place on 5 April 1996 in Likia and Teret forests and a local councillor visited Teret area

at night (see *Clashes Update* 30/04/96). The non-Kalenjin residents in these areas confirmed the bishop's statements and questioned the role played by Kipkalia Kones, the minister in the Office of the President, in settling the Kipsigis immigrants.

Another land conflict worth mentioning is that, as early as November 1995, members of the Ndorobo community of Mau forest questioned, in a memo to parliament, the circumstances under which part of the forest in which they live near Sururu, Likia, Teret and Sigotik areas, was being treated as though it had been de-gazetted and converted into agricultural land and allocated to people from other districts, i.e., Bomet and Kericho. The government in conjunction with the British ODA had been resettling the 'Ndorobo' since 1996. In addition, the Ndorobo community would like to have part of Mau forest set aside for their special use arguing that at no time have they endangered the trees as is happening in the Mauche Settlement Scheme in Sururu forest, which had started in 1993 (see *Clashes Update* 30/11/96).

People who settled in the Marishiani area of Nakuru district were referred to by the locals as aliens from the neighbouring districts masquerading as members of the Ndorobo community. 'Those being resettled are not genuine Dorobos but senior government officials and families drawn from Kericho and Bomet districts.' (*Clashes Update* 30/11/96:2). This also caused problems. In protest the genuine Ndorobo set on fire five houses belonging to Maasai. The leaders of the genuine Ndorobo were arrested and jailed. By June 1997 the High Court allowed the genuine Ndorobo living in East Mau Forest to block the provincial administration's attempt to evict them from their ancestral land.

In March 1997, Molo MP Njenga Mungai (FORD-Asili), applied to the Kenyan government to settle the Olenguruone 1992 clash victims. President Moi suggested Likia and Mau Summit. 'The President's suggestion confirmed the fear that the number of displaced people has increased due to the escalating cases of illegal land transfer, secret demarcations and change of boundaries. It also confirms another fear from the increasing zoning off of areas for specific communities.' (*The Update* 31/08/97:12). From the foregoing discussion it is clear enough that politics and land, especially in the Njoro area, were closely linked during the period leading up to the 1997 elections.

Searching for explanations of the 1997 post-election violence

During and shortly after the clashes in Njoro and Laikipia, stories appeared in the press trying to explain clashes which erupted in the Rift Valley. Next to political rhetoric some journalists tried to explain the violence in terms of

journalism or by way of deductive reasoning tried to explain what sparked the violence. For example, the *Economic Review* (02-08/02/98: 6-10) concluded that:

The outbreak of violence in Njoro and Laikipia areas of the Rift Valley followed very much the pattern witnessed from 1991. Well organised gangs of raiders attacked homesteads and market centres in broad daylight killing, looting, burning and leaving destruction in their wake. They appear confident, probably with foreknowledge that security forces called in will either arrive long after they have left, or merely look on helplessly firing impotently into the air... It appeared as if the Kalenjin community was psyched to defend the presidency by resorting to violence. Thus it might not be wrong to conclude that after the Kikuyu, both in Central Province and the diaspora, again decisively rejected Moi and KANU, some in the establishment might have felt it was time for reprisals. . . One should keep in mind that even after peace was restored following the earlier clashes thousands of displaced particularly from Molo, Burnt Forest and Enosupukia areas, were never given the opportunity to go back and thus the objective of ethnic cleansing was achieved.

Likewise *The Star* journalist Kamau Ngotho, in an article 'Why political killings are taking place in Laikipia', explained the genesis of the political killings as follows: 'One, a criminal programme of political zoning pursued by a hawkish faction of Kanu and two, failure to resolve, in fact make political capital out of the problem of pastoralism and insecurity in northern Rift Valley.' (*The Star* 23-26/01/98). Ngotho points at two rival sections within KANU, one led by G.G Kariuki and the other by a Mr Barno arap Some, a young Kalenjin backed by anti-Kariuki political rivals such as the commissioner of Lands, Wilson Gachanja, and Nicholas Biwott. He claims that the day the election results were announced – concluding that the Kariuki faction failed to deliver the Laikipia West seat – the Some faction started the build-up of the forcible eviction of Kikuyu people in Laikipia (see *The Star* 23-26/01/98:20).

According to the same author, the Some faction had earlier lobbied to have the constituency boundaries in Laikipia reviewed in order to have an ethnically-configured Laikipia North and Liakipia South. This set-up would mostly favour the non-Kikuyu inhabitants living in the northern zone of the district. To increase these numbers, it is alleged, the group, assisted by Laikipia district commissioner Mohammed Saleh, was instrumental in allowing large numbers of Pokot and Samburu pastoralists to graze in the government-owned Lonyiek and TND Mugie ranches, respectively. The Kariuki faction proposed a third (Rumuruti) constituency. The ECK, however, decided to ignore both proposals.

A *Daily Nation* journalist, Ken Opala, toured the Njoro area in February 1998 and expressed, in a series of articles, his doubts about 'land differences

as the source of the conflict' (*Daily Nation* 12/02/98). However, the argument that 'Kikuyus settled in the area in 1974 while the majority of the Kalenjins started flocking there seven years ago where they occupied the forested highlands' as evidence for dismissing the 'land' factor, is not satisfactorily. In the light of the historical overview showing the strong links between land and politics it is questionable, to say the least. Opala stresses politics as the only cause of the violence: 'There is no doubt the violence was instigated. The plot was hatched in Nairobi and Nakuru months before the actual mayhem, long before the general election. The violence seems to be the fall-out of a shrewd attempt by prominent Kalenjin politicians to patch up their stratified community before the polls.' (*Daily Nation* 12/02/98). However, Opala provides no proof to support his claim. In fact, in an interview with a Kalenjin and Kikuyu elder, he was told that besides multi-party politics, 'the creation of many farms' was considered to be a cause for the violence. The Kalenjin elder claimed that thugs had been brought from elsewhere – without elaborating which group of thugs and the location they came from – whereas the Kikuyu elder stated that since the raiders came from the forested highlands, they must have been Kalenjin as these were settled in the forests. 'It was a plan hatched outside the area. . . . This is not an ethnic conflict; it is politics' (see *Daily Nation* 14/02/98). Opala also points at the late arrival of police reinforcements after the raiders had almost left. 'Most times police just watched as raiders torched houses and assaulted the helpless. The security and administration personnel were plainly partisan in their operations' (*Daily Nation* 13/02/98). Opala blamed opposition politicians and clerics for being biased against the Kalenjin community, stating they wrongly blamed the community for the mayhem and as a result did not take care of the Kalenjin victims as (much as) the Kikuyu ones.

On 30 June 1998, President Moi announced that the government would set up a Judicial Commission of Inquiry to probe the ethnic violence which started in 1991. The Akiwumi Commission, named after its chairman Justice Akilano Molade Akiwumi, opened on 20 July 1998 and held 194 hearing sessions over a period of 11 months. It wound up on 11 June 1999. Unfortunately so far, the commission has not made its findings available to a wider audience. In this the commission follows in the footsteps of many other official government appointed bodies which were set up to look into similar problems.

However, in retrospect and with the full hearings published in Kenya's dailies providing information discussed before the Akiwumi Commission, we are now able to conduct a more in-depth exercise in the post-election violence of 1998 thereby directing more specific questions such as: Who were the likely instigators? Is there hard proof that politicians were involved? Was the

outbreak of the violence the work of outsiders? What happened in the run-up to the first attack? Was the initial attack well-organised or an accident that got out of hand? Which people conducted the violence? How did police and security forces behave? Was there organised retaliation? Can the violence be attributed to multi-party politics only or to other, fundamental, causes as well?

Laikipia

Political developments in Laikipia before the 1997 elections revolved around G.G. Kariuki's efforts to win the Laikipia West seat for KANU. Having been one of the most important Kikuyu politicians in KANU since the 1960s, Kariuki believed he had the best chance to win the Kikuyu vote in the constituency although he had failed against DP's Kihika Kimani in 1992. In 1997 his score almost doubled, but Kariuki failed again; this time beaten by Francis Chege Mbitiru, the Laikipia DP branch youth affairs co-ordinator and a farm inputs wholesaler in Nairobi. He made a name for being in the forefront of pro-reform rallies (see *The Star* 23-26/01/98:20).

The circulation of letters warning against the Kikuyu community in Kinamba trading centre, shortly before the elections, 'to take tea in Nyahururu if they failed to vote for Kanu and President Moi' (*The Update* 31/01/98) may have been the fore runner for a planned attack on the Kikuyu community. Other non-Kalenjins stated that before the fighting started they had received a letter warning them to leave Ol-Moran or have their heads chopped off. This suggests that the problem had moved from cattle rustling to land ownership disputes (*Daily Nation* 06/02/99).¹⁸ Also, questions were raised why the raiders were earmarked by government officials as ordinary cattle raiders whereas they attacked schools and bars (*Daily Nation* 26/01/98). A total of six teachers were killed in Laikipia and all but three primary schools in the area had been closed by this time. In an interview with *The Update* (31/01/98) G.G. Kariuki stated that 'although he was not aware of any political motive behind the clashes, he could not rule out that the Kikuyus were being punished for voting against President Moi and Kanu.'

Before the Akiwumi Commission, Father Sandro stated that, in his opinion, ethnic cleansing in Laikipia was orchestrated to create political power bases in preparation for the Moi succession. The shedding of blood was intended to make the affected communities take a definite position in support of certain politicians. According to him there was an intention to create a third constituency in Laikipia to encompass areas such as Doldol, Lonyiek and Rumuruti, which have pockets of pastoralist communities supporting KANU (*Daily Nation* 09/02/99). He blamed the administration for inactivity and non-co-operation with the church never experienced before. In particular the

DO, Jonathan Soi, and the late Jeremiah Ndahi, the OCS Ng'arua station, were mentioned as failing to protect the people.¹⁹ A Kikuyu village elder, Robert Kamau, told the commission that the Ol-Moran clashes escalated because there were very few policemen on the ground to control the situation. He also claimed that the policemen who were later dispatched to the area did not pursue the raiders (*Daily Nation* 05/02/99). For many this was a sign of a cover up.

Before the Akiwumi Commission, senior superintendent Mutinda Ngunguni stated he received reports from OCS Ndahi on livestock killed by Kikuyu youths, the killing of two Kikuyu elderly people and the burning of Kikuyu houses. However, he claimed that he did not receive any report about Kikuyu making preparations for revenge. He said neither the DO nor the OCS informed him that they had seen Kikuyu youngsters singing war songs on their way from Sipili to Ol-Moran and neither spoke of having seen Kikuyu women preparing large quantities of food for the youths who had gone to attack the Samburu. Ngunguni told the commission that the Laikipia DC did not call any district security committee (DSC) meeting to discuss the causes of the incidents which had led to the violence. He denied being negligent and told the commission that he had called the then Rift Valley provincial police officer, Philip Cheruiyot, and asked for reinforcements (*Daily Nation* 18/02/99). He further stated that police were overwhelmed (*East African Standard* 17/02/99).

Former DO Jonathan Soi, in his evidence before the Akiwumi Commission, said he had received information from the Ol-Moran chief, Wilson Lemoi Lule, and some local elders that Ol-Moran aspirant councillor Francis Ndung'u (defeated in the KANU primaries and on election day once more on an SDP ticket by his KANU rival David Gichiga) had for political reasons incited Kikuyu youths to slash the goats belonging to Loshau. Ndung'u was named as one of three people who organised transport for the Kikuyu youngsters to the 'valley of death'. Soi also quoted the illegal occupation of Kikuyu-owned land by Samburu and Pokot pastoralists as the main cause of the 1998 clashes at Ol-Moran in Laikipia district. The DO claimed that the Kikuyu were bitter over the loss of their livestock and illegal grazing by the pastoralists communities yet Mutukanio farm, where the Samburu and Pokot herdsmen were grazing their livestock, belonged to the Kikuyu and was bought through a land-buying company. The witness said that only a small number of Samburu had bought land from Kikuyu in the area. The rest were living on Mutukanio farm illegally. These resource-related problems and the political scheme are said to be the underlying causes of the clashes.

The cattle rustling only started the fighting according to Father Sandro (*Daily Nation* 09/02/99). The fact that the Turkana, Samburu and Pokot teamed

up to revenge the attack on a Pokot family was questioned by Father Sandro. He also pointed at the lack of a clear land policy in Ol-Moran which was causing trouble between the communities. For example, the Mutukanio farm shareholders had no title deeds yet and as a result others, i.e., pastoral communities, were using the land. In addition, the communities clashed over water. The clashes in Ol-Moran ended only after the IMF, the church and the press pressurised the government to stop the violence (*Daily Nation* 11/02/99). Altogether this took more than two weeks.

Isaac Naitiri Muthuri, the deputy acting commissioner of police, who investigated the clashes in Laikipia also mentioned cattle rustling as the initial cause of the fight. Before the Akiwumi Commission, he narrated how the attack and theft of Esther Njeri's goats triggered off the clashes.²⁰ The revenge attack by the Kikuyu killing the animals belonging to a Pokot from Nagum village in Ol-Moran location, Lochau Apalunginya, made the Pokot and other pastoral communities very bitter.²¹ In return, the Pokot and Samburu killed two elderly Kikuyu and set houses on fire. According to Muthuri, supporting Father Sandro's view, the local police and administration did not act promptly. No reinforcements were called. When on 16 January the OCS and DO witnessed the Kikuyu youths travelling from Sipili to Ol-Moran they warned the youths to go back.²² According to Muthuri the massacre was only reported three days after it had happened. The crucial question regarding police operations in the district in this respect is whether the lack of action was deliberate, out of sheer neglect, fear, or lack of manpower.

The KANU T-shirts the attackers wore is said to be proof that these people had been given instructions by the party hierarchy to hit at the Kikuyu community. According to some victims, the raiders were transported to the villages by lorries that did not have number plates (*The Update* 31/01/98). An Amnesty International report (1998: 7) also argues that the Pokot attack was well-planned and differed from 'normal' cattle raids in that a woman was raped and guns used. Finally, according to a *Daily Nation* (06/05/98) report Simon Kanyaman, a Pokot elder, told a reconciliation meeting that some of the raiders were from outside the area although many were his tribesmen (*Daily Nation* 27/07/98).

Still, in our view the claim that the attack in Laikipia was well planned and organised a long-time before does not necessarily hold. First, as a result of the initial attack Pokot raiders took goats and raped two women. The eight cases of rape that were registered in Laikipia West from 1990 to the beginning of 1998 (CPK/PCEA/CC 1998) negate the claim that raping is not common in cattle raids. Likewise, because almost all the deaths in Laikipia were from bullet wounds, Amnesty International (1998:7) believes that outsiders were involved. 'Normal' raiders would not have used guns. However,

it is known that the pastoral communities do possess AK-47 rifles and, over the 1996-97 period, the use of guns in raid incidents was registered (see CPK/PCEA/CC 1998:1). According to Kikuyu clash-victims, the guns were mainly used to scare people although in some cases they were also used to kill (see *The Star* 23-26/01/98). The bloody massacre on 17 January 1998, killing 36 people (all Kikuyu), was the result of a revenge attack by a large group of Kikuyu ambushed by the raiders in the Rum Rum valley near Survey township. According to one eyewitness, the Kikuyu went to the Pokot and Samburu manyatta perched on the hills determined to get even. 'The Pokots and Samburus then went into the bush and came out with guns. After that it was every man for himself.' (see *Daily Nation* 01/02/98). This narrative does not suggest that Kikuyu lives were lost as a result of an organised attack by the Pokot and Samburu groups.

It is relatively easy to hire terror groups in the Laikipia area, especially in the northern provinces where cattle rustling is very common. Some of these gangs, as claimed by Mwai Kibaki, are for hire and are linked to certain government officials (*The Update* 16/08/97).²³ The normal scenario is that stolen livestock is sold to Uganda at high prices. Not only do the small-scale Kikuyu farmers suffer from these gangs, but the Turkana, Samburu and Marakwet pastoralists as well. Hiring a few 'professionals' to team up with local groups seems to be an option easily put into practice. This could explain the statement by the Pokot elder that it was mainly his Pokot, assisted by a few outsiders, who attacked the Kikuyu.

As for the police laxity, the Akiwumi Commission found that police in the area were both understaffed and poorly equipped, i.e., lacking vehicles and weapons. Also it is known that police stations such as Rumuruti and Ng'arua have difficulty in getting from Nanyuki, the district headquarters and prefer to seek assistance from Nyahururu in Nyandarua district (see *Daily Nation* 13/05/98).²⁴ Finally, a question remains whether high-ranking officials were behind the clashes. If so, it turned against them; for example, among the teachers killed was Timothy Mwangi, a teacher at Ol-Moran and nephew to ex-commissioner of Lands Wilson Gachanja (see *The People* 29/01-05/02/98).

Thus, in spite of all the arguments claiming the killings were planned, organised and instigated by outside forces, no hard evidence has been brought to support those arguments. In any case the possibility that the Laikipia violence was a consequence of Pokot cattle raids which have been ongoing for long cannot be completely ruled out.²⁵ Perhaps, one such raid went out of hand, firstly because Kikuyu youngsters retaliated and killed livestock belonging to the Pokot who, in turn, revenged with a massacre of Kikuyu youngsters who had come ill-armed to an area inhabited mainly by well-

armed Pokot and Samburu. After this massacre the Kalenjin, Turkana and Samburu raiders purposely tried to increase the mayhem and fear among the Kikuyu people by specifically attacking schools and bars in other parts of Laikipia district.

Trouble in Laikipia was dormant by the end of January 1998. However, in October 1998 tension was high again when two MPs, Chege Mbitiru (Laikipia West) and Thirikwa Kamau (Ndaragwa), led the protest against the grabbing of some 5,000 acres of the Gitundaga section of Marmanet forest allocated to well-connected individuals. Land problems continued to cause trouble. For example, in March 1999 Laikipia East MP Mwangi Kiunjuri announced he would acquire poisoned arrows for his constituents to protect themselves against elephants destroying crops and killing people. In April 1999 Kiunjuri called for government intervention and warned that clashes might erupt among land allottees who had been given title deeds by a land-buying company for the same plots. And in January 2000, he requested the government to stop Samburu pastoralists pulling down fences and poisoning dogs belonging to Kikuyu cultivators in order to let loose livestock on the crops.

Njoro

Among the first witnesses to appear before the commission was Philemon Abong'o, the deputy commissioner of police, who led the February 1998 investigations into the causes of the clashes in the Rift Valley. For the Njoro area, the police report points at an incident that occurred between 7 and 9 December 1997 whereby a disagreement between two drunkards at Ndeffo trading centre led to the death of a Mr David Bii, a Kalenjin. This provoked Kalenjin revenge upon the Kikuyu who were accused of having killed David Bii. This resulted in the death of Robert Waweru, a Kikuyu. Also seven shops, seven hotels and three butcheries were set on fire. Abong'o stated that the incident was reported to police headquarters by the Njoro police station (see *Daily Nation* 28/07/98). Abong'o also stated that although the provincial security committee had made good recommendations to prevent the eruption of violence, some of them were not implemented (*Daily Nation* 31/07/98). Among these recommendations was a close monitoring of politicians. Kihika Kimani was said to have advised local Kikuyu to defend themselves by whatever means possible and even threatened to organise hundreds of Kikuyu youths to 'beat up Kalenjins until President Moi sheds tears' (*Daily Nation* 12/08/98). Other witnesses before the commission also mentioned this aspect (see below). However, these utterances, Abong'o claimed, did not cause the clashes and were mostly prompted by the bitter experiences of the 1992/93 ethnic clashes.

In addition, Abong'o referred to land issues in Njoro division as another possible cause. 'Before the elections, the Kikuyu were saying the Kalenjin got their land free and the first move, when the Democratic Party of Kenya took over, would be to revoke the allocations of those farms. At the same time . . . the Kalenjin had threatened the Kikuyu with eviction from their land if they did not vote for Kanu' (*Daily Nation* 31/07/1996). Abong'o referred to a letter written on 23 January by Kihika Kimani to Kipkorir Siele, the Nakuru district special branch officer, alerting him of an imminent attack on the Kikuyu by the Kalenjin (*Daily Nation* 31/07/98). Siele was posted to Nakuru by 13 November 1997. Kimani wrote the letter because a group of 70-80 people, looking like Kalenjin warriors, had invaded his farm, erected structures and divided it among themselves by placing beacons. They had also forced two Europeans who had bought land from Kimani to leave. This information, apparently, was never forwarded from Siele to other relevant authorities such as Nakuru district commissioner Kinuthia Mbugua and the Nakuru police boss, Peter Kavila. Abong'o mentions poor working relations for this lack of communication. Siele's action, backed by district criminal investigations officer (DCIO) John Maritim, to prevail upon Peter Kavila to release an elderly Kalenjin man who was among the group of seven attackers arrested, was questioned (*Daily Nation* 14/08/98). Kavila said that his decision not to release the suspect apparently did not go down well with Siele who refused to let his motor vehicle be used to carry arrested armed warriors (see *East African Standard* 31/10/98).

Also, Kiraitu Murungi, who cross-examined Siele before the commission (and who appeared for MP Kihika Kimani), questioned why the intelligence officer left Njoro for Nakuru in the dead of the night shortly after the clashes started on 25 January, thus incriminating himself as the architect of the clashes (*East African Standard* 22/08/98; *Daily Nation* 22/08/98).

Siele, for his part, said he left for urgent personal matters and also claimed he informed the provincial security committee. On 24 January Kihika Kimani informed Siele and his deputy Philemon Opiyo that, after reporting to Kavila, he was referred to the Njoro officer commanding police division (OCPD). Kimani was annoyed at the laxity of the government. According to Siele, the MP told him he had met 40 Kikuyu elders from various locations in Njoro and discussed the invasion. The meeting had resolved to organise vigilante groups for self-defence against possible Kalenjin attacks. With regard to the outcome of this meeting, Siele claimed he had also informed the OCPD and the DC and requested the OCPD to send security men to Teret when he realised tension was high and tribal clashes were likely to break out any time (*East African Standard* 22/08/98).

However, when clashes erupted in Njoro only five APs and three regular police constables were present despite a resolution that security be beefed up. In addition, according to Peter Chiteka, deputy OCS Njoro, the officers' efforts were hampered by impassable roads as well as lack of communication equipment and transport. Some 10 police stations lacked vehicles and the only lorry at the Nakuru police station had broken down (*Daily Nation* 14/08/98; 15/08/1998).

Finally, Abong'o stated that he had not indicated in his report which group started the clashes, yet he agreed that given the higher number of casualties from the Kikuyu community in the first two days of the clashes, 'it was apparent that the Kikuyus were taken unaware but re-grouped later and launched counter-attacks.' (*Daily Nation* 12/08/98).²⁶

Before the commission, Petkay Miriti, former Rift Valley provincial security intelligence officer (PSIO) and Siele's boss, said he was for long aware about tension building up between the Kalenjin and Kikuyu. He referred specifically to the some 500 'land speculators' from Bomet and Trans Mara who had been settled in Ndoinet forest.²⁷ Miriti said these were the people who attacked in the night of 25 to 26 January at Stoo Mbili and who had also invaded MP Kihika Kimani's farm (*Daily Nation* 15/08/98).

Other incidents had contributed to the tension in the area before the clashes broke out by late January 1998. First, leaflets had been pinned on trees in Nakuru district issuing an ultimatum to non-Kalenjin to leave the Rift Valley before Sunday 26 October 1997 (*The Update* 31/10/97). Second, Njenga Mungai, the former MP for Molo was chased away from a public rally in the Ndeffo area by mid-December. Following this incident Mungai allegedly warned the Kikuyu community that their women would carry their children on their backs if they refused to vote for KANU and President Moi (*The Update* 28/02/98).

Third, his opponent Kihika Kimani was also accused before the commission of instigating Kikuyu voters and to have foretold the Njoro clashes at several meetings. For example a Mr Michael Maathai, a Molo watchman, claimed before the commission that on 19 September 1997 the Molo MP convened a meeting at Ndeffo area where he urged members of the Kikuyu community not to vote for President Moi. The MP observed that KANU had a tendency to rig elections and warned that Kenya could plunge into a bloodbath like Rwanda if KANU won the elections (*Daily Nation* 19/11/98).

Another witness, Priscilla Chepkirui Lelaitich, said the warning of an imminent war, if KANU was voted back to power, was made by the DP legislator at a public rally at Kihingo centre a few weeks before the 29 December general elections. This frightened many non-Kikuyu living at

Sinendet Settlement Scheme which was predominantly a Kikuyu zone (*East African Standard* 18/10/89). And a Mr Stanley Kiplagat Maritim stated that Kihika Kimani, during a meeting at his Njoro farm, threatened to kill Kalenjin who had invaded his farm. According to Maritim, Kimani revealed that he had formed a gang of 5,000 youths to drive out Kalenjin settled in Sululu area (*Daily Nation* 17/12/98). Kimani dismissed the claim and also denied that he had incited the Kikuyu against the Kalenjin. He said he had informed intelligence officers that the Kikuyu would retaliate for the killing of their people. He conceded that he had asked Kikuyu to form self-defence groups before ethnic clashes broke out (*Daily Nation* 14/04/99).²⁸

Fourth, leaflets distributed by Wangari Maathai calling for a united Kikuyu community stand in electing one presidential candidate and other leaflets circulating in Nakuru town warning the Kalenjin that they would be sacked from the civil service within two weeks after DP won the elections apparently angered and worried the non-Kikuyu in the area (*East African Standard* 20/08/98; *Daily Nation* 11/11/98).

Fifth, the Kalenjin were said to be unhappy about the election counting process in Molo that led to a conflict in which four people were killed. Sixth, DP and KANU youths had clashed in Nakuru over who was allowed to collect the levy at the bus station. According to *The Star* bi-weekly this trouble was organised by the KANU branch chairman, Raphael Korir, and Musa Kiyai, the deputy State House comptroller in charge of Nakuru State House. They allegedly revived the notorious Nakuru KANU youth to harass non-Kalenjin in Nakuru town. This plan was discussed at a meeting on 3 January 1998 at the KANU Nakuru campaign office at the Agricultural Society of Kenya showground. 'In attendance at the meeting which our sources dubbed "the war council" were, among others, the Nakuru District presidential campaign co-ordinator Jackson Rutto, Egerton University Vice-Chancellor Japheth Kiptoon and the district Kanu boss, Korir.' (*The Star* 27-29/01/98). In another edition *The Star* claimed that the involvement of Molo KANU chairman Joseph Kibenei, KANU activist Jackson Sang, Mau Narok and Njoro DOs Kingsley arap Too and Peter King'ola, respectively (see *The Star* 3-5/02/98). In revenge for failing to vote for KANU and humiliating President Moi, the paper claims, non-Kalenjins were attacked.

Seventh, on Sunday 25 January 1998 at Ndeffo farm, two Kalenjin youngsters, who were drunk, abused a Kikuyu shopkeeper. The man then refused to sell the boys cigarettes. On their part, the Kalenjin claimed that Kikuyu shopkeepers refused to sell them goods. As most shopkeepers in the area are Kikuyu, the Kalenjin are disadvantaged. In turn, the Kikuyu stated that some Kalenjin youths did not pay for the goods sold. Also Amnesty International reported that several Kikuyu shops were burned at the beginning

of December 1997 and that, as a consequence, some Kikuyu shop owners refused to serve Kalenjin (Amnesty International 1998:8).

In the end, the Njoro clashes left over 70 people dead and many wounded and some 1,500 people displaced. The majority of the people killed were Kalenjin. The retaliation by the Kikuyu mostly affected the ordinary Kalenjin living in the Lare area. Amnesty International reported that the Kikuyu's violent response did not appear to have involved outsiders. Kalenjin witnesses recognised most of the attackers, often neighbours, wearing normal clothes and carrying *pangas* and *rungus* (Amnesty International 1998: 8).²⁹ However, one of our informants stated that youths from as far as Nyeri district came in to assist their Kikuyu brethren.

By contrast, the Kikuyu survivors stated that the Kalenjin raiders were mostly outsiders who worked in groups with the local Kalenjin who identified the houses of the Kikuyu. The attackers moved in groups: one engaged in fighting and burning, a second one in looting and a third, made up of women, assisted in removing the looted goods. It should, also, be mentioned that the Kikuyu and Kalenjin neighbours did not always fight each other but sometimes assisted each other during the clashes. For example, members of a Kikuyu family living in Njoro near Egerton University complex were advised by their Kalenjin neighbour to run for their lives when he heard attackers coming near the home speaking Tugen. The Kalenjin neighbour guarded the Kikuyu's home. Likewise Amnesty reported that a Kikuyu neighbour rescued two children of a Kalenjin woman in the Lare/Naishi area when she had fled her house after being attacked by Kikuyu (Amnesty International 1998:6).

On 30 January, a team of *The Star* succeeded in penetrating the Sururu forest and managed to talk to a group of Ndorobo raiders. While moving towards the raiders, accompanied by two APs, the journalists saw a white Land-Rover Discovery (KYF 293) belonging to Egerton University. The vehicle could only have come from where the raiders were hiding, and was most likely being used to ferry supplies to the fighters. This, according to the bi-weekly, was proof of the involvement of Professor Japheth Kiptoon in particular in the ongoing clashes (see *The Star* 03-05/02/98). The team met some 200 warriors. The group complained that the Kikuyu had grabbed all land and owned everything (shops, matatus, posho mills).

We have been depending on the sale of timber and charcoal since 1994 when we were settled here and the forest is now depleted. . . . Kiprono, the gang leader, told *The Star* that they had been told on Sunday, January 25, that ethnic skirmishes had erupted in Ndeffo and that Dorobos had been killed. He said they were instructed to arm themselves and invade homes of Kikuyus. . . . They could not say from whom they were taking instructions, but they said word would 'come from Nakuru' (*The Star* 03-05/02/98).

Three days earlier, on 27 January, another journalist, who prefers to remain anonymous, located attackers near burning houses in the Meta area who identified themselves as Kalenjin. Within less than a minute a GSU officer in uniform arrived and interrupted the discussion. He then admonished the Kalenjin saying they were tarnishing Kenya's reputation. After the short speech, the GSU officer ordered the journalist to leave the area. Asked whether those standing right next to burning houses would be arrested, the GSU officer said there was not enough evidence to justify such action. When the journalist asked if some of the people present would be interrogated, at least in connection with the two Kalashnikov guns which the Kalenjin had in their hands, the officer replied that the Kalenjin held farming tools (others had *pangas* and picks) and as such there was no evidence to warrant taking them for questioning.

Testifying before the Akiwumi Commission, Nakuru police boss Kavila said he could not rule out the possibility that government officers, including senior police officers, took sides in the clashes. This statement supports the observation by the journalist mentioned above that on 28 January he witnessed at a roadblock, supposedly manned by the raiders, three green Mercedes lorries hidden behind bushes and people in plain clothes, yet wearing GSU raincoats (because it was raining) and holding G-3 rifles (which are known to be GSU weapons and need training to operate). Another informant (name withheld) claimed that a military officer who had been posted in the area after the clashes erupted was reprimanded for trying to keep order.

This might confirm a remark by Kavila who said he and other officers were surprised to learn that Siele had intercepted a contingent of GSU personnel which was on its way to the troubled area and ordered it not to proceed. He instead deployed the GSU personnel in Ndeffo where there were no clashes at the time (*East African Standard* 31/10/98). Shortly after Kavila was posted to the area, Siele was transferred to Uasin Gishu district. This was described by the Akiwumi Commission judges as accelerated promotion from an acting superintendent of police (before the clashes) to a senior superintendent of police after the clashes. Also Justice Akiwumi summarised Siele's behaviour in front of Kavila as follows: 'Here is a man who gets information and fails to pass it on; then disappears when there is high tension and resurfaces when clashes broke out; then prevails upon you to release one of the suspects; and then disappears again during patrols and even refuses to release his car to you. What do you comment about this kind of conduct?' (*Daily Nation* 31/10/98).

The trouble in Njoro ended abruptly, especially after national and international outcry intensified. The fact that the Kikuyu hit back very hard might have contributed to this even more. Still, by May some revenge killings had taken place and tension and suspicion remained high.

this situation. Most interestingly, in this respect, was the stand taken by Kihika Kimani.

In August 1998 Kimani criticised those opposing peace talks between Kikuyu and Kalenjin leaders in the Rift Valley. Kimani spoke at his Engashura farm where the first in a series of planned meetings was held. More than 300 leaders, political and religious, from both communities drawn from Nakuru, Laikipia, Baringo, and Koibatek districts attended (*Daily Nation* 17/08/98). Yet, when Kimani decided to vote in favour of KANU in parliament, over the no-confidence motion, party leaders questioned his behaviour (see *Daily Nation* 20/10/98; 21/10/98). His position became even more critical when in May 1999 he threatened to mobilise more than 3,000 members of the Mungiki sect assisted by KANU youth wingers and NDP youngsters to violently disrupt a planned opposition meeting in Nakuru town. 'We shall not allow any Opposition meeting in Nakuru, even if it means shedding blood, to preserve the peace currently prevailing in the district' (*Daily Nation* 23/05/99). By 27 May 1999, the DP (Nakuru branch) had decided to suspend its Molo MP (*Daily Nation* 27/05/99).

That peace had not yet fully returned became even more clear when that same month Okiek elders claimed that warriors who had settled in the area after 1992 were being trained at Gongogeri Settlement Scheme in Mau South forest. They also protested at the massive logging and selling of trees by politicians, civil servants and businessmen (*Daily Nation* 12/05/99).

Conclusion

Violence broke out in Laikipia and Njoro areas after the 1997 Kenya general elections. Questions were raised and answers given to the cause of the clashes. Ethnicity, land problems and partisan politics were mentioned. Many people claimed that involvement of the Kenyan state was evident or at least most likely. In this chapter, different sources were analysed including press reports, archive material, the Akiwumi Commission hearings, interviews and last but not least the author's personal observations of the clashes during the month of January 1998. Different conclusions were drawn with regard to the Laikipia and the Njoro violence. For Njoro there is hard proof that Kenyan authorities or politicians were involved in the instigation or coordination of the attacks. For Laikipia, it is hard to prove that the authorities were involved on the basis of the presently available evidence.

Arguments such as the rape does not come along with 'ordinary' cattle rustling do not hold. Raping has occurred long for a time and has intensified since 1995. Also in the 1990-97 pre-election period 21 people, all Kikuyu, were killed in Laikipia cattle raids. This time, in retaliation, the Kikuyu youth

killed so many Pokot animals, a traumatic experience for the pastoralists, that a strong revenge was unavoidable. These people do not need an army or any other group to assist them in planning and executing cattle raids-related violence. Firstly, the Pokot are known to possess huge numbers of sophisticated weapons and they regularly attack neighbouring groups (Turkana, Marakwet, Samburu as well as Kikuyu) and are capable of causing havoc. A combination of a young local Pokot KANU civic aspirant who lost the nominations and a few police reservists can easily turn the area into hell. It should also be kept in mind that most Kikuyu died in the Rum Rum valley when they pursued the Kalenjin and Samburu raiders. This differs significantly from a pre-planned attack by the pastoral groups executed on Kikuyu homes.

But how come the Pokot were assisted by Turkana and Samburu? Had the political competition united these groups to act together? Did the pastoralists continue seeking compensation by extra looting of Kikuyu property? Or did loose gangster groups come in to profit from the hectic situation, threaten, loot and kill people in other parts of the district? Or was there a co-ordinated militant army, sent by top politicians taking the conflict to other (political) levels, to force the Kikuyu community to drop the election petition and vote wisely next time or leave the area as earlier attacks in Enoosupukia and Olenguruone among others had shown to be 'paying-off' for KANU politicians? The Narok Declaration has been mentioned in this respect. But this meeting took place after the Laikipia trouble had started. Why did the provincial administration and police act the way they are said to have done? Was it cowardice, unwillingness to risk their lives for non-Kalenjin, instructions from elsewhere, lack of personnel? A mixture of these possible reasons, each weighing differently over the 10-day span of violence, cannot be ruled out. Whatever the case, the Laikipia violence evidence might have been politically coordinated, but that does not necessarily mean that political leaders or their handmen were involved.

For Njoro we believe that the attack was organised by KANU and the participation of government related individuals is irrefutable. Proof was provided by informants who were able to speak to the attackers. Also, before the Akiwumi Commission much evidence and arguments were brought forward pointing at planned violence orchestrated by a team of intelligence officers and KANU political activists and directed at the Kikuyu residents. This involved Kalenjin immigrants, especially those settled in the forests in the 1990s, assisted by a part of the security forces. The attack in Njoro was not spontaneous and seems to have been well planned and implemented.

Whether we should call the violence political, ethnic or land-related depends on the relative position of those involved: the politician, the immigrant, the land buyer. In the end, for all parties involved, access to and control over resources were critical. This control and access is either acquired

by political power, economic wealth or brute force. To a certain extent it is not necessary to try to single out one reason why the clashes erupted. In our historical analysis, it became clear, in the words of Sorrenson (1967:250), that 'with the Kikuyu it is still not possible to divorce politics from the land.' Lack of land was a driving motive for the independence movement. Likewise, land and politics were linked in that political leaders gained their support from their positions in land-buying companies or the other way around. The big men (both Kikuyu and Kalenjin) win. The small ones lose, but put their hopes in the hands of the former either by giving votes or financial support (political parties/land buying companies).

In the nineteenth century, flexible boundaries between groups had always existed, depending on the strength of a group and interethnic mobility. The vacuum left by the Maasai as a result of their society's collapse enabled an easy take-over by European settlers of the white highlands. The coming of the British froze the land use pattern. Reserves sealed off areas into which new Kikuyu bands would probably have expanded. However, the European farmers employed many Kikuyu labourers, some of whose descendants bought the land after independence. Original Maasai claims were futile. By contrast, the land consolidation, leading to a push away from the Central Province and backed by an enabling political environment in the 1960s and 1970s, allowed many Kikuyu, to 'jump their father's fence' and migrate to the Rift Valley. They occupied the semi-humid/semi-arid border zone between the humid fertile hills and dry plains of the Rift Valley.

From the 1980s onwards, the enabling political environment shifted from the Kikuyu to the Kalenjin. But these new political favourites still lacked financial power, except for a small elite. These numbers became even more important in a multi-party constituency model. Elections might initiate a change in political and thus economic power and fortune. For the common man, it is land that matters most because it allows him to graze his livestock or to grow crops. Access to and development of the land depends on economic and political power. Here the local MP's personal interest comes in most strongly. As long as voting for certain parties follows the ethnic lines, simple calculations will teach that losing land to immigrants in the end will result in the loss of political power. This, first and foremost, affects the individual politician, but by pointing out to 'his' or 'her' community the danger of losing more land (i.e., pastures and water) to the immigrants, he/she consolidates his/her position as the spokesperson of the people and creates tension between the local communities. Among the pastoral communities of the Rift Valley, one easily finds a listening ear by mentioning the threat of losing land, mostly to the Kikuyu immigrants.

The ever-growing need for land, the ability of well-off Kikuyu to buy it,

and the resulting change in the political supportive strength in the area of immigration is a doom-spelling scenario. The Kikuyu discovered that only by hitting hard at the attackers, including innocent Kalenjin neighbours, were they able to stop the clashes. Come next time they might prepare themselves with more sophisticated weapons than their *pangas*, sticks and bows and arrows.

In the 1990s most victims of violence were poor innocent Kenyans. The perpetrators, when it was not the government security apparatus itself, were mostly organised vigilante groups, sometimes well armed, who operated with total impunity. Violent acts committed by agents of the state, or people acting on their behalf or with their acquiescence or complicity, involved serious breaches of human rights including: the right to life; the right to physical integrity; the right to liberty and security of person; the right to freedom of movement; the right to freedom of opinion and of expression; and the right to property. The price paid for these forms of freedom has been too high for a few hundred Kenyan families whose relatives were butchered in an orgy of killings. Thousands lost their belongings and were rendered refugees in their own country.

Some people, and President Moi is among the main proponents of this stand, claim that the introduction of multi-party politics is responsible for the clashes that have occurred in Kenya in the 1990s (see *Clashes Update* 31/08/93). The claim that multi-party politics will lead to ethnic violence could find support from the happenings in Kenya in the early 1960s and 1990s. In both cases, a shallow analysis of reasons behind the trouble that erupted in the Rift Valley between Kalenjin and Kikuyu, backed by KADU versus KANU, and in later years KANU versus DP, might lead to such a superficial conclusion. However, a more in-depth breakdown shows that the access to land, water, pastures, i.e. access to a livelihood for ordinary people and access to economic positions, business etc, for the elite, especially in later years, is the real cause of fights between groups. In times of potential loss of these resources, political interference heightens because the interests of political leaders are at stake.

Another argument against the 'multi-party linked to ethnic violence' reasoning is that fights between ethnic groups during the period of single party rule also occurred. Moreover, the violence between Pokot (Lotodo) and Marakwet or Maasai (Sunkuli) and Kipsigis, all within KANU, are ongoing. The most powerful minister is able to put his or her men (e.g. chiefs) in place to control and frustrate local happenings. In the latter cases, the access to land is again crucial and the backing by a hawkish minister claiming supremacy in his constituency, leads to ethnic strife and misery, whatever the political system, i.e. single or multi-party

In my view, less the multi-party aspect but more the constituency system, indeed, seems to be the cause for ethnic violence. As a result of this 'winner-take-all' system, failing to win the elections will result in an economic cold for first and foremost the political leader and possibly his supporters. Politicians thus have an interest to ignite mistrust or revert to violence to reach their goals and stay or get into power. In extreme cases, this means removing people physically from the specific constituency. The moment these goals match with those of the ordinary people's longing for land and jobs, the conditions are set for a potentially, dangerous situation. In January 1998, with more light weapons around, and a police force less well equipped and apparently more biased and/or less willing to interfere than in the 1960s, violence was witnessed in Laikipia and Njoro.

A strong lesson on curbing the violence can be learned from the 1961 election tension. As we saw this was stopped immediately by a firm police effort, altogether lacking in 1998. Even more important, to strictly keep law and order and to reconcile rival groups are good ways to prevent clashes from erupting. When asked by the Akiwumi Commission for recommendations on how future conflicts in Ol-Moran could be avoided, a witness proposed that in addition to disarming groups, the government should sink boreholes and build dams in areas occupied by pastoralists to avert disagreements over water during the dry season (*Daily Nation* 05/02/99).

As KANU activist John Keen elaborated before the commission: 'If we are to avoid tribal clashes, ethnic animosity and hatred, the government must come up with a land policy or establish a land commission with proper terms of reference to look into the issue of land tenure' (*Daily Nation* 06/11/98). Unfortunately, efforts to this end by the Kenyan government so far do not allow for firm optimism. As a result, clashes, irrespective of the political system in the country, are likely to occur more often in the years to come. Serious trouble might occur in Kenya soon, whether politically instigated or not, between the powerful and the less strong, between man and wildlife, between different ethnic groups or among members belonging to the same group.³⁰

In this respect, it is also important to realise that the troubles of the 1990s have produced a group of young Kenyans, sons and daughters of innocent clashes victims. They witnessed the killing of their fathers and mothers by vigilante groups and sometimes neighbours. Their crime? Just being another Kenyan. The 1992-98 clashes in Kenya might have prompted the minds of young Kenyans to a hatred that could one day ignite massacres never witnessed in the country before. Yet the Moïs, Biwotts, Lotodos, Ntimamas, Kibakis and Odingas will not be the victims of Kenya's future killing fields. It will be the ordinary Mwangis, Kiptanuis, ole Saronis, i.e., innocent Kenyans,

struggling to make a daily living by cultivating the soil, picking tea leaves or keeping livestock, whose lives will be ruined.

Notes

1. I am indebted to Peter Kagwanja and Catherine Duhamel for reviewing this chapter.
2. For long, the Kones/Ntimama faction of KANU had kept a low profile while President Moi and KANU-B (Biwott and Saitoti) had put in time and money, much against KANU-A's wishes, trying to reach an accommodation with the Kikuyu. The rapprochement failed and was sealed in KANU's poor performance in Central Province and even more so by Kibaki's petition.
3. This part of Laikipia is prone to cattle rustling. So, that Monday evening the villagers responded as the raiders drove away the animals. They were able to recover eight of the goats. The raiders, however, escaped into the hills with the remaining animals. The villagers continued their search and revenged (*Daily Nation* 21/01/98).
4. Since the introduction of multi-partyism these mostly Kikuyu-owned Narok ranches, together with the former government-owned Agricultural Development Farm of Lonyiek, which was passed on to the Pokot, the TND Mugie ranch that went to the Samburu, and the Maundu ni Meru ranch, occupied by Tugen foremost, the northern Laikipia zone became more crowded and less secure. The pastoralists in particular have been blamed for unjustified grazing in cultivated fields, destruction of water structures set up by the immigrants, especially increasing cattle theft and violence. From 1990 to 1997 193 cattle raids resulting in 21 deaths, 8 cases of rape and some 300 injured persons occurred (see CPK/PCEA/CC 1998).
5. *The Star* reports that on 21 January its reporters witnessed a bitter young man who moved an emotional crowd in the streets of Nyahururu town to donate money in order to defend themselves against the ethnic cleansing (*The Star* 23-26/01/98:3).
6. In addition, more than 280 families lost their beddings, 362 lost their utensils, 217 clothes, 172 farm implements and 124 lost their furniture. At the same time, 1,324 bags of maize were stolen from 315 families while 213 bags of beans and 39 bags of potatoes were looted. Some 477 acres under maize, beans and potatoes and other crops had been destroyed through grazing by Pokot and Samburu herdsmen after the families fled. Also 28 cows, 565 goats and 3,513 chickens were stolen (*Daily Nation* 6/01/98).
7. Mutukanio is the Kikuyu equivalent of unity, togetherness. The name was coined because of the area's ethnic mix. The majority of Mutukanio farm shareholders are Kikuyu but Kisii and Luyha also bought plots. According to Amnesty International, the Njoro clashes started as early as 9 on 24 January 1998 when Kalenjin raiders attacked unarmed Kikuyu in their homes in Mauche and later Stoo Mbili (see Amnesty International 1998: 6). Thereafter, attacks by Kalenjin took place at Mwureri, Mutukanio, Mauche (25 January), Kihingo, Milimani, Likia, Kinyanjoya (26 January), Barut (28 January), while the Kikuyu retaliated on 25 and 26 by attacking unarmed Kalenjin in their homes at Naishi/Lare.
8. This killing raised anger among the group of Kikuyu watching the scene from a distance and questions were raised whether the Kikuyu should continue this way, having their people killed and the survivors only going down to collect the dead bodies instead of trying to chase the attackers once and for all. Two other men suffered arrow injuries. On returning to the farm, the attackers shouted war cries (in Kipsigis). On our way back from Mau Narok towards Njoro, we met the OCS, who was with three other police officers, on the side of the road. We told him that we had just witnessed someone being hacked to death and asked about police presence. He replied that 60 of his men had been deployed

- 9 On 27 April a watchman, Godfrey Njuguna Ndindi, was hacked to death in Ndeffo, one day after a lecturer at the Nakuru Medical Training College, Karuri Kimbo, was killed when the pick-up in which he was travelling was stoned and the driver forced to stop by the roadside. The driver managed to flee. This stoning of *matatus* belonging to Kikuyu was done at Mauche by members of the Kalenjin community while at Ndeffo the Kikuyu were stoning those belonging to the Kalenjin. In yet another attack, raiders killed 20-year-old Hellen Njeri Mbuthia at Mathangauta farm in Mau Narok (*Daily Nation* 06/05/98).
- 10 According to the report in Kianjora, Likia and Sururu, 156 houses and nine shops were burnt and 175 sheep and goats and 215 donkeys stolen. More than 2,000 90 kg bags of maize were destroyed after the granaries were torched. At least 200 families were displaced in this area alone and were forced to seek refuge in church compounds and trading centres off the Nakuru - Mau Narok road. In Barut, Mwanki, Ingobor and Kwa Ronda areas, which are within the Nakuru municipality, at least 400 families were displaced and 85 houses torched. More than 185 sheep and goats were stolen and 15 bicycles, 11 TV sets and household property of unknown value burnt. In Larmudiac, Ndeffo and Mau Narok 1,170 families were displaced and more than 3,000 bags of maize burnt. Stolen animals here included 400 head of cattle and 500 sheep and goats. At least 167 families were placed in Kongasis, Kapyemit and Kiptangwany areas (*Daily Nation* 06/05/98).
- 11 Njoro is a Maasai term meaning small spring, (anglicised from en-corro). Laikipia refers to the Laikipiak Maasai section that used to roam this area
- 12 No direct recommendations were made for the Laikipia area, except for some bordering areas such as the Churo area west of Laikipia. Pokot laid claims to the area, but C. Adams, DC Laikipia (1909-10) stated that this area was occupied by the Maasai and not the Suk (Pokot). According to the commission the Churo, an area of some 140 sq. miles, should be added to the Pokot Reserve, yet a fence be erected to prevent trespass by the Pokot in the direction of the Laikipia settled area (KLC 1934: 251). Likewise the Chamus (Njemps) claimed an area of 78 sq. miles east of the Njemps reserve towards Ngelesha, the western tip of the Laikipia escarpment.
In the north the commission stated that the Leroghi Plateau should not be assigned to any group but treated as land in which Africans had prior interest, i.e. the Samburu taking over from the northern Maasai who had been removed to the Southern Maasai Reserve (see KLC/Evidence 1934: 1202). Finally, in the eastern portion of Laikipia the commission recommended be detached the Mukogodo area and from the Kikuyu Province added to the Northern Frontier Province and make arrangements for sufficient land for the Maa-speaking groups of Mukogodo, Mumonyot, Tikirri and Ng'wesi.
- 13 At the Lancaster House Conference in London, dealing with Kenya's independence, a Maasai delegation stated that they did not want to evict Europeans who were willing to stay, but expected to receive the rents from the lease of the land. Likewise, they expressed their discontent a possible loss of the special status of their territory. The British confirmed the security of tenure on the lines of the treaties but disagreed on any claim for compensation for the loss of land outside the present Maasai reserves. The Maasai '... had given up land under the 1904 and 1911 agreements and could not now claim it back.' (KNA/MAC/KEN/47/5). In response all Maasai, including KANU's John Keen, refused to sign the final Lancaster House agreement.
- 14 By early 1963 a total of 9,530 applications for land on settlement schemes had been received in the Nakuru district. Only 820 were selected (KNA/DC/NKU/2/1/2-Jan/Feb 1963). By August the scramble for land at Menengai by Kalenjin took everyone by surprise. Between 300-400 plots were demarcated and a good number of huts built. These were eventually pulled down and the area completely cleared of illegal occupation. 'The motive behind the demonstration would appear to be more social and economic

rather than political. Hence, a recurrence of the problem in the near future is not unlikely' (KNA/DC/NKU/2/1/2-Aug 1963)

By 1964 illegal squatting in Rongai and Solai areas of Nakuru by Tugen pastoralists was reported. 'This unwelcome move was well balanced by more Africans taking over farms, particularly in Dundori/Subukia and in Molo areas' (KNA/DC/NKU/2/1/2-Jan 1964). Finally, the Ndorobo in the East Mau forest discussed ways of moving to the Tinet Forest Reserve and Olenguruone

15. By the late 1950s, Europeans owned 80 per cent of Laikipia. At independence this started to change. In Laikipia there was much talk of leaving the country mainly among the Afrikaans farmers in the Ol Kalou, Ol Arabel and Leshau areas. During 1961, some 14 farmers left and the farms concerned were leased or otherwise taken up locally. More would have left if able to do so but the majority of the farmers decided to stay (KNA/DC/LKA/1/11/8/1961:1).
16. *Haraka* is a Kiswahili word meaning hurry. *Shirika* means divide. Kohler (1987: 30-1) claims that increasing political pressure was most likely one of the reasons for the small plots (2 acres) offered in the Marmanet scheme. Also campaign tactics leading up to the 1979 elections - the then MP for Western Laikipia, G.G. Kariuki, held a key position in the 'Ministry of Lands and Settlement' - may have been another.
17. Ten districts showed increases of the African population of more than 60 per cent during this period: Narok (193 per cent), Elgeyo-Marakwet (150), Kajiado (133), Nairobi (126), Kisii (116), Mombasa (102), Kericho (82), Nanyuki (68), Baringo (68) and Laikipia (65). Naivasha-Nakuru district scored 12th position with 54 per cent.
18. Njeri's neighbour later recalled that only a few raiders attacked and one shouted, 'We shall push you to Kiambu and then take all your livestock'. This apparently confirms the motive of the land as well as cattle-rustling motive.
19. Father Sandro visited the DO at his house in Kinamba at about 8.30 pm on 17 January 1998 to inform him that houses were being torched in Ol-Moran. In response the DO said he had visited the area earlier in the day and that he was tired. The DO told him that he would visit Ol-Moran the following day. Earlier Father Sandro had gone to see the Kinamba police station commander who told him that he had visited Ol-Moran earlier in the day and that the security situation was under control (see *Daily Nation* 11/02/99). Father Sandro said he had also met some policemen driving towards Kinamba from Ol-Moran and when he informed them about the two incidents they told him that they could not go back to Ol-Moran without instructions from their boss in Kinamba.
20. Another witness, Ms Lamarias Lomuna, a Samburu who is the KANU chairlady in the Ol-Moran area, told the commission that the clashes in Ol-Moran started after animals were slashed by the Kikuyu. She also stated that the relationship between the Samburu and the Kikuyu soured after a KANU civic candidate, Francis Ndung'u Gachau, described the Samburu as primitive (*Daily Nation* 04/02/99).
21. The traumatic experience of killing of one's animals was expressed by two Samburu elders who said they regretted the raids but blamed both sides for the flare-up. 'The Kikuyu youths should have waited for the police to handle the matter as promised.' 'On the other hand, the other combatants should not have started war cries after being addressed by the Government officials', said one elder. 'You know with us the pain of the death of livestock can be more unbearable than that of a child' said Mzee Stanley Lesaigor. He denied any knowledge of politics behind the killings although he admitted there was friction during the campaigns over the different parties the communities were supporting.' (*Daily Nation* 04/02/98).
22. Before the Akiwumi Commission, Jonathan Soi denied the report and claimed he never saw bands of Kikuyu youths marching towards Ngoisus to attack the Samburu. Soi said he learnt that Kikuyu youths had been killed in Ngoisus area in Ol-Moran division

- several days after the incident when he was informed by assistant chief John Kimaiyo of Sipili (*Daily Nation* 20/02/98).
23. Likewise on 26 September 1998, when visiting Laikipia district, President Moi called for the communities to co-exist peacefully. He told Samburu West MP, Peter Leenges, and his Baringo East counterpart, Joseph Lotodo, that he would hold them responsible for livestock stolen from Laikipia and driven to their respective areas. He called on the leaders from all the communities to form committees of elders to curb the menace (*Daily Nation* 27/09/98).
 24. In September 1995 Nyahururu was ceded from Nyandarua district in Central Province to Laikipia in the Rift Valley Province through a presidential decree.
 25. For example, on 24 June 1997 Laikipia West MP, Kihika Kimani, while in parliament said more than 40 people had been killed and thousands of cattle stolen by bandits in his area. As a result over 15,000 acres of land had been abandoned (*The Update* 30/06/97).
 26. According to Abongo's report, on 26 January seven Kikuyu and three Kalenjin were killed. On 27 January 11 Kikuyu and four Kalenjins. Two days later, the scenario changed: On 28 January three Kalenjins and one Kikuyu were killed. On 29 January 29, three Kikuyu and three Kalenjin and on 30 January five Kikuyu and eight Kalenjin were killed (*Daily Nation* 12/08/98).
 27. On 20 August a meeting was held by the DCs of Narok and Nakuru to settle a dispute between Maasai from Narok who protested about Kalenjin who had settled in Likia forest. In the last few years more than 8,000 Kalenjin families had been settled in parts of Likia, Sululu, Tinet, Ndoinet, Teret and other forests (*Daily Nation* 21/08/98).
 28. In this respect three local Kikuyu elders, Josephat Chege, Benjamin Mara and another called Joab, were named by witness Joseph Kimani Mboi, a 1997 KANU campaigner and poll agent, as advising youths in Njoro to drive away Kalenjins. In September 1997, he claimed before the commission that he had overheard three meetings in Peacock Hotel (Bagari trading centre, Lare location) in Njoro division of Nakuru district. The purpose of the meetings was to arrange for an oath to be administered to members of the Kikuyu community 'to bind them together and reject President Moi and Kanu.' (see *East African Standard* 22/12/98, 23/12/98; 07/01/99). Joseph Mboi also named Lare location chief Sammy Kivuthu Kimani as warning the Kikuyu youths that their survival depended on defeating the Kalenjin and urging them to arm themselves in readiness for a protracted war. Witness Michael Maathai said that Kivuthu ordered the Kikuyu to attack Kalenjins in Sululu Settlement Scheme. The chief later congratulated the Kikuyu for killing Kalenjins in the area, Maathai claimed (*Daily Nation* 19/11/98).
 29. In Likia, resident David Gacheru reported that some of the raiders were strangers but others were neighbours. Julius Kuria in Kianjoya said that the attackers included people who settled in the area only a few years ago. Joseph Kinyanjui in Mutukaniao stated that some of the attackers were known and had been living with the victims in a friendly way (see *Daily Nation* 31/01/98:12).
 30. For example, in February 2000 eight Kikuyu KANU leaders from Kenya's Central Province accused the government of not protecting members of the province. They called on the government to protect the community and its investments and urged the government to sack and charge cabinet minister Francis Lotodo for spearheading a hatred campaign against non-Kalenjin. They vowed to 'recover whatever is snatched from us through unfair means even if it takes 200 or 500 years' (*Daily Nation* 04/02/00).

References

- Amnesty International 1998, *Kenya – Political violence spirals*, London: AI International Secretariat.
- Bogonko, S. 1980, *Kenya 1945-1963. A Study of African National Movements*, Nairobi: Kenya Literature Bureau.
- Chenevix Trench, C. 1993, *Men Who Ruled Kenya – The Kenya Administration 1892-1963*, London: The Radcliffe Press.
- CPK/PCEA/CC 1998, Report on clashes at Ol Moran and part of Sipili location and also cattle rustling in parts of Kinamba and Gitwamba locations, Laikipia District: Church of the Province of Kenya, Presbyterian Church of East Africa, Catholic Church.
- KLC 1934 Report of the Kenya Land Commission – The Evidence, Nairobi: Government Printer.
- Kohler, T. 1987, *Land Use in Transition. Aspects and Problems of Small Scale Farming in a New Environment: The Example of Laikipia District, Kenya*, Berne: Geographica Bernesia Vol. A5.
- Leo, C. 1984, *Land and Class in Kenya*, University of Toronto Press.
- Newman, J.L. 1995, *The peopling of Africa – a geographic interpretation*, New Haven: Yale University Press.
- Ochieng, W.R. 1985, *A history of Kenya*, Nairobi: Macmillan Kenya.
- Ominde, S.H. (ed.) 1984, *Population and Development in Kenya*, Nairobi: Heinemann.
- RBC 1962, *Kenya: Report of the Regional Boundaries Commission, Presented to Parliament by the Secretary of State for the Colonies by Command of Her Majesty*, London: HMSO, Cmd 1899.
- Republic of Kenya 1966, *Kenya Population Census 1962, Volume III African Population*, Statistics Division Ministry of Economic Planning and Development, Nairobi: Government Printer.
- _____. 1970, *Kenya Population Census 1969, Volume I*, Statistics Division Ministry of Economic Planning and Development, Nairobi: Government Printer.
- _____. 1981, *Kenya Population Census 1979, Volume I*, Central Bureau of Statistics Nairobi: Government Printer.
- _____. 1994, *Kenya Population Census 1989, Volume I*, Central Bureau of Statistics, Nairobi: Government Printer.
- Rutten, M.M.E.M. 1992, *Selling Wealth to Buy Poverty – The Process of the Individualization of Landownership Among the Maasai Pastoralists of Kajiado District, Kenya, 1890-1990*, Saarbrücken: Verlag Breitenbach Publishers.

- Sang, J. 1997, 'Kenyatta's Grabbing of Gicheha Farm/Pipeline to Kabarak', mimeo.
- Sorrenson, M.P.K. 1967, *Land Reform in the Kikuyu Country – A Study in Government Policy*, Nairobi/London: Oxford University Press.
- Sottas B. 1992, *Afrika Entwickeln und modernisieren. Paradigmen, Identitätsbildung und kleinbäuerliche Überlebensstrategien*, *Studia ethnographica Freiburgensia* 18, Freiburg, Schweiz: Univ.-Verl.
- Tignor, R.L. 1976, *The Colonial Transformation of Kenya – The Kamba, Kikuyu, and Maasai from 1900 to 1939*, Princeton University Press.
- Waller, R. 1976, 'The Maasai and the British 1895-1905, the origins of an alliance', *Journal of African History* Vol.17, No.4: 529-53.
- Weigt, E. 1955, *Europäer in Ostafrika – Klimabediengungen und Wirtschaftgrundlagen*, Doppelheft 6/7 Selbstverlag des Geografischen Instituts der Universität Köln.

21

After the Count...

François Grignon, Marcel Rutten

As in 1992, Kenya woke up from the 1997 general elections with a serious political hangover. Once again President Moi was sworn in to protect the lives and property of all in Kenya and once again this oath, taken in front of the Tanzanian and Ugandan Presidents, Benjamin Mkapa and Yoweri Museveni, respectively, proved to be nothing more than a meaningless ritual. The two neighbouring presidents asked Kenyans to avoid chaos and bloodshed at all costs. However, by the end of January operations of ethnic cleansing had resumed in Njoro and Laikipia (Chapter 20) while, on the political front, half of the opposition was negotiating its co-operation with the newly formed government. Even Mwai Kibaki's DP, which had initially rejected the results together with Raila Odinga's NDP, finally took up its seats in parliament. Still, Kibaki filed a petition to challenge Moi's election and another 26 election petitions were taken to court by people looking for the nullification of the election results (see Appendix 5). However, despite the well documented rigging of elections in at least seven constituencies, which invalidated KANU's majority, the international community led by the United States lauded President Moi's re-election and acknowledged the formation of his government. Still, the foreign countries, especially the Europeans, aired a more critical opinion than the domestic observers who in a surprising report had claimed as early as 3 January that the 'results represented the wishes of Kenyans despite numerous anomalies'. Only opposition politician Kenneth Matiba, who had opted not to join the 1997 presidential race and declared these elections as rigged from the start, called for a constitutional review to be followed by fresh elections. He also registered a new party Saba Saba Asili.

Over the following two years, Kenya appeared to shrink a little more in a state of economic, political and administrative decomposition that will be remembered as the trademark of the last years of the Moi era. Even three successive reshuffles and the appointment of a World Bank-inspired 'dream team', led by Richard Leakey at the helm of the civil service, could not shake off the status quo and the image of gloom and doom.

'If you can't beat them, join them'. This popular saying became, with the opening of the eighth parliament, the guideline of two opposition parties: